TOWN OF BALGONIE

ZONING BYLAW

Bylaw No. 374/2014

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1 INTRODUCTION

1.1 Authority

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

1.2 Title

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

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Town of Balgonie in accordance with the Town of Balgonie Official Community Plan Bylaw 374/2014.

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

a) To minimize land use conflicts;
b) To establish minimum standards to maintain the amenity of Balgonie;
c) To ensure development is consistent with the physical limitations of the land;
d) To restrict development that places undue demand on Balgonie for services; and
e) To provide for land-use and development that is consistent with the goals and objectives of Balgonie.

1.4 Scope

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

1.5 Severability

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

2 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 372/2014 and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

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

Accessory: A building or use that:

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

Act: *The Planning and Development Act 2007,* Province of Saskatchewan, as amended from time to time.

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

Administrator: The Administrator of the Town of Balgonie.

Aggregate Resource: Mineral materials including sand, gravel, clay, earth or mineralized rock, including recycled concrete.

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

Alteration or Altered: With reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal or part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw such as parking and landscaping.

Ancillary Use: A secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

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

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

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

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

Applicant: A developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act 2007.*

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

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has four wheels and an internal-combustion engine, used for land transport.

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

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

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

Bed and Breakfast: A dwelling unit, licensed as a tourist home under *The Tourist Accommodation Regulations,* 1969, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the traveling public for a charge.

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

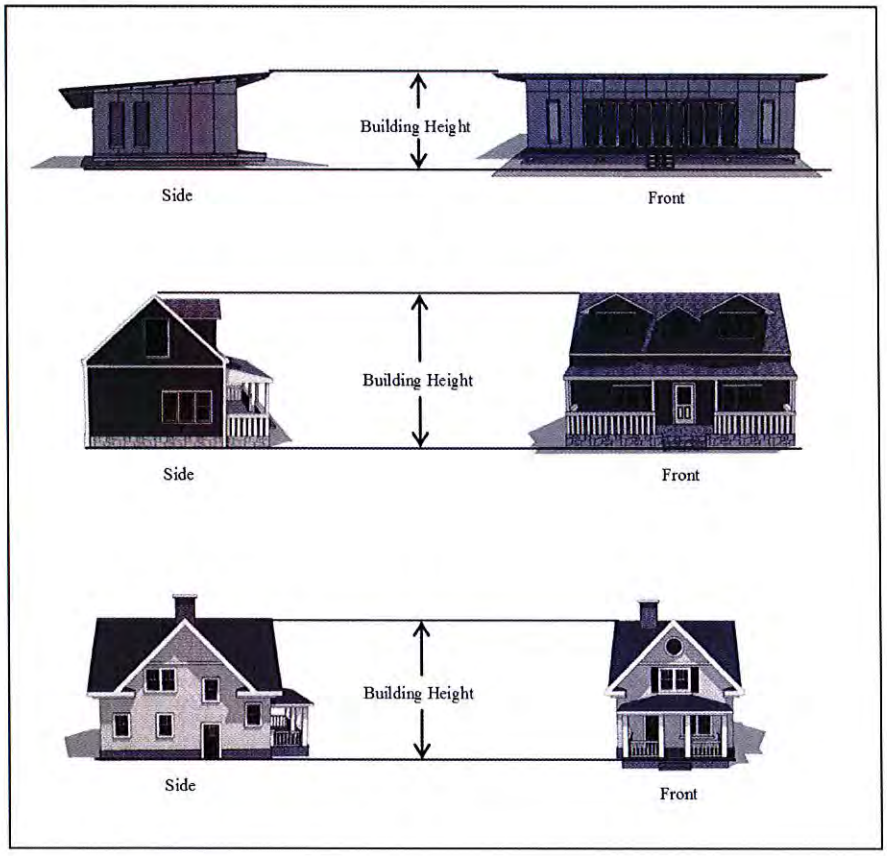
Buffer: A strip of land, vegetation or land use that physically separates two or more different land uses.

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

Building, Accessory (see Accessory)

Building Bylaw: A Bylaw of the Town of Balgonie authorized by *The Uniform Building and Accessibility Standards Act* (UBAS Act) to regulate the erection, placement, alteration, repair, renovation or reconstruction of a building.

Building Height: The vertical distance of a building measured at the front of the building from the finished grade level to the highest peak of the roof.



Building Height Measurement

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

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

Building Line, Established: The average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage of the block has been built on.

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

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

Bylaw: The Town of Balgonie Zoning Bylaw.

Campground: An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

Cardlock Operation: A petroleum dispensing outlet without full-time attendants.

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

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

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

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

Commercial/Industrial Use, Large Scale: Commercial or Industrial land uses maintaining a lineal frontage in excess of 91.0 metres (298.56 feet).

Commercial/Industrial Use, Small Scale: Commercial or Industrial land uses maintaining a lineal frontage of 91.0 metres (298.56 feet) or less.

Communication Facility (See (Tele) Communication Facility.

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

Compost: Materials used in gardening, agriculture, landscaping, erosion control, wetland construction, and landfill cover.

Concrete and Asphalt Plant: An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

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

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

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

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

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

Council: The Council of the Town of Balgonie.

Cultural Institution: Establishments such a museums, art galleries, libraries and similar facilities or historical, educational or culturally interests which are not commercially operated.

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

Deck: Any raised floor structure at least 0.31 metres (1 foot) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

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

Development Officer: A person appointed by the Town Council to act as a Development Officer to administer this Bylaw.

Demolition Permit: A permit issued for the removal or dismantling of a building or structure with the Town's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act.*

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

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

Discretionary Use: Uses or development of land, buildings, or other structures that may be permitted in a Zoning District only at the discretion of Council and which conforms to all discretionary use regulations and other regulations applicable to the district in which the use is located.

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

Dwelling Unit: One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities, but does not include rooming houses or rooming units.

Dwelling, Converted: A dwelling that is more than 30 years old that was originally designed or used as a one or two unit

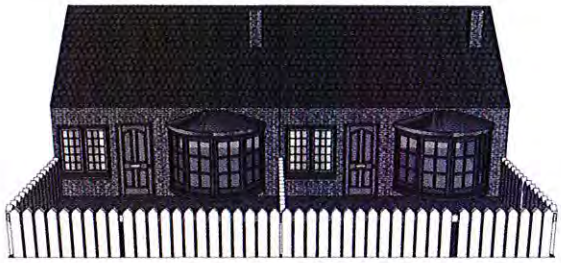
dwelling and in which additional dwelling units have been created.

Dwelling, Duplex: A building, including a bare land condominium, which is divided either vertically or horizontally into two dwelling units with separate entrances

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

Dwelling, Multiple Unit: A building containing four or more dwelling units and shall include condominiums, townhouses, row houses, and apartments, but not include a converted dwelling, rooming house, hotel, or motel.

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



Semi-Detached Dwelling

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

Single-Detached Dwelling

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

Town House Dwelling

Dwelling, Tri-plex: A building, including a condominium which is divided vertically into three dwelling units, each with its own entrance.

Educational Institution: An establishment dedicated for the purpose of providing education and instruction in any branch of knowledge.

Electronic Message Centre (EMC): Means a variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology, whereby the message can be altered by electric or electronic means.

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

Farm Building/Yard: Improvements such as barns, granaries, etc used in connection with the growing and sale of trees, shrubs and sod or the raising or production of crops, livestock or poultry, fur production, beekeeping and situated on a parcel of land used for the farm operation.

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

Fill (Clean Fill): Soil, rock or other material approved by the Town.

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

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

(Design) Flood Level:

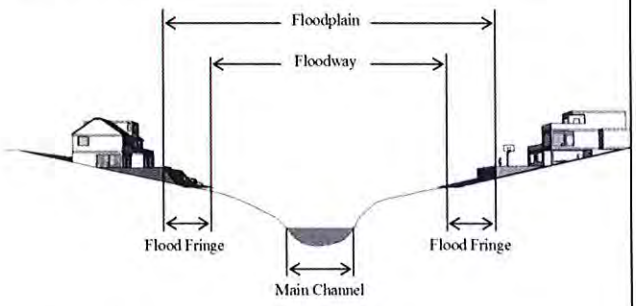
a) a 1:500 year flood;
b) a flood having a return period greater than 1:500 years;
c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500 year flood.

Flood Fringe: The portion of the floodplain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.

Floodproofed: A measure, or combination of structural and non-structural measures, incorporated into the design of a structure which reduces or eliminates the risk of flood damage to a defined elevation.

Floodway: The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are

projected to meet or exceed a depth of one metre or a velocity of one metre per second.



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

Freeboard Elevation: The elevation of the Design Flood Level (the 1:500 flood elevation) plus an extra 0.50 metres (1.64 feet) to provide protection against wave run-up and ice surge.

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

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

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

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

Garden (Granny) Suite: A second, small, dwelling on the site of a primary, single-family dwelling that accommodates one or two family members of the owner/occupants of the primary residence and is intended to allow the family to live independently but with the support nearby of the extended family.

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

General Commercial Type I: Those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services targeted for the travelling public and the surrounding community for financial gain.

General Industry Type I: Those developments where activities and uses are primarily carried on within an enclosed building where no significant nuisance factor is created or apparent outside an enclosed building. Developments of this type shall not pose, in the opinion of a Development Officer, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

a) The assembling of goods, products or equipment.
b) The limited processing of raw, value-added or finished materials.
c) The storage or trans-shipping of materials, goods and equipment.
d) The training of personnel in general industrial operations.

It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses.

General Industry Type II: Those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Developments of this type shall not pose, in the opinion of a Development Officer, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

a) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products.
b) The storage or transshipping of materials, goods and equipment.
c) The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts.

General Industry Type III (Exclusionary Uses): Refers to certain industrial activities that maybe characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is

through spatial separation. Such uses would include, but not be limited to, the following: Landfill, Ethanol Plant, Transformer Stations, Uranium Refiners, Anhydrous Ammonia Storage and Distribution Centres.

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

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

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

Greenways: A linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks or streams and managed as natural environments, or bikeways along landscaped roads.

Group Home (see Personal Care Home)

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

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

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

Heritage Resource: The history, culture and historical resources of an area and its residents.

