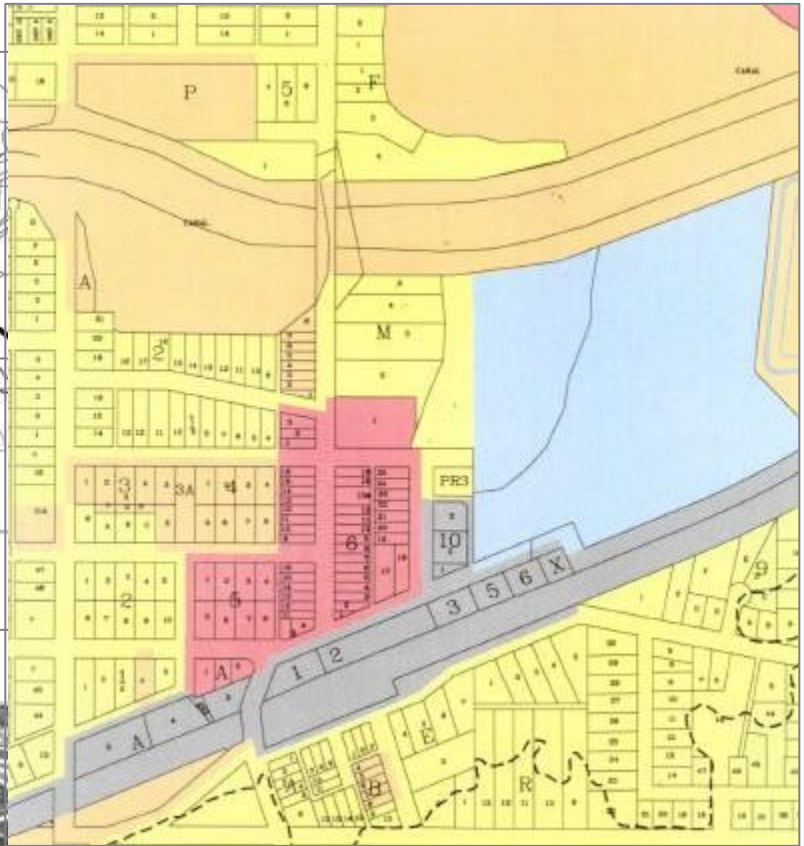




TOWN OF LUMSDEN ZONING BYLAW

CONSOLIDATED November 25, 2022

Bylaw No. 15/2002



Amendments to Zoning Bylaw No 15/2002

Bylaw No. 07-2004	Zoning Map Amendment - August 16, 2004 • rezone Fawn Ridge subdivision to RE
Bylaw No. 08-2004	Text Amendments - October 25, 2004 • minor text amendments to section 4.14(i) & section 5.7.3(ii)
Bylaw No. 11-2004	Zoning Map Amendment - October 25, 2004 • repeal Bylaw No. 07-2004 • rezone Fawn Ridge subdivision to RE zoning district • rezone water treatment facility parcel to PS zoning district
Bylaw No. 04-2006	Zoning Map Amendment - September 26, 2006 • rezone LSD 3 33-19-21-W2 to I1 zoning district
Bylaw No. 07-2006	Zoning Map Amendment & Text Amendment - September 26, 2006 • delete maximum site area for R1 sites • rezone Parcel C, Plan No. 101444318 ext. 185 to R1 zoning district
Bylaw No. 09-2006	Zoning Map Amendment - September 26, 2006 • rezone Parcel Z, Plan No. 101928584 to RE zoning district
Bylaw No. 11-2006	Zoning Map Amendment - February 26, 2007 • R3 contract zoning Cotton Wood Condominiums (Condo Plan No. 101990437)
Bylaw No. 08-2008	Zoning Map Amendment - February 9, 2009 • rezone Fifth Avenue subdivision to R1 zoning district
Bylaw No. 09-2009	Text Amendment - May 25, 2009 • minor text amendments to section 5.16.2 • add regulations for “places of worship” in M zoning district
Bylaw No. 11-2009	Zoning Map Amendment - September 28, 2009 • rezone Greg Riemer subdivision to R1 zoning district
Bylaw No. 05-2010	Zoning Map Amendment - May 11, 2010 • rezone Canyon Creek subdivision to RE district • rezone Parcel X, Plan No. 102087211 Ext. 0 to FD zoning district
Bylaw No. 01-2012	Text Amendment - February 28, 2012 • add definition for “equestrian center” • delete “3.11 Stop Work” and replace with “3.11 Zoning Compliance” • delete “3.16 Inspection of Premises” and replace with “3.16 Development Permit and Discretionary Use Permits - Invalid” • add new subsection “3.23 Discretionary Use Applications” • add “equestrian center” as a discretionary use in FD zoning district • add regulations for “equestrian centers” in the FD zoning district.

Bylaw No. 11-2012	Text Amendment - October 9, 2012 • add definition for “distillery” • add “distillery” as a discretionary use in C3 zoning district
Bylaw No. 13-2012	Zoning Map Amendment - October 23, 2012 • rezone Parcel 2 & 3, Plan No. 95R54662 to C2 zoning district • rezone Parcel 5 & 6, Plan No. 98RA24489 to C2 zoning district • rezone Parcel Y, Plan No. 101906119 to C2 zoning district
Bylaw No. 15-2012	Text Amendment - October 23, 2012 • several text amendments to various parts of the bylaw (contact municipal office for complete list)
Bylaw No. 16-2012	Zoning Map Amendment - October 23, 2012 • rezone Lot 1, Block Y, Plan No. 75R12775 to R3 zoning district
Bylaw No. 16-2013	Text Amendment - October 8, 2013 • several text amendments to various parts of the bylaw (contact municipal office for complete list)
Bylaw No. 19-2013	Zoning Map Amendment - November 12, 2013 • rezone Lot 1 & 2, Block 3, Plan No. C2386 to R2 zoning district
Bylaw No. 02-2014	Zoning Map Amendment – March 11, 2014 • rezone Parcel B, Plan No. 101443294 to R1 zoning district
Bylaw No. 07-2014	Text Amendment - August 12, 2014 • several text amendments to various parts of the bylaw (contact municipal office for complete list)
Bylaw No. 12-2015	Zoning Map Amendment – February 9, 2016 • rezone Lot 1 -3, Plan 8561 to C1 zoning district • rezone Lot 20, Block 5, Plan 101221849 Ext 22 to C1 zoning district • rezone Lot 17, Block 5, Plan 101221816 Ext 19 to C1 zoning district
Bylaw No. 02-2018	Text Amendment – April 10, 2018 • several text amendments to various parts of the bylaw (contact municipal office for complete list)
Bylaw No. 10-2018	Text Amendment - November 27, 2018 • add R4 zoning district to bylaw
Bylaw No. 01-2019	Zoning Map Amendment – May 28, 2019 • rezone Canyon Creek Subdivision to R4 zoning district
Bylaw No. 04-2019	Text Amendment – September 10, 2019 • add definition for garage suite • add regulation for garage • add garage as discretionary in zoning districts RE, R1 and R2 • deleted regulations for Bare Land Condominiums

	• add regulation for Dwelling Groups
Bylaw No. 16-2019	Zoning Map Amendment - October 8, 2019 • rezone portion of Block A, Plan No. 75R43504 to PS zoning district.
Bylaw No. 19-2019	Text Amendment - October 22, 2019 • delete definition for “distillery” • add definition for “distilleries, breweries and wineries” • add “distilleries, breweries and wineries” as a permitted land-use in the C1 and C3 zoning districts.
Bylaw No. 20-2019	Text Amendment - February 11, 2020 • add definition for “cannabis” • add general cannabis retail outlet regulations. • add “cannabis retail outlet” as a discretionary use in the C1 and C2 zoning districts. • add definition for “cannabis retail outlet” • amending the outside storage and waste material storage regulations to state that outside storage areas are prohibited for cannabis retail outlets.
Bylaw No. 2020-01	Text Amendment - February 25, 2020 • regulations for site development in C3 zoning district are amended • specific regulations for accessory buildings in the C3 zoning district are added
Bylaw No. 2020-15	Text Amendment – October 13, 2020 • amending regulations for shipping containers
Bylaw No. 2020-16	Text Amendment – October 13, 2020 • amending the required minimum site area and site frontage for public works in the RE and R1 zoning districts
Bylaw No. 2020-17	Text Amendment – October 13, 2020 • add definition for “residential homestay” • add definition for “short term accommodation” • add regulations for residential homestays in the RE, R1, and C1 zoning districts
Bylaw No. 2020-18	Text Amendment – November 24, 2020 • add definition for “height” • amending regulations for minimum site area and frontage in the RE zoning district • add regulation for building height in the R1 zoning district
Bylaw No. 2021-01	Text Amendment – February 23, 2021 • amend Section 5.1 • amend zoning map to zone select zones annexed as PS • delete and replace zoning map with consolidated map

Bylaw No. 2022-08	Text Amendment – April 26, 2022 • add “large accessory building” as a discretionary use in the R2 zoning district • add regulations for large accessory buildings in the R2 zoning district
Bylaw No. 2022-12	Text Amendment – October 11, 2022 • delete the second title in Section 5.8.3 and replace it with ‘Single Detached Dwellings’ • delete and replace the minimum site area, minimum site frontage, minimum rear yard setback, and minimum side yard setbacks for single detached dwellings in Section 5.8.3
Bylaw No. 2022-15	Text Amendment – November 14, 2022 • multiple text amendment Map Amendment – November 14, 2022 • rezone Condo Plan 101990437 Ext 0 and Lot 1, Block Y, Plan 75R12775 Ext 0 from the R3 to the R2 District

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TOWN OF LUMSDEN
ZONING BYLAW No. 15/2002

SECTION 1. INTRODUCTION

1.1 AUTHORITY

Under the authority granted by The Planning and Development Act, 1983, the Mayor and Council of the Town of Lumsden in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 TITLE

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Lumsden.

1.3 PURPOSE

The purpose of this Bylaw is to regulate development and to control the use of land in the Town of Lumsden in accordance with the Basic Planning Statement Bylaw 14/2002. The intent of this zoning bylaw is to provide for the amenity of the area within The Town of Lumsden (hereinafter referred to as Lumsden) and for the health, safety, and general welfare of the inhabitants of Lumsden and area:

- (i) To minimize land use conflicts;
- (ii) To establish minimum standards to maintain the amenity of the Town;
- (iii) To ensure development is consistent with the physical limitations of the land;
- (iv) To restrict development that places undue demand on the Town for services; and
- (v) To provide for land-use and development that is consistent with the goals and objectives of the Town.

1.4 SCOPE

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

1.5 SEVERABILITY

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

1.6 TRANSITIONAL

Sections 248 and 253 of *The Planning and Development Act, 2007* (hereinafter known as *the Act*) provides that every development plan, basic planning statement or zoning bylaw established pursuant to a previous Act continues in force so long as it is not inconsistent with *the Act* or any provincial land use policy or statement of provincial interest. Any reference in this bylaw to the Town of Lumsden "Basic Planning Statement" shall be taken to mean the Town of Lumsden "Official Community Plan". Unless stated otherwise in a specific amendment herein, references to "*The Planning and Development*

*Act, 1983” that appear in Bylaw 15-2002 (the Zoning Bylaw) are deemed to mean *The Planning and Development Act, 2007*.*

(Revised Bylaw No. 15-2012 - October 23, 2012)

SECTION 2. DEFINITIONS

Whenever the following words or terms are used in the Basic Planning Statement, Bylaw No. 14/2002 and this bylaw, they shall, unless the context otherwise provides, have the following meaning:

ACCESSORY: A use, or structure, normally incidental, subordinate, exclusively devoted to, and located on the same site as the principal use, or structure.

ACCESSORY BUILDING: A building or use that:

- is subordinate to and serves the principal building or use;
- is subordinate in area, mass, extent, and purpose to the principal building or use;
- contributes to the comfort, convenience, or necessity of occupants of the principal building or assists the principal use;
- is located on the same site as the principal building or use; and
- is less than 4.5 metres in height or between 10 m² and 92 m² in floor area.

(Revised Bylaw No. 15-2022 – November 14, 2022)

ACCESSORY BUILDING, LARGE: An accessory structure exceeding a height of 4.5 m (15 ft) or having a floor area of greater than 92 m² (1000 ft²).

ACCESSORY BUILDING, SMALL: An accessory structure with a floor area less than or equal to 10 metres squared.

(Revised Bylaw No. 15-2022 – November 14, 2022)

ACCESSORY DWELLING UNIT: A self-contained dwelling unit accessory to the principal use of a site including but not limited to garages suites, garden suites, or secondary suites.

(Revised Bylaw No. 15-2022 – November 14, 2022)

ACT: *The Planning and Development Act, 2007.*

(Revised Bylaw No. 15-2012 - October 23, 2012)

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

ALTERATION: Any structural change or addition to a building or structure.

ANCILLARY USE: A use that is secondary and subordinate in size, extent and purpose to the principal use on the same site but is not necessary for the operation of the principal use on that site.

(Revised Bylaw No. 15-2012 - October 23, 2012)

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 animals are treated or kept.

ANIMAL UNIT: The kind and number of animals calculated in accordance with the following:

A. 1 cow (plus calf to weaning)	1 animal unit
B. 1 bull, steer or heifer	1 animal unit
C. 1 horse (plus foal to weaning)	1 animal unit
D. 4 sheep or goats (plus lambs or kids to weaning)	1 animal unit
E. 4 pigs (plus litter to weaning)	1 animal unit
F. 100 chickens	1 animal unit

(Revised Bylaw No. 15-2012 - October 23, 2012)

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

ART AND HANDCRAFT STUDIO: A place specifically used as a space and/or workshop for the production, teaching, retail, and exhibit of art, craft, or other artisan production.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

BARE LAND CONDOMINIUM: A type of condominium complex divided into individually owned “bare land units” and the remainder of land owned by all within the complex as common property.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

BARE LAND UNIT: A portion of individually owned land within a parcel in a Plan of Proposed Subdivision or Condominium Plan.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

BED AND BREAKFAST HOME: A bed and breakfast facility in a single detached dwelling, 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.

(Revised Bylaw No. 15-2012 - October 23, 2012)

BILLBOARD: A private, permanent free-standing sign, including any supporting structures, which may be used to direct attention to a location different from where the sign is installed.

(Revised Bylaw No. 15-2022 – November 14, 2022)

BOARDING KENNEL: Means the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

(Revised Bylaw No. 02-2018 - April 10, 2018)

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 walls, or columns.

(Revised Bylaw No. 15-2022 – November 14, 2022)

(Revised Bylaw No. 15-2022 – November 14, 2022)

BUILDING BYLAW: a bylaw of the Town of Lumsden to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

BUILDING PERMIT: A permit, issued under The Building Bylaw of the Town of Lumsden, authorizing the construction of, or the addition to, any building but does not include a Development Permit.

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

(Revised Bylaw No. 15-2022 – November 14, 2022)

CANNABIS: Means as defined in *The Cannabis Control Act (Canada)*.

(Revised Bylaw No. 20-2019 - February 11, 2020)

CANNABIS RETAIL OUTLET: A provincially-licensed retail store where cannabis or cannabis products are sold, and which may include the sale of related accessories and ancillary items, but does not include the manufacturing or processing of products sold on-site.

(Revised Bylaw No. 20-2019 - February 11, 2020)

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

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

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

COMMERCIAL RECREATION ESTABLISHMENT: A building or use for commercial operation of organized recreational activities such as an arcade, bowling centre, fitness centre, pool hall, rec room, tourist campground, etc.

(Revised Bylaw No. 15-2022 – November 14, 2022)

COMMUNITY BUILDING: A building or part of a building owned and/or operated by a Municipality or a non-profit organization used for cultural, educational, recreational, or social activities, involving meetings, recreational activities, and similar uses that are open to the general public.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

CONFORMING USE, EXISTING: A use that was in place and with all approvals and permits in place on the effective date of Bylaw 15-2002, the Zoning Bylaw (For comparison refer to definition of Non-Conforming Use).

(Revised Bylaw No. 15-2012 - October 23, 2012)

COUNCIL: The Council of the Town of Lumsden.

(Revised Bylaw No. 15-2022 – November 14, 2022)

DAY CARE: A business operation for the care, instruction, or supervision of children.

(Revised Bylaw No. 15-2022 – November 14, 2022)

DAY CARE, FACILITY: The use of a building or portion of a building in which care, instruction, or supervision of children is provided including but not limited to baby-sitting centres, before-and-after school programs, day-care centres, early childhood service facilities, and nurseries.

(Revised Bylaw No. 15-2022 – November 14, 2022)

DAY CARE, RESIDENTIAL: The use of a private dwelling or residence for the care, instruction, or supervision of children.

(Revised Bylaw No. 15-2022 – November 14, 2022)

DECK: Any raised floor structure at least 0.3 m (1 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.

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 PERMIT: A document issued by the Council of the Town of Lumsden that authorizes development pursuant to this Bylaw but does not include a building permit.

DISCRETIONARY USE: Uses or development of land, buildings, or other structures that may be permitted in a zoning district only at the discretion of Council and which conform to all discretionary use regulations and other regulations applicable to the district in which the use is located.

DISTILLERIES, WINERIES, AND BREWERIES: Facilities for the small-scale or craft production of alcoholic beverages and other beverages, including the distillation, aging, fermenting, blending, tasting, bottling, storage, distribution, promotion, and sale of said beverages. Distilleries, wineries and breweries may also offer tours. All processes and mechanical equipment associated with the use must be contained indoors and are limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public.

(Revised Bylaw No. 11-2012 – October 9, 2012)

(Revised Bylaw No. 19-2019 - October 22, 2019)

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

DWELLING UNIT: One or more habitable rooms used, or fully capable of being used as a residence, each unit having sleeping, cooking, and toilet facilities.

DWELLING, DUPLEX: A building divided horizontally into two (2) dwelling units.

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

DWELLING, MULTIPLE UNIT: A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.

DWELLING, SEMI-DETACHED; A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.

DWELLING, SINGLE-DETACHED: A building containing only one dwelling unit, as herein defined.

EQUESTRIAN CENTRE: A facility at which horses are boarded, exercised or trained in equestrian skills or at which equestrian competitions are held.

(Revised Bylaw No. 01-2012 - February 28, 2012)

FENCE: Means an artificially constructed barrier erected to enclose or screen areas of land.

(Revised Bylaw No. 02-2018 - April 10, 2018)

FILL: Soil, rock, rubble, or other Town approved, non-regulated waste that is transported and placed on the existing, usually natural, ground surface.

FINANCIAL INSTITUTION: A bank, credit union, or trust company.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

FLOOD, DESIGN:

- (i) a 1:500-year flood; or
- (ii) a flood having a return period equal to 500 years; or
- (iii) a flood having water surface elevations equal to a 500-year flood; or
- (iv) a flood having approximately 0.2 percent risk of occurring during any one year.

FLOOD, DESIGN LEVEL: The elevation of the design flood discharge for each site along the Qu'Appelle River watercourse through the Town of Lumsden.

FLOOD HAZARD AREA: The area that would be inundated by the design flood.

FLOODPROOFING, ADEQUATE: Any combination of structural and non-structural additions, changes or adjustments to structures or land that will significantly reduce or eliminate flood damage to real estate or improved real property and their contents up to and including the design flood level plus a freeboard of 0.5m.

FLOODPROOFING, APPROVED DYKE SYSTEMS: Any combination of dyking and channel improvement that designed, operated, inspected, and maintained to Saskatchewan Water Corporation standards and; in addition, includes both a comprehensive emergency measures plan and flood hazard area zoning that complement the structural works to complete the system, as per agreement between SaskWater and the Town of Lumsden, dated July 11, 1986.

FLOODWAY: A water body or the channel of a watercourse including those portions of the adjoining floodplains that is required to carry and discharge or contain the design flood.

(Revised Bylaw No. 15-2022 – November 14, 2022)

FLOODWAY FRINGE: That portion of the flood hazard area not lying within a floodway that would be covered by flood waters up to the Design Flood Level and where development will not create an excessive hindrance to the hydraulic efficiency of the watercourse.

(Revised Bylaw No. 15-2022 – November 14, 2022)

FREEBOARD ELEVATION: The elevation of the design flood level plus a freeboard of 0.5 m (about 1.64 ft).

FLOOR AREA: The maximum area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, open deck, unfinished attic, or unfinished basement or cellar.

FOOD SERVICE: An activity or operation where food and/or beverage is prepared and sold to the public for consumption on-site (dine-in) or off-site (take-out) including but not limited to a restaurant, café, bar, food stand, or concession.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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 center of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

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 or repairing of such vehicles is carried on for remuneration.

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

GARAGE SUITE: A self-contained Accessory Dwelling Unit adjoining and accessory to a private residential detached garage.

(Revised Bylaw No. 04-2019 - September 10, 2019)

(Revised Bylaw No. 15-2022 – November 14, 2022)

GARDEN SUITE: A single detached self-contained Accessory Dwelling Unit located on the same site, and accessory to a principal dwelling.

(Revised Bylaw No. 15-2022 – November 14, 2022)

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

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

GREENHOUSE, PRIVATE: A building for the growing of flowers, plant, 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.

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

HEALTH FACILITY: A building or part of a building used by licensed health care providers and specialists to provide health care including but not limited to clinics, offices, hospitals, specialized care centres, and outpatient care centres.

(Revised Bylaw No. 15-2022 – November 14, 2022)

HEIGHT: The vertical distance measured from the grade level to:

- (a) the highest point of a flat roof;
- (b) the highest peak of a pitched roof; or
- (c) the deck line of a mansard roof.

(Revised Bylaw No. 2020-18 – November 24, 2020)

HOME BASED BUSINESS: An occupation carried on by the residents of a dwelling unit ancillary to the principle residential use which does not change the residential character of the building or site.

(Revised Bylaw No. 15-2012 - October 23, 2012)

HOME-BASED BUSINESS, TYPE I: A home-based business owned with limited impact or nuisance on adjacent landowners.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

HOME-BASED BUSINESS, TYPE II: A home-based business with potential impacts or nuisance on adjacent landowners.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

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

INSTITUTIONAL USE: The use of land, buildings, or structures for public, community-orientated, or non-profit purposes, religious, including but not limited to community centres, education centres and schools, recreation facilities, special care homes, hospitals, places of worship, and government buildings.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

LANDSCAPING: Means the modification and enhancement of a site using any or all of the following elements:

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

(c) architectural elements: means landscaping consisting of wing walls, sculptures, etc.

(Revised Bylaw No. 15-2012 - October 23, 2012)

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

LIGHT MANUFACTURING: A light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including apparel, food, drapes, clothing and accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, electronic devices and other similar products.

(Revised Bylaw No. 15-2012 - October 23, 2012)

LIVESTOCK: Horses, cattle, pigs, goats, sheep, poultry, and other similar animals.

(Revised Bylaw No. 15-2012 - October 23, 2012)

LOT: An area of land with fixed boundaries on record in the Land Titles Office by Certificate of Title.

(Revised Bylaw No. 15-2012 - October 23, 2012)

MAYOR: The Mayor of the Town of Lumsden.

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

(Revised Bylaw No. 15-2012 - October 23, 2012)

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

MOBILE HOME: A trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and that conforms to the Canadian Standards Association Standard No. Z240.

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

MOBILE HOME SUBDIVISION: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 465 m² (about 5000 ft²), and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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

MANUFACTURED (MODULAR) HOME: A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site in Lumsden, and conforming to Canadian Standards Association (CSA) *Standard A277*.

