ZONING BYLAW

The Town of Regina Beach

Zoning Bylaw No. 11/2021

1. Pursuant to Section 45 of *The Planning and Development Act, 2007*, the Council of the Town of Regina Beach hereby adopts the Zoning Bylaw, identified as Schedule "A" to this Bylaw.

2. The Mayor and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.

3. Bylaw No. 11/2005, known as the Zoning Bylaw and any amendments made thereto is hereby repealed.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 _____ day of _____ , _____

Read a Second Time the _____ day of _____ , _____

Read a Third Time and Adopted the _____ day of _____ , _____

TOWN SEAL

_____
Mayor

_____
Chief Administrative Officer

Certified a True Copy of the Bylaw adopted by Resolution of Council

on the _____ day of _____ , _____ .

The Town of Regina Beach

ZONING BYLAW

Schedule “A” to Bylaw No. 11/2021

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Appendix "A" – Town of Regina Beach Zoning District Map

Section 1: Introduction

1.1 Authority

1.1.1 Under the authority granted by *The Planning and Development Act, 2007 (The Act)*, the Mayor and Council of the Town of Regina Beach in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 Title

1.2.1 This Bylaw No. 11/2021 shall be known and may be cited as the Zoning Bylaw of the Town of Regina Beach.

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate development and control the use of land in the Town of Regina Beach in accordance with the Town of Regina Beach Official Community Plan Bylaw No. 10/2021.

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

a. To minimize land use conflicts;

b. To establish minimum standards to maintain the amenity of the Town;

c. To ensure development is consistent with the physical limitations of the land;

d. To restrict development that places undue demand on the Town for services; and

e. To provide for land use and development that is consistent with the goals and objectives of the Town.

1.4 Scope

1.4.1 This Bylaw applies to all land included within the boundaries of the Town. All development within the limits of the Town shall hereafter conform to the provisions of this Bylaw subject to the right of appeal provisions of *The Act*.

1.5 Severability

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

Section 2: Definitions

Whenever the following words or terms are used in this Bylaw and/or the Town of Regina Beach Official Community Plan Bylaw No. 10/2021, they shall have the following meaning unless provided otherwise.

A

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

Above Ground Fuel Storage Tank: A storage tank, any portion of which is above grade and contains gasoline, diesel fuel, propane or ethanol.

Accessory: A use, building, or structure customarily associated with, incidental to, subordinate to, and located on the same lot as the principal use, building or structure.

***Act, The*:** *The Planning and Development Act, 2007*, Province of Saskatchewan.

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

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

Alteration or Altered: Any structural change or addition to a building or structure, and includes a change from one type of use to another.

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

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

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

Apartment: A building divided into five (5) or more dwelling units, unless otherwise defined, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel, motel, or rooming house.

Applicant: A developer or person applying for a development permit under this Bylaw or for a subdivision approval to an approving authority under *The Act.*

Attic: That portion of a building situated wholly or in part within the roof and which is less than one- half (1/2) storey.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has two (2) to four (4) wheels, an internal-combustion engine, alternate energy sources such as electrical, fuel cell, and is used for land transport.

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

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

B

Bare Land Condominium: A bare land condominium involves dividing a parcel of land into individually owned 'bare land units'. A proposed plan of survey to create a bare land condominium requires the subdivision of the land and subdivision approval pursuant to *The Act*. Buildings on each bare land unit are owned by the individuals. The balance of the parcel around the units is common property. Generally, buildings on private units or common property are not constructed until after the bare land condominium plan has been registered. To ensure compliance with municipal bylaws, the municipality should discuss with the developer, any proposed construction of buildings prior to registration of the condominium plan. All buildings and improvements on common property are owned by the condominium corporation. Bare land condominiums are sometimes managed as exclusive communities, with control over local access.

Bare Land Condominium Unit: A bare land unit as defined by *The Condominium Property Act, 1993.*

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

Bed and Breakfast: a dwelling unit, licensed as an itinerant use accommodation under *The Public Accommodation Regulations*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

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

Brewery, distillery or winery: A brewery, distillery, or winery where beer, liquor, or wine are produced onsite and may be consumed on the premises or sold or distributed in accordance with the Province of Saskatchewan regulations and licensing requirements.

Buffer: A strip of land, vegetation or land use that physically separates two (2) or more different land uses.

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

> **Building, Accessory**: See "Accessory".
>
> **Building, Principle**: A building in which is conducted the main or primary use of the site on which said building is situated.

Building Bylaw: A Bylaw of the Town of Regina Beach to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

Building Height: The height of a building according to **Section 4.10** of this Bylaw.

Building Permit: A permit, issued under the Building Bylaw of the Town of Regina Beach, authorizing the construction of, or the addition to, any building but does not include a development permit.

Bulk Fuel Sales and Storage: Includes land, buildings and structure for the storage and distribution of fuels and oils including retail sales or cardlock operation.

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

C

Campground: An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, excluding the use of mobile homes or trailers on a permanent year round basis, that may also include accessory facilities which support the use, such as administration offices, laundry facilities, and other complementary, yet subordinate uses.

Cannabis Production Facility: A federally licensed facility for the growing of cannabis plants and harvesting of product from those plants where all plant growth activities are carried out indoors; excludes processing.

Cannabis Retail Store: A retail business operating from a storefront operation and authorized by The Cannabis Control Act (Saskatchewan) to sell any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate, or edible product originating from the cannabis plant.

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

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

Cemetery: A cemetery or columbarium within the meaning of *The Cemeteries Act, 1999*.

Chief Administrative Officer: The Administrator of the Town of Regina Beach.

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

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

Community Facilities: Buildings or facilities used for recreational, social, educational or cultural activities and that are owned by a municipal corporation, non-profit corporation or other non- profit organization.

Community Garden: An area of land managed and maintained by a formal or informal group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, donation or sale at a farmers' market or farm stand.

Compatible: As defined in *The Statements of Provincial Interest Regulations.*

Condominium: Land, buildings and units including private and common property as defined under *The Condominium Property Act, 1993.*

Condominium Unit: A division of land or building as defined in *The Condominium Property Act, 1993.*

Confectionary: A retail, commercial establishment supplying a limited selection of food and other daily household necessities to the surrounding area.

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

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

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

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

Council: The elected Council of the Town of Regina Beach.

Cultural Resource: As defined in *The Statements of Provincial Interest Regulations.*

D

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

Deck: Any raised floor structure at least 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp or similar access.

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

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

Development Officer: A person appointed by Council to administer this Bylaw. As per **Section 3.1** of this Bylaw, the person responsible for the administration of this Bylaw shall be the Chief Administrative Officer, and in their absence by such other employee of the municipality as Council designates from time to time

Development Levy Agreement: An agreement entered into pursuant to *The Act (ss. 171).*

Development Permit: A document issued by the Town of Regina Beach that authorizes development pursuant to this Bylaw and does not include a building permit.

Driveway: That portion of a lot used to provide vehicular access from a street to a parking space or to an off-street parking or loading area located on the same lot.

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

Dwelling, Duplex: A building that is divided into two (2) dwelling units with separate entrances and separated by a common party wall.

Dwelling, Mobile (Manufactured): A structure built on a deformation resistant frame or metal chassis that is defined in the Canadian Standards Association (CSA) and bears a CSA seal attesting that the structure complies with the #Z240 standards built prior to 2019 or CSA standard #A277 built after January 1, 2019. Mobile dwellings are constructed off-site in a yard or factory and include a deformation resistant frame to allow them to be placed on a surface riding foundation such as cribbing for ease of transportation to site.

Dwelling, Modular (includes RTMs): A residential dwelling that is constructed off-site in a yard or factory, in one (1) or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site in the Town, and conforming to CSA standard #A277.

Dwelling, Multiple-Unit (or Multi-Unit): A building containing three (3) or more dwelling units and shall include condominiums, townhouses, row houses and apartments as distinct from a rooming house, hotel or motel.

Dwelling, Park Model (or Trailer Coach): A seasonal or year-round mobile dwelling that is designed to be drawn on any public roadway that has no motor power of its own and cannot be licensed as a recreational vehicle. It must meet CSA standard #Z241, bear the appropriate seal, and shall be no greater than the maximum floor area 50.0 m2 (538 ft2).

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

Dwelling, Single-Detached: A building containing only one (1) dwelling unit, and shall not include a mobile home as herein defined.

Dwelling, Townhouse: A dwelling, designed as one (1) cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.

Dwelling, Triplex: A building divided horizontally into three (3) dwelling units with separate entrances that are separated by a common party wall.

Dwelling, Vacation Rental: The short-term rental of a dwelling unit as temporary accommodation by a person or group of persons for up to 30 days or based on a daily or weekly rate by way of concession, permit, lease, license, rental agreement or similar arrangement, unless otherwise prohibited by this Bylaw, or any other Bylaw of the Town of Regina Beach. A Vacation Rental Dwelling may also include a single-detached dwelling which is owner occupied, and in which not more than two bedrooms are rented.

Dwelling Group: A group of single-detached, semi- detached, or multiple unit dwellings clustered on one (1) lot or site, built as one (1) development.

Dwelling Unit: One (1) or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities.

E

Engagement: As defined in *The Statements of Provincial Interest Regulations.*

Environmental Reserve: Dedicated lands that are provided to a municipality for protecting or conserving natural or environmentally-sensitive areas, or that were dedicated as public reserve and transferred to a municipality pursuant to *The Act.*

Environmental Site Assessment: An investigation intended to identify actual or potential contamination, and is performed by a qualified person in accordance with *The Canadian Standards Association Standard Z768-94, Phase 1 Environmental Site Assessment*.

Environmentally Sensitive Lands or Areas: As defined in *The Statements of Provincial Interest Regulations.*

Estimated Peak Water Level (EPWL): The water level calculated by Saskatchewan Water Security Agency to determine a flood hazard area.

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

F

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

Fill (Clean Fill): Uncontaminated non-water- soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and or clay or ceramic products. Clean fill does not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive, or radioactive.

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

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

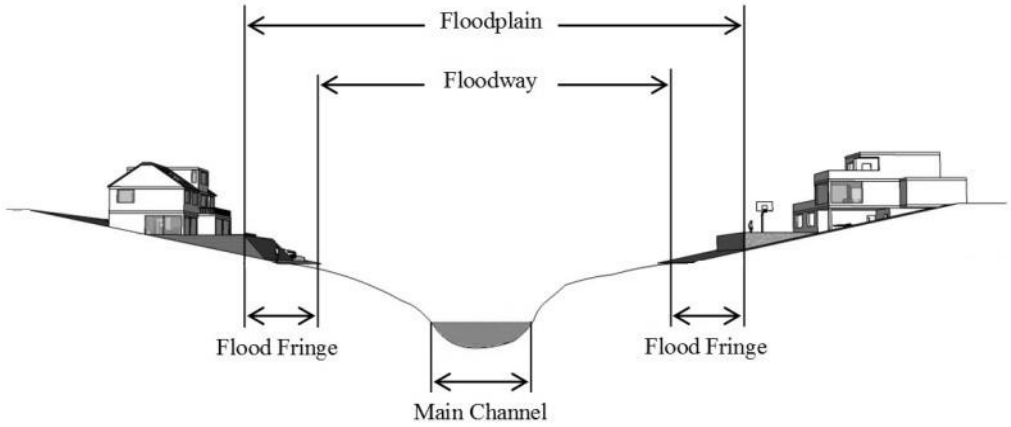
Flood Fringe: As defined in *The Statements of Provincial Interest Regulations.*

Flood Plain: As defined in *The Statements of Provincial Interest Regulations.*

Flood Proofed: As defined in *The Statements of Provincial Interest Regulations.*

Floodway: As defined in *The Statements of Provincial Interest Regulations.*

Figure 1: Cross-section of a Flood Fringe and Floodplain



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

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

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

G

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

Garage / Garden Suite: An accessory dwelling unit located in the yard of a single detached dwelling or within a detached accessory building that may have cooking; food preparation; sleeping; and, sanitary facilities which are separate from those of the single detached dwelling. Typically garden suites are standalone structures while garage suites are either attached to or located above a detached garage.

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

Geotechnical Analysis: An assessment or estimation by a qualified expert of the earth's subsurface and the quality and or quantity of environmentally mitigative measures that would be necessary for development to occur.

Grade: The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the four (4) outside corners of the building.

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

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

Greenways: Corridors or protected open spaces that are publicly or privately owned and managed for conservation and recreation purposes.

H

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

Hazard(ous) Land: As defined in *The Statements of Provincial Interest Regulations.*

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

Heritage Resource: As defined in *The Statements of Provincial Interest Regulations.*

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

Highway Sign Corridor: A strip of land parallel and adjacent to a provincial highway, where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled the *Erection of Signs Adjacent to Provincial Highway Regulations, 1986*.

Holding Tank: A digestion chamber in which sewage is received and retained to be transported to a final point of disposal.

Home-Based Business: Development consisting of the use of a conforming dwelling unit or residential accessory building as a business by the resident or residents, which is incidental and secondary to the residence and does not change the building's exterior character. This does not include a home office, vacation rental, the production or retail of cannabis, or any use that is listed as discretionary or prohibited in the specific zoning district.

Home Office: An office located within a dwelling unit where a resident may carry out typical office work for remuneration but does not meet with any clients or customers on site.

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

I

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

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

Infill Development: Re-development within existing areas or neighbourhoods.

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

Intensity of Use: The density of use, number of units, size of development, or bulk, form or number of buildings or structures for a permitted, discretionary or prohibited use.

J

K

Kennel, Boarding: The temporary accommodation of more than four (4) dogs, cats or other domestic animals for commercial purposes.

L

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

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

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

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

Loading Space: A space having access to a street or lane, in which a vehicle may park to load or unload.

Lot: An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot" and "site" shall be deemed not to mean the same. A site may constitute more than one lot if they are contiguous and under the same landowner.

Lounge: A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with food, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant, subject to provincial regulations.

M

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

Marina: A facility, accessible by boat from a water body for the launching and berthing of watercraft.

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

Mayor: The Mayor of the Town of Regina Beach.

Minister: The member of the Executive Council to whom for the time being is assigned the administration of *The Act.*

Mini-Storage: A commercial facility made up of more than one (1) unit in which customers can rent space to store possessions.

Mixed-Use: A mix of compatible land uses that facilitate the mixing, rather than separation of permitted or discretionary land uses in one (1) distinctive environment, either vertically in the same building or horizontally adjacent. It is intended to be compatible with adjacent uses.

Mobile Dwelling Parks: Any subdivision of land and the development thereof for the purpose of accommodating modular and mobile dwellings in such a manner that each home is situated on its own site and in which all sites, public open space, internal streets, buffer zones and other amenity areas form a contiguous area of development.

Mobile Dwelling Site: A site within a Mobile Dwelling Park referred to above that contains one (1) modular or mobile dwelling.

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

Motor Vehicle: An automobile, truck, motorcycle or any other vehicle propelled or driven otherwise than by muscular power, excluding a commercial motor, a streetcar, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine.

Municipal Reserve: Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a municipality pursuant to *The Act.*

Municipal Road: A public roadway subject to the direction, control and management of the Town of Regina Beach.

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

N

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

Non-Conforming Site: A site consisting of one (1) or more contiguous parcels that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

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

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

O

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

Official Community Plan (OCP): The Town of Regina Beach Official Community Plan Bylaw No. 10/2021, as per *The Act*.

Open Space: Passive and structure leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community, including parks, recreation and tourism nodes and natural areas.

P

Parcel: A surface parcel as defined in The Land Titles Act, 2000.

Parking Lot: An open area, other than a street, used for the temporary parking of more than four (4) vehicles and available for public or private use.

Parking Space: A space within a building or parking lot for the parking of one (1) motor or recreational vehicle including convenient access to a public lane or street and shall be not less than 2.75 metres (9.0 ft.) wide and 5.5 metres (18.0 ft.) in length.

> **Parking Space, Off-Street**: Accommodation for the parking of vehicles off a public road or highway.
>
> **Parking Space, Tandem:** Double-length parking spaces that are located one in front of the other, such that one vehicle will have to pull out in order to access the second vehicle.