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

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

Home Occupation (Home Based Business): An occupation, trade, profession, or craft customarily conducted for gain in a dwelling unit or accessory building by the resident or residents, which is clearly incidental and secondary to the principal use of the site and which does not create or become a public nuisance as a result of noise, traffic, pollution, or parking. Home occupations shall not occupy more than 25% of the total finished floor area of a dwelling unit in any Residential District.

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

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

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

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

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

Intermodal Freight Container: Is a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system. "Intermodal" indicates that the container can be moved from one mode of transport to another (from ship, to rail, to truck) without unloading and reloading the contents of the container. Lengths of containers, which each have a unique ISO 6346 reporting mark, vary from 2.44 metres to 17.07 metres (8 feet to 56 feet) and heights from 2.44 metres to 2.90 metres (8 feet to 9 feet 6 inches).

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

Kennel, Breeding: The keeping of domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Kennel, Enclosure: An accessory building or enclosure intended to house one of more domestic animals.

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

Landscaped Area: An area not built upon and not used for any purpose other than as an open space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences and similar

outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

Land Use Zoning District: Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

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

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

Loading Space: A space measuring at least 3.0 metres (9..84 feet) in width and 8.5 metres (27.88 feet) in depth, located on a lot, and having access to a street or lane, in which a vehicle may park to load or unload.

Lot (see Site): An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot" and "site" shall be deemed not to mean the same.

Lot Coverage: The percentage of the lot area covered by all the buildings above the ground level.

Lounge: A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for dancing or entertainment, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% or the public assembly area in the adjoining restaurant, subject to Provincial Regulations.

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

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

Mayor: The Mayor of the Town of Balgonie.

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

Mini-Storage: Commercial facility made up of more than one unit in which customers can rent space to store possessions.

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

Mobile Home: A prefabricated trailer coach supported on a steel frame that conforms to the Canadian Standards Association # Z240 MH. A trailer coach may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system.

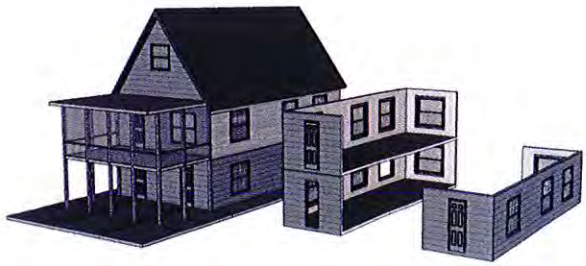
Double Wide Mobile Home

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

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

Mobile Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 450.00 m^2 (5000.0 ft^2) and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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



Modular (Manufactured) Home

Modular (Manufactured) Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 450.00 m^2 (5000.0 ft^2), and in which all sites, public open space, internal streets, buffer zones, and other amenity areas form a contiguous area of development.

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

Multiple-Unit Building: A building containing two (2) or more distinct uses, each of which is allowed in the Zoning District in which the building is located.

Multiple Complimentary (Vertically Integrated) Activities: The accommodation of multiple complimentary activities which could be considered principal permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing and/or the sale of manufactured goods produced onsite.

Municipality: The Town of Balgonie.

Municipal Reserve: Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a Municipality pursuant to of *The Planning and Development Act, 2007.*

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

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

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

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

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

Official Community Plan (OCP): The Town of Balgonie Official Community Plan Bylaw No. 372/2014.

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

Park Model Trailer/Unit: A unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m^2 (540 ft^2). CSA Number Z241.

Park Model Trailer 102

Park Model Recreational Unit

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

Parking Space: A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres (8.20 feet) wide and 6.0 metres (19.69 feet) in length.

Pasture: A site that is used for the raising and feeding of livestock by grazing.

Patio: Any hard surface or floor structure less than 0.31 metres (1 foot) above the average ground level upon which it is constructed.

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

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

Personal Service Trades: A building or part of a building in which persons are employed in furnishing services and

administering to customer's personal and or grooming needs, but does not include the provision of health related services.

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

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

Portable Storage Unit: A transportable storage structure that is designed and used for the storage of building materials, household goods, personal items and other materials for use on a temporary basis on a residential property. Such units are uniquely designed for their ease of loading to and from a transport vehicle

Principal Use: The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which is occupied or maintained.

Public Work: A facility as defined under *The Planning and Development Act, 2007* including a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Town of Balgonie:

a) Communication by way of telephone lines, optical cable, microwave, and cable;

b) Television services;

c) Delivery of water, natural gas, and electricity;

d) Public transportation by bus, rail, or other vehicle production, transmission;

e) Collection and disposal of sewage, garbage, and other wastes; and

f) Fire and Police Services.

Real-Estate Signage: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m^2 (10.76 ft^2).

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

Recreational Vehicle: A vehicle, such as a camper or motor home, used for traveling and recreational activities.

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

Recycling Collection Depot (Neighbourhood): A building or structure used for the collection and temporary storage of recyclable household material such as bottles, cans, plastic containers, paper and paint, but shall not include the processing of recyclable material other than compaction; the collection and storage of oil, solvents or other hazardous material; or outdoor compaction or storage.

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

Redevelopment (see infill development).

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

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

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

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

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

Rooming House (Boarding House): A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and with or without private toilet facilities.

RTM (Ready to Move) Home: A residential dwelling that is constructed off-site in a yard or factory to Canadian National building Code and transported as a single unit to a site for permanent installation on a permanent foundation including a basement.

RTM (Ready to Move) Home

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

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

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

Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one unit dwelling, and does not occupy more than 35% of the gross floor area of the dwelling, including the basement.

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

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

Setback: The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.

Shipping Container: (Intermodal shipping container) A container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

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

Should, Shall or May:

Shall is an operative word which means the action is obligatory.

Should is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.

May is an operative word meaning a choice is available, with no particular direction or guidance intended.

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

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

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

Sign, Fascia: A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 feet) from such building or structure.

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

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

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

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

Sign, Portable: A freestanding sign mounted on a portable frame with a single sign face area of not less than 1.9 m^2 or greater than 6.0 m^2 (64.59 ft^2) than can be readily moved or transported.

Sign, Projecting (Awning): A sign which is wholly or partially dependent upon a buildings for support and which projects more than 0.5 metres (1.64 feet) from such building (including Awning Signs).

Sign, Temporary: A sign which is not permanently installed or affixed in position, nor connected to any service, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one or more lots consolidated under a single certificate of title or tied at Information Services Corporation (ISC), considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

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

Site Coverage: The percentage of the site area covered by all the buildings above the ground level.

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

Site, Through: A site other than a corner site, having separate frontages on two streets. The front site line of a through site shall be determined by predetermined building lines. This is only applicable for Commercial and Industrial Zones.

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

Site Line: Any boundary of a site.

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

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

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

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

Special Care Facility (Home): An institutionalized nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

Special Needs Housing: Multiple unit dwellings or dwelling groups operated by a non-profit corporation or public authority and used exclusively for the domestic habitation of senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above.

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

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height in accordance with the National Building Code of Canada, between finished floor and finished ceiling over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

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

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

Strip Mall (Mini Mall): A building of not more than 604.0 m^2 (6501.61 ft^2) in gross floor area in which a minimum of three (3) and a maximum of six (6) of the permitted or discretionary uses of the Zoning District are located together for their mutual benefit.

Structural Alteration: The construction or reconstruction of supporting elements of a building or other structure.

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

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

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.61 metres (2.0 feet) or more at any point.

Tavern: An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted, subject to Provincial Regulations.

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

Temporary Garage: Shall mean a temporary prefabricated shelter constructed with a metal or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover used primarily for the storage of vehicles or other equipment accessory to a residential use only.

Tourist Campground: An area of land, managed as a unit, providing short-term accommodation for tents, camping trailers, motor homes and campers, including accessory facilities such as administration offices and laundry faculties.

Town: The Town of Balgonie.

Town Administrator: The Administrator of the Town of Balgonie.

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

Motor Home – Camping Trailer

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

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

Used For: Includes "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 14.0 m^2 (150.70 ft^2).

Vehicle Repair and Maintenance Service:

> **Indoor:** Includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.
>
> **Outdoor:** Maintenance services have all or any portion of their operations located outside of an enclosed building.

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

Waste Disposal Facility, Liquid: A facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension, 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 or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

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

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

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

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

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

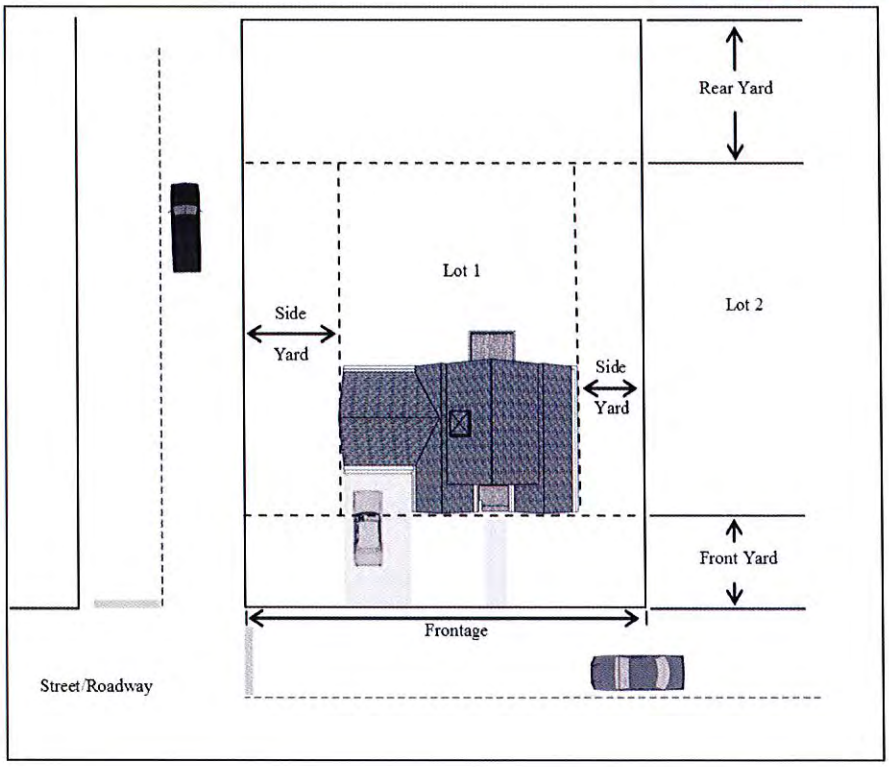
Yard: Open, uncovered space open to the sky on the same site with a building or structure.