(Revised Bylaw No. 15-2022 – November 14, 2022)

MOTOR HOTEL OR 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.

MUNICIPALITY: The Town of Lumsden.

NOISE RECEPTOR: Noise sensitive buildings including but not limited to permanent or seasonal residences, hotels, motels, daycares, personal care homes, special care homes, rental residences, hospitals, campgrounds, education institutions, and places of worship.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

NOISE RECEPTOR, NON-PARTICIPATING: A noise receptor on a property that is not associated with the Wind Energy Conversion Facility by means of a legal agreement for the installation and operation of a Wind Turbine or Wind Turbines and/or equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy which is located on that property.

(Revised Bylaw No. 15-2012 - October 23, 2012)

NON-CONFORMING BUILDING: A building which is lawfully constructed or lawfully under construction and for which all required permits have been secured on the effective date of Bylaw 15-2002 (the Zoning Bylaw) or any amendment thereto but which does not comply with the Zoning Bylaw or any amendment thereto.

(Revised Bylaw No. 15-2012 - October 23, 2012)

NON-CONFORMING SITE: A site consisting of one or more contiguous parcels, that on the effective date of Bylaw 15-2002 (the Zoning Bylaw) or any amendments thereto, contains a use that conforms to the bylaw or amendment, but the site area or dimensions do not conform to the standards of the Zoning Bylaw or amendment for that use.

(Revised Bylaw No. 15-2012 - October 23, 2012)

NON-CONFORMING USE: Any use of land, building or structure lawfully existing or under construction where permits have been issued at the effective date of Bylaw 15-2002 (the Zoning Bylaw) or any amendment thereto, the use of which does not comply with all the regulations of this Bylaw governing the Zoning District in which it is located.

(Revised Bylaw No. 15-2012 - October 23, 2012)

NOXIOUS USE OR CONDITION: Any use or facility that causes or produces harmful or hazardous noise, vapors, smoke, dust (particles suspended in or transported by air), vibrations, electrical or electromagnetic fields, glare, or light.

OUTDOOR MARKET: A temporary (seasonal) or permanent commercial activity located in an open area operating for the sale of goods to the public.

(Revised Bylaw No. 15-2022 – November 14, 2022)

OUTDOOR STORAGE COMPOUND: An area for the accessory storage of equipment, goods and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing states of the land. Typical items stored in this manner include, but are not limited to, vehicle or heavy equipment storage compounds.

(Revised Bylaw No. 15-2012 - October 23, 2012)

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

PARKING SPACE: A space within a structure or parking lot for the locating of one (1) vehicle.

(Revised Bylaw No. 15-2022 – November 14, 2022)

PATIO: Any hard surface or floor structure less than 0.3 m (1 ft) above the average ground level upon which it is constructed.

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

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

PERSONAL CARE HOME: A designated facility that provides long term supervision or assistance with personal care to individuals residing in the home but does not provide specialized care. Personal care homes are privately owned and operated businesses, licensed and monitored by the Ministry of Health under *The Personal Care Homes Act*.

(Revised Bylaw No. 16-2013 - October 8, 2013)

(Revised Bylaw No. 15-2022 – November 14, 2022)

PERSONAL SERVICE SHOP: A building or parts of a building in which persons are employed in furnishing services and administering to customer's personal needs.

PLACES OF WORSHIP: A building set aside by any religious organization for public worship.

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

PORTABLE SIGN: A private, temporary free-standing sign for advertising including any supporting structures that can be readily transported among different locations.

(Revised Bylaw No. 15-2022 – November 14, 2022)

PUBLIC UTILITY: A system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of Lumsden:

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

PUBLIC WORKS: A facility as defined under *The Planning and Development Act, 2007*.

(Revised Bylaw No. 15-2012 - October 23, 2012)

RECREATIONAL USES: 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 centers and all similar uses, together with the necessary and accessory building and structures; but does not include the racing of animals or motorized vehicles.

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

RESIDENTIAL HOMESTAY: A dwelling unit where short term accommodation is provided without meals.

(Revised Bylaw No. 2020-17 – October 13, 2020)

RETAIL SHOP (STORE): 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 manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

RETAINING WALL: A structure designed to restrict soil and land movement.

(Revised Bylaw No. 15-2022 – November 14, 2022)

(Revised Bylaw No. 15-2022 – November 14, 2022)

ROW HOUSE OR TOWNHOUSE: A building divided into three or more dwelling units located side by side under one roof and sharing common walls.

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

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 the same is a boarding school and includes any dormitory building accessory to such school.

SECONDARY SUITE: A self-contained Accessory Dwelling Unit accessory to and located within or attached to a detached dwelling.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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; but does not include an auto body or painting shop, car sales lot, or a car washing establishment.

SHIPPING CONTAINER: A prefabricated metal container or box specifically constructed for the intermodal transport of goods. Shipping containers are also commonly referred to as sea cans or storage containers.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 2020-15 – October 13, 2020)

SHORT TERM ACCOMMODATION: The provision of sleeping and bathing quarters for a period not more than 30 days.

(Revised Bylaw No. 2020-17 – October 13, 2020)

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.

SITE: An area of land, consisting of one or more lots consolidated under a single certificate of title, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

SITE COVERAGE: The percentage of the site area covered by all the buildings 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; but in the case of a corner site with two street lines of equal length, the front site line shall be designated by predetermined building lines.

SITE PLAN: A plan showing the location of existing and proposed buildings on a site in relationship to the site 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, THROUGH: A site other than a corner site, having separate frontages on two streets. The front site line of a through site shall be determined by predetermined building lines.

SPECIAL-CARE HOME: A designated care facility that provides personal or nursing care to individuals residing in the home on a temporary or permanent basis, which may provide convalescent care, rehabilitation services, palliative care, respite care, and/or day-programming. Special-care homes are operated by the Saskatchewan Health Authority, or by a provider holding a contract with the Saskatchewan Health Authority.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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 1.5 m (about 5 ft) and 2.3 m (about 7.5 ft) over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

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 in the Land Titles Office.

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

SWIMMING POOL: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.6 m (2 ft) or more at any point.

(Revised Bylaw No. 15-2022 – November 14, 2022)

TOWN: The Town of Lumsden.

TOWN ADMINISTRATOR: The Administrator of the Town of Lumsden.

TRAILER (CAMPING), MOTOR HOME: Any vehicle designed, constructed or reconstructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons,

notwithstanding that its running gear is removed or jacked up, is used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicle.

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

USED FOR: means “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

(Revised Bylaw No. 15-2022 – November 14, 2022)

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

(Revised Bylaw No. 15-2012 - October 23, 2012)

YARD: Open, uncovered space unoccupied by buildings or structures on a site except as specifically permitted elsewhere in this Bylaw.

YARD, FRONT: A yard extending across the full width of a site between the front site line(s) and the nearest wall of the main building on the site.

YARD, REAR: The yard extending across the full width of the site between the rear site line and the nearest wall of the main building on the site.

YARD, SIDE: A yard extending from the front yard to the rear yard between the sideline of a site and the nearest wall of the main building or structure on the site.

SECTION 3. ADMINISTRATION AND INTERPRETATION

3.1 DEVELOPMENT OFFICER

1. The Town Administrator of the Town of Lumsden 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.
2. The Development Officer shall:
 - (a) receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
 - (b) maintain, for inspection by the public during office hours, a copy of this bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
 - (c) make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
 - (d) collect development fees, according to the fee schedule established in this bylaw;
 - (e) perform other duties as determined by Council.
3. The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a development permit application for a "permitted use".

3.2 COUNCIL

1. Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
2. Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Government Relations and Aboriginal Affairs, prior to a decision being made by the Minister.
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 Basic Planning Statement.

3.3 DEVELOPMENT PERMIT

1. Unless the proposed development or use is exempt from development permit requirements, before commencing any of the following: principle or accessory use development, landscaping in an environmentally sensitive area as identified on Plan Map 4 from the *Town of Lumsden Official Community Plan*, or a public utility use, every applicant shall:
 - (a) Complete and submit a development permit application as attached hereto as Appendix 'A', along with any applicable development permit fees.
 - (b) Receive a development permit approval from the Development Officer for the proposed development.

(Revised Bylaw No. 02-2018 - April 10, 2018)

2. A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Basic Planning Statement.
3. Except where a particular development is specifically exempted by Section 3.8 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

3.4 DEVELOPMENT PERMIT PROCEDURE

An application for a Development Permit shall be made to the Development Officer as outlined in Section 3.5.

1. Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, The Act and all other Town Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.
2. Where an application for a Development Permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable.
3. 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.
4. Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.
5. 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 on a permitted use application and any terms and conditions attached to a discretionary use application to the Development Appeals Board.
6. A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently.
7. A Development Permit is valid for a period of twelve months unless otherwise stipulated when the permit is issued.
8. Where the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
9. Where the Council is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.5 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. Every development permit application shall include:

1. Application Form

- (i) A completed application form;

2. Site Plan

- (i) Two copies of a proposed development site plan showing, with labels, the following existing and proposed information (as the case may be):
 - a) a scale and north arrow,
 - b) a legal description of the site,
 - c) mailing address of owner or owner's representative,
 - d) site lines,
 - e) bylaw site line setbacks,
 - f) front, rear, and side yard requirements,
 - g) site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features,
 - h) the location of any buildings, structures, easements, and dimensioned to the site lines,
 - i) the location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth,
 - j) retaining walls,
 - k) proposed on-site and off-site services,
 - l) landscaping and other physical site features,
 - m) a dimensioned layout of parking areas, entrances, and exists,
 - n) abutting roads and streets, including service roads and alleys,
 - o) an outline, to scale, of adjacent buildings on adjoining sites,
 - p) the use of adjacent buildings and any windows overlooking the new proposal,
 - q) fencing or other suitable screening,
 - r) garbage and outdoor storage areas,

- s) other, as required by the Development Officer or Council to effectively administer this bylaw.

3. Building Plan

- (i) A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development;

4. Landscape Plan

- (i) A landscape plan showing, with labels, the following:
 - a) the existing topography;
 - b) the vegetation to be retained and/or removed;
 - c) the type and layout of:
 - hard (e.g., structures) and soft (e.g., vegetation) landscaping,
 - the open space system,
 - screening,
 - berms,
 - slopes,
 - retaining walls,
 - other, as required, to effectively administer this bylaw,
 - d) the types, sizes and numbers of vegetation materials;
 - e) areas to be damaged or altered by construction activities and proposed methods of restoration; and
 - f) a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means.
 - g) historical and archaeological heritage resources and management areas (a Heritage Resource Assessment as prescribed under *The Heritage Property Act* may be required),

5. Vicinity Map

- (i) A vicinity map showing, with labels, the location of the proposed development in relation to the following features within two miles:
 - a) nearby municipal roads, highways and railways;
 - b) significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses;
 - c) critical wildlife habitat and management areas;
 - d) mineral extraction resources and management areas; and
 - e) other as required, to effectively administer this bylaw;

6. Certificate of Title

- (i) A copy of the Certificate of Title, indicating ownership and all encumbrances;

7. Valid Interest

- (i) Development permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development.
- (ii) Proof of current valid interest may include:
 - a) proof of ownership;
 - b) an agreement for sale;
 - c) an offer or option to purchase;
 - d) a letter of purchase;
 - e) a lease for a period of more than 10 years
 - f) other, as determined and accepted by Council, or the Development Officer;

8. Photographic Information

- (i) Photographs showing the site in its existing state.

(Revised Bylaw No. 15-2012 - October 23, 2012)

3.6 REFERRAL UNDER THE PUBLIC HEALTH ACT

1. The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act and Regulations*.

3.7 MINOR VARIANCES

1. The Development Officer may vary the requirements of this bylaw subject to the following requirements:
 - (a) A minor variance may be granted for the following only:
 - (i) minimum required distance of a building from a lot line; and
 - (ii) the minimum required distance of a building from any other building on the lot.
 - (b) The maximum amount of a minor variance shall be 10% variation from the requirements of this bylaw.
 - (c) The development must conform to all other requirements of this bylaw.
 - (d) The relaxation of the bylaw requirement must not injuriously affect a neighboring property.
 - (e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 69 of the Act.

(Revised Bylaw No. 15-2012 - October 23, 2012)

- (f) Minor variances shall be granted only in relation to residential properties.

2. An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$50.00.
3. Upon receipt of a minor variance application the Development Officer may:
 - (a) approve the minor variance;
 - (b) approve the minor variance and impose terms and conditions on the approval; or
 - (c) deny the minor variance.
4. Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this bylaw.
5. Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
6. Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
7. The written notice shall contain:
 - (a) A summary of the application;
 - (b) Reasons for and an effective date of the decision;
 - (c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
 - (d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
8. A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.
9. If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed 20-day time period, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:
 - (a) Of the revocation of the approval; and
 - (b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
10. If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.8 DEVELOPMENT NOT REQUIRING A PERMIT

1. The following developments shall be exempt from development permit requirements, but shall conform to all other bylaw requirements (e.g., building permits, setbacks, environmental and development standards):
 - (a) Zoning Districts
 - (i) Small Accessory Building

- (ii) The erection of any fence, wall, gate, television antennae.
- (iii) The relocation of any accessory building on site to another area on the same site, given that all applicable development standards are still met on that site.
- (iv) A temporary building, the sole purposes of which, is incidental to the erection or alteration of a building for which a building permit has been granted.
- (v) The placement of a temporary membrane covered structure for a period of not more than seven (7) days.
- (b) Official Uses
 - (i) The use of all or part of a building as a temporary polling station, returning officer's headquarters, candidate's campaign offices and other temporary use conducted in connection with a federal, provincial or municipal election, census or referendum/plebiscite.
- (c) Internal Alterations
 - (i) Residential Buildings
 - a) Internal alterations and maintenance to a residential building, provided that:
 - the use of the building does not change;
 - there is no increase in the number of dwelling units within the building or on the site; or
 - any alterations are not structural in nature or have an impact on load bearing walls or beams.
 - (ii) All Other Buildings
 - a) Internal alterations and maintenance to other buildings, provided that:
 - the use of the building does not change;
 - the intensity of the use of the building or site does not change; or
 - that alterations are not structural in nature or have an impact on load bearing walls or beams.
- (d) Landscaping
 - (i) Landscaped areas, driveways and parking lots, provided that the natural or designed drainage pattern of the site and adjacent sites is not adversely impacted and that the landscaped area or planned landscaped area is not in an environmentally sensitive area as shown on Plan Map 4 from the Town of Lumsden Official Community Plan. Alterations to existing landscaped areas, or any new landscaping proposed in environmentally sensitive areas shall require a development permit with a completed landscape plan and be in conformance with Section 4.35 of this Bylaw.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 02-2018 - April 10, 2018)

(Revised Bylaw No. 15-2022 – November 14, 2022)

3.9 DEVELOPMENT PERMIT – INVALID

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

- (1) if the proposed development is not commenced within the period for which the Permit is valid;
- (2) if the proposed development is legally suspended, or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer, or
- (3) when development is undertaken in contravention of this bylaw, the development permit and specified development standards, and/or
- (4) when a written appeal notice is received by the Development Appeals Board secretary regarding the development permit.

3.10 CANCELLATION

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

- (1) where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information,
- (2) where new information is identified pertaining to environmental protection, flood potential, or slope instability, and/or
- (3) when a developer requests a development permit modification.

3.11 ZONING COMPLIANCE

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

(Revised Bylaw No. 01-2012 - February 28, 2012)

3.12 DEVELOPMENT APPEALS BOARD

(1) Establishment

Council shall appoint a Development Appeals Board within three months from the effective date of this bylaw, in accordance with *The Planning and Development Act, 1983*.

The said Development Appeals Board shall be composed of five members. No member of Council or municipal employee shall sit on the Board.

All vacancies, as they occur, shall be filled by resolution of Council.

(2) Duties

- (a) The Development Appeals Board is bound by the Basic Planning Statement.

- (b) The Development Appeals Board may confirm, revoke, or vary the decision or development permit or any condition attached to any of these, or substitute a decision or permit that it considers advisable.
- (c) The Development Appeals Board shall adhere to the requirements of *The Planning and Development Act, 2007*.
- (d) The Board shall elect one of its members as Chair, who may administer oaths, affirmations, or declarations.
- (e) The Development Appeals Board shall keep records of its proceedings. These proceedings shall be filed in the Town office and shall be a public record.
- (f) Where a member of the Development Appeals Board has an interest in the matter before the Board, that member is duty-bound to declare a conflict of interest and shall not take part in the proceedings of, nor be entitled to, vote on the matter.

(3) Remuneration

Council may establish a separate bylaw to provide for the payment of remuneration to the board members in any amount that Council may determine.

(4) Right to Appeal

- (a) *The Planning and Development Act, 2007*, provides the right to appeal the Zoning Bylaw where a Development Officer:
 - i. is alleged to have misapplied the Zoning Bylaw in issuing a development permit;
 - ii. refuses to issue a development permit because it would contravene the Zoning Bylaw; or
 - iii. issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.
- (b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and Basic Planning Statement.

This right of appeal extends thirty days after the issuance or refusal of a development permit or order.

3.13 FEES

(1) Amendment of the Zoning Bylaw

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

(2) Application Fees:

- (a) An applicant for a development permit shall pay an application fee in accordance with the following:

(i)	Permitted Principal Use	\$50.00
(ii)	Permitted Accessory Use	\$50.00
(iii)	Permitted Ancillary Use	\$50.00
(iv)	Discretionary Principal Use	\$100.00
(v)	Discretionary Accessory Use	\$100.00
(vi)	Discretionary Ancillary Use	\$100.00
(vii)	Development Appeal Fee	Up to \$100.00 as specified by the Development Appeals Bylaw

These fees shall be in addition to any fee required by Section 3.13.1 above.

- (b) An application for renewal of a discretionary use that was approved by Council for a limited time shall pay the appropriate application fees outlined in Section 3.13 (2).

- (c) Subdivision Zoning Compliance Review for all subdivision applications:

(i)	Single Parcel	\$250.00
(ii)	Multiple Parcel	\$500.00

- (d) Detailed review costs:

- (i) General: Where a development or subdivision proposal involves a detailed Town review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or Town legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.
- (ii) Items: Such costs may include Council meetings, Town legal and professional planning costs, municipal administration fees and Town site inspection fees, as determined by Council.
- (iii) Documentation: Such costs may be addressed and clarified in Town Council specified documents, including development and servicing agreements.
- (e) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the Municipality the following fees, where applicable:

(i) Text amendments: \$400

(ii) Map amendments:

Class 1 Districts: FD, PS

Class 2 Districts: C1, C2, C3, I1, I2, M

Class 3 Districts: RE, R1, R2, R3, R4, RM

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

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

These fees shall be in addition to any fee required by Section 3.13 above.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 07-2014 - August 12, 2014)

(Revised Bylaw No. 10-2018 - November 27, 2018)

(Revised Bylaw No. 15-2022 – November 14, 2022)

3.14 INTERPRETATION

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

3.15 OFFENCES AND PENALTIES

Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of the Act.

(Revised Bylaw No. 15-2012 - October 23, 2012)

3.16 DEVELOPMENT PERMIT AND DISCRETIONARY USE PERMITS – INVALID

(1) Development Permit – Invalid

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

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

(2) Discretionary Use Approval – Invalid

- (i) Council or the development officer'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, or
- (ii) If an approved discretionary use or form of development ceases to operate for a period of 12 months or more, the discretionary use approval shall no longer be valid.

(Revised Bylaw No. 01-2012 - February 28, 2012)

3.17 BYLAW COMPLIANCE

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

3.18 AGREEMENTS TO CARRY OUT PROVISIONS OF THE ZONING BYLAW

Council may, pursuant to Section 235 of the Act enter into an agreement with any person where considered necessary to carry out the provisions of the Zoning Bylaw.

(Revised Bylaw No. 15-2012 – October 23, 2018)

3.19 SERVICING AGREEMENTS

Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *Section 172* of The Planning and Development Act, 2007. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.

According to *Section 172(3)* of The Planning and Development Act, 2007, the agreement may provide for:

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

(Revised Bylaw No. 15-2012 – October 23, 2012),

3.20 PERFORMANCE BONDS

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

3.21 LIABILITY INSURANCE

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

3.22 INTERESTS

Council may register an interest on a registered title to land based on an agreement entered into between the municipality and the registered owner of the land, as authorized by **the Act**, in order to protect the public interest.

(Revised Bylaw No. 15-2012 – October 23, 2012)

3.23 DISCRETIONARY USE APPLICATIONS

(1) General Discretionary Use Evaluation Criteria

Council may apply the following general criteria and where defined, use-specific criteria, in the assessment of the suitability of an application for a discretionary use of discretionary form of development:

- (i) The proposal must be in conformance with all relevant sections of the Official Community Plan and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- (ii) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (iii) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (iv) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- (v) 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.

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

(2) Discretionary Use Application Process

- (a) The Following procedures shall apply to discretionary use applications:
 - (i) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
 - (ii) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations;
 - (iii) The Development Officer may request comments from other government agencies where applicable;
 - (iv) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (v) The Development Officer shall provide notice by regular mail to assessed owners of property within a 75 metre radius of the proposed development a minimum of 14 days prior to Council considering the application.
 - (vi) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
 - (vii) Council may reject the application with reasons, approve the application, or approved the application without conditions, including a condition limiting the length of time that the use may be conducted on the site; and,
 - (viii) The Development Officer shall notify the applicant of Council's decision in writing and notify the applicant of their right to appeal to the Development Appeals Board as applicable.
- (b) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in

which they are located. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- (i) site drainage of storm water;
- (ii) the location of buildings with respect to buildings on adjacent properties;
- (iii) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
- (iv) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
- (v) control of noise, glare, dust and odour;
- (vi) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;
- (vii) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
- (viii) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
- (ix) intensity of use.

(Revised Bylaw No. 01-2012 – February 28, 2012)

(Revised Bylaw No. 16-2013 – October 8, 2013)

(Revised Bylaw No. 15-2022 – November 14, 2022)

SECTION 4. GENERAL REGULATIONS

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

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

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

4.2 FRONT YARD REDUCTION

Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.5 m (15 ft.) in a Residential district unless otherwise permitted in this bylaw.

4.3 PERMITTED YARD ENCROACHMENTS

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

- (i) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 m (about 6 ft.) into any required front or rear yard.
- (ii) Windowsills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 m (about 2 ft.) into any required yard.

4.4 NUMBER OF PRINCIPAL BUILDINGS ON A SITE

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

Multiple unit residential buildings (e.g. duplex, four-plex) are considered to be one principle building under this bylaw, and all other uses and buildings on the site must be accessory.

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

(Revised Bylaw No. 16-2013 – October 8, 2013)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.5 ACCESSORY DWELLING UNITS

(1) General

- (a) Accessory Dwelling Units may be approved as an accessory use to an existing residential, commercial, or industrial building.

- (b) Accessory Dwelling Units may be attached to or located within the principal building (Figure 1 and 2), or attached to, or located within an accessory building (Figure 3 & 4).

- (c) The principal dwelling or Accessory Dwelling Unit shall be occupied by the owner of the lot on which the dwellings are situated.

- (d) Strata-titling is not permitted to accommodate Accessory Dwelling Units.

- (e) No more than one Accessory Dwelling Unit shall be allowed per site.

- (f) Accessory Dwelling Units shall contain separate facilities for cooking, living, sleeping, and sanitation than the principal building.