Patio: Any hard surface or floor structure less than 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed.

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

Placemaking: A multi-faceted approach to the planning, design and management of public spaces. Placemaking capitalizes on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.

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

Public Realm: The publicly owned places and spaces that belong to and are accessible by everyone. These can include municipal streets, lanes, squares, plazas, sidewalks, trails, parks, open spaces, waterfronts, public transit systems, conservation areas, and civic buildings and institutions.

Public Utility: A government, municipal or corporation under Federal or Provincial statue which operates a public work and/or provides a service to the general public.

Public Work: Under *The Act*, means:

- systems for the production, distribution or transmission of electricity;
- systems for the distribution, storage or transmission of natural gas or oil;
- facilities for the storage, transmission, treatment, distribution or supply of water;
- facilities for the collection, treatment, movement or disposal of sanitary sewage;
- telephone, cable television or light distribution or transmission lines; or
- facilities for the collection, storage, movement and disposal of storm drainage;

Q

R

Reconstruction: The construction of a building or structure of the same size and design that replaces a previously removed or damaged building or structure on the same location of the site.

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

Recreational Vehicle (RV): A travel/camper trailer, motor home, or similar vehicle, boat, snowmobile, ATV, or similar vehicle designed for travel, recreation, leisure or vacation purposes, including temporary accommodation, but does not include a modular and mobile dwellings that are constructed and used for year-round occupancy.

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

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

Redevelopment: See “Infill Development”.

Residence: See “Residential Use”.

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

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

Responsible Development: As defined in *The Statements of Provincial Interest Regulations.*

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

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

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

Rooming House (Boarding House): a building or dwelling group in which the principal use is to provide living units with sleeping areas and some combination of shared or separated bath, toilet and cooking facilities for short-term accommodation in exchange for compensation. May otherwise be commonly referred to as a lodging house or boarding house, but does not include bed & breakfasts, short-term rentals, hotels, motels, or residential care homes.

S

Safe Building Elevation (SBE): A level as defined by the Ministry of Government Relations at the time of subdivision to which flood proofing must be done for developments in the flood hazard area. The SBE is calculated as the EPWL plus a freeboard value to allow for uncertainties in calculations and other possible hazards such as ice push, ice jams, wind, waves and erosion.

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

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

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

Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principle use is a one (1) unit dwelling.

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

Septic Tank: See “Holding Tank”.

Setback: A required minimum separation distance, usually from the nearest point of a building or structure’s exterior wall to a site line, railway, or centre line of a public highway.

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

Shipping Container (or Sea/Rail Can): A standardized reusable steel box used for the secure storage and efficient intermodal movement of materials and products. It does not contain a foundation or wheels for movement.

Shopping Centre: A building or group of buildings located on one (1) or more contiguous and/or non-contiguous lot or site, in which four (4) or more of the uses allowed in the zoning district are co- located for their mutual benefit including the use of off-street parking and other joint facilities.

Sight Triangle: As per **Section 4.20**, 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.

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

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

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

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

Sign, Fascia: A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 metres (1.6 ft.) from such building or structure.

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

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

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

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

Sign, Portable: A sign mounted on a trailer, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to provide advertising at another location, and may include copy that can be changed manually through the use of attachable characters.

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

Sign, Real Estate: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m^2 (10.8 ft^2).

Sign, Temporary: A sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one (1) or more lots with the same land owner considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same. At the discretion of the Development Officer or Council, the Town may require lots to be consolidated or tied to clarify the specific lots that encompass a site.

Site, Corner: A site at the intersection of two (2) or more public streets, or upon two (2) parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than 135 degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

Site, Through: A site other than a corner site, having separate frontages on two (2) streets. The front site line of a through site shall be determined by predetermined building lines.

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

Site Coverage: The percentage of the total site area that is covered by all principal and accessory buildings on site above the ground level.

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

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the street; for a corner site, the shorter line abutting a street; though in the case of a corner site with two (2) street lines of equal length, the front site line shall be designated by predetermined building lines.

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

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

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

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

Solar Collector: A device for the absorption of solar radiation for the heating of water or buildings or the production of electricity.

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

> **Storey, One-Half**: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.6 metres (5.2 ft.) and 2.3 metres (7.5 ft.) over a floor area which is not less than one-third (1/3) nor more than two-thirds (2/3) of the floor area of the storey next below.

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

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

Strip Mall (Mini Mall): A building of not more than 604 m^2 (6501.4 ft^2) in gross floor area in which a minimum of three (3) and a maximum of six (6) of the permitted or discretionary uses of the zoning district are located together for their mutual benefit.

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

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

Sustainable: As defined in *The Statements of Provincial Interest Regulations.*

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading.

T

Tavern: An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with food, and is subject to provincial regulations.

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

Trailer Signage: See "Sign, Portable".

Travel (Camping) Trailer, Truck Camper, 5th Wheel Trailer, Trailer Coach: Any vehicle designed, constructed or reconstructed in such a manner as it will permit occupancy as a dwelling or sleeping place for one (1) or more persons, notwithstanding that its running gear is removed; jacked up; is used; or, constructed in such a way as to enable it to be used as a conveyance upon public streets, highways. This includes self-propelled and non self-propelled vehicles.

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

U

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

> **Use, Accessory:** See "Accessory".
>
> **Use, Discretionary:** 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, as contained in this Bylaw.
>
> **Use, Permitted:** A use or development which is rightfully allowed in its zoning district subject to the regulations of this Bylaw and following application for a development permit that is approved by the Development Officer.
>
> **Use, Principle:** The main or primary activity, for which a site or its buildings are designed; arranged; developed; intended; or, for which is occupied or maintained.

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 9.3 m^2 (100 ft^2).

V

Vehicle: A device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and agricultural implements but does not include vehicles running only on rails or solely on railway company property.

Vehicle Repair and Maintenance Service Indoor: Includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.

Visitor Information Centre: A building that provides information and services to visitors to a place such as a community, tourism amenities, services and others.

W

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

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

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

Water Body: A lake, pond, reservoir, lagoon, swamp, marsh, wetland or any other area containing standing surface water, either permanently or intermittently.

Water Course: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or design flood.

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

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

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

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

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

Y

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

> **Yard, Front:** The area from the front site line to the nearest extent of the main front building wall, between the side site lines.
>
> **Yard, Rear:** The area from the rear site line to the nearest extent of the main rear building wall or structure, between the side site lines.
>
> **Yard, Side:** The area between the side lot line and the nearest extent of the main side wall of the building or structure.

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

Z

Zoning District: Divisions identified in the Zoning Bylaw according to **Section 6.0** of this Bylaw that establish permitted and discretionary uses as well as development standards for all sites within the Town of Regina Beach.

Section 3: Administration and Interpretation

3.1 Development Officer

3.1.1 The Chief Administrative Officer or their designate of the Town of Regina Beach shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the municipality as the Council designates from time to time.

3.1.2 The Development Officer shall:

a. Receive, record and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving, discretionary uses, development permit conditions and development and servicing agreements;

b. Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;

c. Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;

d. Collect development fees, according to the fee schedule established in this Bylaw or any other Development Fee Bylaw adopted by the Town;

e. Perform other duties as determined by Council.

3.1.3 The Development Officer shall be empowered to make a decision regarding a development permit application for a permitted use.

3.2 Council

3.2.1 Council shall make all decisions regarding discretionary uses, development and servicing agreements and Zoning Bylaw amendments.

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

3.2.3 Council shall act on discretionary use, rezoning and subdivision applications in accordance with the procedures established by *The Act* and in accordance with the Town of Regina Beach Official Community Plan.

3.3 Interpretation

3.3.1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

3.3.2 All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

3.4 Development Permits

3.4.1 No person shall commence a new use or undertake development, including repairs and renovations involving structural alterations, without first obtaining a development permit, unless exempt under **Section 3.7**.

3.4.2 A development permit shall not be issued for any structure or use in contravention of any provisions of this Bylaw or the OCP, except as provided in an appeal pursuant to *The Act*.

3.4.3 Frontage on Road

A development permit shall not be issued unless the site abuts or has frontage on a public road.

3.4.4 Building Permit

A building permit shall not be issued unless a development permit, where required, has also been issued.

3.4.5 Water Supply and Sewage Disposal Facilities

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

3.5 Development Permit Application Requirements

3.5.1 A development permit application shall be made, in writing, to the Development Officer, in the form prescribed by the Development Officer, and shall not be considered complete unless all application requirements are met including the required application fees according to **Section 3.10** of this Bylaw.

3.5.2 The completed development permit application shall include:

a. The names, signatures, and contact information of the applicant, the property owner, and the person who prepared the application and / or supporting material;

b. The civic address and legal description (lot, block, plan) of the subject property;

c. A description of the proposed development or use on the subject property;

d. A Site Plan that should include:

- **i.** A north arrow, the subject site property boundaries and dimensions, and all adjacent properties, streets, and lanes;
- **ii.** The location and setback to property line(s) of any existing buildings, structures, utility poles, underground utilities, easements, and trees;
- **iii.** The location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions;
- **iv.** The location of any entrances or exterior doorways, walkways, and pedestrian circulation areas;
- **v.** The location and size of all proposed parking spaces, driveways, vehicle circulation areas, and loading spaces;
- **vi.** Landscaping details in accordance with **Section 4.17** of this Bylaw (existing trees, removal of trees, proposed plantings, berms, water features, etc.)'
- **vii.** Grading and drainage details in accordance with **Section 4.18** of this Bylaw;
- **viii.** The location and size of any proposed signs.

e. Floor plans and building elevations of the proposed development, if applicable;

f. A geotechnical analysis report pursuant to **Section 3.6** below, and any other required information or supporting studies in accordance with the OCP and this Bylaw as determined to be relevant by the Development Officer or Council.

3.6 Geotechnical Analysis Required

3.6.1 In accordance with Section 3.7 of the OCP, all new development on any parcel of land within the Town must be accompanied by a geotechnical analysis report, which must be completed and approved by a Registered Engineer in the Province of Saskatchewan. The analysis shall indicate topography, surface drainage, geological and geotechnical conditions at the site of the proposed development as they relate to slope instability and erosion hazards. The report must indicate the suitability of the site for development, any remedial measures that may be required to ensure the natural resource base is not irreparably altered and also, identify safe building sites and recommended foundation types. Remedial measures may be specified as conditions to the issuance of a development permit. The report must also address whether the site is subject to flooding, earth movement or instability and whether this makes the site unsuitable for development or is hazardous for the proposed use.

3.6.2 The geotechnical engineer shall answer the following questions:

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

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

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

3.6.4 If such an evaluation is not done, or having been done, and the Development Officer or Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, then the development permit application shall be refused.

3.6.5 The geotechnical analysis provided as part of the application submission pursuant to **Section 3.6.1** above will be registered as an interest on the property title with the costs of the registration to be the responsibility of the applicant.

3.6.6 Reductions to Development Standards as a Result of Geotechnical Analysis

If a proposed development is unable to comply with a minimum yard setback contained in this Bylaw due to the results of the required Geotechnical Analysis report, a reduced setback may be considered by Council through the discretionary use process pursuant to **Section 3.9**. Proposals seeking a reduced setback under this provision shall be required to apply for a discretionary use application, even if the use is listed as permitted, which shall be evaluated against the general discretionary use evaluation criteria in **Section 5.2,** any additional criteria of in specific zoning district schedule, and shall not contradict the OCP or any provision of the Town Building Bylaw and National Building Code. The public notice for the discretionary use shall clearly identify the proposed reduction and the reason behind the request from the Geotechnical Analysis report.

3.7 Development Not Requiring a Permit

3.7.1 The following developments shall not require a development permit, but shall conform to the OCP and all other Zoning Bylaw requirements:

a. Any use, building, or structure owned and operated by the Town.

b. A maximum of three (3) accessory buildings and structures under 9.3 m^2 (100 ft^2) in area that are accessory to an approved, principal use, though **Section 4.6** of this Bylaw still applies. Any additional accessory buildings and structures under 9.3 m^2 (100 ft^2) shall require a development permit.

c. A temporary building or structure, excluding shipping containers subject to **Section 4.6.8**, where the sole purpose is incidental to the construction or alteration of a building for which a building permit has been granted. The temporary building or structure shall be removed once it is no longer necessary for such construction work to continue or if the work is abandoned.

d. Building maintenance and repairs provided that such alterations do not result in a change of use or intensity of use or that do not involve structural changes that require an accompanying building inspection from certified inspector.

e. Any fence or gate though **Section 4.19** and the regulations of each zoning district shall apply.

f. Retaining walls under 0.61 m (2 ft) in height, though **Section 4.19** of this Bylaw still applies.

g. Landscaping provided the natural or designed drainage pattern is maintained and adjacent sites are not adversely impacted.

h. Home Offices though **Section 4.6.5** of this Bylaw still applies, except any signage is prohibited.

3.8 Development Permit Procedure

3.8.1 As per *The Act (ss. 62.2),* if a person applies for a development permit with respect to a development or use described as a permitted use by a zoning bylaw, the Development Officer shall, if the application conforms to the zoning bylaw, issue a development permit.

3.8.2 As soon as an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant. Upon approval of a permitted or accessory use, the Development Officer shall issue a development permit for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.

3.8.3 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted or accessory use application and any terms and conditions attached to an application.

3.9 Discretionary Use Applications

Discretionary uses, discretionary forms of development and associated accessory uses shall conform to the development standards and applicable provisions of the zoning district in which they are located.

3.9.1 Discretionary Use Application Process

a. Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public notice fees;

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

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

d. The Development Officer shall carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a minimum radius of 75.0 metres (246.1 ft.) from the proposed development;

e. The Development Officer will prepare a report concerning the application which may contain recommendations that conditions of approval be applied in accordance with of *The Act (ss. 56)*;

f. Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received per the Council Procedure Bylaw;

g. Council may reject the application or approve the application with or without development standards or conditions in accordance with this Bylaw, including a condition limiting the length of time that the use may be conducted on the site.

3.9.2 Discretionary Use Decision

a. The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any development standards or conditions attached to a discretionary use application to the Development Appeals Board. A decision by Council to reject a discretionary use or intensity of use cannot be appealed;

b. Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid;

c. Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw;

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

3.10 Development Application Fees

3.10.1 An applicant of a development application shall pay a fee according to the following schedule:

a. Development Permits:

i.	Permitted Use	$100;
ii.	Discretionary Use	$200;
iii.	Accessory Use (Permitted)	$50; or $15 for a new holding tank;
iv.	Accessory Use (Discretionary)	$100;
v.	Grading (Fill / Excavation) & Retaining Walls	$100;
vi.	Temporary Use	$50;

b. Bylaw Amendments:

i.	Zoning Amendment	$200;
ii.	OCP Amendment	$250;

c. Other Applications:

i.	Move / Demolition Permit	$100;
ii.	Sign Permit	$50;
iii.	Minor Variance	$50;
iv.	Development Appeal	$150;

3.10.2 Costs of Advertising

In addition to the above application fees, the applicant shall be responsible for the costs of any required public advertising in accordance with this Bylaw and *The Act*.

3.10.3 Professional Application Review

The Development Officer or Council may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.

3.10.4 Interest and Registration

Council may require development agreements, servicing agreements and other documents to be registered or caveated against affected lands, to protect municipal and public interests. The cost of the registration of an interest or caveat will be the responsibility of the applicant.

3.11 Development Appeals Board

3.11.1 Council shall appoint a Development Appeals Board consisting of a minimum three members, to hear and determine appeals in accordance with of *The Act (ss. 214.1).*

3.11.2 Right of Appeal

a. In addition to any other right of appeal provided by *The Act* or any other Provincial legislation, a person affected may appeal to the Board if there is:

- **i.** Alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
- **ii.** A refusal to issue a development permit because it would contravene the Zoning Bylaw; or
- **iii.** An issuance of a written order from the Development Officer.

b. There is no appeal pursuant to **Section 3.12.2.a.ii** above if a development permit was refused on the basis that the use in the zoning district for which the development permit was sought:

- **i.** Is not a permitted use or a permitted intensity of use;
- **ii.** Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
- **iii.** Is a prohibited use.

c. Appellants may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw;

d. An appellant shall make the appeal pursuant to **Section 3.12.2.a** within 30 days after the date of the decision;

e. The Development Officer shall make available to all interested persons copies of the provisions of *The Act*, respecting decisions of the Development Officer and right of appeal.