Yard, Front: The area between the side site lines and the front site line to the front building line (See Location and measurement of setbacks drawing).

Yard, Rear: The area between the side site lines and the front site line to the rear building line (corner and interior) (See Location and measurement of setbacks drawing).

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

Yard, Side: The area between the front and rear yards and between the side site line and the side building line (See Location and measurement of setbacks drawing).



Location of yards and measurement of setbacks

Metric to Imperial Conversions

Distance (metres - feet)			
0.5 metres	1.64 feet	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	75 metres	246 ft
5.0 metres	16 ft	80 metres	262 ft
5.5 metres	18 ft	90 metres	295 ft
6.0 metres	20 ft	100 metres	328 ft
6.5 metres	21 ft	150 metres	492 ft
7.5 metres	25 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
11 metres	36 ft	305 metres	1000 ft
12 metres	39 ft	467 metres	1532 ft
15 metres	49 ft		
15.3 metres	50 ft		
Area (m^2 to ft^2)			
1.0 m^2	10.7 ft^2	100 m^2	1076 ft^2
0.5m^2	5.4 ft^2	150 m^2	1615 ft^2
5.0 m^2	53.8 ft^2	230 m^2	2475 ft^2
9.3 m^2	100 ft^2	450 m^2	4844 ft^2
14.0 m^2	144 ft^2	465 m^2	5,005 ft^2
	300 ft^2	540m^2	5812 ft^2
37.2 m^2	400 ft^2	560 m^2	6,000 ft^2
45 m^2	485 ft^2	900 m^2	9687 ft^2
50 m^2	538 ft^2	930 m^2	10,000 ft^2
56 m^2	600 ft^2	6070 m^2	1.5 acres
60 m^2	646 ft^2	0.8 hectare	2 acres
78 m^2	839 ft^2	1 hectare	2.5 acres
83.6 m^2	900 ft^2	2 hectares	5 acres
92.96m^2	1,000 ft^2		

*Conversions are rounded to the nearest decimal point

3 ADMINISTRATION AND INTERPRETATION

3.1 Development Officer

3.1.1 Unless otherwise designated by Council, the Town Administrator of the Town of Balgonie shall be the Development Officer responsible for the administration of this Bylaw.

3.1.2 The Development Officer shall:

a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
d) Collect development fees, according to the fee schedule established in this Bylaw;
e) Perform other duties as determined by Council.

3.1.3 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a development permit application for a "permitted use."

3.2 Council

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

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

3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan.

3.3 Application for a Development Permit

3.3.1 Unless the proposed development or use is exempt from development permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:

a) Provide the information outlined in Appendix B: Development Permit Application Requirements.
b) Complete and submit a development permit application, and (refer to permit application form in Appendix C).
c) Receive a development permit for the proposed development.

3.3.2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.

3.4 Development Requiring A Permit And Not Requiring A Fee

The following developments shall require a Development Permit and shall conform to all other Bylaw requirements (e.g., building permits, setbacks, environmental and development standards):

3.4.1 Residential Zoning Districts

a) Buildings and structures under 14.0 m^2 (150.70 ft^2) in area, which are accessory to a principal, residential use except where such dwelling is a discretionary use.
b) The erection of any fence, wall, gate, television antennae, or radio antennae under 5 metres (16.41 feet).
c) Relocation of any residential or accessory building provided development standards are still met on the site.
d) A portable storage unit, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

3.4.2 Commercial Zoning Districts

a) Buildings and structures under 14.0 m^2 (150.70 ft^2) in area, that are accessory to a permitted, principal, commercial use, except where such use is discretionary.
b) The erection of any fence or gate.
c) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

3.4.3 Accessory Uses

All accessory uses, unless otherwise specified in this Bylaw.

3.4.4 Official Uses

Uses and buildings undertaken, erected, or operated by the Town of Balgonie.

3.4.5 Internal Alterations

a) Residential Buildings

Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site.

b) All Other Buildings

Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

c) Landscaping

Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

3.5 Development Permit Procedure

Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, The Act and all other Town Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.

3.5.1 Discretionary Use Application

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

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

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

3.5.2 Development Permit Decision

3.5.2.1 The applicant shall be notified in writing of the decision of their application within 30 days of all required information being submitted to the Development Officer. The applicant shall be advised of their right to appeal a decision on a permitted use application and any terms and conditions attached to a discretionary use application to the Development Appeals Board subject to the provisions of *The Planning and Development Act, 2007*.

3.5.2.2 If the proposal conforms to the provisions of this Bylaw, a Development Permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required.

3.6 Development Permit: Validity

3.6.1 A Development Permit is valid for a period of twelve months unless otherwise stipulated when the permit is issued.

3.6.2 Where the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.

3.6.3 Where the Council is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.7 Development Permit Application Fees

An applicant seeking the approval of a development permit application shall pay the fee as set out in the Development and Planning Fee Bylaw for the Town.

3.8 Discretionary Use Application Fees

An applicant seeking a discretionary use approval shall pay the fee as set out in the Development and Planning Fee Bylaw for the Town.

3.8.1 The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75 metre radius of the proposed development.

3.8.2 The Development Officer shall publish a notice of the application in accordance with the provisions of *The Planning and Development Act, 2007*, whereby the applicant shall pay to the municipality a fee equal to the costs associated with the public advertisement.

3.9 Fee for Zoning Amendment Application

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by *The Planning and Development Act, 2007*. Council shall require the applicant to pay all costs incurred in professional review of the application and in carrying out a public hearing.

3.10 Concurrent Processing of Development Permits, Building Permits and Business Licenses

A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with a building Bylaw, or any other Bylaw in force within The Municipality, or from obtaining any permission required by this, or any other Bylaw of The Municipality, the province or the federal government.

3.11 Referral Under The Public Health Act

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

3.12 Development Appeals Board

3.12.1 Council shall appoint a Development Appeals Board consisting of five members or contract the service to a firm to act as the Development Appeal Board, to hear appeals in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act, 2007*.

3.12.2 Right of Appeal:

a) Where an application for a permitted use has been denied, the applicant shall be advised of the right of appeal to the Development Appeals Board.
b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.

3.13 Minor Variances

3.13.1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:

a) A minor variance may be granted for the following only:
   i. Minimum required distance of a building from a lot line; and
   ii. The minimum required distance of a building from any other building on the lot.
b) The maximum amount of a minor variance shall be 10% variation from the Requirements of this Bylaw.
c) The development must conform to all other requirements of this Bylaw.
d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act 2007.*
f) Minor variances shall be granted only in relation to residential properties.

3.13.2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set out in the Development and Planning Fee Bylaw for the Town.

3.13.3 Upon receipt of a minor variance application the Development Officer may:

a) Approve the minor variance;
b) Approve the minor variance and impose terms and conditions on the approval; or
c) Deny the minor variance.

3.13.4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

3.13.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.

3.13.6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

3.13.7 The written notice shall contain:

a) A summary of the application;
b) Reasons for and an effective date of the decision;

c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and

d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.

3.13.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.

3.13.9 If an assessed owner of a property having an adjoining property with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:

a) Of the revocation of the approval; and

b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

3.13.10 If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.14 Non-Conforming Buildings, Uses and Sites

3.14.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.

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

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

3.14.4 No existing non-conforming site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which the site is located.

3.14.5 If a non-conforming building is damages to an extent greater than 50% of the value of the building above its foundation, the building is not to be repaired or rebuilt except in accordance with this Zoning Bylaw.

3.15 Development Permit – Invalid

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

a) If the proposed development is not commenced within the period for which the Permit is valid;
b) If the proposed development is legally suspended, or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer, or
c) When development is undertaken in contravention of this bylaw, the development permit and specified development standards, and/or
d) When a written appeal notice is received by the Development Appeals Board secretary regarding the development permit.

3.16 Cancellation

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

a) Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information,
b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability, and/or
c) When a developer requests a development permit modification.

3.17 Stop-Work

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or a caveat under this Bylaw.

3.18 Interpretation

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

3.19 Offences and Penalties

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

3.20 Inspection of Premises

The Development Officer, or any official or employee of the Municipality acting under their direction or Building Official, is hereby authorized to enter, at all reasonable hours,

upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw in accordance with Section 242 of *The Planning and Development Act, 2007.*

3.21 Bylaw Compliance

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

3.22 Moving Of Buildings

No building shall be moved within or into or out of the area covered by this Bylaw without the building being inspected by and obtaining a Development Permit from the Development Officer.

3.23 Demolition of Buildings

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

3.24 Temporary Development Permits

The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a temporary residence, construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.

3.25 Development Agreements

3.25.1 Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan and this Bylaw, pursuant to Section 171 to 176 inclusive, *The Planning and Development Act, 2007.*

3.25.2 A development agreement is mandatory for approval of an accessory dwelling or secondary suite.

3.26 Servicing Agreements

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

3.26.2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

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

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

c) The payment of levies and charges as outlined above, shall be in the amount prescribed in the Development and Planning Fee Bylaw for the Town.

3.27 Performance Bonds

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

3.28 Liability Insurance

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

3.29 Interests

Council may require that development and servicing agreements and other documents may be registered as an interest against the title to the affected lands, to protect municipal and public interests.

4 GENERAL REGULATIONS

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

4.1 Licenses, Permits, and Compliance with Other Bylaws and Legislation

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

4.2 Principal Use Established

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.

4.3 Multiple Uses

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

4.4 Number of Principal Buildings on a Site

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

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

4.5 Front Yard Reduction

Notwithstanding the minimum depth of front yard required by this Bylaw, is situated between two sites each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.5 metres (14.74 feet) in a Residential district unless otherwise permitted in this Bylaw.

4.6 Frontage for Irregular Sites

Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 metres (36.09 feet) and the mean site width shall not be less than the minimum frontage for regular sites in the same Zoning District.

4.7 Permitted Yard Encroachments

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

a) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (5.91 feet) into any required front or rear yard.
b) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (1.99 feet) into any required yard.

4.8 Restoration to a Safe Condition

Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area or volume so as to contravene the provisions of this Bylaw.

4.9 Grading and Leveling Of Sites

Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.

a) All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
b) All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling.
c) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council.