- (g) Accessory Dwelling Units shall be connected to adjacent streets and laneways through the site via an internal, hard-surfaced pedestrian walkway.

- (h) Accessory Dwelling Units must have a separate exterior entrance from the principal building. The Accessory Dwelling Unit may be accessed via an existing entrance if the applicant can demonstrate adequate accessibility.

- (i) Accessory Dwelling Units must be connected to the utility services of the principal building.

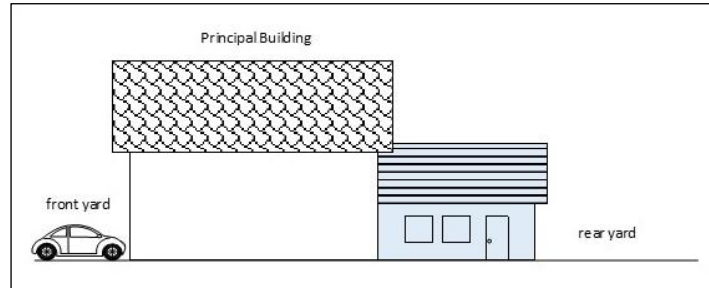


FIGURE 1. ACCESSORY DWELLING UNIT ATTACHED TO A PRINCIPAL BUILDING.

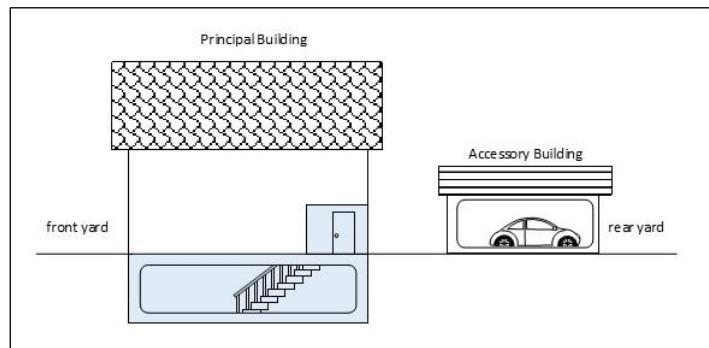


FIGURE 2. ACCESSORY DWELLING UNIT WITHIN A PRINCIPAL BUILDING.

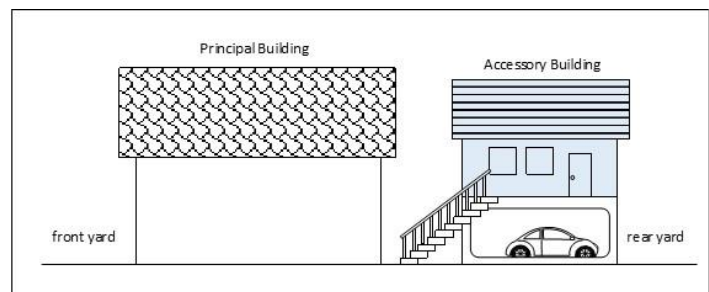


FIGURE 3. ACCESSORY DWELLING UNIT ATTACHED TO AN ACCESSORY BUILDING.

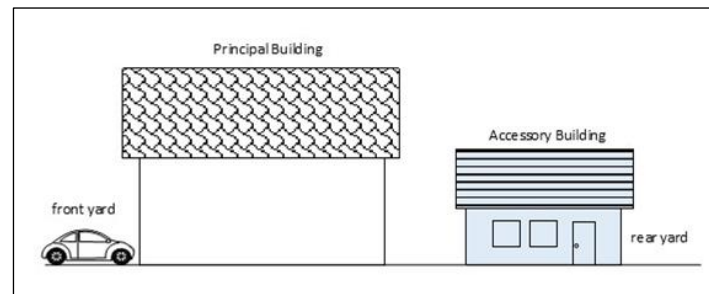


FIGURE 4. ACCESSORY DWELLING UNIT WITHIN AN ACCESSORY BUILDING.

- (j) Parking regulations are subject to section 4.40. Required parking spaces for an Accessory Dwelling Unit shall be in addition to the required parking for the principal use.

(2) Development Standards

- (a) The maximum height of a detached accessory building containing an Accessory Dwelling Unit shall be less than or equal to the height of the principal building on the site.
- (b) The maximum floor area of an Accessory Dwelling Unit shall be less than or equal to 92m².
- (c) The minimum distance between the principal dwelling and a detached accessory building containing an Accessory Dwelling Unit is 4.0 metres.
- (d) Platform structures, including balconies, should be allowed only where the platform structure faces a lane or flanking roadway.
- (e) Building design shall take into consideration neighbouring properties and the privacy of its landowners.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.6 NON-CONFORMING BUILDINGS, USES AND SITES

- (1) The development and uses of non-conforming buildings, uses and sites shall be subject to the requirements of Sections 88-93 inclusive of the Act.
- (2) Structural repairs, alterations and additions to a non-conforming building are permitted if in conformity with the Zoning Bylaw and if the element of non-conformity is not increased.
- (3) Structural alterations or additions to a building accommodating a non-conforming use shall be permitted subject to Section 90 of the Act.
- (4) No existing building or site shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from the conversion and is reasonably equivalent to the S.I. standard established herein.

(Revised Bylaw No. 15-2012 – October 23, 2012)

4.7 WIND TURBINES

Wind turbines shall be subject to the following standards:

- (i) Wind turbines are limited to a maximum height of 10 m (measured from grade level to the top of the extended rotor).
- (ii) In the case of a wind turbine situated on top of a building, the combined height of the turbine and the building shall not exceed 10 m (measured from grade level to the top of the extended rotor).
- (iii) Wind turbines are limited to a maximum name plate capacity of 10 kW.

- (iv) Wind turbines shall be separated from the nearest non-participating noise receptor, any public roadway or railroad right of way, or any property line by a distance greater than or equal to the height of the turbine and any building upon which it may be situated (measured from grade level to the top of the extended rotor).

(Revised Bylaw No. 15-2012 – October 23, 2012)

4.8 GRADING AND LEVELING

1. Any site proposed for development shall be graded and levelled at the developer or landowner's expense to provide adequate surface drainage that does not adversely affect adjacent property, or the stability of the land. All costs associated with excavations, grading, leveling, and/or filling a site shall be the responsibility of the landowner or developer.
2. A Development Permit is required for any excavations, grading, leveling, and/or filling of any site except where:
 - (a) A Development Permit has previously authorized work on the site for construction or maintenance; or
 - (b) The work is associated with an approved Plan of Proposed Subdivision and a signed Servicing Agreement or Development Agreement, if applicable.
3. As part of the required Development Permit, the Development Officer may require a Rough Grading Plan and a Final Grading Plan from the landowner or developer. All grading and levelling of a site must comply with the approved Subdivision Grading Plan, where applicable.
4. Where excavation or filling is proposed for any development in an identified Flood Plain Area Outside of Dyke Protection, Designated Floodway, or an Area Protected by an Approved Flood Proof System, the Development Officer may request comments from the Water Security Agency prior to rendering a decision on the Development Permit Application.
5. All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion, according to:
 - (a) All vegetation and debris in the area to be re-graded or filled must be removed from the site prior to site grading and levelling; and
 - (b) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Development Officer.
6. The landowner shall be responsible for off-site impacts (e.g., slope instability, flooding, etc.) caused as a result of noncompliant site grading.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.9 FRONTAGE ON STREET

- (i) No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on an existing public street.

4.10 MOVING OF BUILDINGS

- (i) No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 3.8 of this Bylaw.

4.11 DEMOLITION OF BUILDINGS

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

4.12 DISPOSAL OF WASTES

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

4.13 RESTRICTIONS ON CHANGES

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

(Revised Bylaw No. 08-2004 – October 25, 2004)

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

4.14 USES PERMITTED IN ALL ZONING DISTRICTS

The following uses shall be allowed in all Zoning Districts:

1. Public street,
2. Public park,
3. Traffic sign or signal, or sign or notice authorized by the Municipality, and
4. Public Work buildings, structures, or uses, excluding the following uses in the Residential, C1 and C2 Commercial, and M – Institutional Districts:
 - warehouses,
 - storage yards,

- waste management, and
- wastewater treatment facilities.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.15 TEMPORARY USES

1. Temporary uses shall require a Development Permit issued by Council or a Development Officer. The Development Permit may specify the use, the period of time the use may occur, and any conditions of approval.
2. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a construction, camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for such construction work that has not been finished or abandoned.
3. Except in the Future Development (FD) District, buildings or structures shall not include a mobile home or motor home as a temporary use.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.16 PROHIBITED AND NOXIOUS USES

1. Keeping Livestock

The keeping of livestock is accommodated as a discretionary use in the FD – Future Development District.

2. Noxious Uses

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

- (i) by the creation of noise or vibration,
- (ii) by the emission of light and glare;
- (iii) by reason of the emission of gas, fumes, smoke, dust or objectionable odor, or
- (iv) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material,
- (v) by any combination of things in (i), (ii), and (iii) of this subsection.

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

3. Prohibition of Species Breeding

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

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 15-2012 – October 23, 2012)

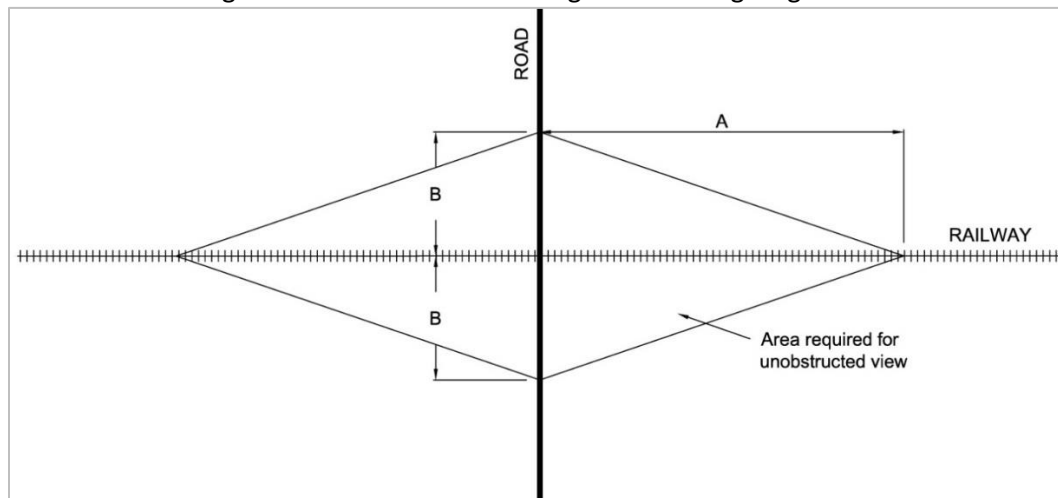
(Revised Bylaw No. 15-2022 – November 14, 2022)

4.17 CLOSINGS

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

4.18 RAILWAY CROSSINGS AND SIGHT DISTANCES

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within a sight triangle determined in accordance with the recommended rail crossing sight distances for roadways of the Roads and Transportation Association of Canada. Site triangles shall be determined using the following diagram and table:



MAXIMUM TRAIN SPEED	SIGHT DISTANCE 'A' FROM CROSSING	MAXIMUM SPEED	SIGHT DISTANCE FROM CROSSINGS	
Km/h	m	Km/h	m	m
30	90	30	30	18
50	140	50	50	30
70	185	70	80	45
80	230	80	110	65
100	275	100	150	85
110	320	110	190	110
130	365	* Distances based on level approach grade and good traction ** panic stop distances		
145	410			
160	460			

(Revised Bylaw No. 15-2012 – October 23, 2012)

4.19 SATELLITE DISHES AND COMMUNICATION TOWERS

The erection of satellite dishes shall be permitted subject to the following regulations:

- (i) satellite dishes in excess of 1.0 m (3.3 ft.) in diameter shall not be located in any front yard, side yard, or in the area defined by the extension of a side yard into a rear yard that is adjacent to a street;
- (ii) satellite dishes in excess of 1.0 m (about 3.28 ft.) in diameter shall not be permitted to be erected on the roof of any principal building that is located within a Residential District and is less than three stories in height, and notwithstanding this requirement, satellite dishes, the greatest portion of which are recessed into the surface of a roof, shall be permitted;
- (iii) satellite dishes in Residential Districts shall be erected so that the elevation of the lowest edge of the dish does not exceed the elevation of the soffit of the lowest eaves of the principal building on the site the satellite dish is located on;
- (iv) satellite dishes located in Residential Districts, which exceed 1.0 m (about 3.28 ft.) in diameter shall only be erected on the roof of an accessory building if said accessory building is located entirely within a rear yard; and
- (v) satellite dishes may be erected in Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals and part (i) of this subsection shall not apply.
- (vi) Cellular telephone transmission towers shall not be permitted in, or closer than 100 m (330 ft.) of, any Residential District.

4.20 PRINCIPAL AND ACCESSORY USES

1. Principal Uses

- (a) In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or use being permitted.
- (b) Private garages, carports, sunrooms, greenhouses, and other accessory uses attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the development standards and regulations of the principal building.

2. Accessory Uses

- (a) An accessory building, structure, or use is allowed in any Zoning District when a principal building, structure, or use has been established and permitted.
- (b) A Development Permit must be obtained from the Municipality before any construction may occur on an accessory building, structure, or use, as required.
- (c) Large Accessory Buildings on residential sites must have an appearance similar to the form, materials, and features of the primary dwelling and may not be commercial or industrial in appearance.
- (d) Unless otherwise specified in this Bylaw, a residential use shall not qualify as an accessory use.

Accessory structures shall not be used as a dwelling unless approved as an Accessory Dwelling Unit.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.21 FRONTAGE FOR IRREGULAR SITES

The minimum site frontage on sites having a curved front site line shall be measured by a line equal to the minimum site frontage in that particular Zoning District but located back from and parallel to the midpoint of the chord of the front site line. For the purpose of this sub-section, the chord of the front site line is a straight line joining the two points where the side site lines intersect the front site line.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.22 TRAIN, TRUCK, BUS AND COACH BODIES

Notwithstanding anything contained in this Bylaw, no train, truck, bus or coach body or structure of any kind other than a dwelling unit erected and used in accordance with this and all other bylaws of the Town of Lumsden, shall be used for human habitation whether or not the same is mounted on wheels or other form of mounting or foundation.

4.23 SWIMMING POOLS

Regulations and development standards for swimming pools and hot tubs shall be subject to the *Town of Lumsden Swimming Pool Bylaw*.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 07-2014 – August 12, 2014)

(Revised Bylaw No. 02-2018 – April 10, 2018)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.24 HOME BASED BUSINESS

1. Development Standards

(a) General

- (i) Home-based businesses shall be conducted entirely indoors insofar as is practical.
- (ii) There shall be no exterior storage on the site in relation to the Home-based Business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building.
- (iii) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television, radio, or satellite interference detectable beyond the boundaries of the building containing the home-based business shall be produced.
- (iv) Signs for a Home-based Business are subject to section 4.25.
- (v) Parking for a Home-based Business is subject to 4.36.

- (vi) A maximum of one (1) business related vehicle with a gross maximum weight of 5,000 kilograms and a maximum length of 6.0 metres may be stored on or in the vicinity of the site.
- (vii) Remote work-from-home is not considered a Home-based Business and allowed in all Zoning Districts.

(b) Type I Home-based Business

- (i) A Type I Home-based Business may be allowed as a permitted use to an existing residential dwelling.
- (ii) No persons other than the resident(s) of the dwelling shall be employed in the Home-based Business on the site;
- (iii) A maximum of three (3) clients may be in attendance at a Home-based Business at any one time, where applicable.
- (iv) Regardless of the number of home-based businesses on any one site, a maximum of seven (7) business-related (including clients) trips per day shall be made to the home-based business.
- (v) A maximum of 25% of the gross floor area of the dwelling, including the basement and any accessory building, or a maximum of 30m², whichever is greater, may be occupied by the home-based business;

(c) Type II Home-based Businesses

- (i) Type II Home-Based Businesses may be allowed as a discretionary use to an existing residential dwelling.
- (ii) A maximum of three (3) people in addition to the residents of the dwelling may be employed to work in the Home-based Business.
- (iii) A maximum of 25% of the gross floor area of the dwelling, including the basement and any accessory building, or a maximum of 40m², may be occupied by the Home-based Business.
- (iv) A maximum of ten (10) clients may be in attendance at a Home-based Business at any one time, where applicable.
- (v) Regardless of the number of Home-based Businesses on any one site, a maximum of fourteen (14) business-related (including clients) trips per day shall be made to the Home-based Business.
- (vi) One off-street parking space shall be required for a non-resident employee, which may be in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of Council.

2. Allowed Home-based Business Uses

Without limiting the authority of the Development Officer to approve other types of Home-based Business applications, the following uses are specifically allowed as Home-based Businesses, subject to applicable development standards:

- Art and Handcraft Studio,
- Baking or catering kitchen,
- Clothes-making or tailoring,
- Dance and Yoga studios,
- Health services such as acupuncture, reflexology, massage therapy, etc.,
- Personal services such as hair and/or, esthetician salon, etc.,
- Pet grooming,
- Residential Daycare, subject to section 4.43
- Residential Homestay, subject to section 4.39
- Photography or content creation studio,
- Teaching, tutoring, and education services,
- Computer and technology office or studio,
- Home office for professional or skilled service, not engaged in the sale of goods to clients, and
- Any other home-based business the Municipality may consider allowed.

3. Prohibited Home-Based Business Uses

Without limiting the authority of the Development Officer to deny other types of Home-based Business applications which do not meet the requirements of this Bylaw, the following uses are prohibited as Home-based Businesses, regardless of such uses otherwise complying with applicable development standards:

- Businesses utilizing large stationary industrial power tools by trade professionals and machinery, or businesses involved in the mass production of similar items or products,
- Health and/or fitness clubs,
- Hotels, motels, and/or hospitals,

- Laundry services,
- Rental services,
- Veterinary services, animal boarding, or animal care,
- Septic trucks, and
- Industrial art studio,
- Intensive industrial uses including welding, metal works, salvaging, warehousing, etc., and
- On-site dining or drinking operations including restaurants, tasting rooms, etc.,
- Vehicle services including painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery,
- Any other Home-based Business use the Local Authority considers to be prohibited.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.25 SIGNS

1. General

- (a) Signs shall not be placed in any manner that may obstruct or jeopardize the safety of the public.
- (b) Signs shall not reduce visibility within a sight triangle.
- (c) Signs shall not be in the shape of a directional sign, including STOP signs and YEILD signs, and the words STOP, YEILD, or any other directional wordage and/or symbols shall not be used.
- (d) Billboards are prohibited in all Zoning Districts.

2. Home-based Businesses

- (a) One (1) sign associated with a Home-based Business may be permitted per site.
- (b) Signs associated with a Home-based Business may have a maximum facial area of 0.5m² (5.4 ft²).
- (c) Signs associated with a Home-based Business may be located on a door, on a wall surface, or in a window of a dwelling.
- (d) Signs associated with a Home-based Business shall not be lighted or include animation.
- (e) A temporary sign may not be placed in association with a Home-based Business.
- (f) Section 4.25.5 shall not apply to Home-based Businesses.

3. Garage sales

- (a) Signs advertising a garage or yard sale are permitted on private property, with the approval of the landowner, and placed in a location to not create a safety or traffic hazard.
- (b) Signs advertising a garage or yard sale are prohibited on public property including boulevards, curb-side trees, street light standards, public signage, public mailboxes, and intersections.
- (c) Signs advertising a garage or yard sale shall not be lighted or include animation.

4. Heritage sites

Small plaques, markers, and interpretation signs are permitted on properties with significant natural or human heritage, with approval of the landowner. Signs shall be appropriate in scale, design, and placement with the site and surrounding area, and not cause safety or traffic concerns, or negatively impact the heritage value of the site.

5. Temporary Signs

(a) General

- (i) Temporary signs advertising product prices or sales, special events related to retail and service activities, the sale or lease of property, or advertising community or charity activities or events are permitted in all Zoning Districts
- (ii) One (1) temporary sign including sandwich boards and portable signs shall be allowed per site, located on private property.
- (iii) Signs advertising a garage or yard sale shall not be lighted or include animation.

(b) Sale or Lease of Land

- (i) One (1) temporary sign advertising the sale or lease of a property or other information relating to a temporary condition of a property is permitted.
- (ii) Signs advertising a temporary state of land shall have a maximum facial area of 1.0m² (11 ft²).

6. Signs for Business

- (a) Signs associated with legitimate businesses may be located on a door, on a wall surface, or in a window of the building where the business is located.
- (b) Sandwich board style signs associated with legitimate businesses may be located on private property.
- (c) In addition to signs pursuant of section 4.48.5, two (2) signs advertising the principal use of the premises, or the principal products offered for sale on the premises are permitted for legitimate businesses.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.26 GARAGE AND YARD SALES

- (i) Garage or yard sales may be undertaken on any site in a Residential, Institutional or Public Service Zoning District provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.
- (ii) No more than four (4) sales may be conducted from one site in one calendar year, and any one sale may not last for more than three consecutive days.
- (iii) Signs subject to section 4.25.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.27 MEMBRANE COVERED STRUCTURES

- (i) Anchored membrane covered structures up to 18.6 m² (250 ft²) shall be a discretionary accessory use in the Future Development District – FD and all residential zoning districts.
- (ii) Anchored membrane covered structures will be accommodated as a discretionary use in the Town Centre Commercial District – C1, General Commercial District – C2, Highway Commercial District – C3 and General Light Industrial District – I1.
- (iii) Applications for a development permit for an anchored membrane covered structure must include a drawing stamped by a Professional Engineer attesting to the fact that the structure meets Section 4 of the National Building Code and the structure must be accompanied by documentation that indicates it meets CSA Standard A660.
- (iv) In all cases, the placement of an anchored membrane covered structure must comply with the site and yard requirements for accessory buildings for the applicable Zoning District.
- (v) Temporary membrane covered structures may be placed on a site in any District for a period not to exceed seven (7) days in a calendar year to accommodate special events such as weddings, parties or community functions.

(Revised Bylaw No. 15-2012 – October 23, 2012)

4.28 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

Outside storage areas, including the storage waste materials, but not including household garbage, will be accommodated as a discretionary use in the Town Centre Commercial District – C1, General Commercial District – C2, Highway Commercial District – C3 and General Light Industrial District – I1 and subject to the following development standards:

- (i) The storage use must be associated with an approved principal use of the site.
- (ii) No outside storage shall be located in the front yard, except for any neatly arranged items for sale.

- (iii) Outside storage in a side or rear yard shall be screened from adjacent sites with a fence at least 2 m (about 6.6 feet) in height, or a combination of fence and soft landscaping screening to a minimum of 2 m in height. Where adjacent to a public roadway, outdoor storage compounds shall provide a landscaped strip of at least 2.0 m in horizontal depth between the required fence and the road right of way.
- (iv) Unless otherwise directed by this Bylaw, waste material shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares.
- (v) Outside storage areas are prohibited for cannabis retail outlets.
- (vi) Open air operations, storage, and display of goods or materials are prohibited in any front yard.
- (vii) 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 to the satisfaction of the Development Officer.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 20-2019 - February 11, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.29 SHIPPING CONTAINERS

- (i) No shipping container shall be used, placed, or stored on any site other than a site in the Town Centre Commercial District – C1, General Commercial District – C2, Highway Commercial District – C3 and General Light Industrial District – I1.
- (ii) A shipping container shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable Zoning District.
- (iii) All shipping containers must be sand blasted and repainted to a neutral colour prior to their placement above grade on site.
- (iv) All shipping containers shall not be placed in any front yard or side yard flanking a street and shall be screened from view by a solid fence or hedge.
- (v) In the Town Centre Commercial District – C1, General Commercial District – C2 and General Light Industrial District – I1, shipping containers are limited to a maximum of one per site.
- (vi) Shipping containers shall not be leased or used by an outside party other than the property owner.
- (vii) Shipping containers shall be prohibited from the storage of junk, trash or other forms of refuse, hazardous substances, or perishable items.
- (viii) Shipping containers shall be placed on hard packed level surfaces and any bottom drainage holes shall be secured against the environment and/or rodents and pests.
- (ix) When placed on a site, the shipping container shall:

- (a) not be vertically stacked;
- (b) not be placed or partially placed on a public street or dedicated land; and
- (c) be located so as to not create a safety hazard.