3.11.3 Development Appeals Board application fees are outline in **Section 3.10** of this Bylaw.

3.12 Minor Variance

3.12.1 Applications for a minor variance shall be made to the Development Officer, who shall review the application and issue a decision in accordance with *The Act (ss. 60).*

3.12.2 If the application does not injuriously affect the neighbouring properties, the Development Officer may grant a minor variance of up to 10% of any minimum yard setback or minimum distance between buildings or structures for either a permitted or discretionary use as specified by this Bylaw.

3.12.3 The Development Officer shall maintain a record of all minor variance applications.

3.12.4 Minor variance application fees are outlined in **Section 3.10** of this Bylaw.

3.13 Non-Conforming Buildings, Uses and Sites

3.13.1 Any use of land, building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred or sold in accordance with *The Act (ss. 88-93).*

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

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

3.13.4 Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by *The Act (ss. 91-93)*. These rights are subject to the following:

a. The enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw;

b. All other applicable provisions of this Bylaw are satisfied;

c. Issuance of a development permit required by this Bylaw.

3.14 Development Permit Validity

3.14.1 Unless otherwise stated on the development permit or in this Bylaw, all permits are valid for a period of twelve (12 months). This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder before the development permit expires.

3.14.2 A new development permit approval is required for a permitted or discretionary use when:

a. The approved use ceases for a period of twelve (12) months or longer;

b. The use has not commenced while the development permit is valid;

c. A building permit, if required, has not been applied for while the development permit is valid;

d. There is a change in use or intensity of use; or

e. Significant changes are made to the development as approved.

3.15 Development Permit Cancellation

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

a. Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;

b. Where new information is identified pertaining to environmental protection, flood potential or slope instability; and/or,

c. When a developer requests a development permit modification.

3.16 Stop-Work

3.16.1 The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition or an interest registered with Information Services Corporation under this Bylaw.

3.17 Bylaw Compliance

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

3.18 Registering Interest

3.18.1 As per *The Act (ss. 175),* the municipality may register an interest based on a development levy agreement or servicing agreement in the land registry against the affected title.

3.18.2 On registration of an interest based on a development levy agreement or servicing agreement, the rights and privileges in the development levy agreement:

a. Enure to the benefit of the municipality;

b. Run with the land and are binding on the registered owner of the land the registered owner's heirs, executors, administrators, successor and assign.

3.19 Moving & Demolition of Buildings

3.19.1 No building shall be moved within or into the area covered the Town without obtaining a development permit from the Development Officer.

3.19.2 No building shall be demolished without first obtaining a demolition permit. The Town may require a plan or proposal for the interim or long-term use of the site to be submitted before issuing a demolition permit.

3.19.3 A separate development permit is required for any redevelopment of the site.

3.20 Temporary Development Agreements

3.20.1 The Development Officer may issue a development permit for a temporary use, with specified conditions for a specified period of time, not exceeding 12 months, to accommodate developments that are temporary or seasonal for events or other temporary uses deemed appropriate by the Development Officer.

3.20.2 At the discretion of the Development Officer, the period of time specified for the temporary use may be extended for not more than another twelve (12) months and may not be extended more than once.

3.20.3 Upon expiration of the period for which the temporary use was approved, the use shall be discontinue, and all temporary structures removed.

3.20.4 A temporary use must meet all other requirements of this Bylaw.

3.21 Development Levy Agreements

3.21.1 Council may pass a development levy bylaw pursuant to *The Act (ss. 169-170)* to establish development levies to recover the capital costs of services and facilities.

3.21.2 As per *The Act (ss. 171)*, if the Council deems it is necessary to do so, the Council or Development Officer may require the development permit applicant to enter into a development levy agreement with the municipality respecting the payment of the development levies.

3.22 Servicing Agreements

3.22.1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Act.*

3.22.2 In accordance with *The Act (ss. 172-176)*, the agreement may provide for:

a. The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities or other works that Council may require, including both on-site and off-site servicing; and

b. The payment of fees that the Council may establish as payment in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

Section 4: General Regulations

The following regulations shall apply to all zoning districts in the Bylaw.

4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

4.1.1 In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety and general welfare.

4.1.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation Bylaw or any other Bylaw in force within the Town or law within Saskatchewan or Canada; or, from obtaining any license, permission, permit, authority or approval required by this or any other Bylaw of the Town or any law of Saskatchewan or Canada.

4.1.3 Where requirements in this Bylaw conflict with those of any other municipal, provincial or federal requirements, the more stringent regulation shall apply.

4.2 Principle Use Established

4.2.1 In any zoning district in this Bylaw, the principle use of the land must be established prior to any accessory buildings, structures or uses being permitted.

4.3 Number of Principle Buildings, Structures, or Uses on a Site

4.3.1 Only one (1) principle building, structure, or use shall be permitted on any one (1) site except for the following: parks; schools; hospitals; medical clinics; recreation facilities; campgrounds & RV parks; special care homes; senior citizen homes; approved dwelling groups; shopping centres; and condominium developments.

4.3.2 Notwithstanding anything contained in this Bylaw, where any land, building or structure is used for more than one (1) purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3.0 metres (9.8 ft.) of any other building on the site except to a building accessory to such dwelling.

4.5.3 With the exception of dwelling groups, multi-unit residential buildings (e.g. duplex, triplex, fourplex, townhouse, apartment) are considered to be one (1) principle building under this Bylaw, and all other uses and buildings on the site must be accessory.

4.4 Uses Permitted in All Zoning Districts

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

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

4.4.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities essential to the operation of public works. The minimum and maximum site development standards in the zoning district schedules shall not apply to public works.

4.5 Bare Land Condominiums

4.5.1 Bare land condominium developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the residential and commercial zones.

4.5.2 One principle use is permitted per bare land condominium lot.

4.5.3 Private open space and accessory buildings and structures for joint recreational or storage use by residents of the bare land development shall be permitted, subject to all yard setback requirements of the zoning district in which it is located.

4.5.4 In the case where a bare land condominium subdivision is served by a private roadway, the following shall apply:

a. A private roadway includes a lot, bare land condominium unit, common property or portion of common property that may be created for the purpose of vehicular access and circulation throughout the subdivision or development, including any structure incidental to the roadway;

b. For the sole purpose of applying the regulations of this Bylaw, a private roadway, as described in the above clause, shall be deemed to be the same as a "public roadway";

c. The private roadway must allow for the safe and efficient movement of emergency vehicles and be designed to a standard acceptable to the Town of Regina Beach and/or the subdivision approving authority.

4.6 Accessory Buildings, Uses and Structures

4.6.1 General Requirements

Accessory buildings, uses and structures shall be subject to the following conditions:

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

b. No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principle building to which it is accessory except in the following case:

i. Where a development permit has been issued for a principle building, Council shall allow the construction of the accessory building where such building is being used for the storage of construction material or equipment. If the principle building is not completed within the effective time period of the development permit for the associated principle building, the accessory building shall be removed.

c. Detached permanent and temporary accessory buildings, uses and structures shall be subject to the setback requirements outlined in the respective zoning district. For sites where there are topographical constraints, a reduced front, side, or rear yard setback may be considered according to **Section 3.6.6** of this Bylaw.

d. Private garages, carports, and other accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of, and are therefore subject to the setbacks governing the principal building.

e. Storage sheds and temporary accessory buildings and uses shall only be single storey and not be used for sleeping or living purposes.

4.6.2 Satellite Dishes, Solar Collectors and Wind Generators

Satellite dishes, solar collectors and wind generators shall be subject to the following conditions:

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

- **i.** 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 3.0 metres (9.8 ft.) of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
- **ii.** In any commercial, community service or residential district such structures, if freestanding, shall not exceed a height of 5.0 metres (16.4 ft.) above grade level;
- **iii.** In any commercial, community service or residential district such structures if attached to a principle building, shall not exceed a height of 5.0 metres (16.4 ft.) 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.

b. A permit is required for the installation of solar collector systems mounted on a building having a face area equal to or greater than 5.0 m^2 (53.8 ft^2). Submissions shall include:

- **i.** A roof plan or wall elevation indicating the layout and spacing of the solar collectors on the roof of the building;
- **ii.** Typical cross-section including, but not limited to, system height, tilt angle and attachments;
- **iii.** Panel or module dimensions and manufacturers specifications including panel dead load and ballast where applicable;
- **iv.** Mounting details clearly specifying panel attachment and specifications including framing reinforcement as may be required;
- **v.** Verification of existing roof or wall framing components affected by the proposed installation and the ability of the affected building structural system to accommodate all loads associated with the collector and racking system including dead load, wind load and snow accumulation;
- **vi.** Solar panels used for the production of heat for water shall include mechanical drawings (plumbing schematic) detailing any connection to the potable water system;
- **vii.** The elevation of the panels shall not exceed the maximum height permitted for the principle building or, if mounted on an accessory building, shall not exceed the height of the accessory building.

4.6.3 Vehicle Access / Egress Points and Private Driveways

Private driveways and vehicle access / egress shall be subject to the following conditions:

a. Vehicle access and egress must be clearly defined and shall not be continuous along any site in any zoning district with the exception of the Industrial District.

b. The location and design of driveways and vehicle access / egress points shall have regard for vehicular and pedestrian safety; the location of servicing and utility infrastructure; and the retention of mature trees and on-street parking spaces, where possible.

4.6.4 Private Garages, Carports, Sunrooms, Solariums and Greenhouses

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

4.6.5 Home-Based Businesses

Home-Based Businesses may be approved as accessory to a residential dwelling subject to the following conditions:

a. Home-Based Businesses will be accommodated provided that they are clearly secondary to the principle residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size that provides services or products that would detrimentally affect the residential character of the neighbourhood;

b. One (1) Home-Based Business shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building;

c. One (1) advertising display shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed;

d. There shall be no exterior display or storage of any merchandise or material relating to the Home-Based Business;

e. No equipment or process used in the Home-Based Business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property line of the lot where the home occupation or business is located;

f. The Home-Based Business shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones;

g. No more than one (1) business vehicle, for which off-street parking is provided, shall be operated in connection with the Home-Based Business;

h. Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit.

i. Home-Based Businesses are subject to the condition that permission to carry out the business may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighbourhood.

4.6.6 Vacation Rental Dwellings

The use of any dwelling as a vacation rental shall be subject to the following conditions:

a. A Vacation Rental Dwelling may be located within any legally approved dwelling unit or secondary, garden, or garage suite.

b. If the Vacation Rental Dwelling is located within an owner-occupied single-detached dwelling, then one additional off-street parking space shall be provided for each guest room.

c. The Vacation Rental Dwelling shall not change the principal residential character or external appearance of the dwelling unit. All signs are prohibited.

d. Permission for the Vacation Rental Dwelling to operate may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighbourhood.

4.6.7 Recreational Vehicle Parking and Temporary Sleeping Accommodation

The parking of recreational vehicles and use as temporary sleeping accommodation shall be subject to the following conditions:

a. Parking of recreational vehicles is prohibited in the front yard of a residential site from November 1 to March 31, inclusive.

b. Where a residential site provides recreational vehicle parking from April 1 to October 31, the number of recreational vehicles shall not exceed two (2), and shall be parked on a driveway or parking pad in the front, side, or rear yards. No recreational vehicle shall encroach on to municipal property so as to interfere with pedestrian and vehicle traffic.

c. One (1) of the maximum two (2) recreational vehicles referred to in **Section 4.6.7(b)** above may be an occupied motorhome, travel/camper trailer, or similar vehicle so long as:

- **i.** The period of occupation does not exceed 30 days; and once the 30 day period has expired, it cannot be occupied again on the site for a period of 7 days;
- **ii.** It is for the exclusive use of non-paying short term guests of the occupant of the principal dwelling located on the same site; and
- **iii.** It is not occupied between November 1 to March 31, inclusive.

d. No recreational vehicles shall be used for permanent habitation, whether or not the vehicle is mounted on wheels, in any zoning district in the municipality.

e. Notwithstanding the above, if the principle dwelling is under construction, or undergoing renovations to an extent that renders it temporarily unliveable, the inhabitants of the dwelling may reside in the recreational vehicle for the duration of the construction or renovations. This is intended to provide people a reasonable temporary alternative while their home is unliveable and not to allow permanent or semi-permanent residents in a recreational vehicle on a lot. The allowance to live in a recreational vehicle shall expire coinciding with the expiration of the related building permit.

f. Recreational vehicles on municipal property are permitted solely for loading or unloading.

4.6.8 Shipping Containers (or Sea/Rail Cans)

Shipping Containers may be used in the approved zoned areas subject to the following conditions:

a. Shipping Containers are prohibited in residential zoning districts, unless used temporarily where the sole purpose is incidental to the construction or alteration of a building for which a building permit has been granted.

b. Shipping containers serving as temporary buildings or structures shall require a development permit in accordance with **Section 3.21** of this Bylaw.

c. No container shall be used for the purpose of a display or advertising;

d. The units must be a minimum of 3.0 metres (9.8 ft.) from the principle building and must be located behind the rear wall of the principle building;

e. No container may exceed 3.0 metres (9.8 ft.) in height, 2.4 metres (7.9 ft.) in width, and 12.5 metres (41.0 ft.) in length;

f. Containers may not be stacked and shall be properly anchored.

g. Containers are prohibited from storing junk, trash or other forms of refuse;

h. The units must be kept in good shape and sightly as determined through inspection by Town representatives. Containers determined by the Town to be unsightly, misused, unsafe or inappropriate in any way must be removed at the owner's expense within a time period specified by the Town;

i. Containers shall not block or obstruct any exits, windows, parking spaces, driveways or access to public utilities and/or right-of-ways;

j. Shipping containers intended for uses other than storage shall adhere to the National Building Code and be subject to all permits and requirements applicable to that use.

4.6.9 Swimming Pools

In addition to complying with the OCP and all other requirements of this Bylaw (including the need for a geotechnical analysis report according to **Section 3.6**), swimming pools shall be subject to the requirements as outlined in Town of Regina Beach Bylaw No. 11/2012 known as *A Bylaw of the Town of Regina Beach in Respect of Private Swimming Pools*, and any amendments thereto.

4.7 Frontage for Irregular Lots

4.7.1 Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 metres (36.1 ft.) and the mean site width shall not be less than the minimum frontage for regular sites in the same zoning district.

4.8 Permitted Yard Encroachments

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

a. Uncovered and open balconies, terraces, verandas, decks and patios may have a maximum projection from the main wall of 1.8 metres (5.9 ft.) into any required front or rear yard;

b. Window sills, roof overhangs, canopies, eaves, gutters, bay windows, chimneys and similar alterations may project a distance of 0.6 metres (2.0 ft.) into any required yard.

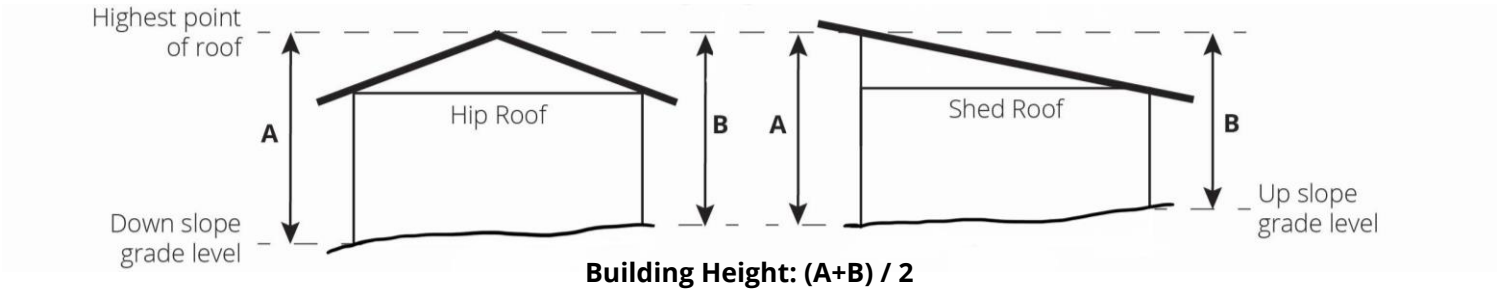
4.9 Side Yard Exception

4.9.1 For semi-detached dwellings, townhouses, rowhouses or multiple unit dwellings no side yard shall be required where dwelling units share a common party wall.