4.10 Restrictions on Changes

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

4.10.2 Notwithstanding the provisions of clause 4.10.1 of this subsection, no person shall be deemed to have contravened any provision of this bylaw if only part or

parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

4.11 Uses Permitted In All Zoning Districts

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

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

4.11.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighbourhood in which the same is located.

4.12 Signage on Natural and Human Heritage Sites

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

4.13 Heritage Properties

Provincial and Municipal heritage properties subject to preservation agreements are subject to development review processes as defined by *The Heritage Property Act,* Sections 23, 24, and 25. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.

4.14 Site Development Regulations for Development Near Water Sources

4.14.1 If the proposed development will be within 150.0 metres of any public well or private or public dam which is licensed by the Saskatchewan Watershed Authority (SWA), and identified in the OCP, Council may also require additional information from the applicant to ensure that the existing water supplies will not be jeopardized.

4.14.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional who is competent to assess the suitability of the site for a development and that the development is suitable

with respect to the required mitigation measures to develop in areas of high water table, near public wells, waste disposal sites or a private or public dam which is licensed by the SWA, and identified in the OCP.

4.14.3 Notwithstanding any other portion of this bylaw, the development of new buildings and/or additions to building in the flood way of the 1:500 year flood elevation of any watercourse or water body is prohibited. In addition, development in the 1:500 year flood fringe is not allowed unless flood proofed up to an elevation of 0.5 metres (1.65 feet) above the 1:500 year flood elevation to be determined by a qualified hydraulic engineer or as established by the Saskatchewan Water Security Agency.

4.15 Fence and Hedge Heights

4.15.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges in all Residential Districts:

a) No hedge, fence or other structure shall be erected past any property line.
b) In a required front yard, to a height of more than 1 metre (3.28 feet) above grade level.
c) In a required rear yard, to a height of more than 2 metres (6.56 feet) above grade level.

4.15.2 Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

4.15.3 No fence in a commercial or industrial zone shall exceed 2.4 metres (7.88 feet).

4.15.4 No barbed wire, or razor wire fences shall be allowed in any District.

4.15.5 On a corner lot in any district, no hedge, planting, tree, fence or other structure shall be erected, placed or maintained to a height of more than 1.0 metre (3.28 feet) within a site triangle formed by measuring 6.0 metres (19.69 feet) distance along the property lines of the side and front yard to their point of intersection.

4.16 Landscape Buffers

4.16.1 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties may require a minimum 1.0 metre vegetative landscape buffer, unless a fence is required for other reasons.

4.16.2 Primary entrances into the Town and parking lots abutting major roads will require a landscape buffer

4.16.3 Notwithstanding any other provisions in this bylaw, where buffers are required for Greenways trails, parks and landscaped areas, they shall be required to reflect the character and intent of the Official Community Plan.

4.17 Height of Buildings

Where a maximum height of buildings is specified in any District, the maximum height shall be measured at the front of the building from the finished grade level to the highest peak of the roof on the building exclusive of any chimney or antenna.

4.18 Prohibited and Noxious Uses

4.18.1 The keeping of livestock shall not be allowed except for permitted agricultural uses in the FUD - Future Urban Development and District.

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

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

a) by the creation of noise or vibration;
b) by the emission of light and glare;
c) by reason of the emission of gas, fumes, smoke, dust or objectionable odour;
d) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material; or
e) by any combination of things in this subsection.

4.19 Closings

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

4.20 Railway Crossings and Sight Distances

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46 metres (150.92 feet) of the point of intersection of the centre line of both the railway and the street.

4.21 Bareland Condominium Developments

4.21.1 Bareland Condominium Developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the residential zones.

4.21.2 One primary dwelling unit and one accessory are permitted per bareland condominium site.

4.21.3 Bareland condominium developments may include private open space and one accessory building for joint recreation use by residents of the development, subject to all yard setback requirements of the zone in which it is located.

4.22 Satellite Dishes

4.22.1 Satellite dishes in excess of 1.0 metre (3.29 feet) in diametre shall not be located in any front yard or side yard, and shall not be permitted to be erected on the roof of any principal building that is located within a Residential District and is less than three stories in height.

4.22.2 Satellite dishes located in Residential Districts, which exceed 1.0 metre (3.29 feet) in diametre shall only be erected on the roof of an accessory building if said accessory building is located entirely within a rear yard.

4.22.3 Satellite dishes may be erected in Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals and part 4.22.1 of this subsection shall not apply.

4.23 Communication Towers

The erection of cellular telephone transmission towers shall not be permitted in, or closer than 100 metres (328.09 feet) of any Residential District.

4.24 Private Garages, Sunrooms, Solariums, and Greenhouses

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

4.25 Swimming Pools

4.25.1 Notwithstanding anything contained in this Bylaw, a swimming pool is permitted as an accessory use to permitted uses in the residential districts, rural districts or a motel (motor hotel) in a highway commercial district in the side yard or rear yard of any lot if:

a) No part of such pool is located closer to any lot or street line than the minimum distance required for the principal building located on such lot; and

b) The maximum height of such pool is 1.2 metres (3.94 feet) above the average finished grade level of the ground adjoining the pool and to within 4.5 metres (14.77 feet) of such pool; and

c) Every swimming pool shall be enclosed by a non-climbable fence of at least 1.8 metres (5.91 feet) in height and not more than 10 cm (3.94 inches) from the ground, and located at a distance of not less than 1.5 metres (4.92 feet) from the pool with a lockable gate, equal in height to the fence; and

d) Any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool and shall:

   i. have a minimum side yard of .75 metres (2.46 feet) if detached from the principal building and have a minimum distance of 1.2 metres (3.94 feet) from the principal building.

   ii. have a minimum side yard of 1.5 metres (4.92 feet) if attached to or abutting the principal building.

4.25.2 Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions in the applicable Zoning Districts in Section 5 of this Bylaw, respecting accessory buildings.

4.26 Private Wells

Private wells shall be prohibited within all Districts.

4.27 Wind Turbines

Wind turbines shall be prohibited within all Districts.

4.28 Disposal of Wastes

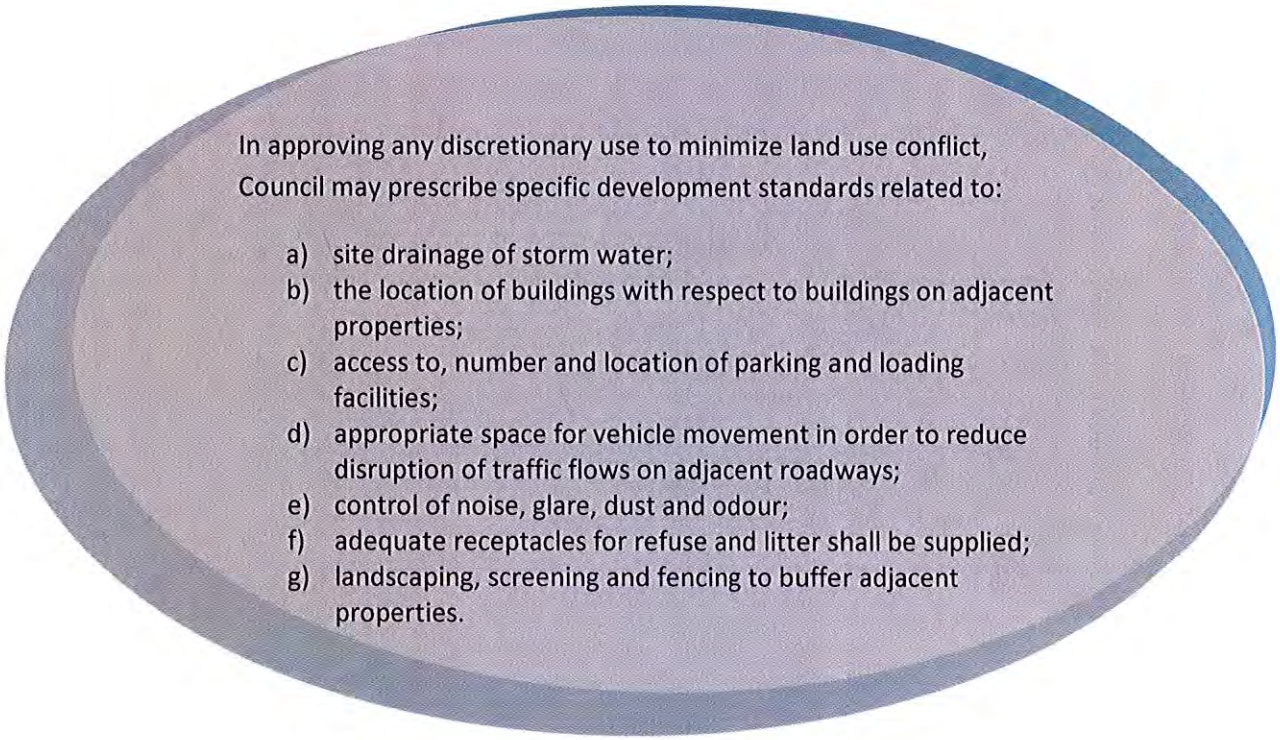
4.28.1 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any steam, creek, river, lake, pond,

slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

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

4.29 Development Standards for Discretionary Uses

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



4.30 Home Occupations (Home Based Businesses)

4.30.1 Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size that provide services or products that would detrimentally affect the viability of the neighbourhood.

4.30.2 Home occupations shall be permitted only in single detached, semi-detached, duplex, mobile homes and associated accessory structures.

4.30.3 The total floor area for all home occupation uses shall not occupy more than 20% of the gross floor area of the dwelling unit and accessory structure.

4.30.4 Home occupations shall be conducted entirely within the dwelling or accessory building.

4.30.5 One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed.

4.30.6 There shall be no exterior display or storage of any merchandise or material relating to the home occupation.

4.30.7 Home occupations shall not create any conflict with surrounding residential uses or endanger public safety.

4.30.8 No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located.

4.30.9 No mechanical, electrical or construction equipment shall be used, except such as is normally used for domestic, office, or personal care purposes.

4.30.10 A retail store shall not be the principal purpose of a home occupation.

4.30.11 One (1) person other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer.

4.30.12 Parking: The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.

a) No more than one business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation.
b) Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit. PRESENT BYLAW ALLOWS ONE PER NON-RESIDENT EMPLOYEE.