4.29.1 Placement of Temporary Shipping Containers

- (i) Notwithstanding 4.29(i), shipping containers may be temporarily placed on a site in any zoning district in either of the following circumstances:
 - (a) During construction on a site when the shipping container is utilized solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for construction on site. In this case, the shipping container must be removed from the site upon completion of the construction.
 - (b) For the purpose of loading and unloading of items associated with the principal use.
- (ii) Temporary shipping containers shall not be placed on a site for a period of more than 30 days, unless an extension has been granted by the Development Officer to a maximum of 90 days.
- (iii) Applicants wishing to place a temporary shipping container must receive a valid Development Permit for the temporary accessory use, prior to placement.
- (iv) Temporary shipping containers in all residential zoning districts shall not exceed a total combined floor area of 29.73 m² (320 ft²).
- (v) When placed on a site, the temporary shipping container shall:
 - (a) not be vertically stacked;
 - (b) not be placed or partially placed on a public street or dedicated land; and
 - (c) be located so as not to create a safety hazard.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 2020-15 – October 13, 2020)

4.30 LANDSCAPING REQUIREMENTS

(1) General Landscaping Requirements:

In the C2, C3, I1 and I2 Zoning Districts, landscaping compliant with the rest of Subsection 4.33 shall be provided in the following areas:

- (i) The first three (3) metres of the minimum required front yard measured from the front property line.

- (ii) A strip of soft landscaping abutting the front of the principle building, where loading does not occur, to an average depth of two (2) metres.
 - (iii) In the case of a corner site, the side yard abutting the flanking street to a minimum perpendicular width of three (3) metres.
 - (iv) Where a site abuts a residential zoning district or dedicated land, a strip of landscaping 3 metres in width shall be required.
- (2) Where this bylaw specifies that landscaping is required, it shall be developed and maintained in accordance with the following standards and policies:
- (i) Plant material shall be species capable of healthy growth in the region and shall conform to the current Canadian Standards for Nursery Stock of the Canadian Nursery Landscape Association;
 - (ii) Areas designated for planting shall be provided with an underground permanent irrigation system or other adequate means of irrigation commensurate with landscaping requirements, with at least one outside hose bib for each principal building. Commercial or industrial sites are required to use commercial grade irrigation products;
 - (iii) Landscaping areas required to be provided within front or side yards shall not be used for any purpose except for signs or structures otherwise permitted, or driveways leading to a parking or loading facility;
 - (iv) Required landscaping shall be completed in accordance with the approved landscape plan by the end of the construction season in which occupancy, partial occupancy, or use of the building or site has taken place. When occupancy, partial occupancy, or use of the building or site has taken place after the end of the construction season, all required and approved landscaping shall be completed by June 1st of the following year. For the purposes of this section, 'construction season' means May 1st through October 31st of the same year; and,
 - (v) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in healthy, vigorous condition at all times.
- (3) The Development Officer shall not approve an application for a development permit in the event that:
- (i) Any required landscape plans have not been submitted;
 - (ii) Any required landscape plans do not, in the opinion of the Development Officer, provide an adequate or suitable degree of landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw.
- (4) Landscaping shall be a condition of the issuance of a development permit for a new development which involves the construction or moving in of a new principal building. Landscaping shall be provided at the discretion of the Development Officer as a condition of a development permit that involves an existing use or existing principal building being significantly enlarged or changed to a new use.

- (5) Any landscaping, including planting thereon, which is required to be provided by this Bylaw shall be maintained in a healthy growing condition or shall otherwise be replaced.
- (6) Any land for landscaped open space shall be included in any calculation of site area, setbacks, density or yard requirements as required by this Bylaw.
- (7) Requirements for Landscape Plans:
 - (i) When landscaping is required under this Bylaw, landscaping plans shall be attached to a development permit application and shall form part of that application. The landscape plans shall be prepared in accordance with Subsection 4.30(7)(b).
 - (ii) Landscape Plan Submission Requirements:
 - (a) Two copies of every landscape plan must be submitted, to the satisfaction of the Development Officer, showing, to scale, physical features, including existing and proposed grades, the size and type and location of plant material to be provided, the location of hard landscaping such as fences, retaining walls, walkways and curbs, and the details of the proposed irrigation system, including the location of any outside hose bibs.
 - (b) A declaration, signed by the property owner and applicant, shall be affixed to required landscape plans, specifically acknowledging that the landscaping specified on the plans is a condition of the issuance of a development permit for the property and that such development will be complete by the date set out in the development permit.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 16-2013 – October 8, 2013)

4.31 DWELLING GROUPS

- (i) All parking areas, private garages or vehicular access to units or sites within a dwelling group should be from a roadway which is common property internal to the parcel.
- (ii) All dwelling groups shall have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in case of an emergency.
- (iii) The minimum required setback shall be measured from the closest main wall of a principal building to the relevant site line.
- (iv) All principal buildings shall be located at least 1.5 m from any other principal building in the dwelling group.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 04-2019 – September 10, 2019)

4.32 ENVIRONMENTAL PROTECTION

The policies contained in Section 11.3 of the Town of Lumsden Official Community Plan apply where a subdivision, development of a building or structure or any landscaping is proposed on environmentally sensitive land as identified on Plan Map 4 from the *Town of Lumsden Official Community Plan*.

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 02-2018 – April 10, 2018)

4.33 FENCES, RETAINING WALLS, HEDGES, AND SHRUBS

1. General

- (a) No fence, wall, hedge, or shrub shall be placed to jeopardize public safety.
- (b) No fence, wall, hedge, or shrub shall be placed to create a visual obstruction, including areas within a site triangle.

2. Height Restrictions

The maximum height of any fences, walls, hedges, and shrubs shall be:

- (a) Two (2) metres in a required side or rear yard within a residential district;
- (b) One (1) metre in a required front yard within a residential district, however this height may be expanded to two (2) metres if transparent materials such as chain-link or deer fence are used for the purpose of keeping wildlife out of the site;
- (c) Two point five (2.5) metres in any required yard within any district other than residential districts.

3. Retaining walls may be erected in any required yard subject to the following regulations:

- (a) Retaining walls less than or equal to 0.6 metres (2.0 feet) in height do not require a development permit and building permit prior to construction.
- (b) Retaining walls greater than 0.6 metres (2.0 feet) in height requires a development permit and building permit prior to construction.

(Revised Bylaw No. 02-2018 – April 10, 2018)

(Revised Bylaw No. 15-2022 – November 14, 2022)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.34 CANNABIS RETAIL OUTLETS

- (i) A retail outlet shall comply with all requirements of the Federal and Provincial cannabis legislation and provide proof to the Town of all required operating licenses.
- (ii) A retail outlet shall in now way interfere with or affect the use and enjoyment of adjacent properties.
- (iii) In the event of any discrepancy between the Town's regulations and those of the Federal and Provincial government, the regulations of the highest order of government shall be enforced.
- (iv) The hours of operation for cannabis retail outlets shall be restricted to between 8:00 AM to 10:00 PM.

(Revised Bylaw No. 20-2019 - February 11, 2020)

4.35 RESIDENTIAL HOMESTAYS

- (i) No alteration shall be made to the external appearance of any principal or accessory structures on the building site.
- (ii) Guest rooms shall be a minimum of 10 square metres in gross floor area.
- (iii) Guest rooms shall not contain cooking facilities.

(Revised Bylaw No. 2020-17 – October 13, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.36 OFF-STREET PARKING AND LOADING

1. General

- (a) Approval of a Development Permit shall be subject to the provision of the minimum required parking spaces, where applicable.
- (b) All required parking spaces shall be clear of obstructions including but not limited to access driveways, aisles, ramps, signs, and bins.
- (c) Where the number of minimum required parking spaces is a fractional number, the number shall be rounded to the nearest whole number.
- (d) Required parking spaces shall be located on the same site as the principal building or use.

Required parking spaces at an off-site location may be approved by the Development Officer if the applicant suitably demonstrates the off-site parking and loading location is an adequate standard and is within a reasonable distance from the principal building or use. Required parking spaces within a right-of-way may be approved by the Development Officer if the applicant suitably demonstrates the loading space may not be accommodated on-site or at an off-site location.

The off-site location of required barrier-free parking spaces shall only be considered by the Development Officer if the applicant suitably demonstrates enough barrier-free parking spaces available on-site and the off-street location is an adequate standard and is within a reasonable distance along an adequate barrier-free route.

2. Parking Space Dimensions

- (a) A small parking space for one vehicle shall have minimum dimensions of 2.4 metres width and 6.0 metres length, with access to a developed street or lane.
- (b) Barrier-free parking spaces shall have minimum dimensions of 3.4 metres (12 feet) plus 1.5 metre aisle width and 6.0 metres length per individual space. (Figure 5). If two or more barrier-free parking spaces, the minimum dimensions may be 6.8 metres width plus 1.5 metre aisle and 6.0 metres length for two spaces side by side (Figure 6).

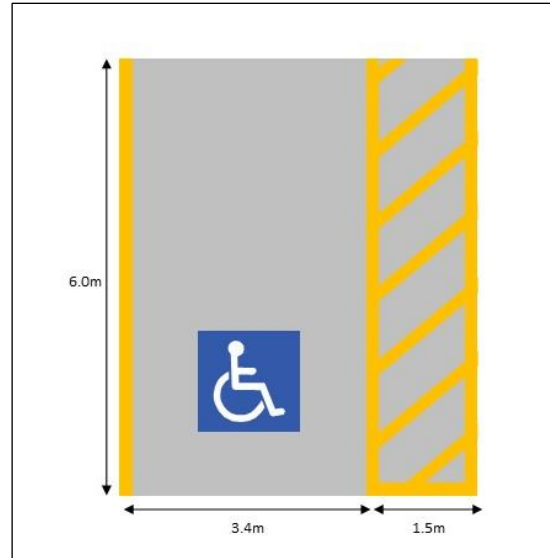


FIGURE 5. ONE (1) BARRIER-FREE PARKING SPACE WITH AISLE.

- (c) A barrier-free parking space for one vehicle shall have minimum dimensions of 3.4 metres width plus an aisle of 1.5 metres width and 6.0 metres length.

3. Barrier-free Parking Spaces

- (a) A minimum of one (1) barrier-free parking space for every 50 required parking spaces shall be provided in addition to the minimum required amount, as per section 4.36.4.

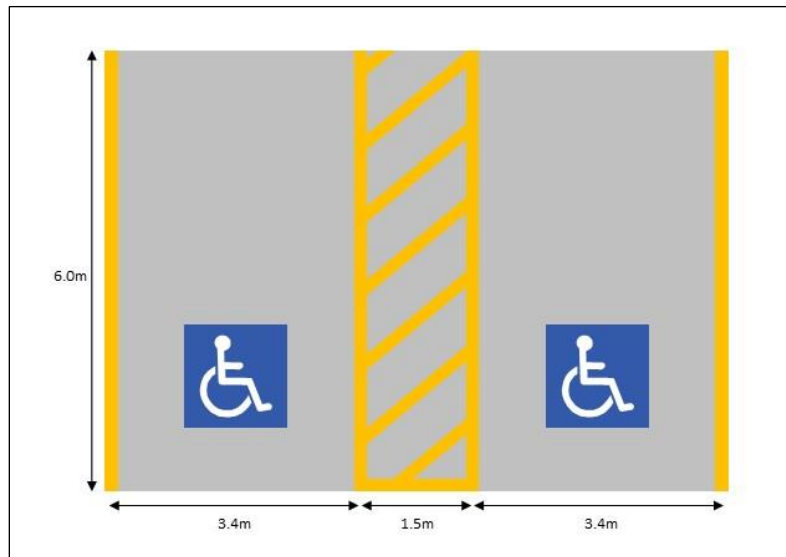


FIGURE 6. TWO BARRIER-FREE PARKING SPACES WITH AISLE.

- (b) Any required parking spaces for accessory buildings or uses, as per section 4.36.4 shall be additional to the parking requirement for the principal building or use.
- (c) Barrier-free parking spaces shall have access to a developed street or lane and be located as close as possible to area of activity on a site.
- (d) Barrier-free parking spaces shall be clearly designated with signs indicating them as barrier-free parking spaces.

4. Required Off-Street Parking Spaces

Minimum off-street parking space requirements shall be provided and maintained in accordance with the following:

Use	Development	Minimum Required Parking Spaces	
		Small	Barrier Free
Residential	Accessory Dwelling Unit	1	0
	Single Detached Dwelling	1	0
	Two-Unit Dwelling (Semi-Detached Dwelling, Duplex)	1 per dwelling unit	
	Multi-Use Dwelling (Apartment Block, Row House, Townhouse, Fourplex)	1 per dwelling unit	1
	Daycare, Residential	1	0
	Special Care Home/Personal Care Home	1 space plus 1 space per 5 persons enrolled in the facility	2
Commercial	Animal Clinic/Hospital	1 per 50m ² gross floor area	2
	Day Care Facility	One (1) plus (1) per ten persons enrolled	2
	Hotel/Motel	1 per bedroom	2
	Retail Store	1 per 50m ² gross floor area	1
	Food Service	1 per 10m ² gross floor area devoted to the public	1
	Service Station	One and one half (1½) per service bay	2
	Other	1 per 50m ² gross floor area	1
Institutional	Education Facility, Elementary School	1 per classroom	2
	Education Facility, High School	1 per staff member plus five (5) per classroom	2
	Education Facility, Other	1 per classroom plus	2

		one per eight students	
	Places of Worship	the greater of 1 per 10 seats in the main assembly area or 1 per 20m ² of gross floor area in the main assembly area	1 per 15 small spaces
	Other	1 per 50m ² gross floor area	1
Industrial	All	1 per 150m ² of gross floor area plus 1 per three employees at the peak period	1
Public	Community Facility	1 per 50m ² gross building floor area	2
	Recreational Use	1 per 50m ² gross building floor area	

5. Loading Spaces

- (a) Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.
- (b) Required loading spaces shall be located on the same site as the principal building or use.

Required loading spaces at an off-site location may be approved by the Development Officer if the applicant suitably demonstrates the off-site parking and loading location is an adequate standard and is within a reasonable distance from the principal building or use.

Required loading spaces within a right-of-way may be approved by the Development Officer if the applicant suitably demonstrates the loading space may not be accommodated on-site or at an off-site location.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.37 PERSONAL CARE HOME

- (i) A Personal Care Home may be approved as a principal use or accessory use to an existing dwelling.
- (ii) No building or structure used for the purpose of a Personal Care Home shall be used for the purposes of keeping boarders, lodgers, or persons for residential homestay.

- (iii) Sign regulations for Personal Care Homes are subject to section 4.25.
- (iv) Parking requirements subject to section 4.36. Required parking spaces may be located in a required front yard of a property.
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.38 SPECIAL CARE HOME

- (i) A Special Care Home may be approved as a principal use.
- (ii) No building or structure used for the purpose of a Special Care Home shall be used for the purposes of keeping boarders, lodgers, or persons for residential homestay.
- (iii) Sign requirements are subject to section 4.25.
- (iv) Parking requirements subject to section 4.36.
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.39 RESIDENTIAL DAY CARE

- (i) A Residential Day Care may be approved as a Type 1 home-based business, accessory to a residential principal use.
- (ii) No exterior alterations shall be undertaken to make the appearance of a dwelling inconsistent with the residential character of the building, property, or neighbourhood.
- (iii) Sign requirements subject to section 4.25.
- (iv) Parking requirements subject to section 4.36. Required parking spaces may be located in a required front yard of a property.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.40 DAY CARE FACILITY

- (i) A Day Care Facility may be approved on a discretionary basis as a principal, accessory, or ancillary use.
- (ii) The Day Care Facility shall comply with all Provincial requirements including but not limited to *The Child Care Act, 2014* and *The Child Care Regulations, 2015*.
- (iii) Sign requirements subject to section 4.25.

- (iv) Parking requirements subject to section 4.36.
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.41 SERVICE STATION

- (i) Fuel pumps and other accessory equipment shall be located a minimum of 6.0 metres from any street or site line.

(Revised Bylaw No. 15-2022 – November 14, 2022)

4.42 WATER AND SEWER SERVICES

All new development shall be connected to the Town's existing water and sewer system.

Where a development is proposed at a location at which a standard connection to the Town's existing water and sewer system is not feasible, the Developer shall at their own expense provide suitable water supply and sewage disposal facilities for the development acceptable to the Municipality and in accordance with *The Public Health Act and Regulations* or any other authority having jurisdiction.

(Revised Bylaw No. 15-2022 – November 14, 2022)

SECTION 5. ZONING DISTRICTS, OVERLAY AREAS, AND ZONING MAPS

5.1 ZONING DISTRICTS

The Town of Lumsden is divided into the following Zoning Districts and may be referred to by the following appropriate symbols:

Districts	Symbols
Future Development District	FD
Estate Residential District	RE
Residential District	R1
Multiple Use Residential District	R2
Mobile Home Park District	RM
Town Centre Commercial District	C1
General Commercial District	C2
Highway Commercial District	C3
Light Industrial District	I2
Institutional District	M
Public Service District	PS
Canyon Creek Subdivision Residential District	R4

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 10-2018 – November 27, 2018)

(Revised Bylaw No. 2021-01 – February 23, 2021)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.2 ZONING DISTRICT MAP

The map, titled “Zoning District Map”, referred to in Bylaw No. 15/2002, adopted by the Town of Lumsden, signed by the Mayor and the Administrator under the seal of the Town, shall be known as the “Zoning District Map”, and said map is hereby declared to be an integral part of this Bylaw.

The Zoning District Map contains overlays showing Flood Protection Outside of Dyke Protection, Designated Floodway, Area Protected by an Approved Flood Proof System, and Top of Valley. These notations on the map will be used by the Development Officer and Council to determine the Floodway and Floodplain Areas within the Town boundaries. The noted areas identify and reflect the natural drainage patterns and flood-prone areas where development and land uses may be affected. Lands within the applicable areas are subject to regulations listed in Section 5.17.

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.3 SUPPLEMENTARY MAPS

The maps bearing the statement “This is a supplementary map to the Zoning District Map referred to in Bylaw No. 15/2022, adopted by the Town of Lumsden, signed by the Mayor and Administrator under the seal of the Town, shall be known as Zoning Map 2, Slope Instability Overlay Areas, and such maps are hereby declared to be an integral part of this Bylaw.

These maps will be used by the Development Officer and Council to determine the si -Slope Instability Overlay boundaries in this Zoning Bylaw. The overlay identifies potentially unstable slopes or areas where development and land use may affect slope stability, and development will be subject to special regulations in the si Overlay areas.

Where engineering, environmental, or other investigations identify, at any time prior to commencing development in accordance with a development permit, any additional slope instability requirement beyond the boundaries of this Overlay area, Council shall cancel the Development Permit in accordance with section 3.9 until such time as concerns are resolved to Council’s satisfaction.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.4 HOLDING DESIGNATION

- (i) 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 Section 84 of The Act.
- (ii) 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; and
 - b) public works.

5.5 FUTURE DEVELOPMENT DISTRICT - FD

No person shall within any FD District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

5.5.1 Permitted Uses

- (i) Single Detached Dwelling,
- (ii) Accessory Dwelling Unit,
- (iii) Agricultural use,
- (iv) Recreational use,
- (v) Type I Home-based Business, subject to section 4.24.

5.5.2 Discretionary Uses

- (i) Equestrian Centre, subject to section 5.5.5,
- (ii) Animal Clinic or Hospital,
- (iii) Large Accessory Building,
- (iv) Commercial Greenhouse,
- (v) Keeping of Livestock, subject to section 5.5.6
- (vi) Type II Home-based Business, subject to section 4.24,
- (vii) Wind Turbine, subject to section 4.7.

5.5.3 Regulations:

- (i) Minimum site area: existing sites permitted, no subdivision of land
- (ii) Minimum site frontage: existing site frontages permitted
- (iii) Minimum front yard: 7.6 m (25.0 ft)
- (iv) Minimum side yard: 3.0 m (9.8 ft) for dwellings and buildings accessory thereto, except the minimum side yard abutting a public street shall be 7.6 m (25.0 ft).
- (v) Minimum rear yard: 12 m (about 39.0 ft) for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 m (about 98.4 ft)
- (vi) Maximum site coverage: 10%

5.5.4 Supplementary Regulations:

- (i) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76 m (about 250 ft.) from an occupied dwelling situated on an adjoining site.
- (ii) The regulations of subsection and 5.18 si-Slope Instability Overlays also shall apply in conjunction with this District.

5.5.5 Equestrian Centres

- (1) As a condition of discretionary use approval for an Equestrian Centre, Council shall prescribe:
 - (a) A specified time limit, up to two years, for which the Equestrian Centre may be approved, so that Council may monitor and evaluate potential odours and the Equestrian Centre's impact on the Town and surrounding development;
 - (b) A limit on the maximum number of animal units that can be boarded, trained or participate in competitions or events at the Equestrian Centre;
 - (c) The method and frequency in which manure is managed and removed from the site, and the material used for bedding, such as wood shavings or straw; and
 - (d) Council may grant a discretionary use approval for an Equestrian Centre without a time limit, if during the two-year temporary approval period, it has been demonstrated to Council that:
 - The conditions of the original temporary approval and the regulations outlined in 5.5.5(2) have been met; and
 - The Equestrian Centre has had minimal negative impact on the Town and surrounding development, subject to Section 3.16(2)(ii)
- (2) Regulations:
 - (a) The owner or operator shall manage surface water properly so that surface water and runoff is contained within the site.
 - (b) Stalls and bedding shall be cleaned daily.
 - (c) Manure stored on site should be composted and removed on a weekly basis.

5.5.6 The Keeping of Livestock

Animals and livestock shall be kept in such a way that surface water is properly managed, and that wells on the land and groundwater are properly protected. The owner/operator must ensure that there is no runoff or impact on adjacent land uses and all waste material must be contained on site and disposed of at regular intervals. No person shall keep any livestock in the Future Development District – FD, except in accordance with the following:

- (i) The Keeping of Animals shall not include poultry farms, fur farms, hatcheries, boarding kennels, the keeping of hogs, or any other intensive livestock operation.

- (ii) for equestrian centres, horses may be kept on-site subject to Section 5.5.5; or
- (iii) for animal hospitals, livestock and other animals may be temporarily kept on-site while being treated; or
- (iv) for other uses, a maximum of one animal unit per 2 ha (4.94 acres) of site area may be kept on-site. Livestock shall not be kept on sites less than 2 ha (4,94 acres) in area.