4.10 Height of Buildings

4.10.1 Exclusive of any chimney, antenna, satellite dish, solar panel, or any other similar protrusions that are separate from the roof structure, building height shall be measured from average grade level to the highest point of any flat, shed, hip, gable, or mansard roof, excluding eaves. As demonstrated by **Figure 2,** the average grade level is determined by taking the average between the height measured at two sides of the building, the down slope grade level of the building, and the up slope grade level of the building.

Figure 2: Determining Building Height From the Average Grade Level



Building Height: (A+B) / 2

4.11 Heritage Properties

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

4.12 Signage of Natural and Human Heritage Sites

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

4.13 Signage

4.13.1 The requirement to obtain a sign permit shall be subject the following conditions:

a. Except as otherwise provided, a sign permit is required for erecting, enlarging, changing or structurally altering a sign. A sign shall not be erected, altered, enlarged or maintained upon any property, lot or street in any district by any person, except in conformity with the regulations that follow.

b. The provisions of these regulations shall not be construed as to limit or interfere with the erection and maintenance of signs on public streets, public lanes or public places of signs which are designed and intended for the safety or protection of the health and general welfare of the public, which are essentially for the maintenance and protection, or efficient operation of public service and public property or which are primarily intended for direction of the public and identification of establishments or places of public service which are clearly not operated for the purpose of gain.

c. A sign permit is not required for the following, however, the general regulations will apply, where applicable:

i. Government signs where signs erected by a duly constituted government body or organization is for the purpose of providing information by:

- A public service by the Town;
- An agency supplying a public utility;
- The provincial or federal government;
- A committee or local authority established by the Town.

ii. Directional signs having a maximum facial area of 1.0 m^2 (11.0 ft^2);

iii. Temporary signs comprised of:

- Display window signs located on the surface of or inside display windows, lighted only by building illumination;
- Event signs which are unlighted signs having a maximum facial area of 3.0 m^2 (32.3 ft^2) displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a civic philanthropic, educational or religious organization, to be removed within one (1) day after the event.

iv. Construction signs are subject to the following regulations:

- Two (2) signs on the premises are permitted;
- The maximum sign facial area shall be 7.5 m^2 (80.7 ft^2) for each sign permitted on site. These signs must be removed within 14 days after the building is occupied.

v. Real estate signs – one (1) unlighted sign having a maximum facial area of 1.0 m^2 (11.0 ft^2);

vi. Address designation signs – signs that denote a numerical civic address or occupant having a maximum facial area of 0.6 m^2 (6.5 ft^2), and when illuminated, shall be continually lit;

vii. Tenant identification signs – signs located inside a building including tenant identification inside an enclosed shopping centre;

viii. Election signs;

ix. Banners.

4.13.2 General Regulations

All signs within the Town of Regina Beach shall be subject to the following conditions:

a. No sign shall be located in any manner that would visually obstruct or jeopardize the safety of others.

b. Signs shall not interfere with traffic signs or lights, public utilities, landscaping or street furniture.

c. Where intermittent lights are deemed to be a safety hazard by Council, or a duly appointed police officer for the Town, such lights shall be converted to a steady source of illumination.

d. Where signs are to be placed adjacent to a provincial highway, they shall be subject to Saskatchewan Highways and Infrastructure regulations where applicable.

e. A-Board signs, with a maximum sign facial area not exceeding 1.2 m^2 (12.9 ft^2), shall be allowed to be placed on a public roadway, boulevard or sidewalk when advertising a Town event or a non-profit organization event on condition that the Town approves the location and it does not visually obstruct or jeopardize the safety of others. An approved sign must be removed from the public roadway, boulevard or sidewalk within 24 hours of the event ending.

4.13.3 Signs Permitted at Council's Discretion

All signs that require Council's approval shall be subject to the following conditions:

a. Billboard Signs

i. The billboard sign face height regulations shall be as follows:

Maximum single face area	20.0 m^2 (215.3 ft^2)
Maximum total face area	40.0 m^2 (430.6 ft^2)
Maximum number of faces	2
Double faced signs	Shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction
Maximum height above grade	6.0 m (19.7 ft.)

ii. No billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary;

iii. Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs.

b. Converted Vehicle and Trailer Signs

i. In considering an application for a converted vehicle or trailer sign, Council may apply specific development conditions related to:

- Location and orientation of the sign;
- Proximity to other signs;
- Lighting, where the sign is to be illuminated.

4.14 Off-Street Parking and Loading Regulations

4.14.1 General Regulations

a. No person within any district shall erect, enlarge, substantially alter or extend any building permit under this Bylaw, unless the required off-street parking and loading spaces, as indicated in each zoning district, are provided and maintained in connection with such development.

b. When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit measurement, as specified for required parking and loading facilities, the number of parking and loading spaces shall also be increased in conformance with the provisions in this Bylaw.

c. Whenever the existing use of a building, is changed the parking and loading spaces shall be provided as required for the new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number that the requirements for the new use exceed those of the existing use.

4.14.2 For any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion or other cause to the extent of 50% or more of its assessed value and such building is reconstructed, repaired or re-established, off-street parking and loading facilities shall be provided in accordance with this Bylaw. Payment of Cash-In-Lieu of Required Off-Street Parking:

a. Pursuant to *The Act,* the Development Officer may exempt any person who is required to provide off-street parking in a commercial district from the requirement of providing the off-street parking facilities, where, in lieu thereof, the developer pay or agrees to pay the municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by $2,500.00 per parking space.

b. The payment of cash-in-lieu of providing off-street parking shall satisfy the off-street parking requirement for the existence of the building on the lot except where the intensity of the use is increased or where the use is changed requiring additional off-street parking. Money paid as cash-in-lieu of off-street parking will not be refunded where the intensity is decreased or the use is changed requiring less off-street parking spaces or cash paid in lieu.

c. A person who pays, or agrees in writing to pay the required sum in lieu of providing off- street parking facilities and buildings or structures in respect of which such payment is to be made shall be treated as having met the off-street parking regulations.

d. All such sums of monies shall be paid to the municipality prior to the issuance of a development and/or building permit.

4.15 Road Closures

4.15.1 In the event a dedicated street or lane shown is closed, the property formerly in such street or lane shall be included within the zoning district of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two (2) or more different zoning districts, the new district boundaries shall be the former centre line of the closed street or lane.

4.16 Buffer Strips

4.16.1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers may be required to separate uses from adjacent properties, in which the provincial approving authority will determine the size and width of the buffer.

4.17 Landscaping

4.17.1 Developers and landowners shall, wherever possible, practice landscaping strategies that:

a. Use native species;

b. Avoids the removal of existing trees and vegetation to limit slope instability;

c. Integrates stormwater management to avoid disrupting natural drainage patterns.

4.17.2 Landscaped areas must not be completely hardscaped and shall include sufficient permeable areas to reduce stormwater runoff and flooding during high rainfall or snow melt events.

4.17.3 No person shall cut or remove any tree that is not located on their own property including Town property without being granted permission by the landowner.

4.17.4 Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel within an adjacent public right-of-way.

4.17.5 As a condition of approval for a development permit pursuant, the Development Officer or Council may impose additional landscaping requirements or may require a landscape plan to be submitted that demonstrates a suitable degree of landscaping to enhance the site or provide a visual screen from an adjacent use or public right-of way, if required.

4.17.6 Any landscaping, including subsequent planting, which is required by this Bylaw or as a condition of approval for a development permit shall be maintained in a healthy growing condition or shall otherwise be replaced.

4.18 Site Grading, Levelling, & Drainage

4.18.1 In accordance with the OCP, every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent properties, public right-of-ways, or the stability of the land.

4.18.2 All excavations or fills shall be re-vegetated as soon as it is practical after other construction activities permit. The new vegetation shall provide a suitable ground cover so as to prevent erosion.

4.18.3 Significant filling, raising, excavating or sloping of sites, which could potentially impact neighbouring properties, with respect to drainage or stability shall be strictly prohibited.

4.19 Fences & Retaining Walls

4.19.1 The erection of fences are subject to the regulations in each zoning district.

4.19.2 The use of barbed-wire, razor wire, or electrified fencing material shall be prohibited.

4.19.3 Retaining walls may be incorporated into the site and landscaping design to address specific topographic, drainage, geotechnical, or structural site conditions provided they do not negatively impact neighbouring properties.

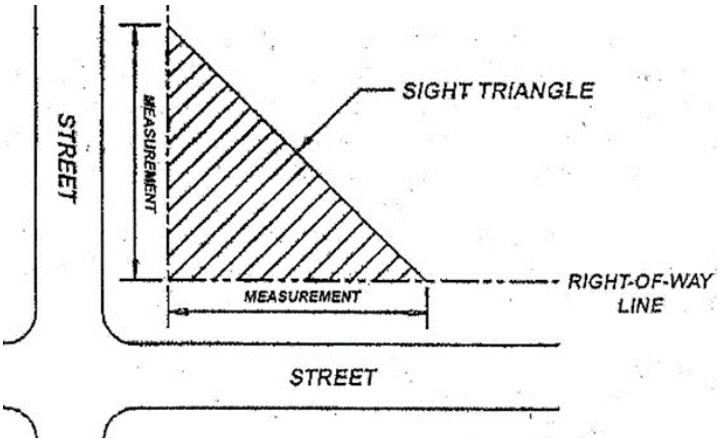
4.19.4 Proposed lakeside retaining walls shall require a permit from the Saskatchewan Ministry of Environment.

4.19.5 No fence or retaining wall shall interfere with traffic sight lines through a required sight triangle according to **Section 4.20** of this Bylaw.

4.20 Sight Triangles

4.20.1 No building, structure, earth pile or vegetation in any zoning district shall obstruct the vision of drivers through a sight triangle according to the following measurements that are demonstrated in **Figure 3**:

Figure 3: Sight Triangle



a. Intersection of two municipal roads: A sight triangle with a measurement of 3.0 metres (9.8 ft) from the intersection of the lot boundaries.

b. Intersection of a municipal road and a lane: A sight triangle measuring 1.5 m (4.9 ft) from the intersection of the lot boundary and the lane.

4.20.2 Sight triangles involving a provincial highway or the railway shall be determined by the Ministry of Highways and Infrastructure (MHI).

4.21 Disposal of Wastes

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

4.21.2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Water Security Agency. Disposal of liquid, solid or gaseous waste shall be governed by acts administered by the Ministries of Agriculture, Environment, Health, and the Water Security Agency.

4.22 Solid and Liquid Waste Disposal Facilities

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

a. The facility will be located as near as practical to the source of waste;

b. The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design;

c. The facilities will be located at least 457.0 metres (1,499.3 ft.) for liquid and solid waste from any residence or recreational use;

d. The development of any new disposal sites shall take into consideration seasonal winds;

e. Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;

f. Solid waste disposal facilities shall be developed with access from an all-weather road able to accommodate anticipated truck traffic;

g. Council may apply special standards for screening, fencing and reclamation of the site.

Section 5: Standards for Permitted or Discretionary Uses

5.1 Terms and Conditions for Discretionary Approvals

5.1.1 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 zoning district. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards or criteria related to:

a. Site drainage of storm water;

b. The location of buildings with respect to buildings on adjacent properties;

c. Access to, number and location of parking and loading facilities;

d. Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;

e. Control of noise, glare, dust and odour;

f. Landscaping, screening and fencing 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;

i. Intensity of use.

5.2 General Discretionary Use Evaluation Criteria

5.2.1 Council will apply the following general criteria, and where applicable, the specific criteria found in the respective zoning district, in the assessment of the suitability of a proposed discretionary use:

a. The proposal must be in conformance with all relevant sections of the OCP , this Bylaw, and any other applicable Town policies and regulations;

b. The proposal must demonstrate that it will maintain the character, density and purpose of the applicable zoning district and surrounding area, where necessary through the provision of buffer areas and or mandatory screening;

c. The proposal must be capable of being economically serviced by community infrastructure including roadways, water and wastewater services, solid waste disposal, parks, schools, other community facilities and utilities;

d. The proposal must be suitable for the proposed site and shall not be detrimental to the health, safety, convenience, or general welfare of Town residents, workers, or visitors;

e. The proposal shall provide sufficient landscaping and screening, and, wherever possible, preserve existing vegetation;

f. 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;

g. Consideration will be given to the impact (traffic, noise, etc.) of the proposed use and related activities on the surrounding area, including the cumulative effect given the impact of existing uses and activities already occurring on the site or general area;

h. Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of its connectivity to the surrounding area;

i. The proposal shall not unduly interfere with planned future growth and development of the community and shall not create an undue burden on Town finances; and

j. All operations must comply with all provincial regulations including those related to Public Health, Environment, Labour Relations and Worker Safety, etc.

5.3 Modular and Mobile Dwellings

5.3.1 Modular and Mobile Dwellings are subject to the following conditions:

a. In any zoning district where a single-detached dwelling is allowed, the dwelling may be in the form of a Modular or Mobile Dwelling, but not a Park Model or Trailer Coach.

b. Modular and Mobile Dwellings must be new, or deemed to be of suitable age and condition as determined by the Development Officer or Council.

c. Modular and Mobile Dwellings shall complement neighbouring properties and shall not detract from the character of the area.

d. Modular and Mobile Dwellings shall be placed on a permanent foundation to a standard comparable to a conventional detached dwelling.If the lot is determined not to be suitable for a permanent structure by a engineered geotechnical report, then non-permanent foundations may be used such as piers or concrete blocks.

e. Modular and Mobile Dwellings shall be connected to Town water services, an approved holding tank for wastewater, and any other public utilities that may be acquired by the owner or occupant of the dwelling.

f. Modular and Mobile dwellings shall bear the applicable Canadian Standards Association (CSA) certification and shall meet the requirements of the National Building Code and Town Building Bylaw.

5.4 Secondary Suites

5.4.1 Secondary suites are subject to the following conditions:

a. Secondary suites may be constructed within a principle, single detached dwelling in a residential zoning district. Only one (1) secondary suite is permitted on each residential site;

b. Secondary suites must be located within the principle dwelling and must have a separate entrance from the principle dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping and sanitary facilities;

c. Secondary suites shall have a maximum of two (2) bedrooms and the total floor area of the suite may not exceed 83.6 m^2 (900 ft^2) or 50% of the total floor area of the principal dwelling, whichever is less.

5.5 Garage and Garden Suites

5.5.1 Garage and garden suites are subject to the following conditions:

a. Garage and garden suites will be considered accessory to the principle permitted dwelling;

b. No more than one (1) garage or garden suite shall be allowed per site;

c. Garage and garden suites must meet all requirements as outlined in the general regulations and the respective zoning district;

d. Garage and garden suites must meet all relevant building, plumbing and development codes and will be regulated by the Town's building permit and inspection process;

e. Garage suites may be located on the ground level or second storey of a building where the main storey is used as a private garage;

f. All garage and garden suites must be in accordance with the National Building Code;

g. Basements are not permitted in any garage or garden suite;

h. The garage or garden suite must be hooked up to the water and sewer service of the principle dwelling;

i. Other services, i.e. electrical, natural gas, cable and telephone, may be connected either to the services of the principle dwelling or be separate services;

j. Service cables including electrical, telephone and television are to be buried underground if underground servicing is normal practice in the neighbourhood where the garage or garden suite is located;

k. The location of a garage or garden suite and the site grading must allow for proper drainage of the site.

5.6 Multi-Unit Dwellings (3 or more dwelling units)

5.6.1 Multi-unit dwellings are subject to the following conditions:

a. Where listed as permitted or discretionary, multiple-unit dwellings with three (3) or more dwelling units such as triplexes, fourplexes, townhouses, dwelling groups, or apartment buildings may be allowed subject to the Town Building Bylaw, the National Building Code of Canada, and all relevant provisions of this Bylaw.

b. Preferred locations for multi-unit dwellings shall be corner sites or sites adjacent to public parks and open spaces.