4.31 Secondary Suites

4.31.1 Secondary suites may be constructed within a principal, single detached dwelling in a residential zone. Only one secondary suite is permitted on each residential site.

4.31.2 Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.

4.31.3 Secondary suites must contain cooking, eating, living, sleeping, sanitary facilities and have its own heating/cooling system and controls separate from the principal dwelling.

4.31.4 Secondary suites may not exceed 35% of the total floor space, including basements, and may not have more than two bedrooms.

4.32 Modular Homes/Ready-To-Move (RTM) Homes

4.32.1 All Modular/RTM homes shall:

a) be placed on a permanent, concrete foundation;
b) be multi-modular, with the width approximately equivalent to the length;
c) have architectural features similar or complementary to adjacent and nearby homes.

4.32.2 Modular/RTM homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.

4.32.3 All other requirements of this Bylaw apply.

4.33 Solid and Liquid Waste Disposal Facilities

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

a) The facility will be located as near as practical to the source of waste.
b) The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design.
c) The facilities will be located at least 300 metres (984.25 feet) for liquid waste, and 457 metres (1499.35 feet) for solid waste from any residence or recreational use.
d) The development of any new disposal sites shall take into consideration seasonal winds.
e) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
f) Solid waste disposal facilities shall be located in proximity to an all- weather road.
g) Council may apply special standards for screening, fencing and reclamation of the site.

4.34 Bed and Breakfast Homes

Bed and breakfast homes are subject to the following conditions:

a) A bed and breakfast home may be located in a detached one unit dwelling or in a semi-detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.

b) Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed shall be licensed by the Department of Health.

c) One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m^2.

4.35 Day Care Centres and Pre-Schools

4.35.1 Day care centres and pre-schools may be approved as an accessory use of as a principal use.

4.35.2 Private in-home daycares shall be restricted to a maximum of six (6) children, subject to Provincial Legislation and requirements.

4.35.3 In any residential district, no exterior alterations shall be undertaken to a dwelling of former dwelling which would be inconsistent with the residential character of the building or property.

4.35.4 Day care centres or pre-schools for children, which are located in residential districts shall provide at least 3.25 m^2 (34.99 ft^2) of fenced on-site outdoor play space for each child present in the facility at any one time.

4.36 Residential Care Facility

4.36.1 Residential care facilities may be approved as an accessory use or as a principal use, subject to Provincial Legislation and requirements.

4.36.2 In any residential district, no exterior alterations shall be undertaken to a dwelling of former dwelling which would be inconsistent with the residential character of the building or property.

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

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

4.37 Campgrounds

Campgrounds are subject to the following conditions:

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

b) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (14.77 feet) which shall contain no buildings.

c) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m^2 (1,614.64 ft^2) in area with its corners clearly marked.

d) One permanent sign located on site advertising the campground is permitted per site;

e) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;

   i) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft^2) ;

   ii) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;

   iii) Temporary signs not exceeding 1 m^2 (10.77 ft^2) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

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

g) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

h) Each trailer coach shall be located at least 3 metres (9.85 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

i) The space provided for roadways within a campground shall be at least 7.5 metres (24.61 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.

j) Any campsite, other use or structure shall be located in any roadway.

k) A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

l) *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

4.38 Intermodal Freight Containers (Trailers, Sea and Rail Containers)

No person shall park or store on any part of a site, any intermodal shipping container, truck, bus or coach body for the purpose of advertising within any Zoning District. Mobile Storage containers may be accommodated in the Commercial/Light Industrial, Prestige Highway Commercial or Industrial District at Council's Discretion under the following conditions:

a) Permits from the Town of Balgonie are required by the property owner before containers are parked or stored;

b) Must be properly anchored;

c) Shall be located a minimum of 3.0 metres (9.85 feet) from the primary building and behind the rear wall of the primary building;

d) Containers determined by the Town to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Town;
e) Must meet the National Building Code Standards as applicable.
f) Mobile storage containers (rail or sea cans) are prohibited in any Residential District.
g) Businesses and operators in the Highway Commercial Districts may make temporary use of season mobile storage containers when required and used as part of their regular business operations.
h) The area occupied by the mobile containers shall be included in the calculation of the maximum lot coverage permitted in the Zoning District in which they are located.

4.39 Portable Storage Unit

4.39.1 The storage unit, incidental to construction of a building or structure with an active building permit are allowed, provided such storage unit shall be removed following completion or abandonment of such construction.

4.39.2 One portable storage unit may be placed on a residential lot with an active building permit subject to the following conditions:

a) Prior to placement of the portable storage unit on the lot, the property owner shall apply for a temporary development permit from the Development Officer;
b) The permit for the portable storage unit shall be a temporary permit and each residential lot is limited to a period of time set by Council;
c) The portable Storage Unit shall not exceed 28.21 m^3 (996 ft^3);
d) The portable Storage Unit shall be set back a minimum of 3 metres (9.85 feet) from the front property line and 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property.

4.40 Billboard

4.40.1 Prior to placement of any Billboard, the property/billboard owner shall apply for and provide any information required for a development permit from the Development Officer prior to any development taking place.

4.40.2 All billboards shall be located in a manner that in the opinion of the Development Officer, does not obstruct or jeopardize the safety of the public.

4.40.3 The face area of a billboard must be not greater than 27.0 m^2 (290.64 ft^2).

4.40.4 The height of a billboard must be no greater than 9.5 metres (31.17 feet).

4.40.5 Flashing lights are not permitted on a billboard.

4.40.6 Billboards must comply with any legislation under the Ministry of Highways and Infrastructure.

4.40.7 The foundation for all free-standing signs exceeding 6 metres (19.69 feet) in height above the finished grade shall be structurally designed by a Registered Architect or Professional Engineer of the Province of Saskatchewan.

4.41 Electronic Message Centre (EMC)

4.41.1 Prior to placement of an electronic message centre, the property/electronic message centre owner shall apply for and provide any information required for a development permit from the Development Officer prior to any development taking place.

4.41.2 All electronic message centres shall be located in a manner that in the opinion of the Development Officer, does not obstruct or jeopardize the safety of the public.

4.41.3 The face area of an electronic message centre must be not greater than 7.5 m^2 (80.74 ft^2). Due to this limitation, electronic message centres are not permitted as billboards or superboards.

4.41.4 The height of an electronic message centre must be no greater than 8.0 metres (26.25 feet).

4.41.5 Flashing images or flashing lights are not permitted on an electronic message centre.

4.41.6 Electronic message centres must be equipped with a dimmer switch which must be adjusted in accordance with any direction given by the Development Officer. (Signs must not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.).

4.41.7 Sound and live video feeds are not permitted on an electronic message centre.

4.41.8 Electronic message centres must comply with any legislation under the Ministry of Highways and Infrastructure.

4.41.9 The foundation for all free-standing signs exceeding 6 metres (19.69 feet) in height above the finished grade shall be structurally designed by a Registered Architect or Professional Engineer of the Province of Saskatchewan.

5 ZONING DISTRICTS AND ZONING MAPS

5.1 Zoning Districts

For the purpose of this Bylaw, the Town of Balgonie is divided into several Zoning Districts that may be referred to by the appropriate symbols.

FUD	Future Urban Development	C1	Town Centre Commercial
R1	Residential	HPC	High Profile Commercial
R2	Mutiple Use Residential	C2	Commercial/Light Industrial
RMH	Residential Mobile Home	CS	Community Service

5.2 Zoning District Maps

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 373/2014 adopted by the Town of Balgonie, signed by the Mayor and by the Town Administrator under the seal of the Town, shall be known as the "Zoning Districts" map, and such map is hereby declared to be an integral part of this Bylaw. Please see Appendix D. Should be A

5.3 Boundaries of Zoning Districts

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

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

5.3.3 Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.

~~**5.3.4** Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.~~

5.4 Holding Designation and Contract Zoning

5.4.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.

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

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

5.4.3 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the Contract symbol "C"; any lands so designated on the map shall be subject to a Contract Agreement provision under this Bylaw in accordance with The *Planning and Development Act, 2007*.

5.5 Future Urban Development District

FUD

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

5.5.1 Permitted Uses

a) Agricultural crop production and horticultural uses and buildings and structures accessory including the application of manure on agricultural land;
b) Uses, buildings and structures accessory to the foregoing permitted uses;
c) Public works;
d) Uses in existence when this Bylaw comes into force.

5.5.2 Discretionary Uses

The following uses may be permitted in the FUD- Future Urban Development District only by resolution of Council and only in locations specified by Council:

a) One single detached dwelling and buildings accessory thereto;
b) Home occupations;
c) Large accessory buildings;
d) Keeping of livestock, but excluding intensive livestock operations, poultry farms, hatcheries, or commercial dog kennels;
e) Animal hospital or Veterinary Clinic;
f) Cemeteries;
g) Places of worship;
h) Recreational uses and sports grounds;
i) Market garden, nurseries and greenhouses;
j) Communication towers and antennas;
k) Billboards;
l) Electronic Message Centre (EMC).

5.5.3 Site Development Regulations

Minimum site area	None
Minimum site frontage	Existing site frontages permitted
Maximum site coverage	10%
Front yard	10 metres (32.81 feet)
Side yard	7.5 metres (24.61 feet) for dwelling and buildings accessory thereto, except the minimum side yard abutting a public street shall be 10.0 metres (32.81 feet)
Rear yard	10 metres (32.81 feet) for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 metres (98.43 feet)

There are no minimum requirements for Public Works

Notwithstanding the above, the minimum yard is 60.0 metres (196.86 feet) from the centerline of a municipal road.

5.5.4 Signage

a) One permanent sign is permitted per site;
b) In the case of a home occupation, an additional permanent sign is permitted;
c) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft2)
d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
e) Temporary signs not exceeding 1.0 m^2 (10.77 ft2) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.5.5 Single Detached Dwellings

a) To recognize existing use, Council will consider building or expansion of single detached dwellings in a FUD District on a site that holds an existing single detached dwelling.
b) The approval of development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a concept plan to the Town of Balgonie Official Community Plan that designates the area for large site residential use.
c) Council may consider approval of a single detached dwelling accessory or ancillary to another existing use, where the location will not interfere with future development pursuant to the Official Community Plan and any concept plan adopted under that plan.