(Revised Bylaw No. 01-2012 – February 28, 2012)
(Revised Bylaw No. 15-2012 – October 23, 2012)
(Revised Bylaw No. 02-2018 – April 10, 2018)
(Revised Bylaw No. 15-2022 – November 14, 2022)

5.6 ESTATE RESIDENTIAL DISTRICT – RE

No person shall, within any Estate Residential District, use any land, keep or maintain any livestock or poultry, or erect, alter, or use any building or structure except in accordance with the following provisions:

5.6.1 Permitted Uses

- (i) Single Detached Dwelling,
- (ii) Accessory Dwelling Unit,
- (iii) Personal Care Home,
- (iv) Special Care Home,
- (v) Type I Home-based Business, subject to section 4.24.

5.6.2 Discretionary Uses

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

- (i) Day Care Facility
- (ii) large accessory buildings;
- (iii) wind turbines, subject to Section 4.7;
- (iv) type II home-based businesses, subject to the requirements of Section 4.24;
- (v) residential homestays.

5.6.3 Site Development Regulations:

- (i) Minimum site frontage (single detached dwellings): 25 m
 - In situations where due to topographical or other constraints, achieving a minimum site frontage of 25 m is not possible, sites having a minimum site area of 0.4 ha (0.99 ac) are considered to meet the requirements of Sub-Section 5.6.3(i).
- (ii) Minimum front yard: 7.6 m (about 25 ft)
- (iii) Minimum side yard: 3.0 m (about 10 ft) unless on a corner site, the side yard shall be 7.6 m (about 25 ft).
- (iv) Minimum rear yard: 9.0 m (about 30 ft) or 25% of the depth of the site whichever is the lesser.
- (v) Minimum floor area for primary dwelling: 116 m² (about 1250 ft²)

(vi) Maximum site coverage: 40%

(vii) Public works and public utility sites shall have no minimum site area or minimum site frontage requirements.

5.6.4 Regulations for Accessory Buildings:

No accessory building shall be located within 3.0 m (about 10 ft) of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 7.6 m (about 25 ft).

5.6.5 Supplementary Regulations:

(i) The regulations of sub-section 5.18 si-Slope Instability Overlays also shall apply in conjunction with this District.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 04-2019 – September 10, 2019)

(Revised Bylaw No. 2020-17 – October 13, 2020)

(Revised Bylaw No. 2020-12 – November 24, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.7 RESIDENTIAL DISTRICT – R1

No person shall within any R1 – Residential District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

5.7.1 Permitted Uses

- (i) Single Detached Dwelling,
- (ii) Accessory Dwelling Unit,
- (iii) Personal Care Home,
- (iv) Special Care Home,
- (v) Type I Home-based Business, subject to section 4.24.

5.7.2 Discretionary Uses:

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

- (i) semi-detached and duplex dwellings;
- (ii) dwelling groups with single detached or duplex dwellings;
- (iii) wind turbines, subject to Section 4.7;
- (iv) type II home based businesses, subject to the requirements of Section 4.24;
- (v) large accessory buildings;
- (vi) residential homestay
- (vii) Day Care Facility

5.7.3 Regulations of Site Development

- (i) Minimum site area: 550 m² (about 5,920 ft²)
- (ii) Minimum site frontage: 18.0 m (about 60 ft)
- (iii) Minimum front yard: 7.0 m (about 23 ft)
- (iv) Minimum side yard: 1.5 m (about 5 ft), unless on a corner site, the side yard abutting the street shall be 3.6 m (about 12 ft.), except that no side yard is required where a common wall divides two dwelling units.
- (v) Maximum site coverage: 50%
- (vi) Minimum rear yard: 9 m (30 ft.) or 25% depth (whichever is greater)
- (vii) Maximum dwelling height: 10 m

- (viii) Public works and public utility sites shall have no minimum site area or minimum site frontage requirements.

5.7.4 Regulations for Accessory Buildings:

- (i) All accessory buildings shall be set back a minimum of 7.0 m (about 23 ft) from the front site line, 1.2 m (about 4 ft) from the principal building, and 0.8 m (about 2.6 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 m (about 12 ft).
- (ii) All accessory building shall be located a minimum of 0.8 m (2.6 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.2 m (about 4 ft) from the site line abutting the lane.

5.7.5 Supplementary Regulations:

- (i) The regulations of sub-section 5.18 si – Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 08-2004 - October 25, 2004)

(Revised Bylaw No. 07-2006 - September 26, 2006)

(Revised Bylaw No. 15-2012 - October 23, 2012)

(Revised Bylaw No. 16-2013 – October 8, 2013)

(Revised Bylaw No. 07-2014 – August 12, 2014)

(Revised Bylaw No. 04-2019 – September 10, 2019)

(Revised Bylaw No. 2020-16 – October 13, 2020)

(Revised Bylaw No. 2020-18 – November 24, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.8 RESIDENTIAL MULTIPLE DISTRICT – R2

No person shall within any R2 - Residential Multiple Use District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.8.1 Permitted Uses

- (ii) Accessory Dwelling Unit,
- (iii) Personal Care Home,
- (iv) Semi-detached Dwelling, Two-Uniting Dwelling, or Duplex,
- (v) Single Detached Dwelling,
- (vi) Special Care Home,
- (vii) Townhouse, Row House, or Fourplex,
- (viii) Type I Home-based Business.

5.8.2 Discretionary Uses

- (i) Apartment Block,
- (ii) Day Care Facility,
- (iii) Type II Home-based Business, subject to section 4.24,
- (iv) Wind Turbine, subject to section 4.7.

5.8.3 Development Standards

(i) Single Detached Dwellings

Minimum site area	480 m ²
Minimum site frontage	15 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	1.2 m
Corner lot abutting a street	1.5 m
Minimum rear yard setback	5 m
Maximum site coverage	40%
Minimum floor area per dwelling unit	70 m ²
Maximum height	10 m

(ii) Semi-detached Dwelling, Two-Unit Dwelling, or Duplex

Minimum site area	520 m ²
Minimum site frontage	17.0 m

Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	1.5 m
Corner lot abutting a street	3.6 m
Minimum rear yard setback	9.0 m
Maximum site coverage	50%
Minimum floor area per dwelling unit	56 m ²
Maximum height	10 m

(iii) Townhouse, Row House, or Fourplex

Minimum site area	930 m ²
Minimum site frontage	25.0 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	2.1 m
Corner lot flanking building faces	3.7 m
Minimum rear yard setback	6.0 m
Maximum site coverage	50%
Minimum floor area per dwelling unit	56 m ²
Maximum height	2 ½ stories

(iv) Apartment Block

Minimum site area	930 m ²
Minimum site frontage	25.0 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	greater of 3.7 m or 50% of the avg wall height
Corner lot flanking building faces	6.0 m
Minimum rear yard setback	7.6 m
Maximum site coverage	
Interior lot	50%
Corner lot	60%
Minimum floor area per dwelling unit	47 m ²
Maximum height	3 stories

(viii)	Accessory Building	
	Minimum front yard setback	7.0 m
	Minimum rear yard setback	1.0 m
	Minimum side yard setback	
	Interior site	1.0 m
	Corner site	3.0 m
	Minimum setback from principal building	1.2 m

5.8.4 Supplementary Regulations:

- (i) The regulations of sub-section 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 16-2013 – October 8, 2013)

(Revised Bylaw No. 04-2019 – September 10, 2019)

(Revised Bylaw No. 08-2022 – April 26, 2022)

(Revised Bylaw No. 12-2022 – October 11, 2022)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.9 RESIDENTIAL MOBILE HOME DISTRICT – RM

No person shall within any Residential Mobile Home District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.9.1 Permitted Uses:

- (i) Mobile Home Park
- (ii) Type I Home-based Business, subject to section 4.24;

5.9.2 Discretionary Uses:

The following uses may be permitted in the RM – Residential Mobile Home District but only in locations specified in such resolution of Council.

- (i) Day Care Facility
- (ii) confectionary and laundry facilities;
- (iii) wind turbines, subject to Section 4.7; and
- (iv) type II home based businesses, subject to the requirements of Section 4.24.

5.9.3 Regulations for Mobile Home Parks:

- (i) Minimum mobile home park frontage: 30.5 m (about 100 ft)
- (ii) Minimum mobile home park area: 0.4 ha (about 1 ac)
- (iii) No mobile home shall be permitted except upon a mobile home site.

5.9.4 Regulations for Mobile Home Sites:

- (i) Minimum site area: 400 m² (4300 ft²)
- (ii) Minimum site frontage: 12.2 m (about 40 ft)
- (iii) Minimum front yard: 6.0 m (about 20 ft)
- (iv) Minimum rear yard: 3.0 m (about 10 ft)
- (v) Minimum side yard: 1.2 m (about 5 ft) but 3.6 m. (about 12 ft) from a flanking street
- (vi) Maximum number of sites shall be 8 per 0.4 ha (about 1 ac) of land.

5.9.5 Regulations for Accessory Buildings:

- (i) All accessory buildings shall be set back a minimum of 7.0 m (about 23 ft) from the front site line, 1.2 m (about 4 ft) from the principal building, and 0.8 m (about 2.6 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 m (about 12 ft).

- (ii) All accessory building shall be located a minimum of 0.8 m (about 2.6 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.2 m (about 4 ft) from the site line abutting the lane.

5.9.6 Supplementary Regulations:

- (i) The regulations of sub-section 5.18 si Slope Instability Overlays apply in conjunction with this District.

(Revised Bylaw No. 15–2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.10 TOWN CENTRE COMMERCIAL DISTRICT – C1

No person shall within any C1-Town Centre Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.10.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Art and Handcraft Studio,
- (iii) Commercial Recreation Establishment,
- (iv) Community Building,
- (v) Day Care Facility,
- (vi) Distilleries, Breweries, and Wineries,
- (vii) Food Service,
- (viii) Financial institution,
- (ix) Government Building or Office,
- (x) Health Facility,
- (xi) Outdoor Market,
- (xii) Personal Services Establishment,
- (xiii) Professional Service Office or Shop,
- (xiv) Retail Shop,
- (xv) Type I Home-based Business, subject to section 4.24.

5.10.2 Discretionary Uses:

The following uses may be permitted in the TCC-Town Centre Commercial District but only by resolution of Council and only in locations specified by such resolution of Council:

- (i) Parking Lot,
- (ii) Membrane Covered Structure, subject to section 4.27,
- (iii) Shipping Container, subject to section 4.29,
- (iv) Wind Turbine, subject to section 4.7.

5.10.3 Development Standards

(i) Site

Minimum site area	250 m ²
Minimum site frontage	7.0 m

Maximum site coverage	80%
(ii) Principal buildings	
Minimum front yard setback	1.5 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	1.5 m
(iii) Accessory and Ancillary buildings	
Minimum front yard setback	7.0 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	1.5 m

5.10.4 Supplementary Regulations:

1. The regulations of sub-section 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 02-2018 – April 10, 2018)

(Revised Bylaw No. 20-2019 - February 11, 2020)

(Revised Bylaw No. 19-2019 - October 22, 2019)

(Revised Bylaw No. 2020-17 – October 13, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.11 GENERAL COMMERCIAL DISTRICT – C2

No person shall, within any C2 - General Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.11.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Art and Handcraft Studio,
- (iii) Commercial Recreation Establishment,
- (iv) Community Building,
- (v) Day Care Facility,
- (vi) Distilleries, Breweries, and Wineries,
- (vii) Food Service,
- (viii) Financial institution,
- (ix) Government Building or Office,
- (x) Health Facility,
- (xi) Hotel/Motel,
- (xii) Laundry Facility,
- (xiii) Motor vehicle restoration, not including retail sale,
- (xiv) Outdoor Market,
- (xv) Parking lot,
- (xvi) Personal Services Office or Shop,
- (xvii) Retail Shop,
- (xviii) Type I Home-based Business.

5.11.2 Discretionary Uses

- (i) Apartment Block,
- (ii) Membrane Covered Structure, subject to section 4.27,
- (iii) Motor vehicle retail sale, subject to section 4.28,
- (iv) Outside storage, subject to section 4.28,
- (v) Public Transportation Terminal,
- (vi) Shipping Containers, subject to section 4.29,
- (vii) Warehouse, Supply Depot, or Storage Building,

- (viii) Wind Turbines, subject to section 4.7.

5.11.3 Regulations for Accessory Buildings:

Setbacks for accessory buildings shall meet the same requirements as the principal building.

5.11.4 Supplementary Regulations:

- (i) The regulations of sub-section 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

5.11.5 Regulations for Site Development

The following regulations shall apply to all permitted and discretionary uses in the C2 - General Commercial District, except for apartment blocks which shall be required to meet the requirements of sub-section 5.8.3.

- (i) Minimum site area: 460 m²
- (ii) Minimum site frontage: 15 m
- (iii) Minimum front yard: 7.5 m (about 25.2 ft)
- (iv) Minimum side yard: 3 m (about 10 ft) except for sites with a side yard abutting a residential district or a public street, in such case the side yard setback shall be 6 m (about 20 ft).
- (v) Minimum rear yard: 10% of the depth of the site except for sites with a rear yard abutting a residential district - 7.5 m (about 25.2 ft)

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 02-2018 – April 10, 2018)

(Revised Bylaw No. 20-2019 – February 11, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.12 HIGHWAY COMMERCIAL DISTRICT – C3

No person shall within a C3 - Highway Commercial District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.12.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Animal Clinic or Hospital,
- (iii) Art and Handcraft Studio,
- (iv) Car wash facility,
- (v) Distilleries, Wineries, and Breweries,
- (vi) Food Service,
- (vii) Government Office or Building,
- (viii) Hotel or Motel,
- (ix) Motor vehicle retail sale, subject to section 4.28,
- (x) Public Garage,
- (xi) Public Greenhouse,
- (xii) Public Transportation Terminal, including a depot,
- (xiii) Type I Home-based Business, subject to section 4.24,
- (xiv) Service Station, subject to section 4.41

5.12.2 Discretionary Uses:

The following uses may be permitted in the C3 – Highway Commercial District but only by resolution of Council and only in locations specified by such resolution of Council:

- (i) membrane covered structures, subject to Section 4.27;
- (ii) outdoor storage, including the storage of waste material, subject to the requirements of Section 4.28;
- (iii) shipping containers, subject to the requirements of Section 4.29; and
- (iv) wind turbines, subject to the requirements of Section 4.7.

5.12.3 Regulations:

The following regulations shall apply to all permitted and discretionary uses in the C3 - Highway Commercial District:

- (i) Minimum site area: 1,115 m² (about 12,000 ft²) except that motels and motor hotels shall have 1,750 m² (about 18,500 ft²).
- (ii) Minimum site frontage: 45.7 m (about 150 ft) for motels or motor hotels and 30 m (about 100 ft) for all other uses, except there shall be no minimum for public works buildings.
- (iii) Minimum front yard: 15.2 m (about 50 ft) for motels or motor hotels and 7.5 (about 25.2 ft) for all other uses.
- (iv) Minimum side yard: 3 m (about 10 ft), except for sites with a side yard abutting a public street or residential district, in such case the side yard setback shall be 6 m (about 20 ft).
- (v) Minimum rear yard: 10% of the depth of the site except the minimum rear yard abutting residential district shall be 7.5 m (about 25.2 ft).

5.12.4 Regulations for Accessory Buildings:

- (i) Minimum front yard: 7.5 m (about 25.2 ft)
- (ii) Minimum side yard: 0.8 m (about 2.6 ft), unless the side site line is an abutting street then the side yard shall be 3.6 m (12 ft)
- (iii) Minimum rear yard: 0.8 m (about 2.6 ft), except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.2 m (about 4 ft) from the site line abutting the lane.

5.12.5 Supplementary Regulations:

- (i) The regulations of sub-sections and 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 11-2012 – October 9, 2012)

(Revised Bylaw No. 15–2012 – October 23, 2012)

(Revised Bylaw No. 19-2019 - October 22, 2019)

(Revised Bylaw No. 2020-01 - February 25, 2020)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.13 GENERAL LIGHT INDUSTRIAL DISTRICT – I1

No person shall within any I1-General Light Industrial District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions:

5.13.1 Permitted Uses

- (ii) Art and Handcraft Studio,
- (iii) Animal Clinic or Hospital,
- (iv) Personal Services Office or Shop,
- (v) Retail Shop,
- (vi) Warehouse, Supply Depot, or Storage Building.

5.13.1 A Discretionary Uses

- (i) Boarding Kennel,
- (ii) Car Wash Facility,
- (iii) Light Manufacturing,
- (iv) Membrane Covered Structure, subject to section 4.27,
- (v) Outside Storage, subject to section 4.28,
- (vi) Recycling Depot,
- (vii) Service Station, subject to section 4.42
- (viii) Shipping Container, subject to section 4.29,
- (ix) Wind Turbine, subject to section 4.7.

5.13.2 Regulations:

Minimum site area:	1115 m ² (about 12000 ft ²)
Minimum site frontage:	30 m (about 100 ft) except there is no minimum for public utility structures.
Minimum front yard:	4.5 m (about 15 ft)
Minimum side yard:	3 m (about 10 ft) except when the side site line is the boundary of any Residential District or abuts a public street then the minimum side yard shall be 7.6 m (about 25 ft)
Minimum rear yard	10% of the depth of the site except when the rear site line abuts the boundary of any Residential District the minimum rear yard shall be 20% of the depth of the site and except when the rear site line abuts a railway right-of-way no rear yard need be provided.
Accessory buildings:	Setbacks for accessory buildings shall meet the same requirements as

the principal use or building.

5.13.3 Supplementary Regulations:

- (i) The regulations of sub-section and 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 02-2018 – April 10, 2018)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.14 INSTITUTIONAL DISTRICT – M

No person shall, within any M-Institutional District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

5.14.1 Permitted Uses

- (i) Community Building,
- (ii) Day Care Facility,
- (iii) Education Facility,
- (iv) Government Building or Office,
- (v) Place of Worship.

5.14.2 Discretionary Uses

- (i) Wind Turbine, subject to section 4.7.

5.14.3 Development Standards

- (i) Site

Minimum site area	600 m ²
Minimum site frontage	20 m
Maximum site coverage	80%
- (ii) Principal buildings

Minimum front yard setback	10.0 m
Minimum rear yard setback	7.0 m
Minimum side yard setback	3.0 m
- (iii) Accessory and Ancillary buildings

Minimum front yard setback	7.0 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	3.0 m

5.14.4 Regulations for Accessory Buildings:

- (i) All accessory buildings with a door or doors opening onto a lane shall not be located less than 1.2 m (about 4 ft) from the site line abutting the lane.
- (ii) All accessory buildings shall be set back a minimum of 7.6 m (about 25 ft) from the front site line, 1.2 m (about 4 ft) from the principal building, and .8 m (about 2.5 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 m (about 12 ft).

5.14.5 Supplementary Regulations:

- (i) The regulations of sub-section and 5.18 si Slope Instability Overlays also shall apply in conjunction with this District.

(Revised Bylaw No. 09–2009 – May 25, 2009)

(Revised Bylaw No. 15–2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.15 PUBLIC SERVICE DISTRICT – PS

Subject to all other provisions in this Bylaw, no person shall within any Public Service District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

5.15.1 Permitted Uses

- (i) Community Building,
- (ii) Recreational Use, excluding golf courses,
- (iii) Natural or open areas.

5.15.2 Discretionary Uses:

- (i) Cemetery,
- (ii) Golf Course,
- (iii) Wind Turbine, subject to section 4.7.

5.15.3 Regulations:

(i)	Site	
	Minimum site area	200 m ²
	Minimum site frontage	10 m
(ii)	Principal buildings	
	Minimum front yard setback	7.6 m
	Minimum rear yard setback	7.6 m
	Minimum side yard setback	3.0 m
(iii)	Accessory and Ancillary buildings	
	Minimum front yard setback	7.0 m
	Minimum rear yard setback	3.0 m
	Minimum side yard setback	3.0 m

5.15.4 Supplementary Regulations:

- (i) The regulations of sub-sections and 5.18 si Slope Instability Overlays shall apply in conjunction with this District.
- (ii) There shall be a setback of 3 m (about 10 ft.) between any buildings located in a PS - Public Service District and any site in a Residential District.

(Revised Bylaw No. 15–2012 – October 23, 2012)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.16 CANYON CREEK SUBDIVISION RESIDENTIAL DISTRICT - R4

No person shall, within the Canyon Creek Subdivision Residential District, use any land, keep or maintain any livestock or poultry, or erect, alter, or use any building or structure except in accordance with the following provisions:

5.16.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Personal Care Home, subject to section 4.37,
- (iii) Single Detached Dwelling,
- (iv) Special Care Home, subject to section 4.38.
- (v) Type I Home-based Business, subject to section 4.24.

5.16.2 Discretionary Uses

- (i) Day Care, subject to section 4.40,
- (ii) Large Accessory Building,
- (iii) Type II Home-based Business, subject to section 4.24, and
- (iv) Wind Turbine, subject to section 4.7.

5.16.3 Site Development Regulations:

- (i) minimum site area: 971.25 m² (about 10,454.45 ft²)
- (ii) minimum site frontage: 19.0 m (about 62 ft)
- (iii) minimum front yard: 7.6 m (about 25 ft)
- (iv) minimum side yard: 3.0 m (about 10 ft), unless on a corner site, the side yard abutting the street shall be 3.6 m (about 12 ft).
- (v) minimum rear yard: 9.0 m (about 30 ft) or 25% of the depth of the site whichever is the lesser
- (vi) minimum floor area for primary dwelling: 116 m² (about 1250 ft²)
- (vii) maximum site coverage: 40%

5.16.4 Regulations for Accessory Buildings:

No accessory building shall be located within 3.0 m (about 10 ft) of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 3.6 m (about 12 ft).

5.16.5 Supplementary Regulations:

- (i) The regulations of sub-sections and 5.18 si Slope Instability Overlays shall apply in conjunction with this District.

(Revised Bylaw No. 15-2012 – October 23, 2012)

(Revised Bylaw No. 10-2018 – November 27, 2019)

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.17 FLOODPLAIN AND FLOODWAY AREAS

This section shall apply to all lands within the areas designated as Flood Plain Area Outside of Dyke Protection, Designated Floodway, and Area Protected by an Approved Flood Proof System as shown on the Zoning District Map attached to and forming part of this bylaw.

(i) Regulations

- (a) The development of new buildings or additions to existing buildings will be prohibited in the floodway of the 1:500 year flood elevation of any watercourse or waterbody.
- (b) All development of new buildings or additions to buildings shall be adequately flood proofed to the design flood level of 1:500 plus a 0.5 metre freeboard.
- (c) The bottom of the joists of the first floor or the bottom surface of the slab on grade of the building or structure shall be above the design flood level plus freeboard.
- (d) Basements shall be prohibited except where flood proofing is undertaken. The basement shall be designed to withstand any forces generated by floodwater up to and including the design of flood level plus freeboard.
- (e) Plumbing outlets may be permitted in basements below the design flood level provided they contain an automatic shut-off valve as approved by the designated Plumbing Inspector.
- (f) Electrical outlets and walls may be permitted in basements below the design flood level provided they contain an independent switch for each outlet. A main switch box, heating plants, or air conditioning units shall be located above the design flood level plus freeboard.
- (g) Foundations and walls of any building or structure shall be adequately flood proofed to the design flood level plus freeboard. All plans shall be certified by a Professional Engineer or Architect registered in the Province of Saskatchewan.
- (h) Fencing, retaining walls and other similar structures shall be prohibited in the Floodway Overlay District unless constructed parallel to the direction of water flow and Council or their authorized representative, based on the advice of the Water Security Agency of Saskatchewan, are satisfied that such developments shall not adversely affect the hydraulic efficiency or capacity of the floodway or adversely affect the existing drainage courses.
- (i) The storage of hazardous materials is prohibited.

