

# **Zoning Bylaw**

**Rural Municipality of Montrose No. 315**

The Rural Municipality of Montrose No. 315  
Bylaw No.2012-03

A Bylaw of the Rural Municipality of Montrose to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Montrose, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Montrose hereby adopts the Rural Municipality of Montrose Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Rural Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No.1983-2, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) Bylaw No. 2008-2, The Interim Development Control Bylaw, is hereby repealed.
- (5) This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a First Time the 5<sup>th</sup> day of July, 2012,

Read a Second Time the 13<sup>th</sup> day of Sept. 2012,

Read a Third Time the 13<sup>th</sup> day of Sept. 2012,

Adoption of this Bylaw this 13<sup>th</sup> day of Sept. 2012.

SEAL

\_\_\_\_\_  
(Reeve)

\_\_\_\_\_  
(Rural Municipality Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council on the \_\_\_\_\_ day of \_\_\_\_\_, of the year \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

A Commissioner for Oaths in the Province of Saskatchewan  
My appointment expires \_\_\_\_\_

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## Part 1 - Introduction

The Rural Municipality of Montrose No 315 is home to attractive agricultural landscapes, kind hearted people and unforgettable Saskatchewan prairie sunrises and sunsets.

*The vision for the municipality is to provide opportunities for growth that are harmonious with the natural agricultural environment and sustainable for future generations.*

This is the Zoning Bylaw for the Rural Municipality of Montrose No. 315. The Zoning Bylaw will play a primary role in helping the municipality achieve the goals and visions set out in the Official Community Plan. This Bylaw will provide opportunities for new and expanding development and establish regulations for the use of land and buildings in the RM of Montrose. The type, location and intensity of land use and buildings as well as the process for rezoning land and applying for permits is outlined for clarity and consistency.

The Zoning Bylaw reflects municipal and provincial regulations and policies, including the Rural Municipality of Montrose's Official Community Plan. Other bylaws, regulations and Acts must also be observed. These are referenced in the Zoning Bylaw where possible; however the municipality will work with developers to ensure that all relevant laws are observed. All development within the limits of the municipality shall be in conformity with the provisions of the Zoning Bylaw to ensure the municipality is able to achieve its development goals. Where the provisions in this Zoning Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

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

## Part 2 - Administration

### 1. Development Officer

- 1.1 The *Administrator* of the RM of Montrose shall be the Development Officer responsible for the administration of this Bylaw.
- 1.2 The Development Officer shall be responsible for receiving all applications for development. The Development Officer shall make the decision on permitted use development permit applications based on the provisions of this Zoning Bylaw. All decisions for discretionary use development permit applications shall be made by Council and issued by the Development Officer.
- 1.3 The Development Officer shall refer subdivision proposals, Zoning Bylaw amendments, Official Community Plan amendments and Servicing Agreements to Council for decision.
- 1.4 The Development Officer may refer any planning inquiries, questions or permitted use applications for the purpose of clarification to Council for comment.

### 2. Development Permits

- 2.1 Every development within the municipality shall obtain a development permit before work commences, except as exempted as per the regulations in Part 2, Section 4 of this Zoning Bylaw
- 2.2 Unless otherwise requested by Council or Administration, each application for development shall require:
  - a) The names, addresses and contact information for the applicant and landowners;
  - b) A current copy of the Certificate of Title to verify ownership and legal description of the property;
  - c) A non-refundable application fee to cover administrative processing costs;
  - d) A description of the proposed development, including future use;
  - e) A statement of the estimated commencement and completion dates;
  - f) A site plan for the land to be developed which may include the following:
    - I. North arrow, scale, and date of drawing;

- II. Identification of all abutting roads and existing and/or proposed access to the development;
- III. Identification of all rights-of-way and easements within and abutting the subject property;
- IV. Method and location of sewage disposal facilities and water systems;
- V. Identification of all drainage courses and/or the proposed drainage plan;
- VI. The location of any proposed development on the site;
- VII. Location and dimensions of existing and/or proposed buildings including front, rear and side yard setbacks;
- VIII. Existing and proposed services;
- IX. Proposed off-street parking and loading facilities, showing the location and of all aisles and stalls, the dimensions of all aisles, the number of stalls, typical stall dimensions and the location of any lighting standards and curbing;
- X. Landscape plan;
- XI. Location and access to garbage pick-up;
- XII. Sign location and details;
- XIII. The design and location of sidewalks, patios, playgrounds, and other similar features;
- XIV. For mobile home parks and campgrounds the applicant shall provide a plan of the site, identifying all buildings and uses of lands (proposed and existing);
- XV. Information regarding the rearrangement of sites including the moving of buildings filling or clearing of land or change in building use shall require development permit approval;
- XVI. Information regarding proposed intensive livestock operations:
  - (a) distance to nearest land uses and developments
  - (b) adequate water supply
  - (c) manure management methods
  - (d) odour management and control measures
  - (e) location of lands used for manure storage and spreading

2.3 The Development Officer, upon receipt of the development permit

application, shall determine if the application is complete and whether the use is permitted or discretionary.

### **3 Permitted Uses**

3.1 The Development Officer shall review permitted use development permit applications. A decision on the proposal shall be made in accordance with the provisions of this Zoning Bylaw. The Development Officer may:

- a. issue a refusal for the application and give reasons for the refusal
- b. issue an approval for the application
- c. issue an approval for the application subject to conditions specified in this Bylaw
- d. Refer the permitted use development permit application to Council for review if the Development Officer feels it is necessary.

#### **3.2 Permitted Use Conditions**

When a permitted use development permit application is approved subject to conditions, the conditions must be provided for in this Zoning Bylaw.

3.3 Every decision of the Development Officer shall be in writing and a copy of the decision shall be sent to the applicant.

3.4 The Development Officer may revoke a development permit that has been issued in error.

#### **3.5 Permitted Use Appeal Process**

- a. A person affected by the development permit decision may appeal to the Development Appeals Board if:
  - I. They feel there is an alleged misapplication of the Zoning Bylaw in the issuance of a development permit
  - II. A refusal has been given for a permitted use
  - III. An approval has been given for a permitted use

IV. Conditions have been attached to the approval that the affected person does not consider appropriate

- b. The appeal to the Development Appeals Board has to be made within 30 days of the effective date of Council's decision.

#### **4 Discretionary Use**

4.1 Upon receipt of a development permit application for a discretionary use, the Development Officer:

- a. shall ensure the application is complete and that all information has been obtained
- b. shall review the application for conformance with the municipal planning documents and prepare a report to council
- c. shall set a date and time for council to review the application and advertise the discretionary use application for a minimum of seven days before the application is to be considered by Council. Notice must be provided, via regular mail, to all assessed land owners that have property within 75 meters of the subject land.
- d. may refer the application to any internal and external departments or organizations for review and comment.
- e. shall provide their report and present the application to Council for a decision once the notice has been provided for the application for a period of seven days or more and required referrals have been responded to.

4.2 Anyone who wishes to address the discretionary use proposal may provide Council with a written or verbal statement.

4.3 Council shall evaluate the suitability of the proposed discretionary use application by considering:

- a. the standards set in this Zoning Bylaw
- b. the provisions of the Official Community Plan
- c. servicing requirements
- d. comments received from referrals
- e. response from the public



- f. land use compatibility with development in the district in the immediate area of the proposal
- g. the effect on the health, safety, convenience or general welfare of persons working or residing in the vicinity of the proposed development
- h. consistency with provincial land use policies and statements of provincial interest

4.4 After considering the application, Council may, by resolution:

- a. Reject the application stating the reasons for refusal
- b. Approve the application
- c. Approve the discretionary use subject to conditions

#### 4.5 Development Conditions

- a. To achieve conformity with the requirements of the Official Community Plan and the Zoning Bylaw, Council may establish and incorporate the following development standards for permitted and discretionary uses, subdivisions, or discretionary forms of development with development permits:
  - I. Mitigating measures identified to address a potentially inappropriate environmental conditions which may be created or compounded by development
  - II. Landscaping, buffering and screening to enhance the site and create a sensitive interface between differing land uses
  - III. Building sizes, shapes and layouts on sites to reflect the character of the adjacent land uses and structures
  - IV. Conservation, mitigative and rehabilitation measures to maintain and enhance wildlife habitats, heritage, and archaeological areas and previously developed areas such as well sites
  - V. Sufficient amenities (recreational, aesthetics, services to address the needs of the individuals utilizing the development)

- b. When a discretionary use development permit application is approved subject to conditions, Council may consider the conditions addressed in this Zoning Bylaw and conditions that are necessary to secure the objectives of the zoning bylaw met with respect to:
  - I. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings.
  - II. The accessibility and traffic patterns for persons and vehicles, the type and volume of that traffic and the adequacy of proposed off-street parking and loading.
  - III. The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust and odour, or
  - IV. Any treatment given ,as determined by Council, to aspects including landscaping, screening, open spaces, parking and loading areas, lighting and signs.

#### 4.6 Notice of Decision

- a. The Development Officer shall provide written notice to the applicant of Council's decision and any development conditions that may apply. The notice shall also include the effective date of the decision and information regarding the right to appeal. If Council has made a decision to reject a discretionary use development permit application, the Development Officer shall provide the applicant with a reason why the application was refused based on the criteria established in the Zoning Bylaw.