5.7 Bed and Breakfast Homes

5.7.1 Bed and breakfast homes are subject to the following conditions:

a. Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principle residence;

b. The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the Health Authority;

c. The operation of the bed and breakfast home shall be subordinate and incidental to the principle use of a single detached dwelling as an owner occupied residence;

d. No one other than the occupant and their immediate family members may be involved or employed in the management of the bed and breakfast home.

5.8 Daycare Centres and Pre-Schools

5.8.1 Daycare centres and pre-schools are subject to the following conditions:

a. Daycare centres and pre-schools may be approved as an accessory use or as a principle use;

b. 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; Required parking spaces may be located in a required front yard setback.

5.9 Residential Care Homes

5.9.1 Residential care homes are subject to the following conditions:

a. Residential care homes may be approved as an accessory use or as a principle use provided the required provincial licenses are obtained and it operates in conformity with the applicable provincial act and regulations;

b. 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;

c. No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers; and

d. Required parking spaces may be located in a required front yard setback.

5.10 Campgrounds

5.10.1 Campgrounds are subject to the following conditions:

a. The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development;

b. A campground shall have within its boundaries, a landscaped buffer area abutting the boundary of not less than 4.5 metres (14.8 ft.) which shall contain no buildings;

c. The operator of a campground shall designate a campsite for each trailer coach or tent party at a size that is satisfactory to the development officer.

d. All campsites shall be adequately buffered from each other, clearly marked with a total area no less than 125 m^2 (1,345.5 ft^2). Each trailer coach shall be located at least 3.0 metres (9.8 ft) from any other trailer coach.

e. Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area. The space provided for roadways within a campground shall be at least 7.5 metres (24.6 ft.) in width.

f. No portion of any campsite shall be located within a roadway or required buffer area;

g. A campground may include as accessory uses:

i. A laundromat, washroom/shower facilities, and convenience retail designed to meet the needs of campground occupants.

ii. Recreational facilities such as swimming pools, trails, mini-golf courses, and other outdoor or indoor facilities designed to provide leisure and amenity to campground occupants.

h. One single detached dwelling may be provided for the accommodation of the campground owner, operator, or manager.

i. The development and operations of all campgrounds shall comply with *The Public Accommodation Regulations*, *The Public Health Act,* and any other relevant Provincial requirements.

5.11 Above-Ground Fuel Storage Tanks

5.11.1 Above-ground fuel storage tanks are subject to the following conditions:

a. Above-ground fuel storage tanks shall meet all of the standards and regulations as required by *The Hazardous Substances and Waste Dangerous Goods Regulations* and any other provincial and federal regulations and codes.

5.12 Wind Energy Facilities

5.12.1 Wind energy facilities are subject to the following conditions:

a. All buildings and structures shall be set back at least 90.0 metres (295.3 ft.) from an intersection of any municipal road allowance, or provincial highway or such greater distance as required by the Department of Highways;

b. The setback related to municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres (32.8 ft.);

c. The minimum site size for the allowance of any wind energy facility shall be 2.02 hectares (5 acres);

d. The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres (32.8 ft.), or a minimum of 38.0 metres (124.7 ft.), unless otherwise agreed to by the landowner, developer and the municipality;

e. The separation distance from a wind energy generator (turbine) to a residential acreage or residential subdivision shall be a minimum distance of 550.0 metres (1,804.5 ft.);

f. The maximum total tower height shall be:

i. 6.0 metres (19.7 ft.) above grade level in an industrial zoning district and the maximum noise standard shall not exceed 40 decibels;

ii. 45.0 metres (147.6 ft.) above grade level in the community service or future urban development zoning district.

g. Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances;

h. All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the development permit application;

i. Any proposed development within a municipal road allowance, i.e. underground lines or overhead poles/lines, must be proposed by the developer as part of the development permit application;

j. The developer is required to enter into a road use agreement with the municipality for the construction period to ensure roads are maintained in condition agreeable by both parties;

k. The wind energy generator (turbine) shall have no restrictions on colour or height;

l. Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.9 metres (6.2 ft.) and the design shall be included in the development permit application;

m. Development and building permit applications for wind energy facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Professional Engineer of Saskatchewan;

n. Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site;

o. Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

Section 6: Zoning Districts and Map

6.1 Zoning Districts

6.1.1 For the purpose of this Bylaw, the Town of Regina Beach is divided into several zoning districts that may be referred to by the appropriate symbols. The uses or forms of development allowed within a zoning district, along with the regulations or standards which apply, are provided in the district sections that follow.

R1	R2	RMH	C1	C2
Residential Low District	Residential Medium District	Residential Mobile Home District	Town Commercial District	Highway Commercial District

M	CS	CR	FUD	FH
Industrial District	Community Service District	Commercial Recreation District	Future Urban Development District	Flood Hazard Overlay

6.2 The Zoning District Map

6.2.1 The map enclosed herein as Appendix "A", adopted by Council and signed by the Mayor and by the Town Chief Administrative Officer under the seal of the Town, shall be known as the "Zoning District Map", and such map is hereby declared to be an integral part of this Bylaw.

6.3 Boundaries of the Zoning Districts

6.3.1 The boundaries of the districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Zoning District Map".

6.3.2 Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances or such lines extended, and the boundaries of the municipality.

6.4 Holding Designation

6.4.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with *The Act (ss. 71).*

6.4.2 Any lands subject to a holding provision shall only be used for the following uses:

- **a.** Those uses existing on the land when the "H" is applied;
- **b.** Public works.

Section 7: Residential Low District (R1)

The purpose of the Residential Low District (R1) is to provide for low density (primarily single detached dwellings) and related recreational and institutional uses. No person shall within any R1 District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

7.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

7.1.1 Principle Uses

- **a.** One (1) single detached dwelling including Modular Dwellings (refer to Section 5.3)
- **b.** Public playgrounds.

7.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 7.4).
- **b.** Home-based businesses (refer to Section 4.6.5).
- **c.** Vacation rental dwellings (refer to Section 4.6.6).

7.1.3 Public Works and Municipal Facilities

- **a.** Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

7.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

7.2.1 Principle Uses

- **a.** Mobile dwellings (refer to Section 5.3).
- **b.** Bare land condominiums (refer to Section 4.5).
- **a.** Daycare centres (refer to Section 5.9).
- **b.** Residential care homes (refer to Section 5.9).

7.1.2 Accessory Uses

- **a.** Secondary suites (refer to Section 5.4).
- **b.** Garage and garden suites (refer to Section 5.5).
- **c.** Bed and breakfast homes (refer to Section 5.7).

7.3 Site Development Standards

7.3.1 The following site development standards shall apply in the R1 District:

Permitted & Discretionary Uses	***Single Detached Dwelling (includes Modular Dwellings)***	***Public Playgrounds***
Minimum site area	404.7 m^2 (4,356.0 ft^2)	No minimum
Minimum floor area	46.5 m^2 (500.5 ft^2)	No minimum
Minimum site frontage	*Rectangular lots:* 10.05 m (33.0 ft.). *Non-rectangular lots:* 11.0 m (36.1 ft.) with a mean width of 15.0 m (49.2 ft.) over the first 30.0 m (98.4 ft.) measured from the front lot line where there is a lane, otherwise 15 m (49.2 ft.) with a mean width of 18 m (59.1 ft.) measured from the front lot line.	No minimum
Maximum height	9.1 m (30.0 ft.)	No maximum
Maximum site coverage	60%	No maximum
Minimum front yard	4.5 m (14.8 ft.)	No minimum
Minimum rear yard	5.0 m (16.4 ft.)	No minimum
Minimum side yard	1.5 m (4.9 ft.), except that for a corner lot where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3.0 m (9.8 ft.)	4.5 m (14.8 ft.) where the side lot line abuts a street or lane

7.4 Accessory Buildings and Structures

7.4.1 Accessory buildings and structures shall be subject to the following standards and conditions:

Maximum floor area	120.0 m^2 (1,291.7 ft^2)
Minimum front yard	4.5 m (14.8 ft.)
Minimum rear yard	1.5 m (4.9 ft.)
Minimum side yard	1.0 m (3.3 ft.); or 1.5 m (4.9 ft.) for a private detached garage. In the case of a corner lot where access to the structure is obtained from the flankage street, structures shall maintain a minimum side yard of 1.5 m (4.9 ft.) to the flankage street, unless access is to a private garage then 3.0 m (9.8 ft.) is required. No structure shall have a projection greater than 0.6 m (2.0 ft.) beyond the main wall.
Minimum setback from principle building	1.2 m (3.9 ft.)
Maximum height	6.0 m (19.7 ft.)

a. Accessory uses or structures shall not be located in a required setback unless stated elsewhere in the Zoning Bylaw;

b. Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the maximum total floor area of 120 m^2 (1,291.7 ft^2);

c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.6 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;

d. With the exception of a detached garage, no detached or attached structure, including an attached garage or deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded;

e. Pursuant to **Section 4.6.8**, one (1) shipping container is permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request.

f. A maximum of one (1) temporary, fabric covered structure consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl or other sheet material shall be permitted pursuant to **Section 3.20** of this Bylaw.

7.5 Fence and Hedge Heights

7.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls chain-link fences and hedges:

a. No wall or fence located along any lot line shall exceed 2.0 metres (6.5 ft.) in height;

b. No hedge, fence or other structure shall be erected past any property line;

c. In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1.0 metre (3.3 ft.) in height measured above the grade of the streets that abut the lot or site, in an intersection sight triangle;

d. Fencing materials permitted within residential zoning districts include the following: wood; vinyl; chain link; brick stone; or, wrought iron.

7.6 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

7.6.1 One (1) wall sign is permitted for a dwelling having a maximum facial area as follows:

a. Multiple unit dwellings – 0.2 m^2 (2.2 ft^2); and

b. All other dwellings – 0.2 m^2 (2.2 ft^2).

7.6.2 Free-standing signs shall be located at least 3.0 m (9.8 ft.) from any lot line and not be located in a sight triangle.

7.6.3 One (1) real estate sign not exceeding 1.0 m^2 (11.0 ft^2) in area to a maximum height of 2.5 m (8.2 ft.) in height.

7.6.4 Trailer signs are prohibited in the R1 District.

7.6.5 All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardize public safety.

7.6.6 In the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling or attached to the building.

7.7 Parking

7.7.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Single detached, modular and mobile dwellings, bare land condominiums	1 space per dwelling
Secondary suites, garage suites, or garden suites	1 space in addition to 1 provided for the principle dwelling
Public works	No requirements
Public playgrounds	No requirements
Daycare centres and pre-schools	1 space plus 1 additional space for every 10 persons enrolled in the facility
Bed and breakfast	1 per guest bedroom

7.7.2 The parking and temporary occupation of Recreational Vehicles shall be provided in accordance with **Section 4.6.7**.

7.8 Outdoor Storage

7.8.1 No outdoor storage shall be permitted in the required front yard setback of any residential site.

7.8.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

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

7.8.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, or machinery.

7.8.5 Provision shall be made for the owner of the property with improvements to temporarily display a maximum of either two (2) vehicles or recreational vehicles that are for sale at any given point in time.

7.8.6 The following storage regulations shall apply for empty lots:

a. Temporary parking of vehicles and utility trailers registered to the property owner or immediate family is permitted;

b. Temporary storage of a maximum of two (2) recreational vehicles is permitted, one (1) of which may be an unoccupied motorhome, travel/camper trailer, or similar vehicle registered to the property owner or immediate family.

c. The occupation of motorhomes, travel/camper trailers, or similar vehicles on empty lots is prohibited.

d. Commercial activity (sale of items, rental of space) is prohibited;

e. Lot must be kept tidy as per the Nuisance Bylaw;

f. One accessory building under 9.29 m^2 (100 ft^2) that is used for the sole purpose of storing yard maintenance equipment is permitted but shall be setback a minimum 3.0 metres (9.8 ft.) from all site lines;

7.9 Discretionary Use Evaluation Criteria

7.9.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

7.9.2 All discretionary uses shall maintain the residential character of the area as much as possible.

7.9.3 Off-street parking spaces for daycare centres and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

Section 8: Residential Medium District (R2)

The purpose of the Residential Low District (R2) is to accommodate a variety of high density residential development including single-detached residences, semi-detached residences, townhouses and multi-unit dwellings. No person shall within any R2 District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

8.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

8.1.1 Principle Uses

- **a.** One (1) single detached dwelling including Modular Dwellings (refer to Section 5.3)
- **b.** Semi-detached and duplex dwellings.
- **c.** Multi-unit dwellings (refer to Section 5.6).
- **d.** Apartment buildings.

8.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 8.4).
- **b.** Home-based Businesses (refer to Section 4.6.5).
- **c.** Vacation Rental Dwellings (refer to Section 4.6.6).

8.1.3 Public Works and Municipal Facilities

- **a.** Public playgrounds.
- **b.** Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

8.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

8.2.1 Principle Uses

- **a.** Mobile dwellings (refer to Section 5.3).
- **b.** Bare land condominiums (refer to Section 4.5).
- **c.** Daycare centres (refer to Section 5.9).
- **d.** Residential care homes (refer to Section 5.9).

8.2.2 Accessory Uses

- **a.** Secondary suites (refer to Section 5.4).
- **b.** Garage and garden suites (refer to Section 5.5).
- **c.** Bed and breakfast homes (refer to Section 5.7).

8.3 Site Development Standards

8.3.1 The following site development standards shall apply in the R2 District:

Permitted Uses	***Single Detached (including Modular Dwellings) & Duplex Dwelling (stacked or front to back units)***	***Semi-Detached, Townhouse, & Other Side-by-Side Dwellings (per unit)***	***Multi-Unit Dwellings, Apartment Buildings***	***Public Playgrounds***
Minimum site area	404.7 m^2 (4,356.0 ft^2)	290.0 m^2 (3,121.5 ft^2)	450.0 m^2 (4,843.8.0 ft^2)	No minimum
Minimum floor area	46.5 m^2 (500.5 ft^2)	46.5 m^2 (500.5 ft^2)	46.5 m^2 (500.5 ft^2) (per unit)	No minimum
Minimum site frontage	10.05 m (33.0 ft.)	7.62 m (25.0 ft.)	15.0 m (49.2 ft.)	No minimum
Maximum height	9.1 m (30.0 ft.)	9.1 m (30.0 ft.)	13 m (42.7 ft)	No maximum
Maximum site coverage	60%	60%	60%	No maximum
Minimum front yard	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)	No minimum
Minimum rear yard	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)	No minimum
Minimum side yard	1.2 m (3.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3.0 m (9.8 ft.)	1.2 m (3.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3.0 m (9.8 ft.)	3.0 m (9.8 ft.)	4.5 m (14.8 ft.) where the side lot line abuts a street or lane

Discretionary Uses	***Bare Land Condominiums***	***Institutional Uses***	***All Other Uses***
Minimum site area	464.5 m^2 (4,999.8 ft^2)	580.0 m^2 (6,243.1 ft^2)	580.0 m^2 (6,243.1 ft^2)
Minimum site frontage	The whole lot or site on which the entire bare land condominium is developed upon shall have a minimum frontage of 18 m (59 ft)	15.0 m (49.2 ft.)	15.0 m (49.2 ft.)
Maximum height	9.1 m (30.0 ft.)	9.1 m (30.0 ft.)	9.1 m (30.0 ft.)
Maximum site coverage	60%	60%	60%
Minimum front yard	4.5 m (14.8 ft.)	7.5 m (24.6 ft.) or 25% of the depth of the lot, whichever is greater	7.5 m (24.6 ft.)
Minimum rear yard	5.0 m (16.4 ft.)	5.0 m (16.4 ft.) or 25% of the lot depth, whichever is greater	5.0 m (16.4 ft.)
Minimum side yard	3.5 m (11.5 ft.)	3.0 m (9.8 ft.) or half the building height, whichever is greater	3.5 m (11.5 ft.)