(Revised Bylaw No. 15-2022 – November 14, 2022)

5.18 SLOPE INSTABILITY OVERLAY AREA - si

5.18.1 Regulations:

Any application for a development permit and/or building permit on any parcel of land which lies wholly or partially within an area designated in the si Slope Instability Overlay Area, must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, hydrogeological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards. Based on sufficient field investigations to respond with reasonable confidence, the geotechnical engineer shall answer the following questions:

- (i) Will the proposed development be detrimentally affected by natural erosion or slope instability?
- (ii) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?

Unless the geotechnical engineer can answer “no” in response to both of the above questions (indicating that known or suspected slumping, subsidence, landslides, erosion or any other instability is not a hazard), further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works, land use controls prepared by a professional community planner, and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts and will identify and explain known and suspected residual hazards. Necessary monitoring also will be identified along with the purpose of the monitoring, how monitoring results will be assessed and interpreted, and the required actions should the recommended monitoring indicate an actual or potential problem. The responsibility for monitoring and responding to monitoring findings shall be resolved before approval is granted.

Any building foundation plans accompanying a development permit on a development site on land designated as si Slope Instability Overlay Area must be approved and stamped by a Structural Engineer and a Geotechnical Engineer registered in the Province of Saskatchewan.

SECTION 6. CONTRACT ZONING – (C)

6.1 REQUIREMENTS

- (i) Each application for a contract zone shall be evaluated on its own merit in accordance with the provisions of this Subpart, and the directions set out in the Basic Planning Statement and applicable zoning district requirements.
- (ii) Where the proposal meets the requirements of this Subpart, Council may enter into a zoning contract or agreement with the individual or corporation for the purpose of accommodating the request to rezone the land.
- (iii) In addition to the requirements of this Subpart, Council may, in approving the zoning contract, attach conditions, which in its opinion, are necessary to ensure compatibility between the proposal and surrounding land uses.
- (iv) The conditions which Council may attach to its approval are only limited by the provisions of the Act and the Basic Planning Statement.
- (v) The procedures for zoning bylaw amendment specified in Section 3 of the zoning Bylaw shall be used in processing applications for zoning contracts.

6.2 PERMITTED USES

Only uses specified in the contract agreement and the applicable zoning district shall be allowed.

6.3 DEVELOPMENT STANDARD

The regulations respecting lot size, frontage, coverage, building height and yards, parking, payment in lieu of parking, and loading, and any other matter dealt with in the Basic Planning Statement shall be those specified in the contract agreement.

6.4 ALTERATION, CHANGING, OR VOIDING THE CONTRACT

Council may, subject to Section 28 of The Act vary, extend any time limit, void or enter into a new contract agreement for land zoned as “C” contract.

6.5 REFERENCE

- (i) The use of the supplementary symbol "c" (e.g. R1c) in the Zoning Maps shall indicate a property that has been rezoned through a contractual agreement between an individual or individuals and the Town of Lumsden.
- (ii) All approved zoning contracts shall be appended to the Zoning Bylaw as Appendix C(i), C(ii), C(iii), etc.

SECTION 7. EFFECTIVE DATE OF THE BYLAW

7.1 REPEAL OF PRECEEDING BYLAW:

Bylaw No. 6/88, passed by resolution of Council on the 19th day of October 1988 and approved by the Minister on the 9th Day of November, 1988, and all amendments to said Bylaw are hereby repealed.

7.2 EFFECTIVE DATE:

This Bylaw shall come into force on the date of final approval by the Minister.

7.3 Council Readings and Adoption

Introduction this	<u>12th</u>	day of	<u>November</u>	, 2002.
Read a first time this	<u>12th</u>	day of	<u>November</u>	, 2002.
Read a second time this	<u>25th</u>	day of	<u>November</u>	, 2002.
Read a third time this	<u>28th</u>	day of	<u>April</u>	, 2003.
Adoption of Bylaw this	<u>28th</u>	day of	<u>April</u>	, 2003.



DEVELOPMENT APPLICATION FORM

Lumsden Municipal Office
 PO Box 160
 300 James St N
 Lumsden, SK S0G 3C0
 Phone: (306) 731-2404
 Fax: (306) 731-3572
 Email: town.lumsden@sasktel.net
 Website: www.lumsden.ca

CONTACT INFORMATION

Applicant

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

Property Owner ☐ Same as Applicant

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

Contractor/Designer

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

SUBJECT PROPERTY

Lot: _____ Block: _____ Plan: _____

Civic Address: _____

PROPOSAL

Current Land Use: _____

Description of Existing Structures and Features:

Proposed Land Use: _____

Proposed Development Description:

Please check all associated work that applies:

☐ Land clearing	Description: _____
☐ Excavation and/or fill	Description: _____
☐ Leveling and/or grading	Description: _____
☐ Landscaping	Description: _____
☐ Drainage concerns	Description: _____
☐ Other	Description: _____

SERVICES

<u>Water Supply</u> ☐ Existing ☐ Proposed Type: ☐ Municipal ☐ Other: _____ Distance from dwelling: _____ Distance from other features: _____	<u>Sewage Disposal</u> ☐ Existing ☐ Proposed Type: ☐ Municipal ☐ Other: _____ Distance from dwelling: _____ Distance from other features: _____ Distance from water supply: _____
---	---

ATTACHMENTS:

- ☐ Development Application Fee (non-refundable)
☐ Site Plan
☐ Land Title

Development Application Fees:

\$50.00 for a permitted use

\$100.00 for a discretionary use

APPLICANT DECLARATION

I _____ of _____ in the Province of Saskatchewan, solemnly declare that
(name) (municipality)

all the above statements in this application are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Please note, the information on this form is being collected under the authority of section 28(a) of the Freedom of Information and Protection of Privacy Act to be used only for the purpose of this application.

_____	_____	_____	_____
Applicant's Signature	Date	Property Owner's Signature	Date

SUBMISSION

Please submit the completed application form and site plan by email to town.lumsden@sasktel.net, by mail to the Town of Lumsden (address is on the top right corner of the first page), or by drop-off at the Lumsden Municipal Office.

TOWN OF LUMSDEN
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- R1 LOW DENSITY RESIDENTIAL
- R2 MEDIUM DENSITY RESIDENTIAL
- R3 HIGHWAY DENSITY RESIDENTIAL
- M INSTITUTIONAL
- R4 CANYON CREEK SUBDIVISION
RESIDENTIAL DISTRICT
- RM MANUFACTURED HOME RESIDENTIAL
- C1 TOWN CENTRE COMMERCIAL
- C2 GENERAL COMMERCIAL
- C3 HIGHWAY COMMERCIAL
- I1 HIGHWAY COMMERCIAL
- I2 CRAFT INDUSTRIAL
- RE ESTATE RESIDENTIAL
- PS PUBLIC SERVICE
- FUD FUTURE DEVELOPMENT
- FLOOD PLAIN AREA OUTSIDE OF DYKE
PROTECTION
- DESIGNATED FLOODWAY
- AREA PROTECTED BY AN APPROVED FLOOD
PROOF SYSTEM
- TOP OF VALLEY

• This is the Zoning District Map which
accompanies Bylaw Number _____
adopted by the Town of Lumsden.

Reeve _____

Administrator _____

**CROSBY
HANNA
& ASSOCIATES**

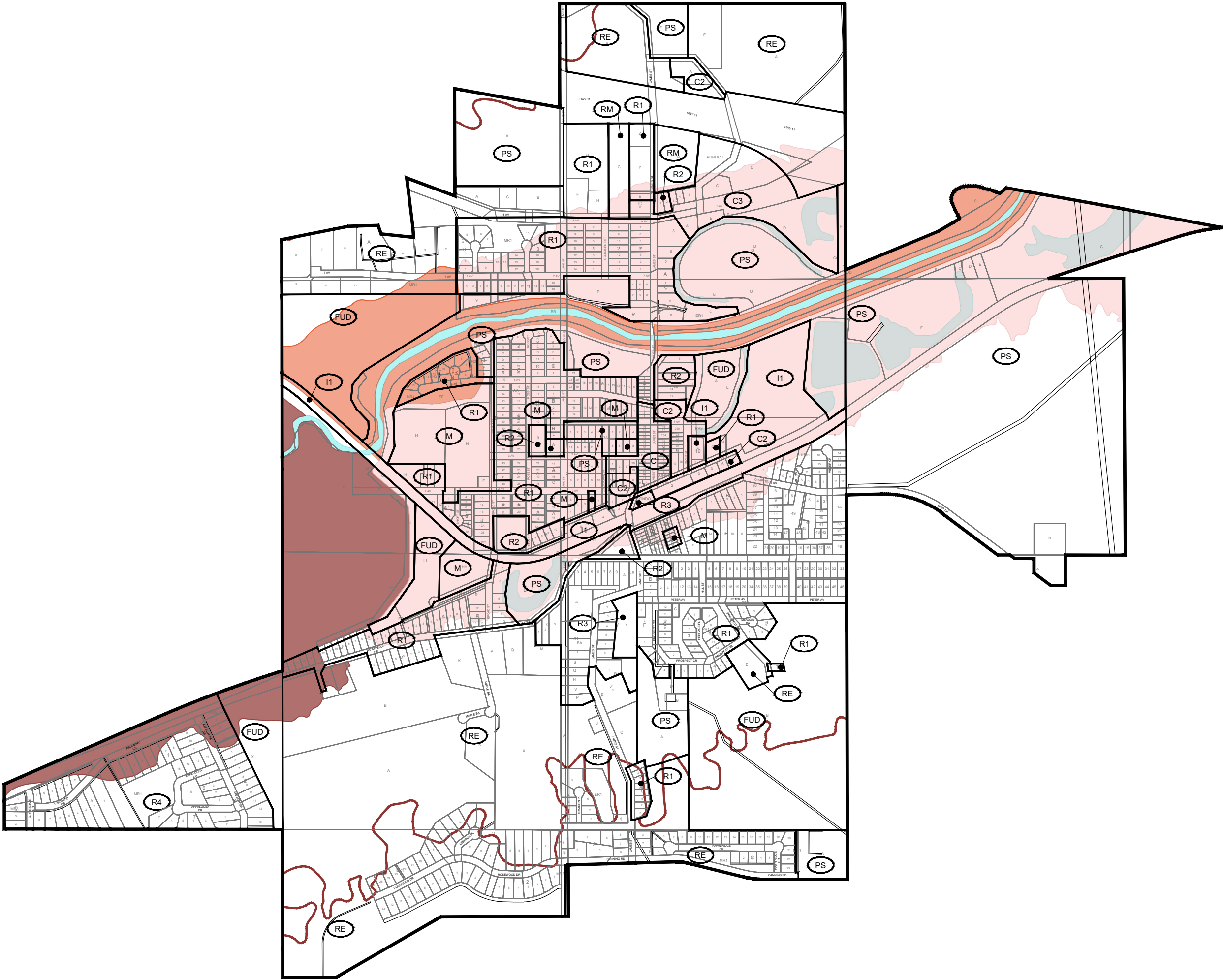
407C 1st Ave. North
Saskatoon, SK S7K 1X5
www.crosbyhanna.ca

LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING
Layout

T (306) 665-3441
F (306) 652-9613



DATE
2020-05-01
PROJECT NO.
CHA 20004



ZONING MAP 3

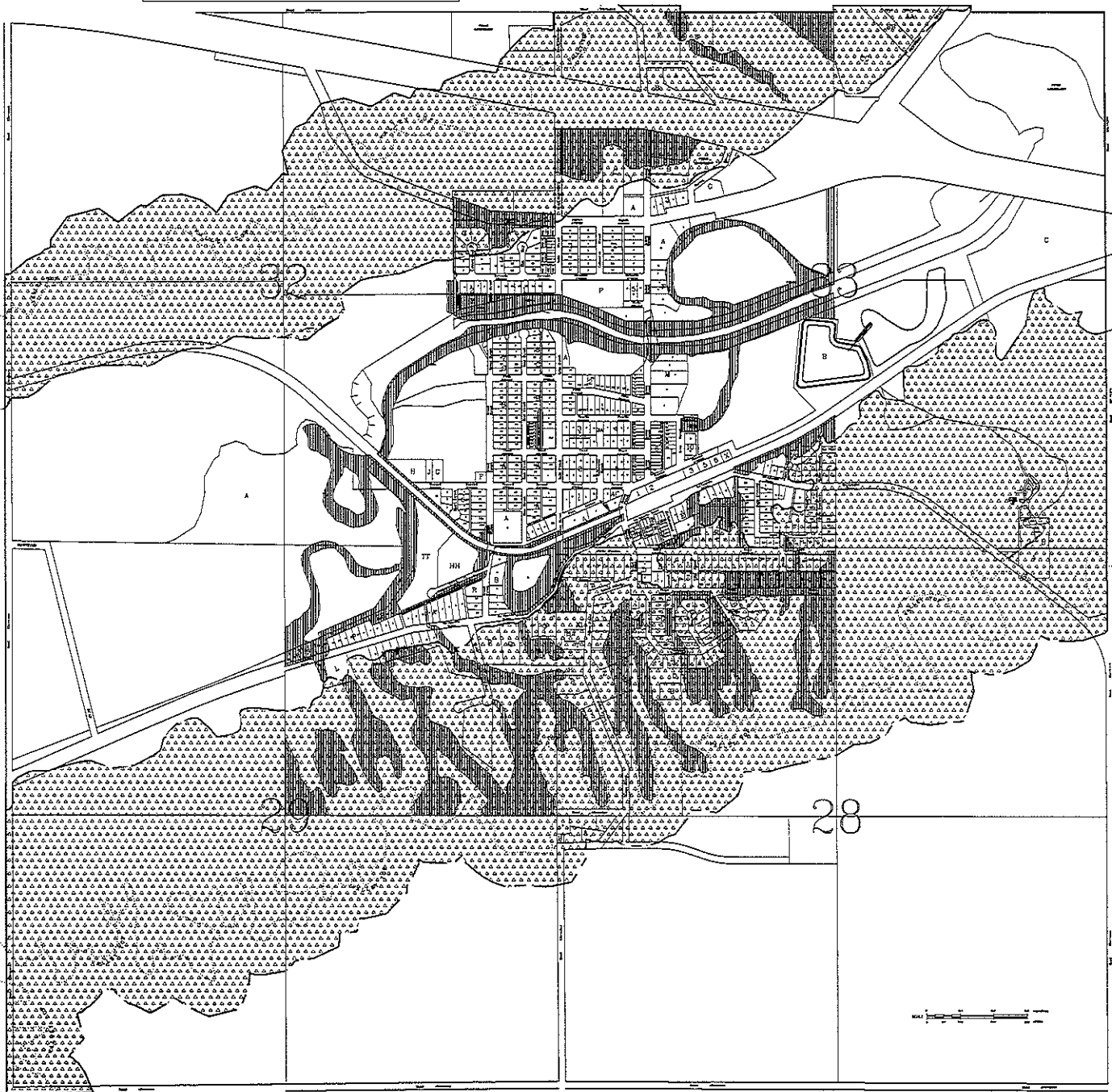
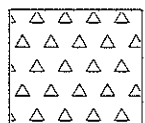
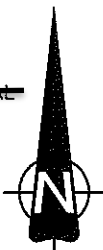
~~ENVIRONMENTAL PROTECTION AND SLOPE INSTABILITY OVERLAY AREAS~~
(BYLAW 15-2012)

Town of Lumsden

ZONING MAP 3.00

~~Environmental Protection & Slope Instability~~

BYLAW NO. 15-2012

EP - ENVIRONMENTAL
PROTECTION AREAS - AREA FOR
POTENTIAL SLUMPING

Revisions

Bylaw No.

Date

UMA Engineering Ltd.
Engineers, Planners & Surveyors

Town of Lumsden

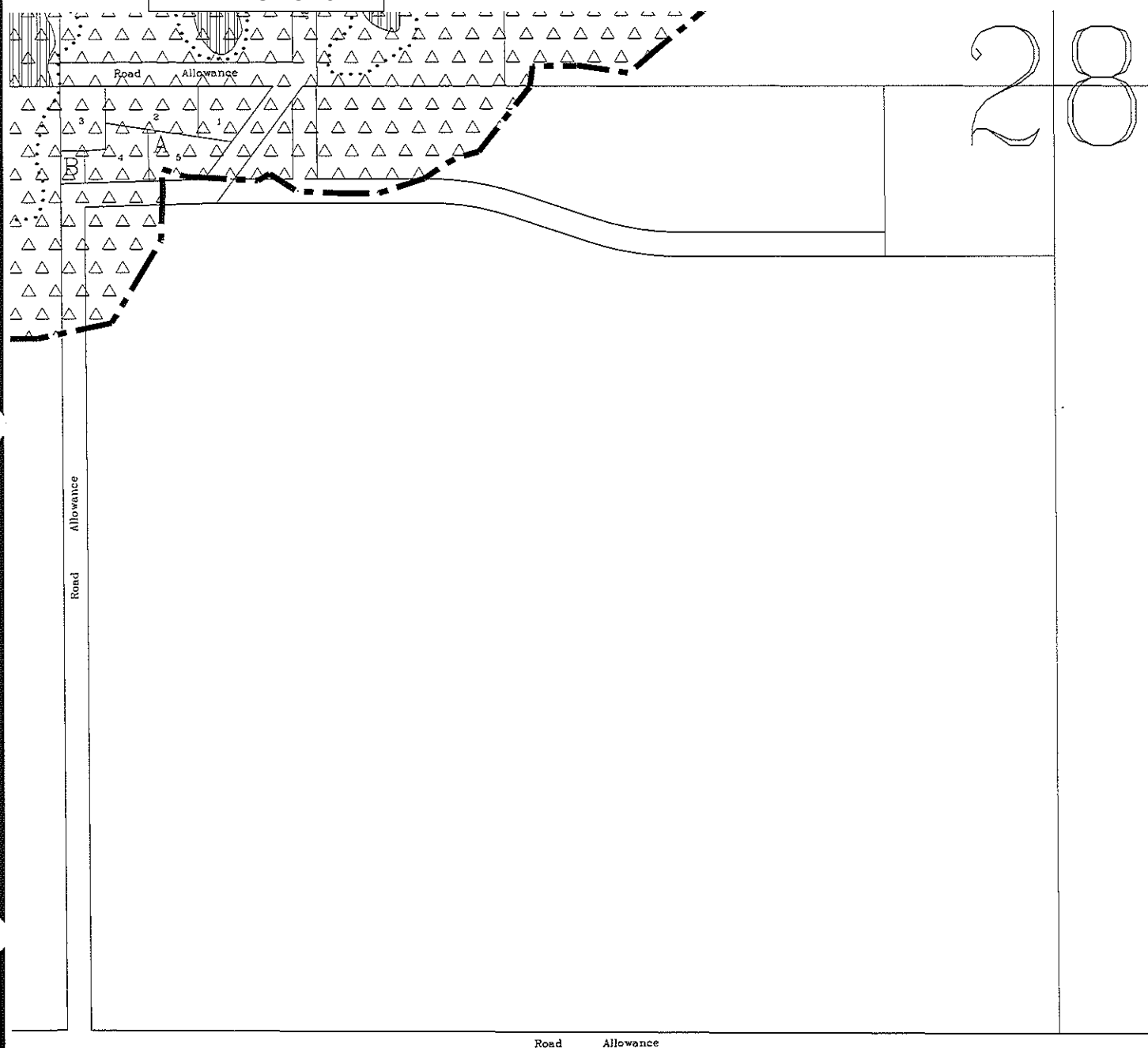
ZONING MAP 3.01

~~Environmental Protection & Slope Instability~~

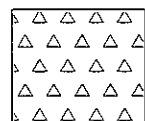
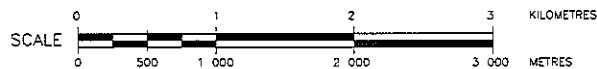
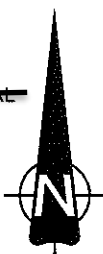
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S.W.1/4 Sec. 28 Tp. 19 Rge. 21

28



Road Allowance

EP - ENVIRONMENTAL
PROTECTION AREAS - AREA FOR
POTENTIAL SLUMPING

Revisions

Bylaw No.	Date

UMA Engineering Ltd.
Engineers, Planners & Surveyors

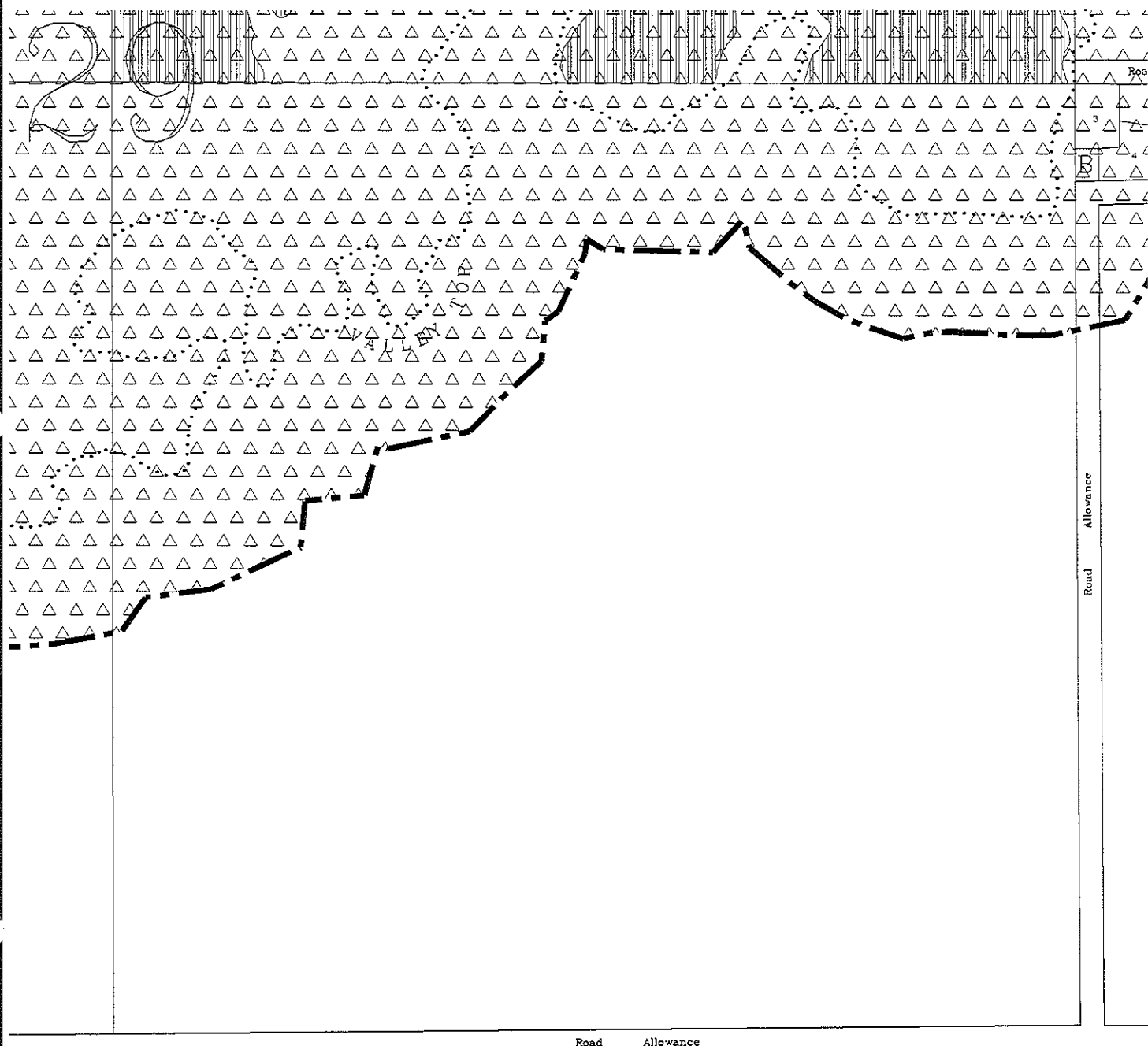
Town of Lumsden

ZONING MAP 3.02

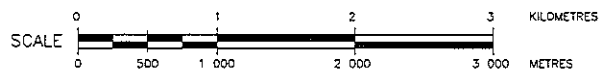
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BYLAW NO. 15-2012