5.5.6 Supplementary Regulations

a) Council will consider the applications for discretionary use with respect to the following criteria:
    i) The sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system;
    ii) The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Town of Balgonie Official Community Plan;
    iii) The development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Town of Balgonie Official Community Plan and that the proposal is not premature.

b) Where a development is proposed at a location at which standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets The Public Health Act and Regulations requirements.

c) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76 metres (249.35 feet) from an occupied dwelling situated on an adjoining site.

5.5.7 Regulations for Parking

a) No parking of any class A or C motor home, any travel trailer, fifth wheel trailer, boat or any similar vehicle shall be permitted in any front or side yard of a residence from November 1 to April 1, inclusive.

b) Where recreational vehicle parking is provided during the period of April 1 to November 1, inclusive, the number of recreational vehicles shall not exceed two.

c) Recreational vehicles may be parked in the front, rear or side yards on a drive way from April 1 to November 1 inclusive, provided the vehicle is not within 2 metres (6.57 feet) of the outside edge of the curb.

5.6 Residential District – R1

R1

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

5.6.1 Permitted Uses

a) One single detached dwelling.
b) Child daycare.
c) Adult daycare.
d) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use.

5.6.2 Discretionary Uses

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

a) Dwelling Group.
b) Semi Detached and Duplex dwellings.
c) RTM's and Modular homes.
d) Secondary Suites.
e) Home occupations.
f) Bed and Breakfast homes.
g) Residential Care Facility.

5.6.3 Site Development Regulations

Single Detached Dwelling

Minimum site area	657.0 m^2 (7,072.12 ft^2)
Minimum site frontage	18.0 metres (59.06 feet) for rectangular lots 11.0 metres (36.09 feet) for non-rectangular lots
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	6 metres (19.69 feet)
Minimum side yard	2.0 metres (6.57 feet) unless on a corner site, the side yard shall be 3.0 metres (9.85 feet). 1.83 metres (6.0 feet) for infill lots.
Minimum floor area	75 m^2 (807.32 ft2)
Height	11.0 metres (36.09 feet) and 5 metres (16.41 feet) for accessory
Maximum site coverage	50% - includes all buildings
Minimum parking spaces	2

Semi Detached - Duplex Dwelling (Per Unit)

Minimum site area	396.0 m² (4,262.65 ft²) per unit
Minimum site frontage	11.0 metres (36.09 feet) per unit
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	6 metres (19.69 feet)
Minimum side yard	3.5 metres (11.49 feet) unless on a corner site, the side yard shall be 3.0 metres (9.85 ft)
Minimum floor area	75 m² (807.32 ft2)
Height	8.5 metres (27.89 feet) and 5 metres (16.41 feet) for accessory
Maximum site coverage	50%
Minimum parking spaces	2

5.6.4 Accessory Buildings

a) No accessory building shall be greater than 85 m² (914.97 ft2)
b) All accessory buildings shall be set back a minimum of 8.0 metres (26.25 feet) from the front site line, 2.0 metres (6.57 feet) from the principal building, and 0.8 metres (2.63 feet) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 metres 11.82 feet).
c) All accessory building shall be a minimum of 1 metre (3.28 feet) from any other accessory building.
d) All accessory buildings shall be located a minimum of 0.8 metres (2.63 feet) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.2 metres (3.94 feet) from the site line abutting the lane.
e) Free standing gazebos shall be allowed.
f) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

5.6.5 Signage

a) One permanent sign is permitted per site.
b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling.
c) The facial area of a sign shall not exceed 0.5 m² (5.39 ft²).
d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
e) Temporary signs not exceeding 1.0 m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.6.6 Landscaping for Multi-Family Development

a) Areas not occupied by buildings, parking or loading areas, shall be landscaped with trees, shrubs, grasses, rock pavers and/or other similar materials.
b) All landscaping shall be maintained in a neat and tidy condition.
c) The Development Officer shall not approve an application for a development permit unless:
   i. A landscape plan has been submitted; and
   ii. The landscape plan provides, in the opinion of the Development Officer, appropriate soft or hard landscape features to enhance the visual amenity of the site and provide for adequate visual screening, if necessary.

5.6.7 Secondary Suites

a) Secondary suites may be constructed within a principal, single detached dwelling in a residential zone. Only one secondary suite is permitted on each residential site.
b) Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities.
c) Secondary suites may not exceed 35% of the total floor space, including basements, and may not have more than two bedrooms.

5.6.8 Residential Parking

a) Where the parking area for all development is accessed from a street, the parking area, including the driveway, shall have a durable, dust-free hard surface of asphalt, concrete, brick or other similar material excluding gravel or slag.
b) No parking of any class A or C motor home, any travel trailer, fifth wheel trailer, boat or any similar vehicle shall be permitted in any front or side yard of a residence from November 1 to April 1, inclusive.
c) Where recreational vehicle parking is provided for a detached dwelling unit during the period of April 1 to November 1, inclusive, the number of recreational vehicles shall not exceed two.
d) Recreational vehicles may be parked in the front, rear or side yards on a drive way on residential sites from April 1 to November 1 inclusive, provided the vehicle is not within 2 metres (6.57 feet) of the outside edge of the curb.

5.7 Residential Multiple Dwelling District – R2

R2

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

5.7.1 Permitted Uses

a) One single detached dwelling.
b) Duplex dwelling and triplex dwelling.
c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use.
d) Playgrounds and swimming pools.
e) Public works, buildings and structures excluding warehouses, storage yards and waste management or sewage facilities.

5.7.2 Discretionary Uses

The following uses may be permitted in the R2 but only by resolution of Council and only in locations specified in such resolution of Council.

a) Multiple unit dwellings.
b) Modular Homes.
c) Secondary suites in single detached dwellings only.
d) Home occupations.
e) Residential Care Facility.
f) Bed and Breakfast homes.
g) Day care Centre.

5.7.3 Site Development Regulations

Duplex, Triplex Dwelling (Per Unit)

Minimum site area	396.0 m^2 (4,262.65 ft^2) per unit
Minimum site frontage	11.0 metres (36.09 feet) per unit for duplexes 7.6 metres (24.94 feet) per unit for triplexes
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	6.0 metres (19.69 feet)
Minimum side yard	3.5 metres (11.49 feet)
Minimum floor area	75 m^2 (807.32 ft2)
Height	11.0 metres (36.09 feet) and 5 metres (16.41 feet) for accessory buildings
Maximum site coverage	50%
Minimum parking spaces	2

Multiple Unit Dwelling (building containing more than 4 units)

Minimum site area	500 m² (5382.14 ft²)
Minimum site frontage	21 metres (68.90 feet)
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	7.5 metres (24.61 feet)
Minimum side yard	3.5 metres (11.49 feet) or 50% of the average wall height whichever is greater
Minimum floor area	56 m² (602.80 ft²)
Height	11 metres (36.09 feet)
Maximum site coverage	60%
Minimum parking spaces	1.5 spaces/dwelling unit

5.7.4 Accessory Buildings

a) No accessory building shall be greater than 85 m² (914.97 ft2)

b) All accessory buildings shall be set back a minimum of 8.0 metres (26.25 feet) from the front site line, 2.0 metres (6.57 feet) from the principal building, and 0.8 metre (2.63 feet) from the side site line, unless the side site line is an abutting street then the side yard shall be 3.6 metres (11.82 feet).

c) All accessory building shall be a minimum of 1 metre (3.28 feet) from any other accessory building.

d) All accessory building shall be located a minimum of 0.8 m (2.63 feet) from the rear site line except where an accessory building has a door or doors opening onto a lane, then it shall not be located less than 1.2 metres (3.94 feet) from the site line abutting the lane.

e) All activities related to artisan studios, craft and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

5.7.5 Regulations for Residential Parking

a) Where the parking area for all development is accessed from a street, the parking area, including the driveway, shall have a durable, dust-free hard surface of asphalt, concrete, brick or other similar material excluding gravel or slag.

b) No parking of any class A or C motor home, any travel trailer, fifth wheel trailer, boat or any similar vehicle shall be permitted in the front or side yard of a residence from November 1 to April 1, inclusive.

c) Where recreational vehicle parking is provided for a detached dwelling unit during the period of April 1 to November 1, inclusive, the number of recreational vehicles shall not exceed two.

d) Recreational vehicles may be parked in the front, rear or side yards on a drive way on residential sites from April 1 to November 1 inclusive, provided the vehicle is not within 2 metres (6.57 feet) of the outside edge of the curb.

5.7.6 Signage

a) One permanent sign is permitted per site.

b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling.

c) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft^2).

d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

e) Temporary signs not exceeding 1 m^2 (10.77 ft^2) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.7.7 Landscaping

a) Areas not occupied by buildings, parking or loading areas, shall be landscaped with trees, shrubs, grasses, rock pavers and/or other similar materials.

b) All landscaping shall be maintained in a neat and tidy condition.

c) The Development Officer shall not approve an application for a development permit unless:

   i. A landscape plan has been submitted; and

   ii. The landscape plan provides, in the opinion of the Development Officer, appropriate soft or hard landscape features to enhance the visual amenity of the site and provide for adequate visual screening, if necessary.

5.7.8 Secondary Suites

a) Secondary suites may be constructed within a principal, single detached dwelling in a residential zone. Only one secondary suite is permitted on each residential site.

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

c) Secondary suites may not exceed 35% of the total floor space, including basements, and may not have more than two bedrooms.

5.8 Residential Mobile Home District - RMH

RMH

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

5.8.1 Permitted Uses

a) Single detached dwelling which may be either a Modular Home or Mobile Home newer than ten (10) years old as defined in this Bylaw and inspected by a building inspector.
b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use.
c) Private playgrounds and swimming pools and other recreational facilities.
d) Public works, buildings and structures excluding warehouses, storage yards and waste management or sewage facilities.

5.8.2 Discretionary Uses

The following uses may be permitted in the RMH District but only by resolution of Council and only in locations specified in such resolution of Council.

a) Home occupations.
b) Private day care Centre.
c) Mobile Home Parks, subject to Provincial Health Regulations.

5.8.3 Site Development Regulations

Individual Mobile Home Site

Minimum site area	450 m^2 (4843.92 ft^2)
Minimum site frontage	15.0 metres (49.22 feet)
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	6.0 metres (19.69 feet)
Minimum side yard	2 metres (6.57 feet)
Minimum floor area	75 m^2 (807.32 ft^2)
Height	6.0 metres (19.69 feet) and 5 metres 16.41 feet) for accessory buildings
Maximum site coverage	50%
Minimum parking spaces	2

There are no minimum requirements for Public Works/Utilities, Parks, Recreational Uses and Playgrounds.