8.4 Accessory Buildings and Structures

8.4.1 Accessory buildings and structures shall be subject to the following standards and conditions:

Maximum floor area	120.0 m^2 (1,291.7 ft^2) in area
Minimum front yard	4.5 m (14.8 ft.)
Minimum rear yard	1.5 m (4.9 ft.)
Minimum side yard	1.0 m (3.3 ft.); or 1.5 m (4.9 ft.) for a private detached garage. In the case of a corner lot where access to the structure is obtained from the flankage street, structures shall maintain a minimum side yard of 1.5 m (4.9 ft.) to the flankage street, unless access is to a private garage then 3.0 m (9.8 ft.) is required. No structure shall have a projection greater than 0.6 m (2.0 ft.) beyond the main wall.
Minimum setback from principle building	1.2 m (3.9 ft.)
Maximum height	6.0 m (19.7 ft.)

a. Accessory uses or structures shall not be located in a required setback unless stated elsewhere in the Zoning Bylaw;

b. Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the maximum total floor area of 120 m^2 (1,291.7 ft^2);

c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.6 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;

d. With the exception of a detached garage, no detached or attached structure, including an attached garage or deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded;

e. Pursuant to **Section 4.6.8**, one (1) shipping container is permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request.

f. A maximum of one (1) temporary, fabric covered structure consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl or other sheet material shall be permitted pursuant to **Section 3.20** of this Bylaw.

8.5 Fence and Hedge Heights

8.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:

a. No wall or fence located along any lot line shall exceed 2.0 metres (6.5 ft.) in height;

b. No hedge, fence or other structure shall be erected past any property line;

c. In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1.0 metre (3.3 ft.) in height measured above the grade of the streets that abut the lot or site, in an intersection sight triangle;

d. Fencing materials permitted within residential zoning districts include the following: wood; vinyl; chain link; brick stone; or, wrought iron.

8.6 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

8.6.1 One (1) wall sign is permitted for a dwelling having a maximum facial area as follows:

a. Multiple unit dwellings – 0.2 m^2 (2.2 ft^2);

b. All other dwellings – 0.2 m^2 (2.2 ft^2).

8.6.2 Free-standing signs shall be located at least 3.0 m (9.8 ft.) from any lot line and not be located in a sight triangle.

8.6.3 One (1) real estate sign not exceeding 1.0 m2 (11.0 ft2) in area to a maximum height of 2.5 m (8.2 ft.) in height.

8.6.4 Trailer signs are prohibited in the R2 District.

8.6.5 All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardize public safety.

8.6.6 In the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling or attached to the building.

8.7 Parking

8.7.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Single detached, modular and mobile dwellings, bare land condominiums	1 space per dwelling
Secondary suites, garage suites, or garden suites	1 space in addition to 1 provided for the principle dwelling
Semi-detached and duplex	1 space per dwelling unit
Multiple unit and apartment buildings	1 space per dwelling unit
Multiple unit for senior citizens	1 space per dwelling unit
Public works and playgrounds	No requirements
Daycare centres and pre-schools	1 space plus 1 additional space for every 10 persons enrolled in the facility
Bed and breakfast	1 per guest bedroom

8.7.2 The parking and temporary occupation of Recreational Vehicles shall be provided in accordance with **Section 4.6.7**.

8.8 Outdoor Storage

8.8.1 No outdoor storage shall be permitted in the required front yard setback of any residential site.

8.8.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

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

8.8.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, inoperable vehicles or machinery.

8.8.5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

8.8.6 The following storage regulations shall apply for empty lots:

a. Temporary parking of vehicles and utility trailers registered to the property owner or immediate family permitted;

b. Temporary storage of a maximum of two (2) recreational vehicles is permitted, one (1) of which may be an unoccupied motorhome, travel/camper trailer, or similar vehicle registered to the property owner or immediate family.

c. The occupation of motorhomes, travel/camper trailers, or similar vehicles on empty lots is prohibited.

d. Commercial activity (sale of items, rental of space) is prohibited;

e. Lot must be kept tidy as per the Nuisance Bylaw;

f. One accessory building under 9.29 m^2 (100 ft^2) that is used for the sole purpose of storing yard maintenance equipment is permitted but shall be setback a minimum 3.0 metres (9.8 ft.) from all site lines.

8.9 Discretionary Use Evaluation Criteria

8.9.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

8.9.2 All discretionary uses shall maintain the residential character of the area as much as possible.

8.9.3 Off-street parking spaces for daycare centres and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

Section 9: Residential Mobile Home District (RMH)

The purpose of the Residential Mobile Home District (RMH) shall be to accommodate mobile home park development in a concentrated manner. No person shall within any RMH District use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

9.1.1 Principle Uses

a. Mobile dwelling parks.
b. One (1) modular or mobile dwelling (refer to Section 5.3).

9.1.2 Accessory Uses

a. Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 9.4).
b. Home-based businesses (refer to Section 4.6.5).
c. Vacation Rental Dwellings (refer to Section 4.6.6).

9.1.3 Public Works and Municipal Facilities

a. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.
b. Community facilities and public parks.

9.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

9.2.1 Principle Uses

a. Places of worship, religious institutions.
b. Daycare centres (refer to Section 5.9).

9.2.2 Accessory Uses

a. Garage and garden suites (refer to Section 5.5).

9.3 Site Development Standards

9.3.1 The following site development standards shall apply in the RMH District:

Permitted Uses	***Mobile Dwelling Parks***
Minimum site area	2.02 hectares (5 acres)
Minimum site frontage	15.0 m (49.2 ft.)
Maximum height	No requirement
Minimum front yard	5.0 m (16.4 ft.)
Minimum rear yard	5.0 m (16.4 ft.)
Minimum side yard	1.5 m (4.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3.0 m (9.8 ft.)

9.3.2 All roadways in the mobile home court shall have a minimum 12.0 metres (39 ft.) right-of-way, be park hard surfaced and self-drained.

9.3.3 A minimum of 5% of the gross area of the mobile home parks shall be devoted to communal open space or recreational facilities.

Permitted Uses	***Mobile Dwelling Sites***
Minimum site area	255 m^2 (2,744.8 ft^2)
Minimum site frontage	7.62 m (25 ft.)
Maximum height	No requirement
Maximum site coverage	60%
Minimum front yard	5.0 m (16.4 ft.)
Minimum rear yard	1.5 m (4.9 ft.)
Minimum side yard	1.5 m (4.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3.0 m (9.8 ft.)

All Other Uses	
Minimum site area	450.0 m^2 (4,843.8 ft^2)
Minimum site frontage	15.0 m (49.2 ft.)
Maximum height	9.1 m (30.0 ft.)
Maximum site coverage	60%
Minimum front yard	5.0 m (16.4 ft.)
Minimum rear yard	5.0 m (16.4 ft.)
Minimum side yard	1.0 m (3.3 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 4.5 m (14.8 ft.)

9.4 Accessory Buildings and Structures

9.4.1 Accessory buildings and structures shall be subject to the following standards and conditions:

Maximum floor area	All accessory buildings shall not exceed 120.0 m^2 (1,291.7 ft^2) in area
Minimum front yard	4.5 m (14.8 ft.); or 3.0 m (9.8 ft.) for detached garages and storage sheds where there are topographical constraints.
Minimum rear yard	1.5 m (4.9 ft.)
Minimum side yard	1.0 m (3.28 ft.) Private garage 1.5 m (4.9 ft.) In the case of a corner lot where access to the structure is obtained from the flankage street, structures shall maintain a minimum side yard of 1.5 m (4.9 ft.) to the flankage street, unless access is to a private garage then 3 m (9.8 ft.) is required. No structure shall have a projection greater than 0.6 m (2 ft.) beyond the main wall.
Minimum setback from principle building	1.2 m (3.9 ft.)
Maximum height	6.0 m (19.7 ft.) from grade level to the underside of the eaves

a. Accessory uses or structures shall not be located in a required setback unless stated elsewhere in the Zoning Bylaw;

b. Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the maximum total floor area of 120 m^2 (1,291.7 ft^2);

c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.6 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;

d. With the exception of a detached garage, no detached or attached structure, including an attached garage or deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded;

e. Pursuant to **Section 4.6.8**, one (1) shipping container is permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request.

f. A maximum of one (1) temporary, fabric covered structure consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl or other sheet material shall be permitted pursuant to **Section 3.20** of this Bylaw.

9.5 Fence and Hedge Heights

9.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:

a. No wall or fence located along any lot line shall exceed 2.0 metres (6.5 ft.) in height;

b. No hedge, fence or other structure shall be erected past any property line;

c. In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1.0 metre (3.3 ft.) in height measured above the grade of the streets that abut the lot or site, in an intersection sight triangle;

d. Fencing materials permitted within residential zoning districts include the following: wood; vinyl; chain link; brick stone; or, wrought iron.

9.6 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

9.6.1 One (1) wall sign is permitted for a dwelling having a maximum facial area as follows:

a. All other dwellings – 0.2 m^2 (2.2 ft^2).

9.6.2 Free-standing signs shall be located at least 3.0 m (9.8 ft.) from any lot line and not be located in a sight triangle.

9.6.3 One (1) real estate sign not exceeding 1.0 m^2 (11.0 ft^2) in area to a maximum height of 2.5 m (8.2 ft.) in height.

9.6.4 Trailer signs are prohibited in the RMH District.

9.6.5 All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardize public safety.

9.6.6 In the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling or attached to the building.

9.7 Parking

9.7.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Mobile home	1 space per dwelling unit
Garage suites or garden suites	1 space in addition to 1 provided for the principle dwelling
Public works	No requirements
Public playgrounds	No requirements
Places of worship	1 per 10 seats provided for patrons
Daycare centres and pre-schools	1 space plus 1 additional space for every 10 persons enrolled in the facility

9.8 Outdoor Storage

9.8.1 No outdoor storage shall be permitted in the required front yard setback of any residential site.

9.8.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

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

9.8.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, inoperable vehicles or machinery.

9.8.5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

9.8.6 The following storage regulations shall apply for empty lots:

a. Temporary parking of vehicles and utility trailers registered to the property owner or immediate family is permitted;

b. Temporary storage of a maximum of one (1) unoccupied recreational vehicle registered to the property owner or immediate family is permitted.

c. The occupation of motorhomes, travel/camper trailers, or similar vehicles on empty lots is prohibited.

d. Commercial activity (sale of items, rental of space) is prohibited;

e. Lot must be kept tidy as per the Nuisance Bylaw;

f. One accessory building under 9.29 m^2 (100 ft^2) that is used for the sole purpose of storing yard maintenance equipment is permitted but shall be setback a minimum 3.0 metres (9.8 ft.) from all site lines.

9.9 Discretionary Use Evaluation Criteria

9.9.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

9.9.2 All discretionary uses shall maintain the residential character of the area as much as possible.

9.9.3 Off-street parking spaces for daycare centres and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

Section 10: Town Commercial District (C1)

The purpose of the Town Commercial District (C1) is to continue to encourage a "downtown" experience by providing pedestrian oriented commercial activities and services. No person shall within any C1 District use any land or erect, alter or use any building or structure except in accordance with the following provisions:

10.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

10.1.1 Principle Uses

- **a.** Banks, credit unions and other financial institutions.
- **b.** Administrative offices.
- **c.** Barbers, hairdressers and other similar personal services establishments.
- **d.** Medical, dental and other health care offices and clinics or health services.
- **e.** Restaurants, cafés, coffee shops and other similar fast food services.
- **f.** Confectionaries and delicatessens.
- **g.** Storefront retail stores and outlets.
- **h.** Police, ambulance stations.
- **i.** Storefront bakeries, butcher shops and similar food processing with on-site retail sales.
- **j.** Theatres, community services.
- **k.** Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres.
- **l.** Licensed premises for the sale and consumption of alcoholic beverages.
- **m.** Cannabis retail store.
- **n.** Outdoor markets and concessions (permanent, season or occasional).
- **m.** Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, crafts people and similar trades including retail sales of art and craft products.
- **n.** Storefront construction trades without yards.

10.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 10.4).

10.1.3 Public Works and Municipal Facilities

- **a.** Public works buildings, offices and structures excluding warehouses, storage yards and waste management or sewage facilities.

10.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

10.2.1 Principle Uses

- **a.** Mixed-use development.
- **b.** Hotels.
- **c.** Motels.
- **d.** Strip malls.
- **e.** Breweries or distilleries.
- **f.** Lumber and building supply establishments.

g. Public transportation depots.
h. Community services.
i. Daycare centres (refer to Section 5.6).
j. Rooming house.
k. Animal hospitals, or clinics and offices of veterinary surgeons.
l. Boarding kennels.
m. Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales.
n. Service stations.
o. Motor vehicle repair shops.
p. Car washes.
q. Newspaper offices and printing plants, and services.
r. Funeral homes.

10.3 Site Development Standards

10.3.1 The following site development standards shall apply in the C1 District:

Permitted & Discretionary Uses	***Commercial Uses***	***Service Stations***
Minimum site area	230.0 m^2 (2,475.7 ft^2)	929.0 m^2 (9,999.7 ft^2)
Minimum site frontage	7.5 m (24.6 ft.)	30.0 m (98.4 ft.)
Maximum height	13 m (42.7 ft)	13 m (42.7 ft)
Maximum site coverage	75%	75%
Minimum front yard	No requirement	7.5 m (24.6 ft.)
Minimum rear yard	1.5 m (4.9 ft.) 3.0 m (9.8 ft.) for commercial lots immediately adjacent to the west side of Centre Street	5.0 m (16.4 ft.) 3.0 m (9.8 ft.) for commercial lots immediately adjacent to the west side of Centre Street
Minimum side yard	1.2 m (3.9 ft.)	1.5 m (4.9 ft.)

10.4 Accessory Buildings and Structures

10.4.1 Setbacks for accessory buildings shall meet the same requirements as the principle use or building.

10.4.2 Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in a rear or side yard.

10.4.3 Permanent or long-term placement of trailer coaches in the C1 District shall not be allowed and no business may be permitted to use a trailer coach as part of their commercial operation. Short term placement or temporary storage of trailer coaches on C1 lots may be permitted for a specified time period at Council's discretion, if they believe that there will be no negative impact on the visual attractiveness, objectives or policies of the C1 District.

10.4.4 Up to one mobile storage container is permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request to the municipality.

10.5 Outdoor Storage

10.5.1 No outdoor storage shall be permitted in the required front yard setback of any commercial site.

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

10.5.3 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

10.5.4 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.

10.5.5 All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (6.6 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

10.5.6 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

10.6 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

10.6.1 Advertising signs in the C1 District may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.

10.6.2 Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign.

10.6.3 All signs shall provide a minimum clearance of 2.5 m (8.2 ft.) between the bottom of the sign and a street or sidewalk.

10.6.4 All signs shall be located wholly within the lot lines of the lot in which they are located, except for signs located in the C1 District.

10.6.5 Signs shall be located a minimum distance of 1.0 m (3.3 ft.) from any lot line.

10.6.6 Specific sign regulations are as follows:

a. Except as may be permitted by the Development Officer, a sign shall not be located or encroach onto a public roadway, boulevard or sidewalk;

b. Signs related to construction shall not be located or erected for a period greater than 14 days;

c. The maximum height of a sign shall be 6.0 m (19.7 ft.) above the ground;

d. The maximum sign facial area shall not exceed 1.2 m^2 (12.9 ft^2) for A-Board signs and 3.5 m^2 (37.7 ft^2) for all other signs.

10.7 Parking

10.7.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Stores, mixed use developments, and offices	1 parking space for each 75.0 m² (807.3 ft²) of gross floor area
Restaurants, other eating places	1 parking space for every 10 seats provided for patrons
Theatres, places of assembly	1 parking space for every 10 seats provided for patrons
Motels or hotels	1 parking space for each unit
Service Stations	1 1/2 parking spaces for each service bay
All other uses	1 parking space for each 75.0 m² (807.3 ft²) of building floor area

10.8 Landscaping & Screening

10.8.1 Where a site abuts any residential district without an intervening lane, there shall be a landscaped strip adjacent to the abutting site line of not less than 1.5 metres (4.9 ft.) in width throughout which shall not be used for any purpose except landscaping.