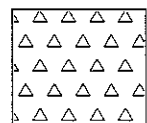
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Road Allowance



EP ENVIRONMENTAL
PROTECTION AREA



S AREA FOR
POTENTIAL SLUMPING



Revisions

Bylaw No.	Date



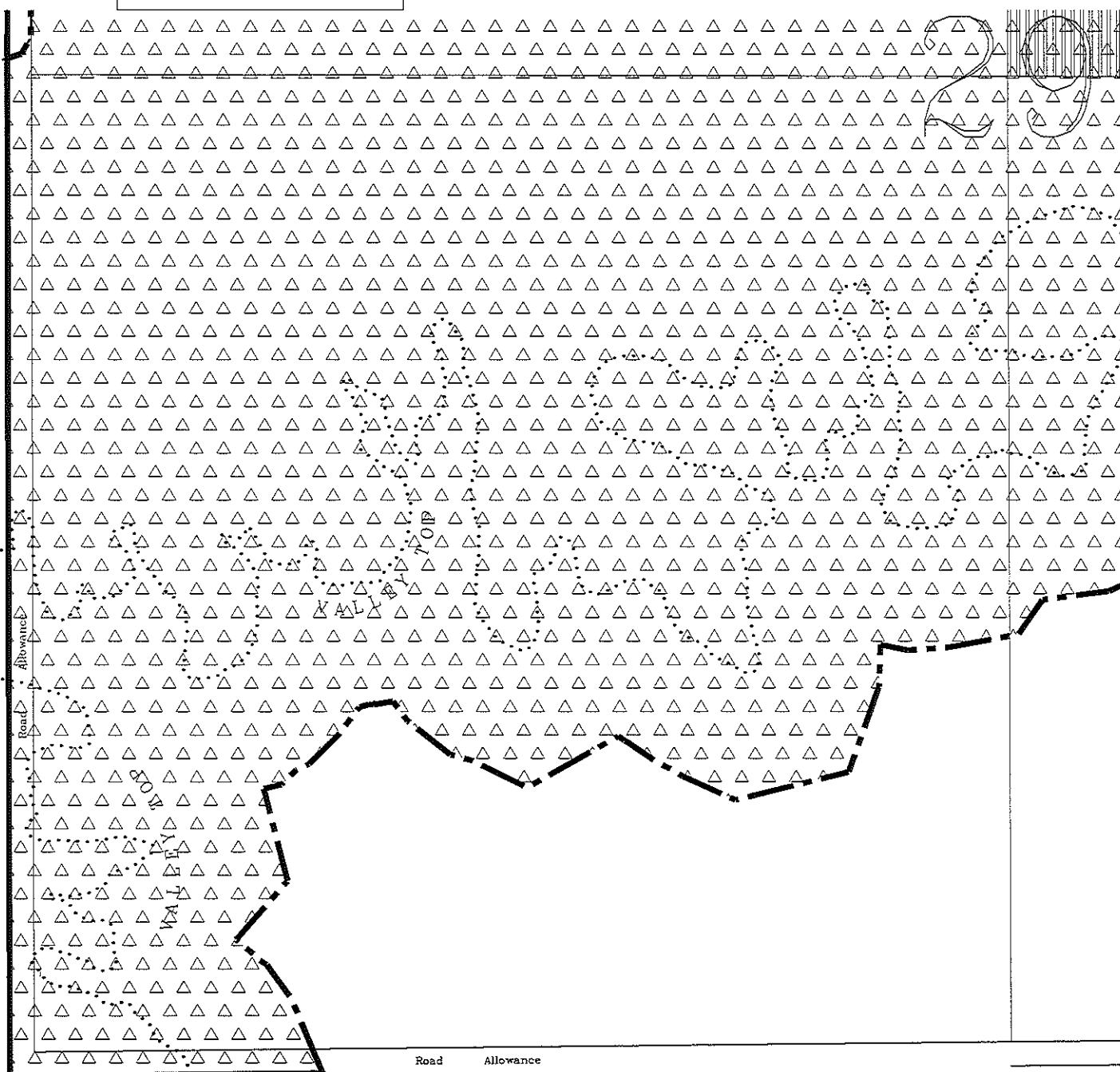
UMA Engineering Ltd.
Engineers, Planners & Surveyors

Town of Lumsden

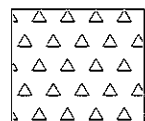
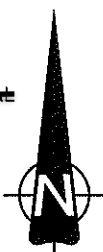
ZONING MAP 3.03

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Road Allowance

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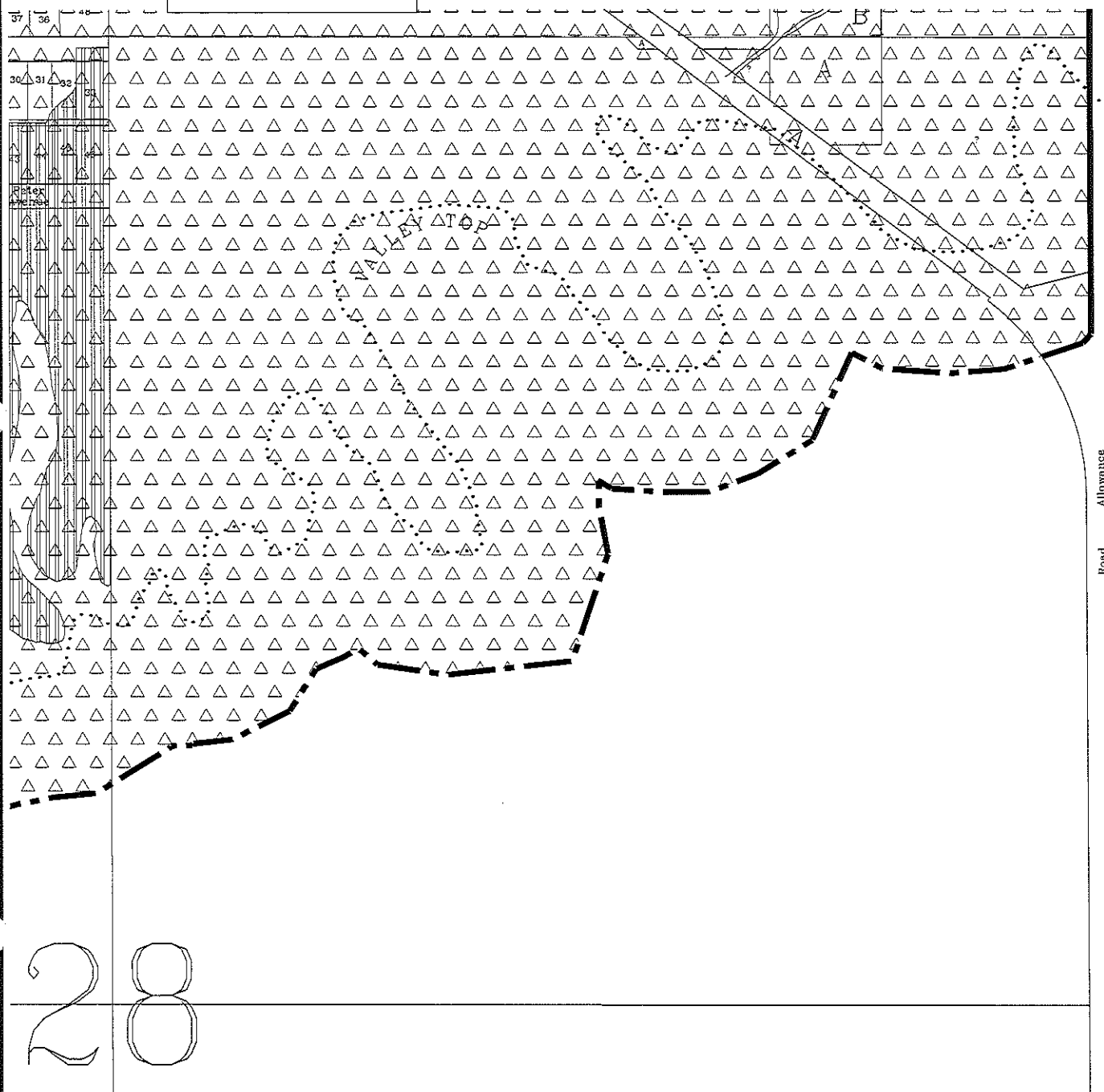
Town of Lumsden

ZONING MAP 3.04

~~Environmental Protection & Slope Instability~~

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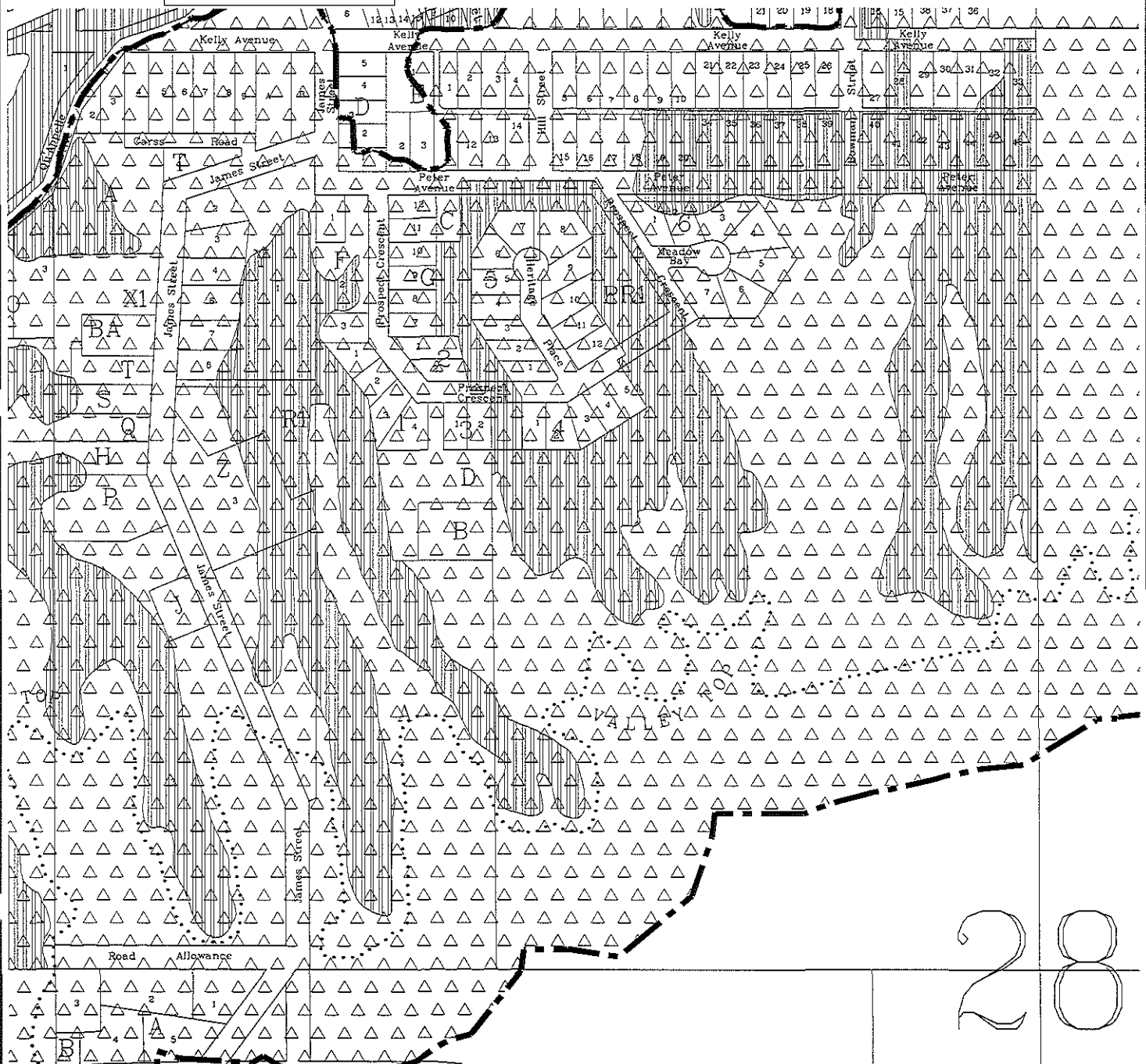
Town of Lumsden

ZONING MAP 3.05

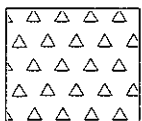
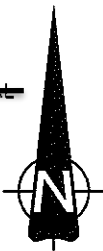
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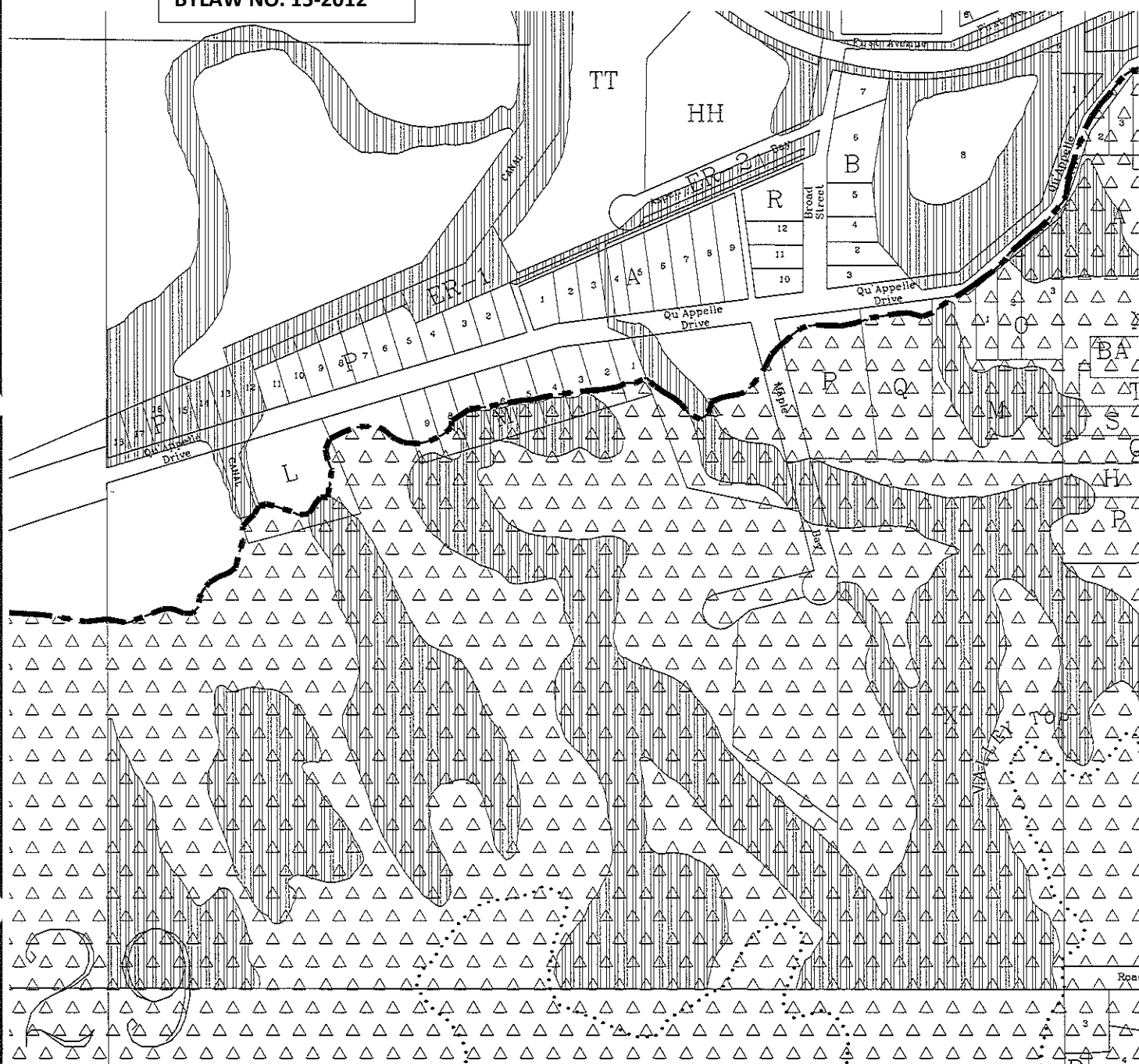
Town of Lumsden

ZONING MAP 3.06

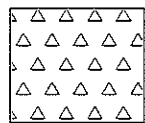
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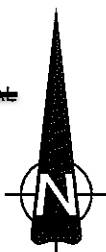
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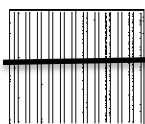
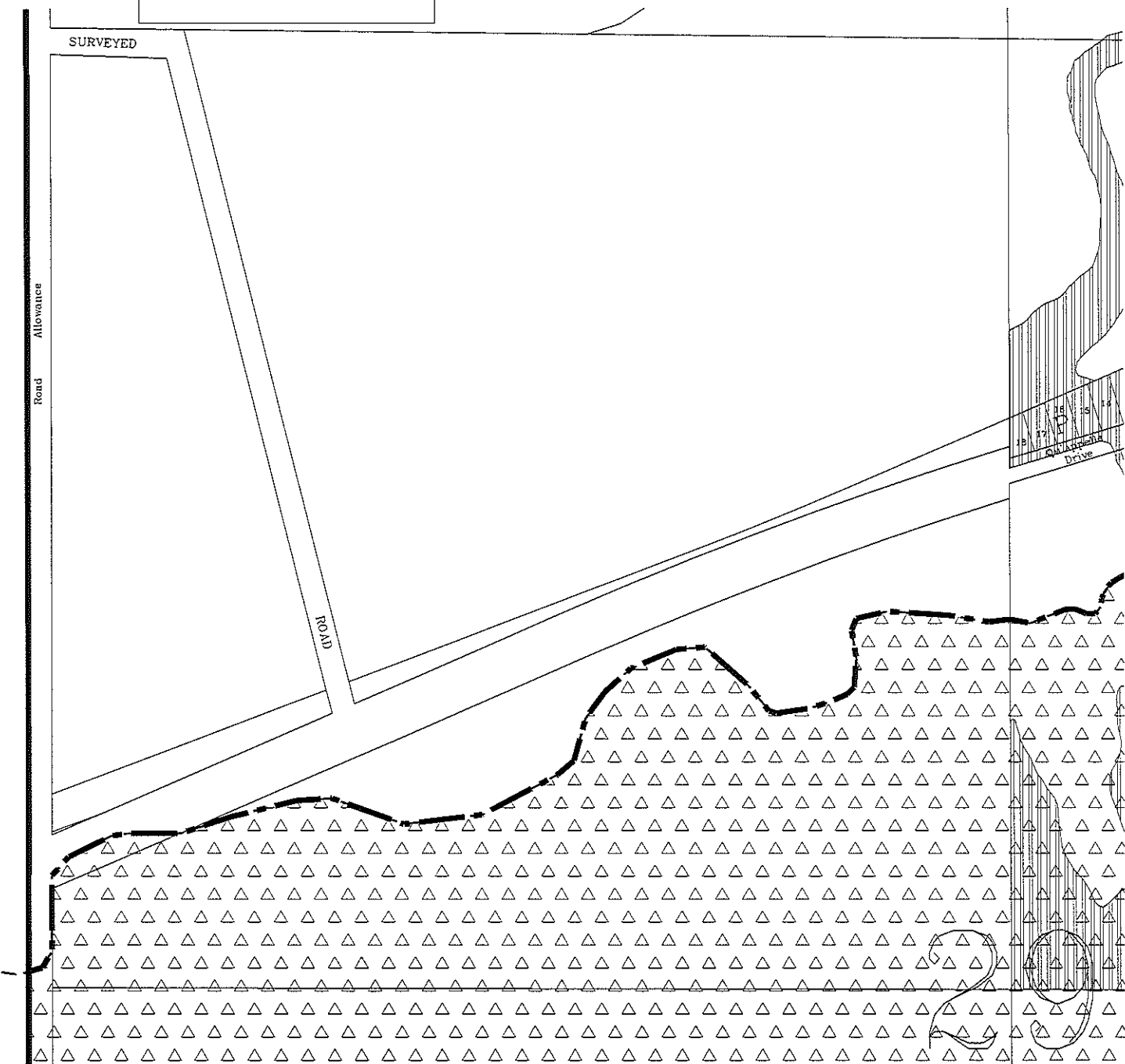
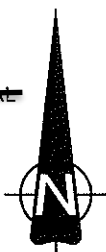
Town of Lumsden

ZONING MAP 3.07

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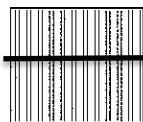
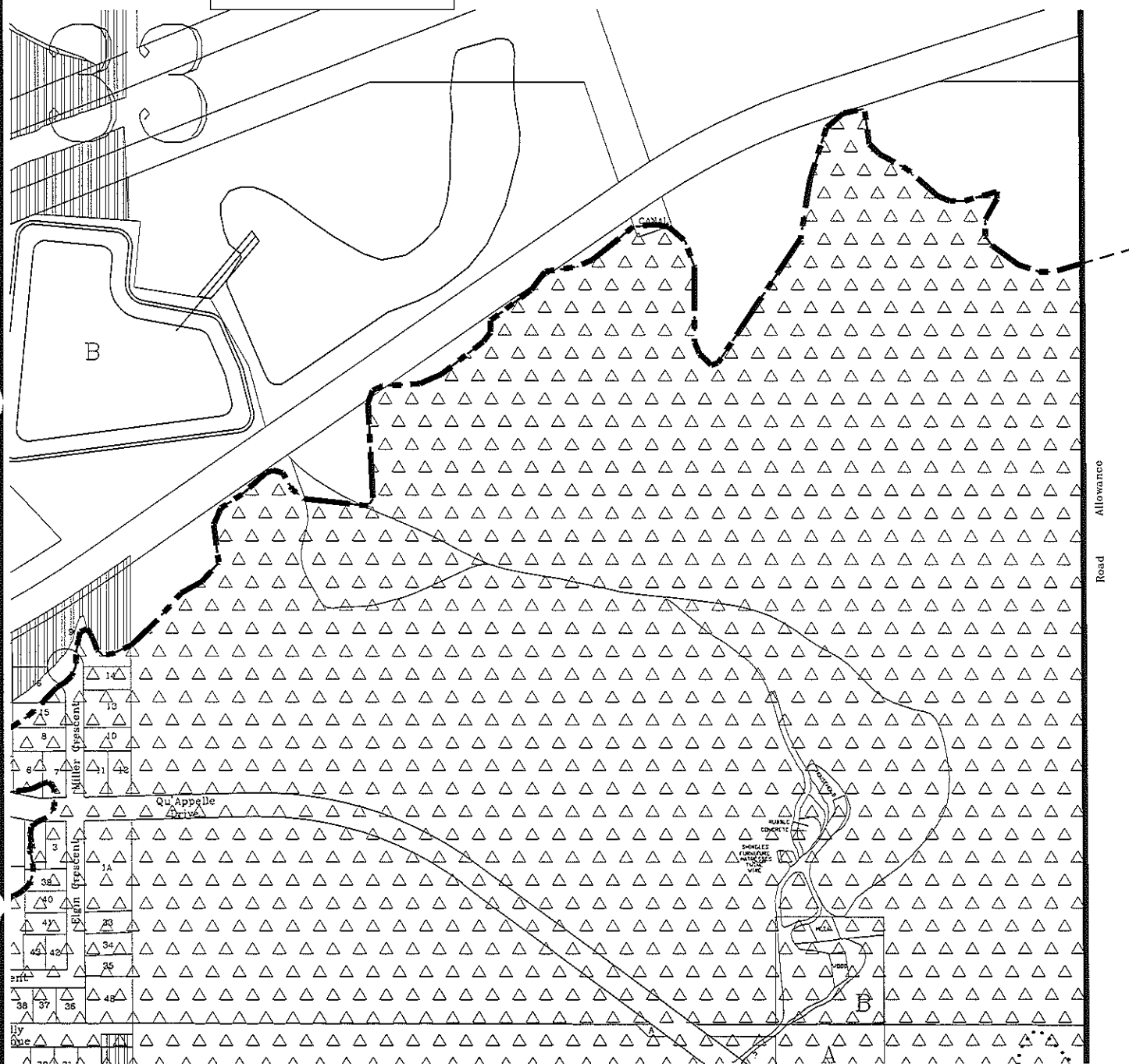
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Town of Lumsden