Mobile Home Courts and Construction Camps (*overall Court not individual spaces)

Minimum site area	40,000 m^2 * (430,570.5 ft^2)
Minimum site frontage	200 metres* (656.17 feet)
Minimum site depth	200 metres* (656.17 feet)
Minimum front yard	7.5 metres* (24.61 feet)
Minimum rear yard	7.5 metres* (24.61 feet)
Minimum side yard	7.5 metres* (24.61 feet)
Minimum floor area	N/A
Height	6.0 metres* (19.69 feet)
Maximum site coverage	60%*
Minimum parking spaces	2.0 spaces/dwelling unit

There are no minimum requirements for Public Works/Utilities, Parks, Recreational Uses and Playgrounds.

Parking Requirements for Day Care Centre

Minimum parking spaces	1.0 space plus one space per every 5 enrolled in Daycare Facility

5.8.4 Accessory Buildings

a) No accessory building shall be greater than 85 m^2 (914.97 ft2)
b) All accessory buildings shall be set back a minimum of 8.0 metres (26.25 feet) from the front site line, 0.8 metres from the principal building, and 0.8 metres (2.63 feet) from the side site line; unless the side site line is an abutting street then the side yard shall be 3.6 metres (9.85 feet).
c) All accessory building shall be a minimum of 1 metre (3.28 feet) from any other accessory building.
d) All accessory building shall be located a minimum of 0.8 m (2.63 feet) from the rear site line except where an accessory building has a door or doors opening onto a lane, then it shall not be located less than 1.2 metres (3.94 feet) from the site line abutting the lane.
e) All activities related to artisan studios, craft and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

5.8.5 Signage

a) One permanent sign is permitted per site.

b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling.
c) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft^2).
d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
e) Temporary signs not exceeding 1 m^2 (10.77 ft^2) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.8.6 Landscaping

a) Areas not occupied by buildings or parking areas, shall be landscaped with trees, shrubs, grasses, rock pavers and/or other similar materials.
b) All landscaping shall be maintained in a neat and tidy condition.
c) The Development Officer shall not approve an application for a development permit unless:

i. A landscape plan has been submitted; and
ii. The landscape plan provides, in the opinion of the Development Officer, appropriate soft or hard landscape features to enhance the visual amenity of the site and provide for adequate visual screening, if necessary.

5.8.7 Residential Parking

a) Where the parking area for all development is accessed from a street, the parking area, including the driveway, shall have a durable, dust-free hard surface of asphalt, concrete, brick or other similar material excluding gravel or slag.
b) No parking of any class A or C motor home, any travel trailer, fifth wheel trailer, boat or any similar vehicle shall be permitted in any front or side yard of a residence from November 1 to April 1, inclusive.
c) Where recreational vehicle parking is provided for a detached dwelling unit during the period of April 1 to November 1, inclusive, the number of recreational vehicles shall not exceed two.
d) Recreational vehicles may be parked in the front, rear or side yards on a drive way on residential sites from April 1 to November 1 inclusive, provided the vehicle is not within 2 metres (6.57 feet) of the outside edge of the curb.

5.8.8 Development Standards for Mobile homes

a) All mobile homes must meet the standards set out in CSA A277 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the National Building Codes has been certified using the A277 procedure.

b) All mobile homes and modular homes must be newer than 10 years old.

c) All attached and accessory structures shall require a building permit and shall comply with the requirements of the National Building Code of Canada and the Building Bylaw of the Town of Balgonie.

d) All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.

e) In order to protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival, and must be skirted from the floor level to ground level in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.

f) All mobile homes shall be connected to water and sewer services provided by the Municipality and connected as available to other public works.

5.9 Town Centre Commercial District – C1

C1

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

5.9.1 Permitted Uses

a) Banks, credit unions, and other financial institutions.
b) Administrative offices.
c) Grocery stores.
d) Barbers, hairdressers, and other similar personal services establishments.
e) Medical, dental, and other health care offices and clinics or health services.
f) Restaurants, tea houses, coffee shops, and other similar retail food services.
g) Storefront retail stores and outlets.
h) Theatres, assembly halls
i) Commercial recreation establishments such as arcades and fitness centres.
j) Licensed premises for the sale and consumption of alcoholic beverages.
k) Storefront bakeries, butcher shops, and similar food processing with on-site retail sales.
l) Outdoor markets and concessions (permanent, seasonal, or occasional).
m) Small-scale repair trades such as tailors, cobblers, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products.
n) Dwellings attached to and behind, or above, commercial establishments.
o) Buildings, structures or uses accessory to and located on the same site as the principal building or permitted use.
p) Public works buildings and structures excluding offices, warehouses, storage yards, and waste management or sewage facilities.
q) Hotels and motels.

5.9.2 Discretionary Uses

The following uses may be permitted in the C1 District but only by resolution of Council and only in locations specified by such resolution of Council.

a) Strip malls, or retail plazas requiring on-site parking.
b) Parking lots.
c) Laundromat, and dry-cleaning outlets.
d) Newspaper offices and printing plants and services.
e) Other innovative commercial uses consistent with the pedestrian-oriented, street level retail and services intent of the Town Centre District.

f) Rooming Houses.
g) Service stations and gas bars.
h) Undertaking establishments, funeral homes and crematoriums.

5.9.3 Site Development Regulations

Minimum site area	278 m^2 (2992.47 ft^2) except for service stations which is 929 m^2 (10,000.0 ft^2)
Minimum site frontage	7.5 metres (24.61 feet) except for service stations which is 30 metres (98.43 feet)
Minimum front yard	No requirement except for service stations which is 7.5 metres (24.61 feet)
Minimum rear yard	6 metres (19.69 feet)
Minimum side yard	No requirement except 1.5 metres (4.93 feet) when abutting a residential district without an intervening street or lane.
Maximum site coverage	75%
Maximum building height	11 metres (36.09 feet), except for communication towers.

There are no minimum requirements for Public Works/Utilities, Parks, Recreational Uses and Playgrounds.

5.9.4 Accessory Buildings

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

5.9.5 Signage

Signs and billboards shall be prohibited in the C1 District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
b) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft^2);
c) Temporary signs not exceeding 1.0 m^2 (10.77 ft^2) advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, are permitted.

5.9.6 Parking

Off-street parking requirements shall be provided in accordance with the following:

Grocery stores, strip malls, or retail plazas	1 parking space for each 50 m^2 of floor area
Restaurants, lounges, night clubs, taverns	1 parking space for 10 seats, based on the maximum seating occupancy
Dwelling Unit	2 parking space per unit
Hotel/Motels	1 parking space for every 2 guest sleeping room
All other uses	1 parking stall for each 70 m^2 (753.50 ft^2) of gross floor area

5.9.7 Landscaping

Where a site abuts any Residential District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (4.93 feet) through which shall not be used for any purpose except landscaping.

5.9.8 Supplementary Regulations

5.9.8.1 Dwelling Units

a) Dwelling units shall have a floor area smaller than or equal to the floor area in commercial use.
b) Minimum floor area for each dwelling unit shall be 45 m^2 (484.40 ft^2).
c) All dwelling units shall have an entrance separate from that of the commercial establishment.
d) Dwelling units shall be located above or at the rear and attached to the principal commercial use.
e) Accessory residential uses shall conform to the Provincial Public Health and Fire Regulations.

5.9.8.2 Provisions for Marquees and Canopies

For all permitted buildings, a marquee or canopy shall be permitted to project into front and side yards, provided that the outer edges of the marquee or canopy shall not be located closer than 1.5 metres (4.93 feet) to any front or side site line. A marquee or canopy may be cantilevered out from the building but may not be constructed or supported within such yards by walls or by more than required or normal structural supports.

5.9.8.3 Regulations for Parking

a) No parking of any class A or C motor home, any travel trailer, fifth wheel trailer, boat of any similar vehicle shall be permitted on any lot from November 1 to April 1, inclusive.
b) Where recreational vehicle parking is provided for during the period of April 1 to November 1, inclusive, the number of recreational vehicles shall not exceed two.
c) Large Recreational vehicles may be parked in the front, rear or side yards from April 1 to November 1 inclusive, provided the vehicle is not within 2 metres (6.57 feet) of the outside edge of the curb.

5.10 High Profile Commercial District - HPC

No person shall within a High Profile Commercial District - HPC use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

5.10.1 Permitted Uses

a) Motels or motor hotels, including a dwelling for caretakers, owners, or managers of this use.
b) Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, recreation, or farm machinery and equipment, public garages, and auto body shops.
c) Restaurants, confectionaries including drive-in/thru.
d) Animal hospitals, or clinics and offices of veterinary surgeons.
e) Garden centres or commercial greenhouses.
f) Public works buildings and structures waste management or sewage facilities.
g) Shops of plumbers, pipe fitters, metal workers and other industrial trades, manufacturing and sales.
h) Lumber and building supply establishments.
i) Tourism oriented commercial recreation activities.
j) Police, ambulance stations.
k) Uses, buildings or structures accessory to and located on the same site as the principal building or use.
l) Mini warehousing and u-store facilities

5.10.2 Discretionary Uses

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

a) All permitted and discretionary uses in C1 unless already permitted in HPC.
b) Campground including Recreational Vehicle Park.
c) Residential or agricultural building assembly area.
d) Bulk storage, including fuel, grain and fertilizer.
e) Laundromat, and dry-cleaning outlets.
f) Car washing establishments.
g) Water Shops.
h) Billboards.
i) Electronic message centre.
j) Senior care homes.
k) Intermodal freight containers

5.10.3 Prohibited uses

Aggregate materials; storage or handling operations.