#### 4.7 Discretionary Use Appeal Process

- a. An appeal can not be made against the decision by Council to refuse or approve without conditions a discretionary use to the Development Appeals Board.
- b. An affected person can make an appeal to the Development Appeals Board regarding any conditions have been attached to an approval that they do not consider to be appropriate. The appeal to the Development Appeals Board has to be made within 30 days of the effective date of Council's decision.

#### 4.8 Validity of a Development Permit

- a) If a development has been authorized by a development permit, but it has not commenced within twelve (12) months of the date of issue, the permit ceases to be valid.
- b) A development permit may be granted for an addition twelve (12) months by the Development Officer, through the development permit application process and subject to the appropriate fees.

### **5 Minor Variance**

#### 5.1 Council may vary the requirements of this Zoning Bylaw for the:

- a. Minimum required distance of a building from the lot line
- b. Minimum required distance of a building to any other building on the lot

5.2 The maximum amount of variance given by Council shall not exceed 10% from the requirements established in this Zoning Bylaw. The development must conform to the land use requirements established in this Zoning Bylaw and shall not affect neighbouring properties.

5.3 The Development Officer shall refer the development permit application for the minor variance to Council. Council shall approve, approve with conditions or refuse the minor variance.

5.4 If the application is refused by Council, the Development Officer shall provide written notice to the applicant and provide reason for the refusal.

5.5 If the application is approved by Council, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail, to the applicant and to the assessed owners of property who have a common boundary with the applicant's land. The notice shall contain a summary of the application and reasons for Council's approval as well as the effective date of the decision. The assessed property owners may lodge a written objection to Council or the Development Officer within 20 days after the receipt of the notice. If an objection is lodged, the approval is deemed to be revoked and the Development Officer shall notify the development permit applicant, in writing, of the revocation of the approval and the applicants write to appeal the revocation to the Development Appeals Board within 30 days after receiving the notice.

5.6 If an application for a minor variance is refused, the applicant may appeal the refusal to the District Development Appeals Board within 30 days of that decision.

## **6 Development Not Requiring a Development Permit**

- 6.1 The following developments will not require a development permit prior to commencing, providing that all the requirements of this Zoning Bylaw have been complied with:
- a. All farm accessory buildings on an agricultural parcel – excluding buildings and structures associated with Intensive Livestock Operations
  - b. The planting, management and harvesting of field crops and gardens
  - c. The management of pastures which are not part of an Intensive Livestock Operation (ILO)
  - d. Small accessory buildings with a building floor area less than 9.3 sq. m (100 sq. ft)
  - e. Public Works - any operation for the purposes of inspecting, repairing, or renewing sewage systems, water mains, cables, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the Municipality (excluding the installation of new transmission lines and pipes and wind facilities).
  - f. Municipal Facilities - any facility installed and operated by the Rural Municipality.
  - g. Maintenance and repair of existing developments - not including structural alterations or additions.
  - h. Fences less than 2m in height in an Agricultural District and less than 1m in height in all other districts as long as the fences are made of a material that, in the opinion of Council, is appropriate.
  - i. Sidewalks, steps, patios, and decks that meet the minimum setback requirements and do not require a building permit
  - j. Trapping

## **7. Referral**

- 7.1 An application may be referred to obtain comments or recommendations from other interested parties, including government departments and agencies prior to making a decision on the application.

## **8. Building Permit and Other Permits**

- 8.1 A Building Permit shall not be issued unless a Development Permit, where required, has been issued.
- 8.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of any other bylaw in force within the municipality, or from obtaining permits or permission required from the municipality, the provincial or the federal government.
- 8.3 Where the provisions in this bylaw conflict with those of any other municipal, provincial, or federal requirements, the higher or more stringent standards prevail.

## **9 Development Appeals Board**

- 9.1 A Development Appeals Board shall be appointed by Council pursuant to the provisions of The Act.
- 9.2 The composition of the Board, Remuneration and Expenses, Powers, Duties and Responsibilities, and Term of Agreement shall be determined by Council.
- 9.3 The Development Appeals Board does not have the authority to hear an appeal based on:
- a. Council's decision to refuse to rezone land
  - b. Council's decision to refuse a development permit application.
  - c. Council's decision to approve a discretionary use development permit application without conditions.
- 9.4 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of The Act shall apply.

## **10. Amending the Zoning Bylaw**

- 10.1 Any person who seeks to amend this Zoning Bylaw may submit an amendment application to the Development Officer who shall refer the application to Council for consideration.
- 10.2 The amendment application will be subject to fees as set out in the Rural Municipality of Montrose's Fee Bylaw.

- 10.3 Prior to Council review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment.
- 10.4 Council may consider the Zoning Bylaw Amendment through the bylaw adoption process.
- 10.5 The public notification and public participation process during the bylaw adoption process shall be as per the requirements of The Act.
- 10.6 The Zoning of land shall reflect its existing use, and the premature zoning of land for development shall not be practiced.
- 10.7 Council shall consider Zoning Bylaw amendments (rezoning of land) to accommodate proposals but only after any specific development proposals, subdivision applications, servicing agreements and information, as the case may be, have been presented to and reviewed by Council.

## **11. Zoning Agreements**

- 11.1 Where an application is made to Council to rezone land to carryout a specific development, Council may request that the applicant enter into a Zoning Agreement pursuant to Section 69 of The Act.
- 11.2 The agreement will describe the lands and the proposal for the lands and will also outline:
  - a. The uses of the land and buildings or other forms of development that are proposed.
  - b. The site layout and design of external design (yard or lot)
  - c. Time limits
- 11.3 The agreement will run with the land, regardless of the landowner.
- 11.4 Council will register an interest on the title of the land when the Zoning Bylaw amendment is approved.

## **12. Servicing Agreements**

- 12.1 Council shall require an applicant to enter into a Servicing Agreement agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for off-site infrastructure development as set out in The Act.

- 12.2 Council shall require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- 12.3 Council shall require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- 12.4 Council shall ensure there are adequate municipal infrastructure such as sewage lagoons, landfills, water treatment facilities, recreational facilities, and other public facilities to serve the proposal.

### **1 3 . F e e s**

- 13.1 The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Rural Municipality of Montrose's Fees Bylaw.

### **1 4 . O f f e n c e s a n d P e n a l t i e s**

- 14.1 Pursuant to Section 242 of The Act the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- 14.2 Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of The Act.

## **Part 3 . General Regulations**

**The following regulations shall apply to all Zoning Districts within the Rural Municipality of Montrose No. 315**

### **1. Frontage on Road**

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

### **2. Building to be moved**

- 2.1 No building or structure shall be moved within, or into, the municipality, without first obtaining a Development Permit from the Development Officer. When reviewing a Development Permit for a building to be moved, the aesthetic appeal of the building and its fit with the adjacent properties will be considered.

### **3. Waste Disposal**

- 3.1 No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority of Saskatchewan Environment. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Province of Saskatchewan.

### **4. Water Supply**

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

### **5. Storage of Hazardous Substances**

- 5.1 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. Council may require that necessary permits and approvals be obtained prior to the issuance of the Development Permit approval.

Zoning Bylaw

RM of Montrose No. 315



## **6. Non Conforming Buildings, Sites and Uses**

- 6.1 The adoption of this bylaw or any amendments to this bylaw does not affect non-conforming buildings, sites or uses.
- 6.2 The provisions of The Act apply to all non-conforming buildings, sites and uses.
- 6.3 Non-conforming buildings or sites may be continued for the same use, maintained or repaired but must remain in their present form.

## **7. Sign and Billboard Regulations**

- 7.1 All signs located within a highway sign corridor shall meet the requirements of Saskatchewan's Ministry of Highways and Infrastructure.
- 7.2 Applications for signs within the highway sign corridor shall be referred to Saskatchewan's Ministry of Highways and Infrastructure for review and comment.
- 7.3 All signs not located within the highway sign corridor may only advertise agricultural commercial uses, home based businesses, the principal use of the site or the principal products offered for sale on a site and shall be required to obtain development permit approval prior to erection.
- 7.4 Signs not requiring a permit include:
  - a. Government and public utility signs
  - b. Real Estate Signs – on properties for sale
  - c. Memorial Signs
  - d. Directional Signs
  - e. Address Signs
  - f. Election Signs
  - g. Construction Signs
- 7.5 All signs, including those listed in Section 7.4 above, shall be located so that no part of the sign encroaches on a public right of way or interferes with the sight line of any intersection.

7.6 Signs within residential areas shall not be in excess of 3 sq. m., be greater than 3.5 m in height, or be illuminated.

## **8. Public Utilities**

8.1 Public utilities shall be a permitted use in every zoning district unless specified as a discretionary use in this bylaw.

8.2 Unless otherwise specified in this bylaw, no minimum site or yard requirements shall apply.

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

8.4 A wind generation system is not considered a public utility.

## **9. Hazard Lands**

9.1 No new residential, commercial or industrial buildings are permitted in the floodway of the 1:500 flood event elevation of any watercourse or water body.

9.2 New residential, commercial or industrial buildings are permitted in the flood fringe subject to flood-proofing measures to an elevation of 0.5 meters above the 1:500 flood event elevation of any watercourse or water in the flood fringe.