10.8.2 Any directly adjacent site zoned a residential district shall be suitably screened, whether by a fence or by sufficient landscaping, to a minimum height of 3.0 metres (9.8 ft).

10.9 Discretionary Use Evaluation Criteria

10.9.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

10.9.2 Specific discretionary use evaluation criteria for mixed use developments:

a. Appropriate access from major streets to the development and development will not cause excessive traffic through existing residential areas;

b. Locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred;

c. The developer of the business may be required to provide a fence or other buffer to an abutting use.

10.9.3 Specific discretionary use evaluation criteria for strip malls:

a. Council will favorably consider the proposed use where it can be demonstrated that it is primarily for pedestrian use and accessible to the public from both the street and from the development;

b. Council will consider the appropriate separation to other uses that may be incompatible with strip mall retail and service activities;

c. Council will consider the potential uses and street access to the site when making a discretionary use decision on a proposed strip mall. Ingress and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard; and

d. Other criteria may include street façade, main street entrance, windows along the street and the relaxation of on-site parking requirements.

10.9.4 Specific discretionary use evaluation criteria for lumber yards and wholesale trades:

a. Development of these uses on other than the existing sites will be encouraged to locate on vacant land with adequate space.

10.9.5 Specific discretionary use evaluation criteria for building supply establishments, construction trades, light manufacturing, 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 minimal impact on surrounding adjacent areas. Consideration may be given, though not limited to, the following effects:

i. Municipal servicing capacity;

ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and other emissions emanating from the operation;

iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians;

iv. Utilization of hazardous substances.

b. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.

10.9.6 Specific discretionary use evaluation criteria for funeral homes:

a. Council shall favourably consider the location of the proposed use on a lot that abuts a major (primary or secondary) street, as identified in the Official Community Plan "Transportation Hierarchy" Reference Map.

10.9.7 Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes an access to or from major streets or designated truck routes.

10.9.8 All operations related to construction trades, artisans and craft shop offices shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted, except within a waste disposal bin for collection.

Section 11: Highway Commercial District (C2)

The purpose of the Highway Commercial District (C2) is to facilitate a wide range of commercial and related activities located along the Highway. No person shall within any C2 District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

11.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

11.1.1 Principle Uses

- **a.** Business and/or professional offices.
- **b.** Motels or motor hotels including a dwelling for caretakers, owners or managers.
- **c.** Restaurants, confectionaries including drive-thrus.
- **d.** Licensed premises for the sale and consumption of alcoholic beverages.
- **e.** Breweries, distilleries, or wineries.
- **f.** Cannabis retail store.
- **g.** Strip malls.
- **h.** Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres.
- **i.** Car washes.
- **j.** Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, recreation or farm machinery and equipment.
- **k.** Garden centres.
- **l.** Lumber and building supply establishments.
- **m.** Residential home building establishments.

11.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 11.4).

11.1.3 Public Works and Municipal Facilities

- **a.** Public works offices, buildings, structures and warehouses excluding waste management or sewage facilities.

11.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

11.2.1 Principle Uses

- **a.** Mixed-use developments.
- **b.** Bare land condominiums.
- **c.** Commercial greenhouses.
- **d.** Public transportation depots.
- **e.** Animal hospitals or clinics and offices of veterinary surgeons.
- **f.** Boarding kennels.
- **g.** Construction trades and contractor's yards.
- **h.** Shops of plumbers, pipe fitters, metal workers and other industrial trades.
- **i.** Agricultural implement, motor vehicle, recreational vehicle, and/or mobile home sales and servicing and/or storage compound.
- **j.** Fertilizer sales and storage.

11.2.2 Accessory Uses

a. One (1) accessory dwelling unit for caretakers, owners, or managers attached to or within an approved use.

11.3 Site Development Standards

11.3.1 The following site development standards shall apply in the C2 District:

Permitted & Discretionary Uses	***Service Stations***	***All Other Uses***
Minimum site area	929.0 m^2 (9,999.7 ft^2)	500.0 m^2 (5,382 ft^2)
Minimum site frontage	30.5 m (100.1 ft.)	15.0 m (49.2 ft.)
Maximum height	13 m (42.7 ft)	15.0 m (49.2 ft.)
Maximum site coverage	75%	75%
Minimum front yard	7.5 m (24.6 ft.)	6.0 m (19.7 ft.)
Minimum rear yard	5.0 m (16.4 ft.)	3.0 m (9.8 ft.)
Minimum side yard	5.0 m (16.4 ft.)	3.0 m (9.8 ft.)

11.4 Accessory Buildings and Structures

11.4.1 Setbacks for accessory buildings shall meet the same requirements as the principle use or building.

11.4.2 A maximum of two mobile storage containers are permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request to the municipality.

11.4.3 Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in a rear or side yard.

11.5 Fence and Hedge Heights

11.5.1 No hedge, fence or other structure shall be erected past any property line.

11.5.2 No fence in a highway commercial district shall exceed 2.4 metres (7.9 ft.).

11.5.3 No barbed wire or razor wire fences shall be allowed in the C2 District.

11.6 Landscaping & Screening

11.6.1 A landscaped strip of not less than 1.5 metres (4.9 ft.) in width throughout lying parallel and abutting the front site line shall be provided on every site.

11.6.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

11.6.3 Where a site abuts any residential district without an intervening lane, there shall be a landscaped strip adjacent to the abutting site line of not less than 3.0 metres (9.8 ft.) in width throughout which shall not be used for any purpose except landscaping.

11.6.4 Any directly adjacent site zoned a residential district shall be suitably screened, whether by a fence or by sufficient landscaping, to a minimum height of 3.0 metres (9.8 ft).

11.7 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

11.7.1 Advertising signs in the C2 District may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.

11.7.2 Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign.

11.7.3 All signs shall provide a minimum clearance of 2.5 m (8.2 ft.) between the bottom of the sign and a street or sidewalk.

11.7.4 All signs shall be located wholly within the lot lines of the lot in which they are located.

11.7.5 Signs shall be located a minimum distance of 1.0 m (3.3 ft.) from any lot line.

11.7.6 Specific sign regulations are as follows:

a. Except as may be permitted by the Development Officer, a sign shall not be located or encroach onto a public roadway, boulevard or sidewalk;

b. Signs related to construction shall not be located or erected for a period greater than fourteen (14) days;

c. The maximum height of a sign shall be 6.0 m (19.7 ft.) above the ground;

d. The maximum sign facial area shall not exceed 1.2 m^2 (12.9 ft^2) for A-Board signs and 3.5 m^2 (37.7 ft^2) for all other signs.

11.8 Parking

11.8.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Strip malls	1 parking space for each 50.0 m^2 (538.2 ft^2) of floor area
Stores, mixed use developments, and offices	1 parking space for every 50.0 m^2 (538.2 ft^2) of gross floor area
Restaurants, other eating places	1 parking space for every 10 seats provided for patrons
Motels, motor hotels or rooming houses	1 parking space for each unit
Service stations	1 1/2 parking spaces for each service bay
All other uses	1 parking space for each 75.0 m^2 (807.3 ft^2) of building floor area

11.9 Loading Requirements

11.9.1 Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m^2 (183.0 ft^2).

11.10 Outdoor Storage

11.10.1 No outdoor storage shall be permitted in the required front yard setback of any commercial or industrial site. No yard shall be used for the storage or collection of hazardous material.

11.10.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

11.10.3 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.

11.10.4 All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (6.6 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

11.10.5 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

11.11 Discretionary Use Evaluation Criteria

11.11.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

11.11.2 Specific discretionary use evaluation criteria for commercial greenhouses, construction trades and contractor's yards, shops of plumbers, pipe fitters, metal workers, other industrial trades, manufacturing and sales and auto body 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 minimal impact on surrounding adjacent areas. Consideration may be given, though not limited to, the following effects:

i. Municipal servicing capacity;

ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and other emissions emanating from the operation;

iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions for vehicles, cyclists or pedestrians;

iv. Utilization of hazardous substances.

b. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.

11.11.3 Specific discretionary use evaluation criteria for agriculture implement, motor vehicle, recreational vehicle and/or mobile home sales storage compound, and semi-trailer and container parking lots including mobile storage containers:

a. Council will favourably consider the proposed use where it is located in an area of low-visibility, and screened to avoid any adverse visual impact.

11.11.4 Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to or from major streets or designated truck routes.

Section 12: Industrial District (M)

The purpose of the Industrial District (M) is to provide areas for industrial activities which have moderate potential for conflict with adjacent land uses and rely on access to prime traffic routes. No person shall within any M District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

12.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

12.1.1 Principle Uses

- **a.** Business and/or professional offices.
- **b.** Industrial parks containing a combination of permitted uses.
- **c.** Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials.
- **d.** Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious.
- **e.** Oilfield supply and service establishments.
- **f.** Auto body shops.
- **g.** Construction and other contractors, industrial trades, workshops, yards, plants and/or offices.
- **h.** Warehousing and supply depots.
- **i.** Farm and industrial machinery equipment and vehicle sales and service.
- **j.** Trucking operations.
- **k.** Semi-trailer and container parking lot including mobile storage containers.
- **l.** Lumber and building supply establishments.
- **m.** Construction of modular/mobile dwellings or agricultural building assembly area.
- **n.** Motor vehicle, recreational vehicle and/or mobile home sales and servicing and/or storage compound.
- **o.** Commercial recycling depots.

12.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use except any building or structure used for human habitation (refer to Section 4.6 and 12.4).

12.1.3 Public Works and Municipal Facilities

- **a.** Public works buildings and structures including offices, warehouses, storage, yards and waste management or sewage facilities.

12.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

12.2.1 Principle Uses

- **a.** Bulk petroleum sales and storage.
- **b.** Oilfield equipment parking lot and staging area.
- **c.** Stockyards and auction marts.
- **d.** Salvage yards and auto wreckers.
- **e.** Meat processing plants/abattoirs.

f. Seed cleaning plants, feed mills and flour mills.
g. Commercial greenhouses.
h. Fertilizer sales and storage.
i. Cement manufacturing.
j. Aggregate material storage or handling operations.

12.2.2 Accessory Uses

a. One (1) accessory dwelling unit for caretakers, owners, or managers attached to or within an approved use.

12.3 Site Development Standards

12.3.1 The following site development standards shall apply in the M District:

Permitted and Discretionary Uses	
Minimum site area	929.0 m^2 (9,999.7 ft^2)
Minimum site frontage	25.0 m (82.0 ft.)
Maximum height	15.0 m (49.2 ft.)
Maximum site coverage	75%
Minimum front yard	8.0 m (26.2 ft.)
Minimum rear yard	3.0 m (9.8 ft.)
Minimum side yard	5.0 m (16.4 ft.)

12.4 Accessory Buildings and Structures

12.4.1 Setbacks for accessory buildings shall meet the same requirements as the principle use or building.

12.4.2 A maximum of three mobile storage containers are permitted in a rear or side yard for temporary storage use up to a maximum of 12 months. Extensions may be permitted after the 12 months upon request to the municipality.

12.4.3 Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in a rear or side yard.

12.5 Fence and Hedge Heights

12.5.1 No hedge, fence or other structure shall be erected past any property line.

12.5.2 No fence in the M District shall exceed 2.4 metres (7.9 ft.).

12.5.3 No barbed wire or razor wire fences shall be allowed in the M District.

12.6 Landscaping & Screening

12.6.1 A landscaped strip of not less than 3.0 metres (9.8 ft.) in width throughout lying parallel and abutting the front site line shall be provided on every site.

12.6.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

12.6.3 Where a site abuts any residential district without an intervening lane, there shall be a landscaped strip of land adjacent to the abutting site line of not less than 3.0 metres (9.8 ft.) in width throughout which shall not be used for any purpose except landscaping.

12.6.4 Any directly adjacent site zoned a residential district shall be suitably screened, whether by a fence or by sufficient landscaping, to a minimum height of 2.0 metres (6.5 ft).

12.7 Signage

In addition to the signage requirements outlined in **Section 4.13**, the following requirements apply:

12.7.1 Advertising signs in the M District may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.

12.7.2 Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign.

12.7.3 All signs shall provide a minimum clearance of 2.5 m (8.2 ft.) between the bottom of the sign and a street or sidewalk.

12.7.4 All signs shall be located wholly within the lot lines of the lot in which they are located.

12.7.5 Signs shall be located a minimum distance of 1.0 m (3.3 ft.) from any lot line.

12.7.6 Specific sign regulations are as follows:

a. Except as may be permitted by the Development Officer, a sign shall not be located or encroach onto a public roadway, boulevard or sidewalk;

b. Signs related to construction shall not be located or erected for a period greater than fourteen (14) days;

c. The maximum height of a sign shall be 6.0 m (19.7 ft.) above the ground;

d. The maximum sign facial area shall not exceed 1.2 m^2 (12.9 ft^2) for A-Board signs and 3.5 m^2 (37.7 ft^2) for all other signs.

12.8 Parking

12.8.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Warehouses or manufacturing activities	1 parking space for each 90.0 m^2 (968.8 ft^2) of gross floor area
Principle buildings	1 parking space for each 50.0 m^2 (538.2 ft^2) of gross floor area, or 1 parking space for each 1.5 employees, whichever is greater

12.9 Loading Requirements

12.9.1 Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m^2 (183.0 ft^2).

12.10 Outdoor Storage

12.10.1 No outdoor storage shall be permitted in the required front yard setback of any commercial or industrial site.

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

12.10.3 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

12.10.4 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.

12.10.5 All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (6.6 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

12.10.6 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material and similar articles and materials shall be stored within a building or suitably screened from public view.

12.11 Discretionary Use Evaluation Criteria

12.11.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

12.11.2 Specific discretionary use evaluation criteria for salvage yards and auto wrecker operations:

- **a.** All salvage yards will be favourably considered where it can be demonstrated that it can be totally hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
  - **i.** Distance and careful location;
  - **ii.** Natural or planted vegetation;
  - **iii.** An earth berm;
  - **iv.** An opaque fence;
  - **v.** A building; or
  - **vi.** Other appropriate methods approved by Council.

12.11.3 Specific discretionary use evaluation criteria for bulk petroleum sales and storage, auction marts, meat processing plants/abattoirs, commercial greenhouses, fertilizer sales and storage, cement manufacturing, and, aggregate material storage or handling operations:

- **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 to:
  - **i.** Municipal servicing capacity;
  - **ii.** Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and 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
- **b.** Utilization of hazardous substances.The designated truck access routes will not be primarily through residential areas.

Section 13: Community Service District (CS)

The purpose of the Community Service District (CS) is to provide areas for a wide range of public activities including social, recreational, institutional, parks and community services. No person shall, within any CS District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

13.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

13.1.1 Principle Uses

- **a.** Elementary, high schools and other educational facilities.
- **b.** Lodges, social clubs and service clubs.
- **c.** Municipal offices, libraries, historic and cultural resources, community halls.
- **d.** Cemeteries.
- **e.** Places of worship and assembly halls.
- **f.** Daycare centres (refer to Section 5.9).
- **g.** Health facilities and special care homes.
- **h.** Recreational uses such as sports fields, curling rinks, skating rinks, skateboard and bmx parks, tennis courts, lawn bowling greens, swimming pools and other similar uses. More than one recreational use may be permitted per site.
- **i.** Natural open areas.
- **j.** Pedestrian trails and bicycle pathways.
- **k.** Scenic lookout and interpretation facilities, rest stops and other public trail facilities.
- **l.** Community facilities.

13.1.2 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6 and 13.4).

13.1.3 Public Works and Municipal Facilities

- **a.** Public works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts and other drainage works, and shall include water reservoirs, waste management sites and sewage treatment facilities.

13.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

13.2.1 Principle Uses

- **a.** Community gardens.