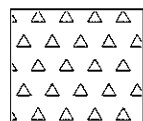
ZONING MAP 3.08

~~Environmental Protection & Slope Instability~~

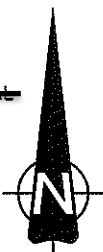
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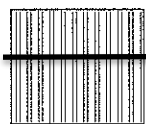
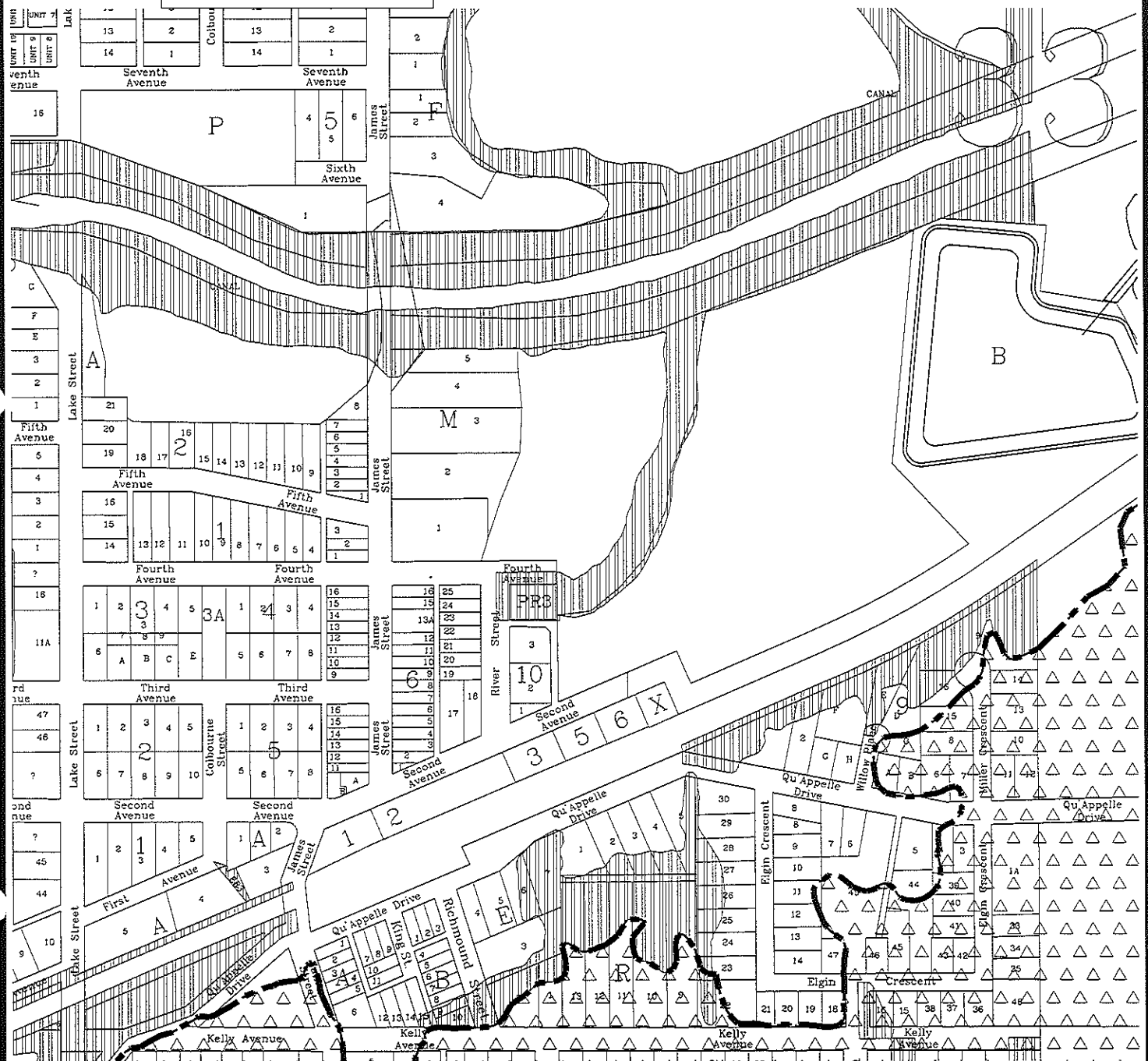
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Town of Lumsden

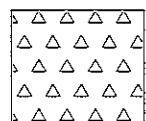
ZONING MAP 3.09

~~Environmental Protection & Slope Instability~~

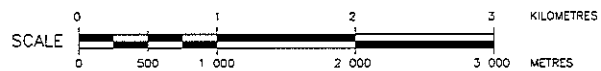
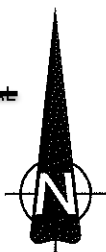
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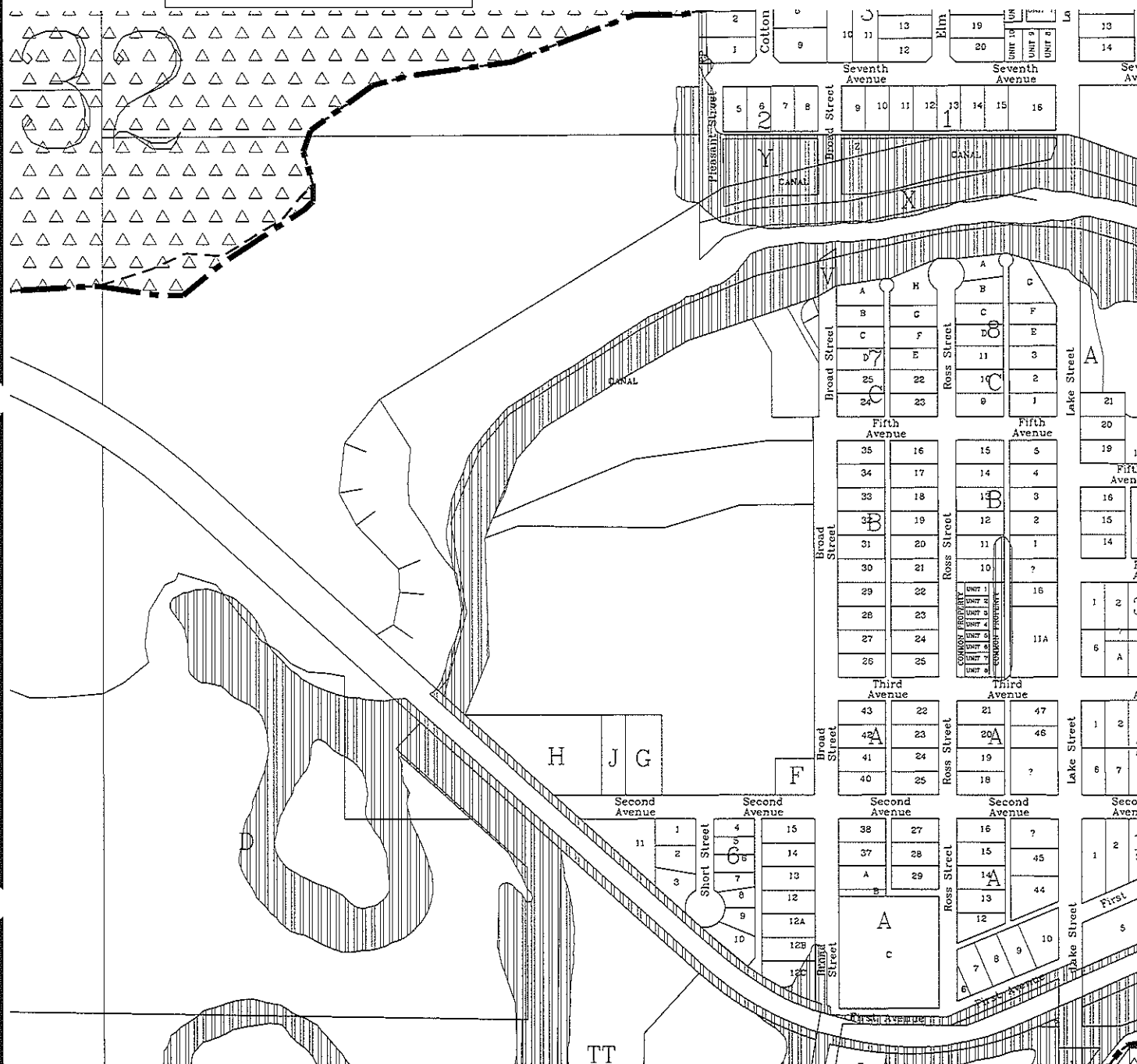
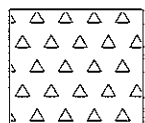
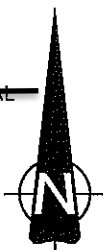
Town of Lumsden

ZONING MAP 3.10

~~Environmental Protection & Slope Instability~~

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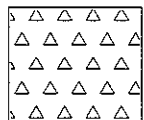
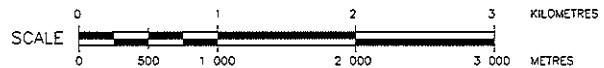
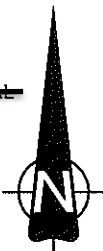
Town of Lumsden

ZONING MAP 3.11

~~Environmental Protection & Slope Instability~~

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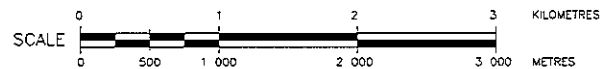
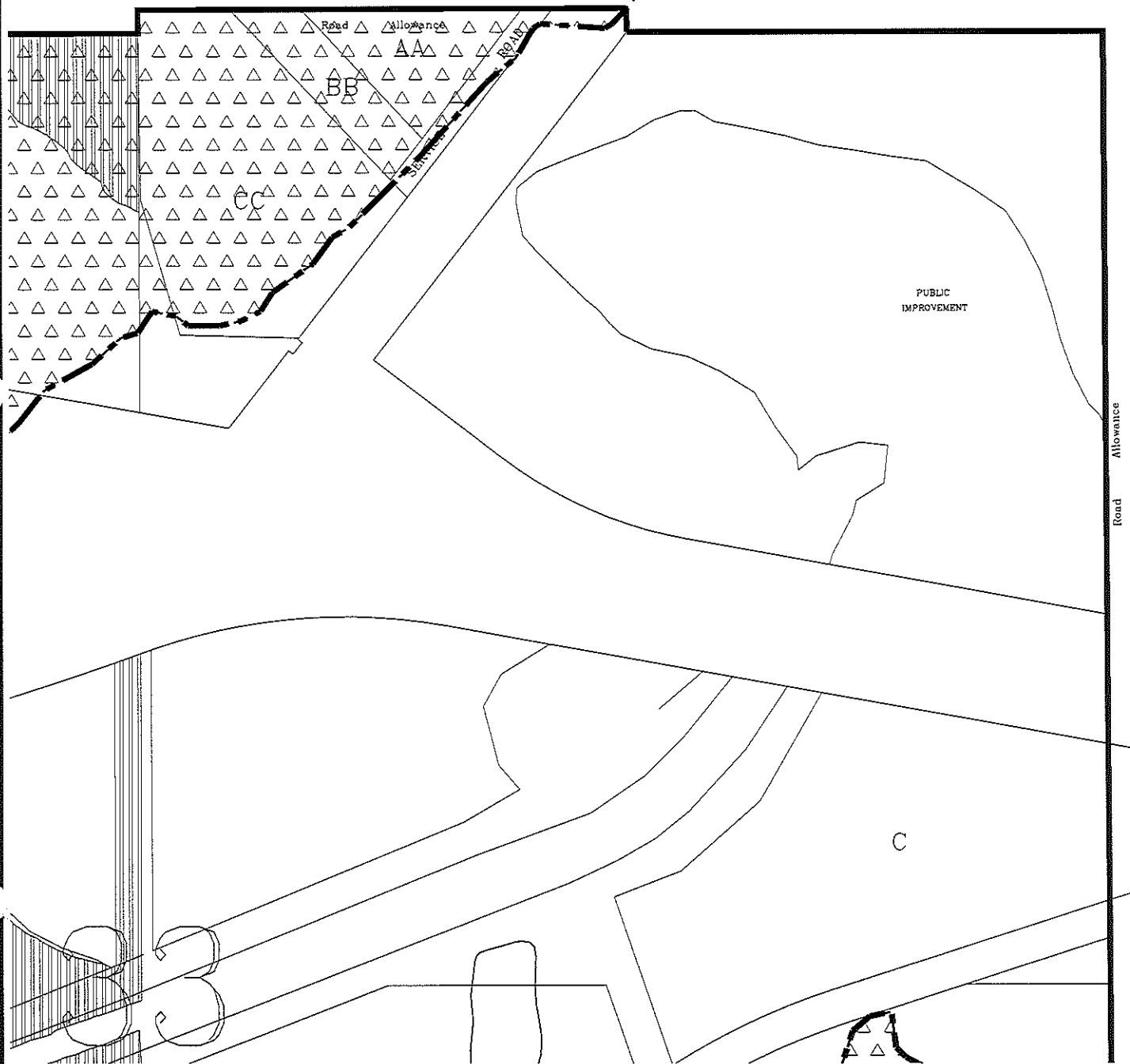
Town of Lumsden

ZONING MAP 3.12

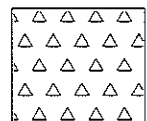
~~Environmental Protection & Slope Instability~~

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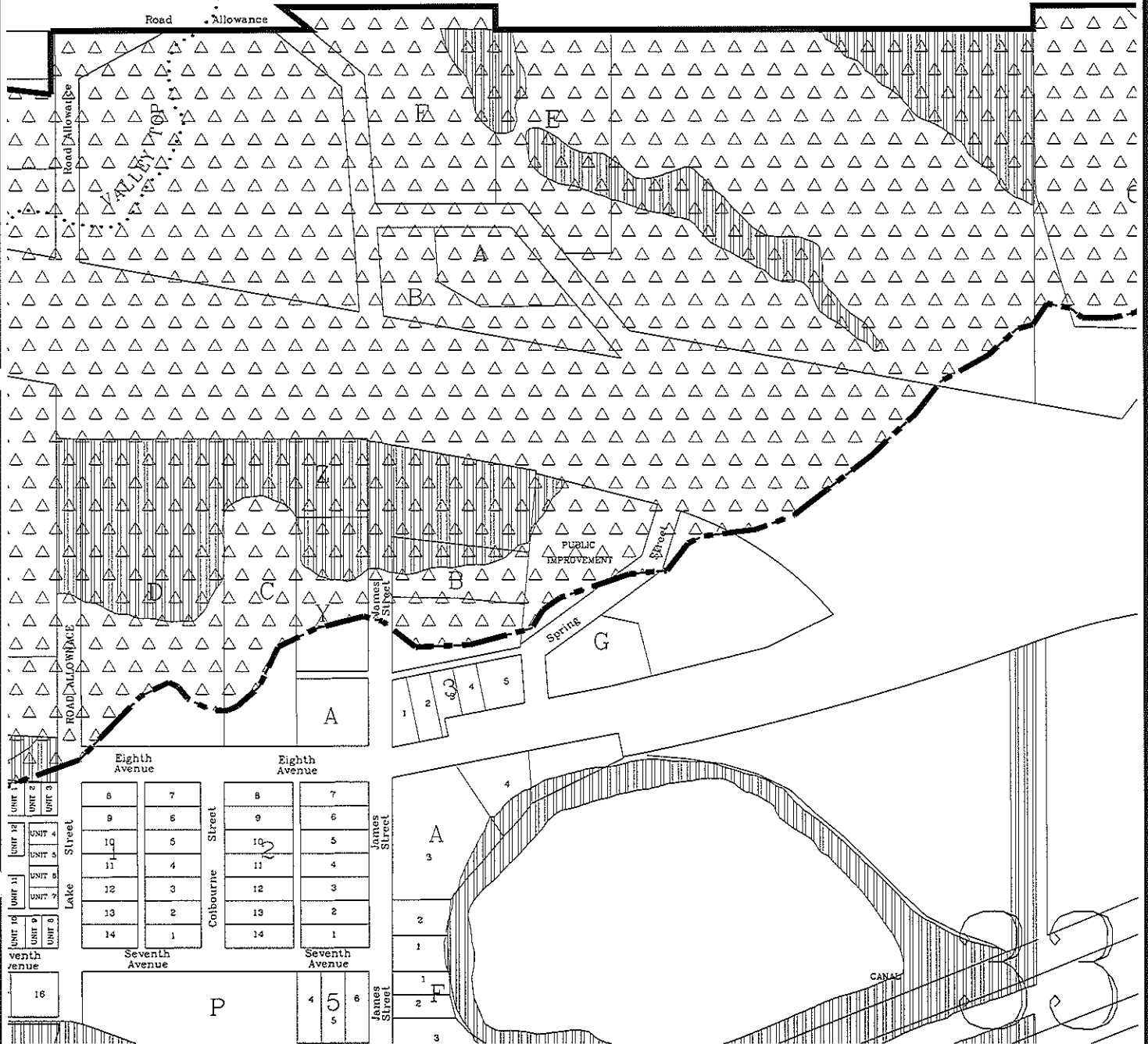
Town of Lumsden

ZONING MAP 3.13

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SCALE 0 1 2 3 KILOMETRES
0 500 1 000 2 000 3 000 METRES

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ZONING MAP 3.14

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Road Allowance

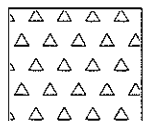
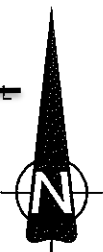
PUBLIC
IMPROVEMENT

Road Allowance

Road Allowance

Egl Ave

St. A

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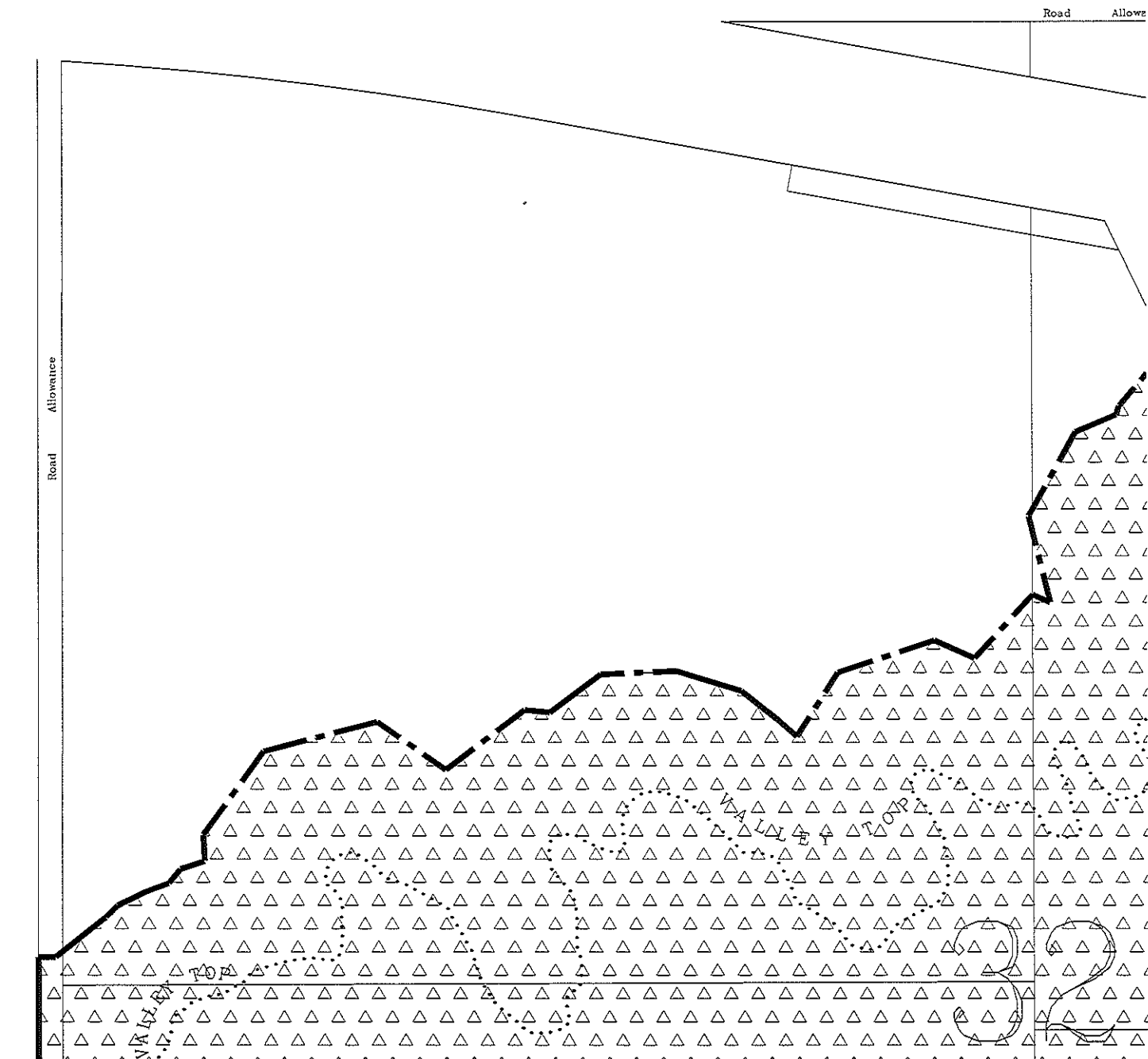
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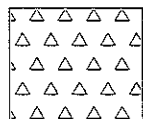
Town of Lumsden

ZONING MAP 3.15**~~Environmental Protection & Slope Instability~~**

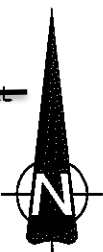
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