9.3 A Development Permit will not be issued for development of a site or a road located on land that, in Council's opinion, is environmentally sensitive and not suitable for development; unless the applicant can prove mitigating measures can be taken, to the satisfaction of Council.

9.4 Where a proposed building or use is to be located on lands that are within the flood hazard area, wetlands, near a water body or water course, subject to slumping or other lands deemed hazardous, Council will require the applicant to submit sufficient information to determine if the building or use is appropriate for the lands.

9.5 Council may require that the applicant submit, along with the application and prior to approval, a report prepared by a professional. The professional shall assess the suitability of the site for the

proposed development and shall provide information regarding:

- a. Safe building and use elevations
  - b. The potential for slope instability
  - c. The required mitigation measures
  - d. Any other considerations for building or using the lands that Council may require of the applicant.
- 9.6 Any items identified by the professional report may be incorporated as development permit conditions.
- 9.7 Council shall refuse any application for development that, in Council's opinion, would result in excessive municipal costs, be harmful to the surrounding lands or not practical.
- 9.8 Development proposals within wildlife habitat areas shall be referred to Saskatchewan Environment for review and comment.
- 9.9 Shoreline protection measures shall not activate shoreline soil movement away from or towards neighbouring properties, lower the quality of the adjacent water body, increase risk of flooding, interfere with other individual's water rights, block access along the shoreline, cause hazard to the safety of the general public or affect the fish habitat, or otherwise negatively affect the environment.
- 9.10 Any development shall not deplete or pollute groundwater resources within the municipality or adjacent municipalities. Council will cooperate with all relevant agencies and departments in this regard.
- 9.11 Developments shall minimize soil erosion and soil cover disruption in order to avoid pollution, slope instability, silting and the undesirable alteration of surface drainage and groundwater.

## **10. Heritage and Archaeological Resources**

- 10.1 Development proposals on land identified with potential heritage or archaeological resources shall be referred to the Heritage Branch of the Saskatchewan Tourism, Parks, Culture and Sport and may be subject to a heritage resources impact assessment.

10.2 Council may refuse development permit applications and recommend subdivision refusal for proposals that may negatively affect heritage or archaeological resources.

## **11. Vehicle Storage**

11.1 The regulations from the RM's Nuisance Bylaw for vehicle storage shall be adhered to.

11.3 Council may require that unlicensed vehicles be screened from roadways or neighbouring properties by landscaping, fencing or a combination of both.

## **12 Home Based Business and/or Farm Based Business**

12.1 Home or Farm Based Businesses shall be subject to the following:

- a. The business shall be the secondary use on the property; the dwelling shall remain the principal use.
- b. The operator shall be the resident of the dwelling unit and up to five (5) employees may be employed on site. Where the business is a contractor business, additional employees may be involved off site
- c. There shall be no variation in the residential character and appearance of the dwelling or land except for permitted signs
- d. The business shall not generate substantially more vehicular and pedestrian traffic than normal for the area
- e. There shall be adequate parking for the business.
- f. The business does not run with the lands, the use shall only be valid during the period of time the property is occupied by the applicants.
- g. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use
- h. No use shall substantially increase the demand placed on the utilities on the property. This includes water, sewer, electricity, telephone, garbage, etc.

- i. The permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met

### **13. Campground**

- 13.1 The operator of a campground shall provide the Development Officer with a development permit application and a site plan of the campground, identifying any buildings, uses of land, and the location of all roadways and trailer coach or tent campsites with dimensions and recreation areas. The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall also be included in the application, if applicable.
- 13.2 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 m, which shall contain no buildings.
- 13.3 No portion of any campsite shall be located within a roadway or required buffer area.
- 13.4 Noise control measures may be required and may include the use of berms, natural barriers and screens.
- 13.5 Each campsite shall have direct and convenient access and egress to a developed roadway, which are not located in any required buffer areas.
- 13.6 The number of access points to the campground shall be limited to control the interference with neighbouring uses and traffic flow.
- 13.7 Access points shall be designed to accommodate two-way traffic and shall provide a clear unobstructed view for traffic. They shall also be able to accommodate emergency response vehicles.
- 13.8 Each campsite shall be large enough to allow for each trailer coach to be located at least 4.5m from any other trailer coach and no portion of the campsite shall be located closer than 4.5m from the site boundary.
- 13.9 The space provided for roadways within a campground shall be at least 7.5 m in width. No portion of any campsite, other use or structure shall be located in any roadway.

- 13.10 The roadway system shall be sensitive to the topography and site characteristics and may need to be signed to avoid confusion.
- 13.11 A campground may include uses such as storage areas for the campground, toilet and laundry areas, recreational area or small commercial stores designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator which shall be included in the application and site plan.
- 13.12 *The Public Health Act*, and associated regulations, shall be complied with in respect to all operations and development of the campground.
- 13.13 There shall be a water source suitable for public consumption at the campground.
- 13.14 There shall be suitable utilities, sewage disposal systems and facilities for the campground.
- 13.15 The development will not be in conflict with adjacent uses or uses currently on site.
- 13.16 There shall be a minimum distance separation of 305m (1000 ft) between any campground and the boundary of a multi-parcel residential subdivision or intensive livestock operation.
- 13.17 Any changes or amendments to an existing campground or plans shall require development permit approval. This includes the addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land and the operator shall submit for approval an amended plan incorporating the changes.

#### **14 Solid and Liquid Waste Management and Disposal Facilities**

- 14.1 Development and maintenance of a solid or liquid waste disposal facility will be subject to the following standards:
- a. A buffer strip of trees, shrubs or a berm shall surround the lagoon or sanitary landfill disposal area.
  - b. Any solid or liquid waste disposal facility shall be fenced.

- 14.2 Council will encourage and support water supply, sewage, and solid waste disposal programs.
- 14.3 No dwelling shall be located within 500 m (1640.4 ft) of a landfill site either commissioned or decommissioned unless written approval has been received from Saskatchewan Environment.

## **15 Bed and Breakfast**

- 15.1 Bed and breakfast homes shall be subject to the following conditions:
  - a. Bed and breakfast operations shall be a secondary use in the dwelling.
  - b. Only one sign less than 1.5 sq. m will be allowed on the property and shall be used for advertising the bed and breakfast.
  - c. The bed and breakfast shall be approved and licensed pursuant to The Public Health Act.
  - d. Council may specify the number of bedrooms to be used as part of the operation.

## **16. Accessory Uses, Buildings and Structures**

- 16.1 Accessory uses, buildings and structures shall be located on the same site as the principal building.
- 16.2 Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except:
  - a. Where a development permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.
  - b. This section does not apply to lands within the Agricultural District.
- 16.3 All fences shall be setback to ensure the view of the travelling public is not obstructed.

## **17. Fuel Storage**

- 17.1 All apparatus for dispensing or storage of fuel, including those located at grade level or partly above grade level, shall be at least six metres from a boundary of the site.
- 17.2 There shall be no outside storage of automobile parts, dismantled vehicles and similar articles or equipment.
- 17.3 Where fuel storage is on a corner site, only one access point shall be on the flanking street.

## **18 Above Ground Fuel Storage Tanks**

- 18.1 Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted. "Farm" type tanks with gravity dispensing are permitted only on an agricultural property.
- 18.2 Applications for above-ground fuel storage tanks shall be referred to the Office of the Fire Commissioner and the Ministry of Environment for further information and assistance.

## **19 Garden Suites (Granny Suites)**

- 19.1 A development consisting of dwelling unit separate from any other dwellings and does not include garage suites.
- 19.2 A garden suite shall meet the requirements for a residence as specified by Saskatchewan's Building Standards.
- 19.3 The building floor area for garden suites shall have a minimum floor area of 70.0 m<sup>2</sup> (753.5 ft<sup>2</sup>) and a maximum floor area of 92.8 m<sup>2</sup> (1000.0 ft<sup>2</sup>).
- 19.4 Garden suites shall not be permitted on parcels less than 0.8 ha (2.0 ac), and shall be considered as Discretionary use on parcels over 0.8 ha (2.0 ac).
- 19.5 Basement development will not be permitted for Garden suites.
- 19.6 Garden suites shall be allowed for a 5 year time period with an option to renew if still necessary.



## **20 Outfitter Base Camp**

- 20.1 All outfitter base camps shall be located at least 305 metres (1000 ft) from a dwelling unit that is not part of the operation.
- 20.2 All accommodations provided in conjunction with outfitter base camps and shall comply with *The Public Health Act*.
- 20.3 Council may establish standards limiting the total number of guests and guest rooms, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps. Any increase in the number of guests or guest rooms shall require a new discretionary use development permit approval.
- 20.4 Outfitter base camps will be ancillary to a permitted agricultural operation and located on the same site.
- 20.5 A use that is established secondary to an agricultural operation shall cease to be permitted when the operator ceases to operate the lands.