13.3 Site Development Standards

13.3.1 The following site development standards shall apply in the CS District:

Permitted and Discretionary Uses	***Elementary and Secondary Schools***	***Skating, Curling Rinks and Swimming Pools***	***Libraries, Places of Worship, Daycare Centres, Religious and Cultural Resources***
Minimum site area	No minimum requirement	1,200 m^2 (12,916.7 ft^2)	464.5 m^2 (4,999.8 ft^2)
Minimum site frontage	15 m (49.2 ft.)	20 m (65.6 ft.)	15 m (49.2 ft.)
Maximum site coverage	75%	No requirement	No requirement
Minimum front yard	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	7.5 m (24.6 ft.) or 25% of the depth of the lot, whichever is greater
Minimum rear yard	7.5 m (24.6 ft.)	5.0 m (16.4 ft.)	5.0 m (16.4 ft.) or 25% of the lot depth whichever is greater
Minimum side yard	50% of the height of the building or, 3.0 m (9.8 ft.), whichever is greater	1.5 m (4.9 ft.) except on a corner site abutting a street then 3.6 m (11.8 ft.) shall be provided	3.0 m (9.8 ft.) or half the building height, whichever is greater

All Other Uses	
Minimum site area	No minimum
Minimum site frontage	No minimum
Maximum site coverage	No requirement
Minimum front yard	5.0 m (16.4 ft.)
Minimum rear yard	5.0 m (16.4 ft.)
Minimum side yard	3.0 m (9.8 ft.) or half the building height, whichever is greater

13.4 Accessory Buildings and Structures

13.4.1 Accessory buildings and structures shall be subject to the following standards:

Maximum floor area	All accessory buildings shall not exceed 120.0 m^2 (1,291.7 ft^2) in area
Minimum front yard	A minimum 6.0 m (19.7 ft.) from the front site line Detached garages and storage sheds where there are topographical constraints: 3.0 m (9.8 ft.)
Minimum rear yard	1.5 m (4.9 ft.)
Minimum side yard	1.0 m (3.3 ft.) Private garage 1.5 m (4.9 ft.) In the case of a corner lot where access to the structure is obtained from the flankage street, structures shall maintain a minimum side yard of 1.5 m (4.9 ft.) to the flankage street, unless access is to a private garage then 3 m (9.8 ft.) is required. No structure shall have a projection greater than 0.6 m (2.0 ft.) beyond the main wall.
Minimum setback from principle building	1.2 m (3.9 ft.)
Maximum height	6.0 m (19.7 ft.) from grade level to the underside of the eaves

13.5 Signage

13.5.1 Signage is subject to the requirements as outlined in **Section 4.13**.

13.6 Parking

13.6.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Elementary school	1 parking space for each staff member
High school	1 parking space for each staff member, plus 1 parking space for every 10 students
Churches and places of assembly	1 parking space for each 75.0 m² (807.3 ft^2) of floor area
Special care homes	1 parking space for each bed
Institutional buildings, private clubs and lodges	1 parking space for each 75.0 m² (807.3 ft^2) of floor area
Recreational buildings, sports facilities and fields	1 parking space for each of every 10 patrons or seats

13.7 Landscaping

13.7.1 A landscaped strip of not less than 3.0 metres (9.8 ft.) in width throughout lying parallel and abutting the front site line shall be provided on every site.

13.7.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

13.7.3 Where a site abuts any residential district without an intervening lane, there shall be a landscaped strip of land adjacent to the abutting site line of not less than 1.5 metres (4.9 ft.) in width throughout which shall not be used for any purpose except landscaping.

13.8 Discretionary Use Evaluation Criteria

13.8.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

Section 14: Commercial Recreation District (CR)

The purpose of the Commercial Recreation District (CR) is to provide for commercial recreational activities such as private campgrounds, waterfront development, and other related uses. No person shall within any CR District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

14.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

14.1.1 Principle Uses

- **a.** Parks and playgrounds.
- **b.** Picnic sites.
- **c.** Hiking trails.
- **d.** Community gardens.
- **e.** Boat launches.
- **f.** Lodges, social clubs, and service clubs.
- **g.** Campgrounds and RV Parks (refer to Section 5.10).
- **h.** Golf courses and driving ranges.
- **i.** Recreational uses such as sports fields, curling rinks, skating rinks, skate and bmx parks, tennis courts, lawn bowling greens, swimming pools and other similar uses. More than one recreational use may be permitted per site.
- **j.** Confectionaries and food stands.

14.1.2 Public Works and Municipal Facilities

- **a.** Public works.

14.1.3 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6).

14.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

14.2.1 Principle Uses

- **a.** Restaurants.
- **b.** Licensed premises for the sale and consumption of alcoholic beverages.
- **c.** Breweries, distilleries, or wineries.
- **d.** Cannabis retail store.

14.3 Site Development Standards

14.3.1 The following site development standards shall apply in the CR District:

Permitted and Discretionary Uses	***Campgrounds and RV Parks***	***All Discretionary Uses***	***All Other Uses***
Minimum site area	2.0 hectare (4.94 acres)	500.0 m^2 (5,382 ft^2)	No minimum
Minimum site frontage	30.0 m (98.4 ft.)	15.0 m (49.2 ft.)	No minimum
Minimum front yard	7.5 m (24.6 ft.)	6.0 m (19.7 ft.)	5.0 m (16.4 ft.)
Minimum rear yard	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)	3.0 m (9.8 ft.)
Minimum side yard	3.0 m (9.8 ft.)	3.0 m (9.8 ft.)	No minimum

14.4 Signage

14.4.1 Signage is subject to the requirements as outlined in **Section 4.13**.

14.5 Parking

14.5.1 Pursuant to **Section 4.14**, off-street parking requirements shall be provided in accordance with the following:

Restaurants, other eating places	1 parking space for every 10 seats provided for patrons
Institutional buildings, recreational buildings, private clubs and lodges	1 parking space for each 75.0 m^2 (807.3 ft^2) (538.2 ft^2) of floor area
All other uses.	1 parking space for each 75.0 m^2 (807.3 ft^2) (538.2 ft^2) of floor area

14.6 Landscaping & Screening

14.6.1 A landscaped strip of not less than 3.0 metres (9.8 ft.) in width throughout lying parallel and abutting the front site line shall be provided on every site.

14.6.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

14.6.3 Where a site abuts any residential district without an intervening lane, there shall be a landscaped strip of land adjacent to the abutting site line of not less than 1.5 metres (4.9 ft.) in width throughout which shall not be used for any purpose except landscaping.

14.6.4 Any directly adjacent site zoned a residential district shall be suitably screened, whether by a fence or by sufficient landscaping, to a minimum height of 2.0 metres (6.5 ft).

14.7 Discretionary Use Evaluation Criteria

14.7.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.3** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

Section 15: Future Urban Development District (FUD)

The purpose of the Future Urban Development District (FUD) is to limit development that may affect future growth of the Town by providing for temporary and transitional uses and activities. Any rezoning to another zoning district shall conform with the OCP and may require an accompanying Concept Plan. No person shall within any FUD District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

15.1 Permitted Uses

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

15.1.1 Principle Uses

- **a.** Agricultural crop production and horticultural uses.
- **b.** Open space and passive recreational uses.

15.1.2 Public Works and Municipal Facilities

- **a.** Community facilities.
- **b.** Public works buildings and structures including offices, warehouses, storage, yards and waste management or sewage facilities.

15.1.3 Accessory Uses

- **a.** Uses, buildings and structures that are customarily accessory to and located on the same site as an approved principle use (refer to Section 4.6).

15.2 Discretionary Uses

Council shall consider a development permit for the following uses subject to the application process in **Section 3.0** of this Bylaw:

15.2.1 Principle Uses

- **a.** Commercial greenhouses, market gardens and sod farms.
- **b.** Community gardens.
- **c.** Cultural resources.
- **d.** Visitor information centres.

15.3 Site Development Standards

15.3.1 The following site development standards shall apply in the FUD District:

Permitted and Discretionary Uses	
Minimum site area	1.0 hectare (2.47 acres)
Minimum site frontage	60.0 m (196.9 ft.) abutting a highway or 6.0 m (19.7 ft.) abutting a street
Minimum front yard	15.0 m (49.2 ft.) unless the property abuts a municipal road, then the setback is 60.0 m (196.9 ft.) from the centerline of the municipal road
Minimum rear yard	10.0 m (32.8 ft.) for buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 m (98.4 ft.)
Minimum side yard	7.5 m (24.6 ft.) for buildings accessory thereto, except the minimum side yard abutting a public street shall be 10.0 m (32.8 ft.)

15.4 Signage

15.4.1 Signage is subject to the requirements as outlined in **Section 4.13**.

15.5 Discretionary Use Evaluation Criteria

15.5.1 Council will evaluate development permit applications for discretionary uses according to the general discretionary use evaluation criteria in **Section 5.2** of this Bylaw and may apply development standards conditions to ensure compliance with said criteria or any other provisions of this Bylaw.

15.5.2 Council will consider the applications for discretionary uses with respect to the following criteria:

a. The infrastructure servicing capacity is available to service the development without excessive impact on other uses being served by the system;

b. The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Town of Regina Beach Official Community Plan; and

c. The development will not require the development of new streets and utility lines except as may be provided for in existing plans under Town of Regina Beach Official Community Plan and that the proposal is not premature.

15.5.3 Where a development is proposed at a location at which standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets the *Public Health Act and Regulations* requirements.

Section 16: Flood Hazard Overlay (FH)

The intent of the Flood Hazard Overlay (FH) area is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in areas designated as flood hazard zones.

16.1 Defining the Boundary

16.1.1 For all proposed development in this cautionary area, the developer shall be required to contact Saskatchewan Water Security Agency to determine the 1:500 year return frequency flood event and necessary freeboard.

16.2 Site Regulations in the Flood Hazard Land Areas

16.2.1 Development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or water body shall be prohibited.

16.2.2 If the development of new buildings or additions is approved in the flood fringe, flood-proofing to an elevation of 0.5 metres (1.6 ft.) above the 1:500 year flood event will be required.

16.2.3 Placement of off-site fill in the flood fringe shall be limited to that required for flood-proofing or flood risk management, in order to minimize displacement.

16.2.4 For a proposed development located within the flood fringe, Council may require the developer to undertake a flood study carried out by a qualified professional. The study shall determine the 1:500 flood elevation including the floodway and the flood fringe areas and any potential impacts and mitigative measures of the proposed development.

16.2.5 "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the *Hazardous Substances and Waste Dangerous Goods Control Regulations* of the *Environmental Management and Protection Act* of Saskatchewan.

16.3 Flood Proofing Regulations

16.3.1 A development permit shall not be issued for any land use, erection, alternation or use of any building or structure within the Flood Hazard Overlay area unless the site/development meets approved flood proofing measures 0.5 metres (1.6 ft.) above the 1:500 flood design elevation.

16.3.2 Existing buildings or structures within the Flood Hazard Overlay area may be repaired, replaced, or expanded subject to appropriate flood proofing measure being provided in accordance with **Section 16.3.1** above.

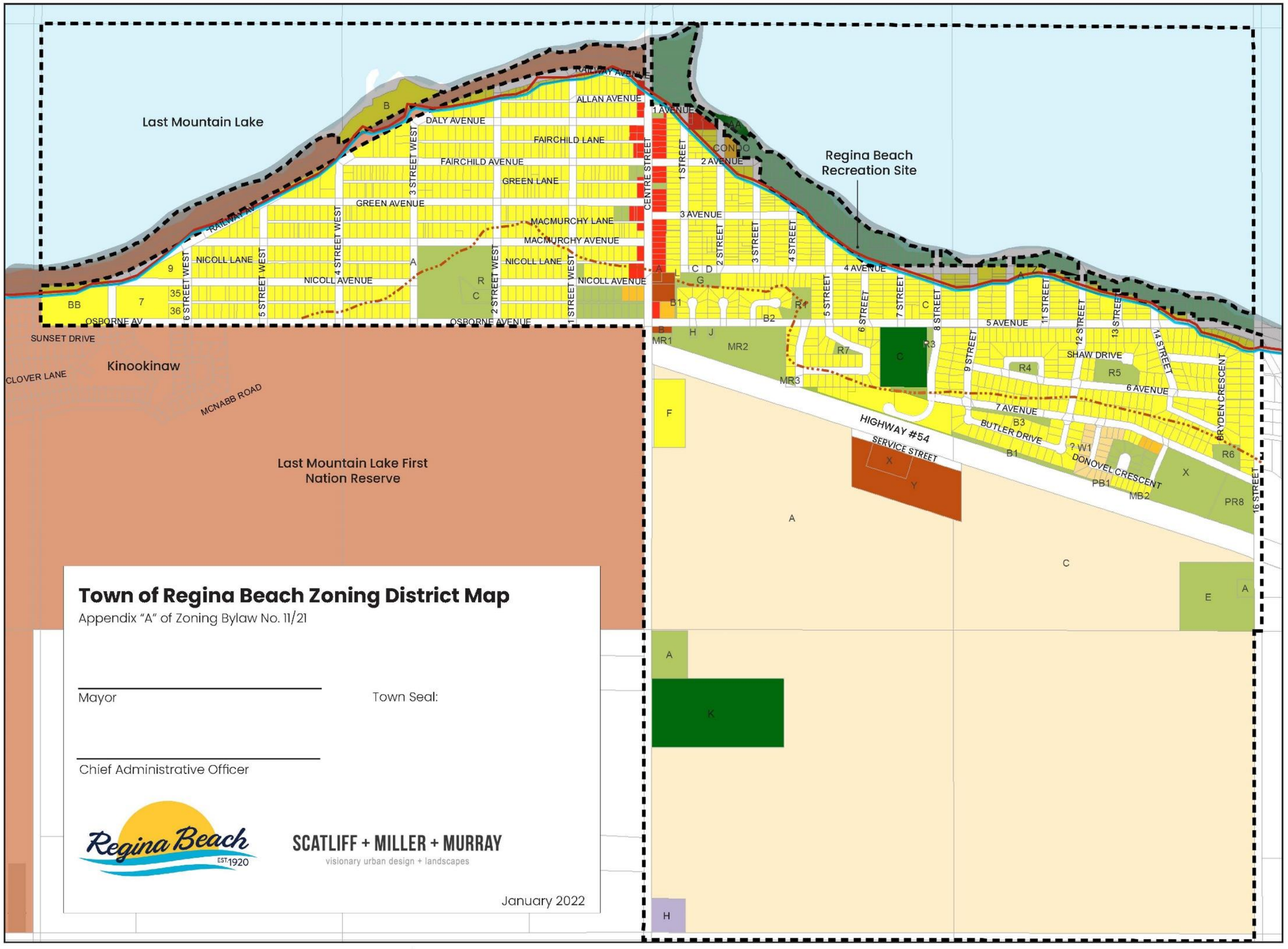
16.3.3 For the purpose of this Bylaw, appropriate flood proofing measure shall mean:

a. That all buildings shall be designed to prevent structural damage by flood waters;

b. The first floor of all buildings shall be constructed above the designated flood design elevation;

c. All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.

Appendix "A" – Town of Regina Zoning District Map



Town of Regina Beach Zoning District Map

Appendix "A" of Zoning Bylaw No. 11/21

Mayor

Town Seal:

Chief Administrative Officer

Regina Beach EST. 1920

SCATLIFF + MILLER + MURRAY
visionary urban design + landscapes

January 2022

0 0.125 0.25 0.5 0.75 1 Km

N

LEGEND

- R1 - Residential Low District
- R2 - Residential Medium District
- RMH - Residential Mobile Home District
- C1 - Town Commercial District
- C2 - Highway Commercial District
- M - Industrial District
- CS - Community Service District
- CR - Commmercial Recreation District
- FUD - Future Urban Development District
- FH - Flood Hazard Overlay
- Floodway Line (492 m.a.s.l)*
- Flood Fringe Line (493 m.a.s.l)*
- Scarp Line
- Town Boundary
- First Nation Reserve
- Sask Parks

Notes:

GEOTECHNICAL ANALYSIS REQUIRED
In accordance with Section 3.6 of this Bylaw, all new development within the Town shall require a geotechnical analysis report prepared by a Registered Engineer in the Province of Saskatchewan.

*The 492m Floodway and 493m Flood Fringe elevation contour lines are based on the 1:50,000 National Topographic System map from Natural Resources Canada and are for reference purposes only. All new development within the Flood Hazard Overlay shall be subject to the regulations contained in Section 16 of this Bylaw.