## **21 Intensive Livestock Operations (ILOs)**

- 21.1 In order to manage the development of ILOs and surrounding land use interests, Council will consider applications for development of an ILO, including any rendering facility or abattoir, and apply the following criteria:

a. Development permits are required for any proposed:

- I. New Intensive Livestock Operations
- II. Expansion of an existing ILO
- III. Any temporary facility or part of a site
- IV. Change of animal species or type of operation, if it meets the definition of an ILO, as defined within this Bylaw.

b. Location Separation Criteria

In order to ensure an ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of

Zoning Bylaw

an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 1:

**Table 1**  
Maximum Separation Criteria for ILO to Specific Uses (in metres)

| Specific Use   | Animal Units |         |          |           |       |
|--|--------------|---------|----------|-----------|-------|
|  | 100-299      | 300-499 | 500-2000 | 2000-5000 | >5000 |
| Residence, tourist accommodation, or campground                                  | 800          | 1200    | 1600     | 2400      | 2400  |
| Multi-parcel residential subdivision, hamlet, urban municipality <100 population | 800          | 1200    | 1600     | 2400      | 2400  |
| Urban municipality 100-500 population  | 800          | 1200    | 1600     | 2400      | 2400  |
| Urban municipality 501-5000  | 1200         | 1600    | 2400     | 3200      | 3200  |
| Urban municipality >5000   | 1600         | 2400    | 3200     | 3200      | 3200  |

- Distances are measured between livestock facilities and building development, or site occupied for campground purposes.
- Distances do not apply to residences associated with the operation.

c. Location separation criteria reduction

Council, at its discretion, may consider lesser separation distances than given in Table 1, subject to the following:

- I. Upon request, where Council considers that a lesser separation distance than described, in Table 1, will not negatively impact the specific use or surrounding development, Council may consider a reduction of the location separation criteria. Prior to granting a reduction, Council may consult with appropriate agencies

- II. The ILO developer shall provide written notice, which has been approved for notification by Council, to the owner of a residence within the distance provided in Table 1. A notice shall also be provided to the hamlet board of a hamlet or Council of urban municipality within the specified distance
- III. Where the separation distance is less than the criteria of Table 1, Council will require the developer of a proposed ILO to enter into an agreement with the owner of a residence and the Municipality consenting to the proposed development up to a specified size, as a condition of the approval. Council may require that an interest protecting the parties to the agreement, be registered against the residence and the ILO parcel titles.

d. Public Consultation

- I. Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, and will provide an opportunity for public comment for a minimum of 21 days.
- II. Council will encourage developers to hold a public open house to provide information to affected landowners.
- III. Council shall hold a public meeting and to ensure community interests are considered before a decision is issued by the Council.
- IV. Council will make a decision on a proposed livestock operation within 45 days. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

e. Water Supply and Protection

There shall be a water supply adequate for the proposed ILO and the associated manure shall not contaminate any water supply source. As a condition of approval, Council may:

- I. require the developer to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources.
- II. require the developer to demonstrate that an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

f. Additional Information Requirement

- I. Council may require the proponent to obtain recommendations from appropriate agencies and address issues regarding water supply, quality and quantity considerations and manure management plans to evaluate the suitability of the site
- II. *The Agricultural Operations Act* and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may refer a development permit application to the appropriate agencies for advice and recommendations.

g. As a condition of approval, Council shall:

- I. Specify the maximum number of approved animal units
- II. Specify the method of manure disposal for the development

h. Council may impose other development standards as conditions of the approval which may include, but is not limited to:

- I. the location of holding areas
- II. buildings or manure storage facilities on the site
- III. separation criteria
- IV. well monitoring requirements
- V. odour controls

**22 Manure Disposal for ILO's**

- 22.1 The use of agricultural land for the disposal and recycling of manure produced by an approved ILO shall be carried out in accordance with Table 2.

**Table 2**  
Location Separation Criteria for Manure Spreading to Dwellings (in metres)

| <b>Method of Manure Application</b>                                   |          |                              |                  |
|---|----------|------------------------------|------------------|
| Distance between manure application and the nearest property boundary | Injected | Incorporated within 24 hours | No incorporation |
| Communities of 1-1000 people  | 200      | 400                          | 800              |
| Communities of 1001-5000 people                                       | 400      | 800                          | 1200             |
| Communities of <u>&gt;5001 people</u>                                 | 400      | 800                          | 1600             |

- Distances are measured between edge of the manure application area and the edge of a nearest property boundary in metres.

22.2 Council may exempt in whole or in part an application where each of the following applies:

- a) The manure to be spread comes from an operation of less than 100 animal units
- b) The manure will be spread on land owned by the operator or controlled by the operator.
- c) Adverse weather conditions prevent the incorporation of manure; the spread of the manure may be delayed until weather conditions permit.
- d) Where the separation distance is less than the criteria of **Table 2**, Council will require the developer to enter into an agreement with the owner of a residence and the Municipality consenting to the proposed manure application setback, as a condition of the development permit approval. Council may require that an interest protecting the parties to the agreement, be registered against all properties addressed in the agreement.

## **23 Intensive Agricultural Uses**

23.1 Intensive agricultural uses, such as nurseries, market gardens and other forms of intensive agriculture will be encouraged but approval will be at the discretion of Council.

- 23.2 Applicants will be required to demonstrate that the water supply is sufficient for the proposed development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

## **24 Mobile Home**

- 24.1 Every mobile home shall bear CSA certification and shall be attached to a permanent foundation or blocked and securely anchored to the ground and skirted prior to occupancy.
- 24.2 Wherever a single detached dwelling is allowed, a mobile home or a modular home will be permitted.

## **25 Sand and Gravel**

- 25.1 Sand and/or gravel developments shall be neither permitted nor discretionary if proposed within a multi-parcel residential subdivision or within 304.8 m (1,000.0 ft) of the boundary of a multi-parcel residential subdivision.
- 25.2 The applicant shall acquire all necessary provincial permits and approvals for the proposed development. The applicant(s) shall be required, as a condition of development permit approval, to supply a copy of any such provincial permit or approval to the Rural Municipality of Montrose for its records.
- 25.3 In considering whether to approve aggregate extraction as a Discretionary Use, Council may consider each new application, renewal application, or an expansion to an existing operation, with regards to the following:
- a. The future use of the site as proposed in a reclamation plan and unless a new use is proposed after the gravel is extracted; that the land must be reclaimed to its previous state and the municipality may request financial assurance to ensure that the work will be completed
  - b. The planned and approved future uses of the surrounding lands
  - c. The provisions of the Official Community Plan
  - d. Comments provided by Provincial departments
  - e. The desirability to utilize the aggregate resource as a regional benefit

- f. Conservation of topsoil for agricultural use
  - g. Conservation of designated heritage resources
  - h. Conservation of trees and habitat
  - i. Conservation of environmentally significant and sensitive areas
  - j. Conservation of watercourses and wetlands
  - k. The safety and potential nuisance effect(s) on adjacent properties, including both operation and hauling activities which may be controlled by Council setting hours of operation
- 25.4 Development of the lands shall be done in phases. Each phase shall not exceed 5 acres.
- 25.5 The applicant/developer shall prevent noise from becoming an annoyance to neighbouring landowners. Required prevention may include, but is not be limited to, limitations on the hours of operation, locating stockpiles to act as sound barriers and using methods of minimizing or reducing noise created by machinery and equipment. Installation of noise monitors may be required as a condition of a development permit.
- 25.6 The applicant/developer shall locate appropriate safety and traffic signage on subject site and road accesses, to the satisfaction of Council.
- 25.7 A Road Maintenance Agreement, between RM and the applicant/developer of aggregate extraction, shall be entered into to address such things as haul routes, hours for hauling, maintenance, dust control, security, signage, notification to local residents, and other related clauses is required as a condition of a development permit.
- 25.8 No new aggregate extraction or expansion of an existing operation shall be located within 20.1 m (66.0 ft) of any public road, unless otherwise approved by Council.
- 25.9. The applicant shall keep the area in a clean and tidy condition and free from rubbish and non-aggregate debris
- 25.10 Approval Timelines
- a. Development permits for the purpose of sand and/or gravel extraction will be time-limited for a maximum of ten (10) years for a brand new operation,

with the possibility of subsequent renewals, provided there have been no significant issues with the operation.

- b. Aggregate pits that currently hold a valid development permit as of the date of adoption of this Bylaw, are allowed to continue, however, any application for a renewal or expansion shall be subject to the provisions of this Bylaw.

## **26 Hunt Farm**

- 26.1 The applicant shall obtain all required provincial licenses and permits. If, at any time, the applicant ceases to possess the required provincial licenses or permits, any municipal development permit that has been issued becomes null and void.
- 26.2 The perimeter fence for a mule deer and/or white-tailed deer (including hybrids of mule deer and white-tailed deer) enclosure must be at least 2.44 m (8 ft) high. The perimeter fence for all other game farm animals must be at least 2.1 m (6.9 ft) high. All fences must be securely locked or latched so as to prevent the escape of animals.
- 26.3 For the purposes of this Bylaw a hunt farm shall be subject to the provisions of an intensive livestock operation including but not limited to the separation distances and public consultation requirements.
- 26.4 As a condition of approval, Council shall:
  - a. Specify the maximum number of approved animal units
  - b. Specify the method of manure disposal for the development
- 26.5 Council may impose other development standards as conditions of the approval which may include, but is not limited to:
  - a. the location of holding areas
  - b. buildings or manure storage facilities on the site
  - c. separation criteria
  - d. well monitoring requirements
  - e. odour controls



## **27 Commercial Agricultural Establishment**

- 27.1 Prior to the establishment of a commercial agricultural use there must be a residence on the site.
- 27.2 Council may prescribe development conditions limiting the size and use of the site and the building and the number of non-resident employees.
- 27.3 Any increase in the area of land, building size and change in use shall require a new development permit approval.
- 27.4 Council may specify standards for the location, setback and screening of any area, especially in areas of outdoor storage related to the operation.

## **28 Keeping of Animals**

- 28.1 These regulations do not apply to parcels within the A - Agricultural District.
- 28.2 On parcels within the AR- Agricultural Residential District and AR2 - Agricultural Residential District 2 the number of livestock, including horses, allowed shall be at council's discretion. All domestic pets shall be allowed.
- 28.3 On parcels within the H - Hamlet District, only domestic pets shall be allowed.
- 28.3 On parcels within the CI - Commercial and Industrial District, no animals shall be allowed.
- 28.4 Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.
- 28.5 The use of vacant residential sites for pasture of animals is prohibited.

## **29 Criteria for Discretionary Use Approval**

- 29.1 All requirements of the Official Community Plan have been met.
- 29.2 The proposed development is to be located on a parcel conforming to all requirements of the zoning bylaw, including area, frontage, and access.

- 29.3 No new or expanded discretionary uses will be located in the 1:500 flood elevations.
- 29.4 The proposed discretionary use will not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- 29.5 Other requirements of this bylaw specific to the proposed use shall be met.

## Part 4 Zoning Districts

### 1 Zoning

- 1.1 For the purposes of applying this bylaw, the municipality is divided into zoning districts.

| <u>Districts</u>                    | <u>Symbol</u> |
|-------------------------------------|---------------|
| Agricultural District               | <b>A</b>      |
| Agricultural Residential District   | <b>AR</b>     |
| Agricultural Residential District 2 | <b>AR2</b>    |
| Hamlet District                     | <b>H</b>      |
| Commercial and Industrial District  | <b>CI</b>     |

### 2. Map and Boundaries of Zoning Districts

- 2.1 The boundaries of the districts are shown on the “zoning map” which is attached to, and forms part of this bylaw.
- 2.2 Unless otherwise shown on the zoning map, the boundaries of the said districts are site lines, centre lines of streets, lands, roads and such lines extended and the boundaries of the municipality.

### 3. Regulations

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

### 4. Previous Zoning Bylaw

- 4.1 Land uses or developments that were in existence and received approval under the previous Bylaws shall be allowed to continue. However, if the uses do not comply with this Zoning Bylaw no alterations or enlargements of the land use or development shall take place except in conformity with the relevant development standards in this Bylaw.

## Part 5 . Agricultural District - A

### 1. Intent

- 1.1 The objective of this district is to provide for the primary use of land in the form of agricultural development, residential use, limited single-parcel residential subdivision, location-dependent natural resource development and other uses compatible with agricultural development.

### 2 Permitted Uses

- 2.1 The following uses are permitted uses within the Agricultural District:

*Agricultural Uses:*

- a. Farm operations and associated accessory buildings
- b. Trapping

*Resource Based Uses:*

- c. Mineral exploration and extraction, excluding gravel pits.
- d. Petroleum exploration or extraction wells and related facilities.
- e. Petroleum pipelines and related facilities.

*Residential Uses*

- f. One Residence as a principle use.
- g. Accessory buildings and uses, except garden suites and accessory dwelling units

*Other Uses:*

- h. Cemeteries
- i. Communication towers
- j. Community halls
- k. Fences less than 2m in height
- l. Heritage and archaeological sites
- m. Municipal facilities
- n. Parks
- o. Places of worship
- p. Public works, excluding solid and liquid waste disposal sites
- q. Recreation facilities
- r. Schools
- s. Wildlife and ecological conservation areas

### 3 Discretionary Uses

- 3.1 Subject to the provisions of this bylaw, the following uses may be considered by Council, and will be subject to development permit approval:

*Agricultural Uses:*

- a. Manure disposal for an ILO
- b. Intensive livestock operation (ILO)
- c. Intensive agricultural operation

*Residential Uses:*

- d. Garden suite
- e. Additional Residences

*Commercial Uses:*

- e. Agriculture servicing and contracting establishment
- f. Bed-and-breakfast home
- g. Campground
- h. Commercial Agricultural Establishment
- i. Grain elevator
- j. Gravel pits and gravel crushing operation
- k. Home based businesses and farm based business
- l. Hunt Farm
- m. Machine shop and metal fabricator
- n. Outfitter base camps
- o. Child Care Facility

*Other Discretionary Uses:*

- p. Airports and private airstrips
- q. Fences greater than 2m in height
- r. Solid and liquid waste disposal facilities including soil farms for the rehabilitation of contaminated soils

**4 Number of Dwellings**

- 4.1 One residence, including a mobile home or modular home on permanent foundation, will be considered a permitted use.
- 4.2 Up to two additional dwelling units, including garden suites, may be considered on parcels of land greater than 80 acres in size at the discretion of Council.
- 4.3 In addition to the permitted residence on an agricultural parcel less than 80 acres in size, Council may consider, at their discretion, the approval of one garden suite on the lands.
- 4.4 The additional dwelling unit(s) will be considered if Council feels they meet

the qualifications for a garden suite or if they are to accommodate full time workers engaged in a principal agricultural use.

## 5 Development Standards and Setbacks

| Table 5.1<br>A - Agricultural District<br>Development Standards |                   |                   |                       |  |                       |                       |
|---|-------------------|-------------------|-----------------------|--|-----------------------|-----------------------|
| Use   | Minimum Site Area | Maximum site Area | Minimum Site Frontage | Minimum Front Yard (to centreline of road) | Minimum Rear Yard (m) | Minimum Side Yard (m) |
| Residence   | 0.81ha (2 ac)     | 16ha (40 ac)      | 30m (50 ft)           | 45m (150 ft)                               | 3m (10 ft)            | 3m (10 ft)            |
| Accessory Buildings   | 0.81ha (2 ac)     | 16ha (40 ac)      | 30m (50 ft)           | 45m (150 ft)                               | 3m (10 ft)            | 3m (10 ft)            |
| Intensive Ag. Operations  | 16ha (40 ac)      | no maximum        | 30m (50 ft)           | 45m (150 ft)                               | 3m (10 ft)            | 3m (10 ft)            |
| ILO   | 16ha (40 ac)      | no maximum        | 30m (50 ft)           | 45m (150 ft)                               | Discretionary         | Discretionary         |
| Commercial Ag   | 4.04ha (10 ac)    | no maximum        | 30m (50 ft)           | 45m (150 ft)                               | Discretionary         | Discretionary         |
| Public Works  | no minimum        | no maximum        | no minimum            | no minimum                                 | no minimum            | no minimum            |

- 5.1 There shall only be one parcel taken out of a quarter section of land in the A -Agricultural District. The parcel taken out of the quarter section may only be between 2 and 40 acres and used for residential purposes. Applications for greater than one parcel out or for uses other than residential purposes shall be subject to the re-zoning process.
- 5.2 All proposed development located adjacent to a provincial highway shall be referred to Saskatchewan Highways and Infrastructure to determine the appropriate setback from the Highway right of way.
- 5.4 No dwelling shall be located within 305 m (1000 ft) of an anhydrous ammonia facility licensed by relevant provincial agency.
- 5.5 No dwelling shall be located within 457 metres (1500 ft) of land that is used or authorized for use as a landfill for the disposal of garbage or refuse.
- 5.6 No dwelling shall be located within 305 m (1000 ft) of land that is used or authorized for use as a sewage treatment plant or sewage lagoon.
- 5.7 No dwelling shall be located within 500 m (1640.4 ft) of a landfill site either commissioned or decommissioned unless written approval has been received from Saskatchewan Environment.

- 5.8 Development of buildings on sites that abut a road allowance but do not abut a developed road shall observe the minimum setback of a developed road to allow for future development of the road.

## **Part 6 Agricultural Residential District - AR**

### **1 Intent**

- 1.1 The objective of this district is to provide for the subdivision and development of low density multi parcel residential use and other compatible development.
- 1.2 Areas with existing multi parcel residences will be designated to this zone. Other parcels may be designated to this district through the rezoning process, upon submission of a specific proposal that is satisfactory to Council and meets the criteria of the Official Community Plan.

### **2 Permitted Uses**

- 2.1 The following uses are permitted uses within the Agricultural Residential District:

*Residential Uses:*

- a. One Residence
- b. Private residential accessory buildings except garden suites
- c. Fences less than 2 m in height.

*Agricultural Uses*

- d. Field Crops

*Other Uses:*

- e. Heritage and archaeological sites
- f. Public works, except solid and liquid waste disposal facilities
- g. Wildlife and ecological conservation areas

### **3 Discretionary Uses**

- 3.1 Subject to the provisions of this bylaw, the following uses may be considered by Council, and will be subject to development permit approval:

*Residential Uses*

- a. Garden Suite
- b. Fences greater than 2 m in height



*Agricultural Uses*

- c. Keeping of animals, in accordance with the provisions of this bylaw
- d. Buildings used for the care of animals

*Commercial Uses:*

- e. Bed and breakfast homes
- f. Child Care Facility
- g. Home Based Business
- h. Signs associated with commercial uses (in accordance with Part 3, Section of this Bylaw)

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*Recreational Uses:*

- i. Park development
- j. Municipal recreation facilities

*Institutional Uses:*

- k. Community halls
- l. Municipal facilities
- m. Places of worship
- n. Private recreational uses
- o. Schools

**4 Number of Dwellings**

- 4.1 One residence, including a mobile home or modular home on permanent foundation, will be considered by council as a permitted use.
- 4.2 Council may consider, at their discretion, the approval of a garden suite on the lands.

**5 Development Standards and Setbacks**

| Table 6.1<br>AR - Agricultural Residential District<br>Development Standards |                   |                   |                       |  |                   |                   |
|--|-------------------|-------------------|-----------------------|--|-------------------|-------------------|
| Use  | Minimum Site Area | Maximum site Area | Minimum Site Frontage | Minimum Front Yard   | Minimum Rear Yard | Minimum Side Yard |
| Dwellings  | 16ha (40 ac)      | 16ha (40 ac)      | 30m (100 ft)          | Internal road - 15m (50 ft)<br>Municipal road - 45m (150 ft)         | 3m (10 ft)        | 3m (10 ft)        |
| Accessory Buildings  | 16ha (40 ac)      | 16ha (40 ac)      | 30m (100 ft)          | 15m (50 ft) - from internal rd<br>45m (150 ft) - from municipal road | 3m (10 ft)        | 3m (10 ft)        |

|   |               |            |              |  |               |            |
|---|---------------|------------|--------------|--|---------------|------------|
| Recreation Facilities,<br>Community Halls,<br>Places of Worship and<br>Schools  | 0.4ha (1 ac)  | no maximum | 30m (100 ft) | Internal road -<br>15m (50 ft)<br><br>Municipal road<br>- 45m (150 ft) | 3m (10 ft)    | 3m (10 ft) |
| Parks, archaeological<br>sites, wildlife and<br>ecological<br>conservation areas,<br>municipal<br>facilities and public<br>works. | no<br>minimum | no maximum | no minimum   | no minimum   | no<br>minimum | no minimum |

- 5.1 All development permit applications for developments located adjacent to a provincial highway shall be referred to Saskatchewan Highways and Infrastructure to determine the appropriate setback from the Highway right of way.
- 5.2 No dwelling shall be located within 305 m (1000 ft) of an anhydrous ammonia facility licensed by relevant provincial agency.
- 5.3 No dwelling shall be located within 457 metres (1500 ft) of land that is used or authorized for use as a landfill for the disposal of garbage or refuse.
- 5.4 No dwelling shall be located within 305 m (1000 ft) of land that is used or authorized for use as a sewage treatment plant or sewage lagoon.
- 5.5 No dwelling shall be located within 500 m (1640.4 ft) of a landfill site either commissioned or decommissioned unless written approval has been received from Saskatchewan Environment.
- 5.6 Development of buildings on sites that abut a road allowance but do not abut a developed road shall observe the minimum setback in 18.1 to allow for future development of the road allowance.

## Part 7 Agricultural Residential District 2 – AR2

### 1. Intent

- 1.1 The objective of this district is to provide for the subdivision and development of low density multi parcel residential use and other compatible development.
- 1.2 The Agricultural Residential District 2 . AR2 will follow the same rules and regulations as the Agricultural Residential District . AR. However, the Agricultural Residential District 2- AR2 only applies to parcels that have been subdivided under the regulations of previous bylaws. The previously subdivided parcels are less than 40 acres in size.

### 2 Permitted Uses

- 2.1 The following uses are permitted uses within the Agricultural Residential District 2:

*Residential Uses:*

- h. One Residence
- i. Private residential accessory buildings except garden suites
- j. Fences less than 2 m in height.

*Agricultural Uses*

- k. Field Crops

*Other Uses:*

- l. Heritage and archaeological sites
- m. Public works, except solid and liquid waste disposal facilities
- n. Wildlife and ecological conservation areas

### 3 Discretionary Uses

- 3.1 Subject to the provisions of this bylaw, the following uses may be considered by Council, and will be subject to development permit approval:

*Residential Uses*

- e. Garden Suite
- f. Fences greater than 2 m in height

*Agricultural Uses*

- g. Keeping of animals, in accordance with the provisions of this bylaw
- h. Buildings used for the care of animals

*Commercial Uses:*

- e. Bed and breakfast homes
- f. Child Care Facility
- g. Home Based Business
- h. Signs associated with commercial uses (in accordance with Part 3, Section of this Bylaw)

7

*Recreational Uses:*

- i. Park development
- j. Municipal recreation facilities

*Institutional Uses:*

- k. Community halls
- l. Municipal facilities
- m. Places of worship
- n. Private recreational uses
- o. Schools

**4 Number of Dwellings**

- 4.1 One residence, including a mobile home or modular home on permanent foundation, will be considered by council as a permitted use.
- 4.2 Council may consider, at their discretion, the approval of a garden suite on the lands.

**5 Development Standards and Setbacks**

| Table 7.1<br>AR2 - Agricultural Residential District 2<br>Development Standards |                   |                   |                       |  |                   |                   |
|---|-------------------|-------------------|-----------------------|--|-------------------|-------------------|
| Use   | Minimum Site Area | Maximum site Area | Minimum Site Frontage | Minimum Front Yard   | Minimum Rear Yard | Minimum Side Yard |
| Dwellings   | 4.05ha (10 ac)    | 16ha (40 ac)      | 30m (100 ft)          | Internal road - 15m (50 ft)<br>Municipal road - 45m (150 ft)         | 3m (10 ft)        | 3m (10 ft)        |
| Accessory Buildings   | 4.05ha (10 ac)    | 16ha (40 ac)      | 30m (100 ft)          | 15m (50 ft) - from internal rd<br>45m (150 ft) - from municipal road | 3m (10 ft)        | 3m (10 ft)        |

|   |              |            |              |  |            |            |
|---|--------------|------------|--------------|--|------------|------------|
| Recreation Facilities, Community Halls, Places of Worship and Schools   | 0.4ha (1 ac) | no maximum | 30m (100 ft) | Internal road - 15m (50 ft)<br>Municipal road - 45m (150 ft) | 3m (10 ft) | 3m (10 ft) |
| Parks, archaeological sites, wildlife and ecological conservation areas, municipal facilities and public works. | no minimum   | no maximum | no minimum   | no minimum   | no minimum | no minimum |

- 5.1 All development permit applications for developments located adjacent to a provincial highway shall be referred to Saskatchewan Highways and Infrastructure to determine the appropriate setback from the Highway right of way.
- 5.2 No dwelling shall be located within 305 m (1000 ft) of an anhydrous ammonia facility licensed by relevant provincial agency.
- 5.3 No dwelling shall be located within 457 metres (1500 ft) of land that is used or authorized for use as a landfill for the disposal of garbage or refuse.
- 5.4 No dwelling shall be located within 305 m (1000 ft) of land that is used or authorized for use as a sewage treatment plant or sewage lagoon.
- 5.5 No dwelling shall be located within 500 m (1640.4 ft) of a landfill site either commissioned or decommissioned unless written approval has been received from Saskatchewan Environment.
- 5.6 Development of buildings on sites that abut a road allowance but do not abut a developed road shall observe the minimum setback in 18.1 to allow for future development of the road allowance.

## **Part 8 . Hamlet District. H**

### **1 Intent**

- 1.1 The objective of this district is to provide for dense development of residential and appropriate commercial development.

### **2 Permitted Uses**

- 2.1 The following uses are permitted uses within the Hamlet District:

*Residential Uses:*

- a. One Residence
- b. Private residential accessory buildings
- c. Fences less than 1 m in height.

*Other Uses:*

- d. Heritage and archaeological sites
- e. Public works, except solid and liquid waste disposal facilities

### **3 Discretionary Uses**

- 3.1 Subject to the provisions of this bylaw, the following uses may be considered by Council and will be subject to development permit approval:

*Commercial Uses:*

- a. Convenience stores
- b. Retail / service commercial uses
- c. Restaurants
- d. Hotels and Motels
- e. Medical centers
- f. Bed and breakfast homes
- g. Home based businesses
- h. Offices and office buildings
- i. Signs associated with commercial uses (in accordance with Part 3, Section 7 of this Bylaw)
- j. Personal Care Home
- k. Child Care Facility

*Recreational Uses:*

- l. Public park development
- m. Municipal recreation facilities
- n. Private recreational uses

*Institutional Uses:*

- o. Community halls, public museums, and libraries
- p. Schools
- q. Places of worship
- r. Municipal facilities

*Other*

- s. Parking lots
- t. Fences greater than 1 m in height.

**4 Number of Dwellings**

- 4.1 One residence, including a mobile home or modular home on permanent foundation, will be considered by council as a permitted use.

**5 Development Standards and Setbacks**

| Table 8.1<br>H. Hamlet District<br>Development Standards  |  |                       |                    |                   |                   |
|---|--|-----------------------|--------------------|-------------------|-------------------|
| Use   | Minimum Site Area                          | Minimum Site Frontage | Minimum Front Yard | Minimum Rear Yard | Minimum Side Yard |
| Residence   | 464 m <sup>2</sup> (5000 ft <sup>2</sup> ) | 15m (50 ft)           | 5m (16 ft)         | 5m (16 ft)        | 1.5m (5 ft)       |
| Accessory Buildings   | 464 m <sup>2</sup> (5000 ft <sup>2</sup> ) | 15m (50 ft)           | 5m (16 ft)         | 5m (16 ft)        | 1.5m (5 ft)       |
| Retail, services centers, restaurants, medical centers, offices and office buildings                            | 232 m <sup>2</sup> (2500 ft <sup>2</sup> ) | 7.5m (25 ft)          | 0.1m (0.3 ft)      | 0.1m (0.3 ft)     | 1.5m (5 ft)       |
| Hotels and motels   | 928 m <sup>2</sup> (10000ft <sup>2</sup> ) | 30m (100 ft)          | No minimum         | No minimum        | 1.5m (5 ft)       |
| Recreation Facilities, Community Halls, Places of Worship and Schools   | 232 m <sup>2</sup> (2500 ft <sup>2</sup> ) | 15m (50 ft)           | 5m (16 ft)         | 5m (16 ft)        | 1.5m (5 ft)       |
| Parks, archaeological sites, wildlife and ecological conservation areas, municipal facilities and public works. | no minimum                                 | no minimum            | no minimum         | no minimum        | no minimum        |

- 5.1 All development permit applications for developments located adjacent to a provincial highway shall be referred to Saskatchewan Highways and Infrastructure to determine the appropriate setback from the Highway right of way.
- 5.2 No dwelling shall be located within 305 m (1000 ft) of an anhydrous ammonia facility licensed by relevant provincial agency.

- 5.3 No dwelling shall be located within 457 metres (1500 ft) of land that is used or authorized for use as a landfill for the disposal of garbage or refuse.
- 5.4 No dwelling shall be located within 305 m (1000 ft) of land that is used or authorized for use as a sewage treatment plant or sewage lagoon.
- 5.5 No dwelling shall be located within 500 m (1640.4 ft) of a landfill site either commissioned or decommissioned unless written approval has been received from Saskatchewan Environment.
- 5.6 Development of buildings on sites that abut a road allowance but do not abut a developed road shall observe the minimum setback in 18.1 to allow for future development of the road allowance.
- 5.7 For accessory buildings in hamlets, the combined floor area of the all accessory buildings shall not exceed a combined total of 140 sq. m (1507 sq. ft).
- 5.8 For accessory buildings in hamlets, the height of any accessory buildings shall not exceed 10 m (32.8 ft).



## **Part 9 Commercial and Industrial District - CI**

### **1 Intent**

- 1.1 The intent of this district is to provide for clusters of commercial and industrial development. Clustered development is encouraged in order to increase the quality of services provided to the development area and also to reduce the cost to the Municipality for maintaining and upgrading these services.

### **2 Permitted Uses**

- 2.1 The following uses are permitted uses within the Commercial and Industrial District:

*Other Uses:*

- a. Heritage and archaeological sites
- b. Public works, except solid and liquid waste disposal facilities
- c. Municipal Facilities
- d. Fences less than 1 m in height.

### **3 Discretionary Uses**

- 3.1 Subject to the provisions of this bylaw, the following uses may be considered by Council and will be subject to development permit approval:

*Commercial Uses:*

- a. Signs and Billboards
- b. Convenience stores
- c. Retail / service commercial uses
- d. Agricultural Implement and vehicle sales and service establishment including car and truck washes
- e. Agricultural supply establishments (equipment, fuel, chemicals)
- f. Indoor storage facilities (warehouses) and associated storage yards
- g. Commercial Welding and Machine Shops
- h. Salvage and Storage Yards
- i. Mobile home sales and service establishment
- j. Restaurants
- k. Hotels and Motels
- l. Campgrounds
- m. Commercial nurseries, greenhouses and garden centres
- n. Medical centers
- o. Offices and office buildings
- p. Other uses that are comparable and deemed appropriate by Council.

*Other*

- q. Solid and liquid waste disposal facilities

r. Parking lots

- r. Accessory Uses associated with principal commercial uses
- s. Communication Tower
- t. Fences greater than 1 m in height

*Recreational Uses:*

- u. Public park development
- v. Municipal recreation facilities

*Residential Uses*

- w. One residence accessory to an approved commercial use for the use of caretakers, owners or managers

#### 4 Development Standards and Setbacks

| Table 9.1<br>CI - Commercial and Industrial District<br>Development Standards |                   |                       |  |                       |                       |
|---|-------------------|-----------------------|--|-----------------------|-----------------------|
| Use   | Minimum Site Area | Minimum Site Frontage | Minimum Front Yard (to centreline of road)                   | Minimum Rear Yard (m) | Minimum Side Yard (m) |
| All Commercial Uses   | 0.8 ha (2 ac)     | 7.5 m (25 ft)         | Internal road - 7.5 (25 ft)<br>Municipal road - 45m (150 ft) | 3m (10 ft)            | 3m (10 ft)            |
| Park and Recreation Development   | 0.4 ha (1 ac)     | 15 m (50 ft)          | No minimum   | No minimum            | No minimum            |
| Municipal Facilities  | 0.8 ha (2 ac)     | 7.5 m (25 ft)         | Internal road - 7.5 (25 ft)<br>Municipal road - 45m (150 ft) | 3m (10 ft)            | 3m (10 ft)            |
| Dwellings   | 0.8 ha (2 ac)     | 7.5 m (25 ft)         | Internal road - 7.5 (25 ft)<br>Municipal road - 45m (150 ft) | 3m (10 ft)            | 3m (10 ft)            |
| Campground  | 0.4ha (1 ac)      | 30m (50 ft)           | 45m (150 ft)   | Discretionary         | Discretionary         |
| Communication Tower   | 0.8ha (2 ac)      | no minimum            | Discretionary  | Discretionary         | Discretionary         |
| Public works  | no minimum        | no minimum            | no minimum   | no minimum            | no minimum            |

## Part 10 . Definitions

### Definitions

**Accessory Use or Building** - a use or building customarily incidental, subordinate, and exclusively devoted to the principal use or building and is located on the same site with such principal use or building.

**Act, The** - The Planning and Development Act, 2007, as amended.

**Administrator** the Administrator for the Rural Municipality of Montrose No. 315

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

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

| Kind of Animal | Number that equals one animal unit |
|----------------|------------------------------------|
|----------------|------------------------------------|

| Poultry                 |     |
|-------------------------|-----|
| hens, cockerels, capons | 100 |
| chicks, broiler chicken | 200 |
| turkeys, geese, ducks   | 50  |
| Ostrich                 | 7   |
| Emu                     | 16  |

| Hogs          |    |
|---------------|----|
| boars or sows | 3  |
| gilts         | 4  |
| feeder pigs   | 6  |
| weanling pigs | 20 |

| Sheep        |    |
|--------------|----|
| rams or ewes | 7  |
| lambs        | 14 |

|   |   |
|---|---|
| Goats (including, llamas, alpacas, etc) | 7 |
|---|---|

| Cattle              |     |
|---------------------|-----|
| cows or bulls       | 1   |
| feeder cattle       | 1.5 |
| replacement heifers | 2   |
| calves              | 4   |

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| <b>Horses</b>              |   |
|----------------------------|---|
| colts or ponies            | 2 |
| other than colts or ponies | 1 |

  

| <b>Other</b>        |   |
|---------------------|---|
| bison cows or bulls | 1 |
| bison calves        | 4 |
| elk, reindeer       | 4 |
| deer                | 7 |

**Applicant** a developer or person applying for a development permit, subdivision approval or a bylaw amendment.

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

**Bare Land Unit** a bare land unit as defined in *The Condominium Property Act, 1993*.

**Bed-and-Breakfast Home** A portion of a principal residence that is used for the overnight accommodations of guests which includes the serving of one meal for remuneration.

**Building** a structure used for the shelter or accommodation of persons, animals, or goods.

**Building Bylaw** a bylaw to be established by the Rural Municipality of Montrose No. 315 for regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

**Building Floor Area** the maximum area contained within the outside walls of a building, which excludes an attached private garage, porch, sunroom, unfinished attic or unfinished basement.

**Building Height** the vertical distance of a building measured from the grade level to the highest point of the roof surface.

**Building Permit** a permit issued under a Building Bylaw of the Municipality authorizing the construction of all or part of any building.

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

**Carport**. an accessory building consisting of a roofed enclosure for the parking of motor vehicles which is attached to the principal building or approved accessory building.

**Car and Truck Wash**. A place or business equipped for washing cars and other motor vehicles.

**Cemetery**. land used for the internment of the dead and may include areas to facilitate the storage of cremated remains.

**Child Care Facility** - a building or portion of a building for the provision of care, instruction, maintenance or supervision of children under the age of 13 years, by persons other than those related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, early childhood services, nurseries and after-school or baby-sitting programs that conform to the provisions of *The Child Care Act*.

**Commercial Development**. the sale or display of merchandise to the public, including the sale and storage of merchandise outside and inside associated buildings.

**Community Centre**. a building or facility used for recreational, social, educational, or cultural activities.

**Concept Plan** - a document as prepared to a professional standard and encompassing an entire parcel, usually a quarter section, and shall detail all of the following:

- a) the location, dimension and boundaries of the existing parcel of land to be subdivided;
- b) the portions thereof which the applicant proposed to register and all subsequent stages;
- c) the location, area and proposed dimensions of all parcels, roads and points of access to all the proposed parcels;
- d) contour information
- e) the location, dimensions, numbers and other designations shall be noted in respect to Highways, secondary roads, public roadways, and rights-of-way or easements (including pipelines, well sites, power transmission and distribution lines and railway lines) on record which exist on or adjacent to the lands subject of the plan;

f) the location of all existing buildings or structures on or immediately adjacent to the lands;

g) the location, siting and plotting of natural and man-made physical features such as sloughs and/or other bodies of water, rivers, creeks and intermittent streams, muskeg or swamp, organic areas, subsidence information on valley banks, top of bank, wooded areas, manmade water bodies, major drainage ditches, gravel and/or clay deposits, and land under cultivation;

h) proposed methods of handling surface drainage through preliminary storm water management;

i) proposed methods of on-site servicing for potable water and sewage; and

j) the location, dimensions and areas of all proposed municipal and environmental reserve parcels and public utility lots.

**Convenience Store.** A retail store that typically sells groceries, snacks, as well as other goods.

**Council** . the Council of the Rural Municipality of Montrose No. 315, including the Reeve.

**Deck** an open, unroofed porch or platform extending from the principal residence or other building.

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

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

**Discretionary Use** means a use of land or buildings or form of development that is prescribed as a discretionary use in this Bylaw and requires the approval of Council pursuant to Section 56 of the Act and this Bylaw.

**Dwelling Unit.** one or more habitable rooms constituting a self contained unit with one kitchen and at least one bathroom which is used for living and sleeping purposes by one or more persons.

**Estimated Peak Water Level.** the calculated water level used to determine the flood hazard area.

**Farm.** land, machinery and buildings including the farm residence related to the farm operation, and may include cropland and pastures.

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**Farm Based Business** - an occupation carried on by the farm operators which is secondary to the principal use.

**Farm Operation** activities which occur on the farm in connection with the commercial production of farm products; which does not include intensive operations.

**Fence** a barrier construct to enclose or screen areas of land.

**Flood Hazard Area** flood hazard areas are the areas below the floodway of the 1:500 flood event elevation of any watercourse or water body as defined by the Saskatchewan Watershed Authority.

**Flood Fringe** lands within the flood hazard area where some types of development may occur if mitigating measures are taken.

**Floodway** - lands within the flood hazard area where only necessary infrastructure is allowed (water intakes and outfalls, bridge piers and abutments, etc) or development that is low value and non obstructive (parks, nature areas, parking lots, trails, etc).

**Foreshore** - Crown land lying between the shores of any watercourse and registered surface parcels.

**Garden Suite** - a portable, self-contained dwelling without a basement installed temporarily in the rear or side yard of a lot with an existing principal dwelling.

**Hazard Land** land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within the flood plain of a river, stream or lake.

**Gravel Pits and Gravel Crushing** - raw materials and the processing of those materials included under the definition of **Natural Resource Extraction / Processing**.

**Hazardous Material** material that has the potential to threaten the physical environment, human health, or other living organisms.

**Highway Sign Corridor** a strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Ministry of Saskatchewan Highways and

Infrastructure entitled *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*, as may be amended or replaced from time to time.

**Home Based Business** a secondary occupation carried on by the occupants of a farmstead or residence.

**Hotel and Motel** a building which provides sleeping accommodation for which a fee is charged and may also contain commercial uses, facilities or services such as a restaurant, dining room, room service or convention room.

**Hunt Farm:** - a Game Farm which is used for controlled hunting of animals defined as a “domestic game farm animal” by “The Domestic Game Farm Animal Regulations”.

**Intensive Agricultural Operation** – a principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.

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

- (a) will contain 100 or more animal units
- (b) provides less than 370 m<sup>2</sup> of space for each animal unit
- (c) will contain more than 20 animal units for 10 or more days of the month within 300 m of water body not controlled by the operator
- (d) will contain more than 20 animal units for 10 or more days of the month within 30 m of a domestic well not controlled by the operator.

**Junk and Salvage Yards** – uses involved in salvaging, storing or selling materials such as metal, paper, plastic, glass, wood as well as unlicensed vehicles and used vehicle parts.

**Landscaping** – to preserve or change the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in landscape architecture.



**Lane** – a public thoroughfare for vehicles, the right-of-way of which provides a secondary means of access to a parcel or parcels.

**Lot** – an area of land with fixed boundaries which has been issued a certificate of title by Information Services Corporation.

**Medical Centre** - a centre for the medical treatment of people or animals.

**Minister** – The Minister of Municipal Affairs for the Government of Saskatchewan.

**Mitigating Measures** - techniques that are used to permanently protect a structure or development from damage as determined by professional engineer.

**Mobile Home**- a building or structure that is constructed or manufactured to be moved from one point to another as a single unit which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association and has a length to width ratio of 3:1 or greater.

**Modular Home** - a dwelling which is prefabricated or factory built, and may be assembled on the parcel in sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. A Modular Home is not a mobile home.

**Motel** . means a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with parking stall. A motel development may include a restaurant or a licensed dining room.

**Multi-Parcel Residential Subdivision** - a subdivision of land, registered by plan of survey or descriptive plan, containing two (2) or more residential parcels where the residential parcels have been created for, or are being principally used for, residential purposes.

**Municipal Facility** land and / or structures owned by the Municipality

**Municipality** . The Rural Municipality of Montrose No.315

**Natural Resource Extraction / Processing** - development for the removal, extraction and primary processing of raw materials. Typical resources and raw materials would include oil and gas, peat, sand, silt and gravel, shale, clay, marl, limestone, gypsum other minerals precious or semi precious, timber and coal. Typical facilities or uses would include gravel pits (and associated crushing operations), asphaltic processing, sand pits, clay or marl pits, peat extraction, stripping of topsoil, sawmills and related timber/wood processing.

**Non - Conforming Building:** a building

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

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

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

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

**Office and office building-** a building where business, clerical, or professional activities are conducted

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**Outfitter base camp** - a temporary camp providing supplies, shelter, and communications for persons engaged in approved industrial activities or hunting activities.

**Parking Lot** - an area set aside for the storage and parking of vehicles and may include parking spaces, aisles, entrances and exits to the area, and traffic islands.

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

**Parking Stall** - a space set aside for the parking of one motor vehicle.

**Permitted Use** - a use or form of development rightfully allowed in a Zoning District, subject to the regulations contained in this Bylaw.

**Personal Care Home** - a place for the attentive assistance or treatment to those in need

**Place of Worship** - a place used for worship and related religious, charitable or social activities.

**Prime Agricultural Land** - the RM uses the Canada Land Inventory (C.L.I.) Soil Class Rating System to provide an indication of the agricultural capability of land. Classes 1-3 are considered prime and Class 4-7 are considered marginal.

**Public Utility** - public works owned and operated by a municipality or a provincial or federal corporation.

**Recreational Facility** - a recreational service offered to the use of the public on private or public lands, possibly for a fee. Typically recreational facilities include skating rinks, curling rinks, skate parks, horseback riding, amusement park, etc.

**Recreational Vehicle** - a vehicle designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks), intended to provide temporary living accommodation for travel, transients and recreational purposes, and includes such vehicles as travel trailer, tent trailer and motor home.

**Restaurant** - an establishment where food and drink are intended to be consumed within the confines of the establishment, in motor

vehicles on the premises or for off-site consumption and may include a drive through window service.

**School** . an institution where instruction is given to students for educational purposes. This use includes the land, building and other permanent improvements used by and in connection with the students.

**Setback** - the perpendicular distance as measured between that part of a building nearest to the front, side or rear property line of the building site. In the case of a setback involving a front yard, it means the distance measured perpendicularly from the front property line of the parcel to the nearest point of the building excluding the eaves and/or projections.

**Sign** - an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

**Site** . an area of land with fixed boundaries that has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

**Site Coverage** . the portion of the site that is covered by the principle and accessory buildings.

**Site Drainage Plan** . a plan that shows the existing and proposed topography to demonstrate that the proposed lot design will not adversely impact adjacent lands.

**Site Line, Front** . the boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

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

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

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

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

**Subdivision** a division of land, and includes a division of a quarter Section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Titles Act, 2000*.

**Trapping** - to engage in the business of trapping animals for their furs

**Tree Nursery** the use of land for raising shrubs, trees and bedding plants

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

**Warehouse** a building used for the storage of goods and materials

**Waste Disposal Facility, Liquid** a facility to accommodate any liquid waste from residential, commercial, institutional and industrial sources, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

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

**Yard** the open, unoccupied space on a lot between the property line and the nearest wall of a building.

**Yard, Front** that part of a site that extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

**Yard, Rear** that part of a site which extends across the full width of a site between the rear site line and the nearest main wall of a building or structure.

**Yard, Required** the minimum yard required by a provision of this Bylaw.

**Yard, Side** the part of a site that extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.