5.10.4 Site Development Regulations

Minimum site area	1115 m² (12,002.16 ft²)
Minimum site frontage	30 metres (98.43 feet)
Minimum front yard	6.0 metres (19.69 feet)
Minimum rear yard	6.0 metres (19.69 feet)
Minimum side yard	3.0 metres (9.85 feet)
Building Height, Maximum	11 metres (36.09 feet)

There shall be no minimum site development requirements for public works buildings.

a) Accessory Buildings

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

5.10.5 Parking Requirements

Restaurants, other eating places	1 parking space for every 10 seats provided for patrons
Motels, motor hotels or hotels	1 parking space for each unit
All other uses	1 parking space for each 70 m² (753.50 ft²) of gross floor area of the principal building

5.10.6 Signage

a) Billboards and/or Electronic message centres may be allowed at council's discretion.

b) Signs advertising the principal use of the premises or the principal products offered for sale on the premises are permitted. Permitted signs shall be subject to the following requirements:

i. No sign shall be located in any manner that may jeopardize public safety;

ii. The facial area of a sign shall not exceed 0.5 m² (5.39 ft²);

iii. Temporary signs not exceeding 1m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.10.7 Loading Requirements

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

5.10.8 Landscaping

5.10.8.1 A landscaped strip of not less than 3 metres (9.85 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.

5.10.8.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

5.10.8.3 Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (4.93 feet) through which shall not be used for any purpose except landscaping.

5.10.9 Supplementary Regulations

5.10.9.1 Service Stations

a) Fuel pumps and other accessory equipment shall be located not less than 6 metres (19.69 feet) from any street or site line.

b) All automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened to the satisfaction of Council.

5.11 Commercial/Light Industrial District – C2

C2

No person shall within any Commercial/Light Industrial – C2 District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

5.11.1 Permitted Uses

a) Business and/or professional offices; Industrial malls containing a combination of permitted uses.
b) Auto body shops.
c) Car washes,
d) Construction and other industrial trades yards, plants, and/or offices.
e) Warehousing, storage facilities and supply depots and trucking operations.
f) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious.
g) Establishment for the sale, storage, rental or servicing of motor vehicles, trailers, farm machinery, equipment and recreational vehicles.
h) Bulk petroleum sales and storage.
i) Oilfield supply and services.
j) Lumber and building supply establishment.
k) Contractor's offices, workshops and yards.
l) Construction of RTM homes, including sales and display area.
m) Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials.
n) Service stations, Commercial Cardlock operations.
o) Commercial Recycling Depots.
p) Cold storage and locker plants.
q) Public works buildings and structures excluding offices, warehouses, storage.
r) Yards, and waste management or sewage facilities.
s) Buildings, structures, and uses accessory to, and located on the same site as, the principal building or use excepting any building or structure used for human habitation.

5.11.2 Discretionary Uses

The following uses may be permitted in the C2 District but only by resolution of Council and only in locations specified in such resolution of Council:

a) Restaurants.
b) Seed Cleaning plants, feed mills and flour mills.
c) Fertilizer sales and storage.

d) Cement manufacturing.
e) Humane animal shelters and/or pounds.
f) Aggregate materials; storage or handling operations.
g) Grain elevators.
h) Railway and ancillary railway functions.
i) Billboards.
j) Electronic message centre.
k) Intermodal freight container.

5.11.3 Site Development Regulations

Minimum site area	929 m² (10,000.0 ft2)
Minimum site frontage	30 metres (98.43 feet)
Minimum front yard	7.5 metres (24.61 feet)
Minimum rear yard	6.0 metres (19.69 feet) unless the rear lot line abuts a railway in which case no rear yard is required
Minimum side yard	3.0 metres (9.85 feet)
Maximum site coverage	75%

There shall be no minimum site development requirements for public works buildings.

5.11.4 Accessory Buildings

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

5.11.5 Signage

Signs and billboards are prohibited in the C2 Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following regulations:

a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
b) The facial area of a sign shall not exceed 0.5 m² (5.39 ft²);
c) Temporary signs not exceeding 1 m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

5.11.6 Parking

Off-street parking requirements shall be provided in accordance with the following:

All uses	1 parking space for each 70 m^2 (753.50 ft^2) of gross floor area

5.11.7 Loading Requirements

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site.

5.11.8 Landscaping

5.11.8.1 A landscaped strip of not less than 3 metres (9.85 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.

5.11.8.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

5.11.8.3 Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (4.93 feet) through which shall not be used for any purpose except landscaping.

5.11.9 Supplementary Regulations

5.11.9.1 Open air operations, storage and display of goods or material are prohibited in any front yard.

5.11.9.2 Fuel pumps and other accessory equipment shall be located at least 6 metres (19.69 feet) from any street or site line.

5.11.9.3 All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (6.57 feet) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

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

5.11.9.5 Access to lots shall be located to ensure that heavy truck traffic are directed to designated truck routes.

5.11.10 Performance Standards

5.11.10.1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
b) Smoke - no process involving the use of solid fuel is permitted;
c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
g) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
h) Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers.

5.11.10.2 The onus of proving to the authority having jurisdiction and Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

5.12 Community Service District - CS

CS

No person within any Community Service District - CS, shall use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

5.12.1 Permitted Uses

a) Lodges, social clubs, service clubs.
b) Municipal offices, community halls.
c) Libraries, galleries, museums, and other similar cultural institutions.
d) Elementary, high schools and other educational facilities.
e) Places of Worship.
f) Health facilities and Special Care Homes.
g) Accessory buildings, structures and uses located on the same site with the main use.
h) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools, and other similar uses. More than one recreational use may be permitted per site.
i) Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principal use, shall be considered accessory uses and, may include commercial uses.
j) Natural and nature-like open areas.
k) Pedestrian trails and bicycle pathways.
l) Golf courses
m) Cemeteries.
n) Scenic lookout and interpretation facilities, rest stops, and other public trail facilities.
o) Public works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts, and other drainage works, and shall include water reservoirs and sewage treatment facilities.

5.12.2 Discretionary Uses

The following uses may be permitted in the Public Service District but only by resolution of Council and only in locations specified in such resolution of Council:

a) Auto race tracks, horse race tracks, or other very large or intensive use facilities.

5.12.3 Site Development Regulations

Permitted uses (other than rinks and swimming pools)

Minimum site area	600 m² (6,458.56 ft²)
Minimum site frontage	20 metres (65.62 feet)
Minimum front yard	7.5 metres (24.61 feet)
Minimum rear yard	6.0 metres (19.69 feet) except where the rear of the site abuts any Residential District without an intervening street or lane, a rear yard of at least 7.5 metres (24.61 feet) shall be provided
Minimum side yard	Not less than half the height of the building or 3 metres (9.85 feet), whichever is greatest
Minimum site coverage	10%

Skating, curling rinks and swimming pools

Minimum site area	1208 m² (13,003.23 ft²)
Minimum site frontage	20 metres (65.62 feet)
Minimum front yard	7.5 metres (24.61 feet)
Minimum rear yard	7.5 metres (24.61 feet)
Minimum side yard	1.5 metres (4.93 feet) except on a corner site abutting a street then 3.6 metres (11.82 feet)

Elementary and secondary schools

Minimum site area	No minimum requirement
Minimum site frontage	60 metres (196.85 feet)
Minimum front yard	15 metres (49.22 feet)
Minimum rear yard	7.5 metres (24.61 feet)
Minimum side yard	7.5 metres (24.61 feet)
Maximum site coverage	75%

Accessory buildings

Front site line	7.5 metres (24.61 feet)
Principal building	1.2 metres (3.94 feet)
Side site line	0.8 metres (2.63 feet) unless the side site line is an abutting a street then the side yard shall be 3.6 metres (11.82 feet)

All accessory buildings with a door or doors opening onto a lane shall not be located less than 1.2 metres (3.94 feet) from the site line abutting the lane.

5.12.4 Signage

a) The facial area of a sign shall not exceed 0.5 m^2 (5.39 ft^2).

b) Signs and billboards are prohibited except for one information sign for each building or use and those bearing notices of special events and activities, or other information, relating to a temporary condition affecting the site and shall not exceed 1 m^2 (10.75 ft^2) in size.

5.12.5 Parking

Off-street parking requirements shall be provided in accordance with the following:

Elementary school	1 parking space for each staff member
High school	1 parking space for each staff member, plus 5 parking space for each classroom
Churches and Places of Assembly	1 parking space for each 10 seats
Special care homes	1 parking space for each staff member, plus 1 parking space for every 3 beds
Institutional buildings, private clubs and lodges	1 parking space for each 30 m^2 (322.93 ft2) of gross floor area
Recreational buildings, sports facilities and fields	1 parking space for each of every ten patrons or seats

5.12.6 Landscaping

5.12.6.1 A landscaped strip of not less than 3 metres (9.85 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.

5.12.6.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

5.12.6.3 Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (4.93 feet) through which shall not be used for any purpose except landscaping.

6 PLANNED UNIT DEVELOPMENT CONTRACT ZONING - PUD

Planned Unit Development Contract Zoning (PUD) which may be composed of a mixture of residential types, institutional, commercial, open space and recreation uses may be permitted in Residential and Commercial zones subject to the following regulations:

6.1.1 Site Plan

An overall site plan shall be landscaping design as well as the physical layouts of all structures and roads.

6.1.2 Exemptions to Zone Requirements

Specific contract zone regulations will be developed for Planned Unit Developments. Uses permitted within a PUD Contracts include: residential, commercial, light industrial recreation and open space. However, the project shall produce an environment of stable and desirable character, and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this By-law. While areas zoned as "Open Space", may be incorporated into Planned Unit Developments, only those structures permitted in the "Open Space" zones will be allowed.

6.1.3 Minimum Site Area

The minimum site area shall be in accordance with the contract.

6.1.4 Required Open Space

A minimum of 25% of the land area must be common open space or for common recreational space.

6.1.5 Allowable Density

The density of development shall not be increased from the normal density per gross acre permitted in that zone.

6.1.6 Title Registration

Planned Unit Developments shall be regulated through Contract zoning agreement, a site plan agreement and development agreement which is caveated against the title at Land Registry of ISC.

7 Flood Hazard Areas Site Development Regulations

7.1.1 A development permit shall not be issued for any land use, erection, alteration or use of any building or structure, where in Council's opinion lies within a Flood Hazard Area.

7.1.2 No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands.

7.1.3 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.

7.1.4 "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the *Environmental Management and Protection Act of Saskatchewan.*

7.1.5 For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevations. The Saskatchewan Water Security Agency may assist and provide when possible or the developer shall be responsible for the cost.

7.1.6 Notwithstanding any other portion of this bylaw, the development of new buildings and/or additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body is prohibited. In addition development in the 1:500 year flood fringe is not allowed unless flood proofed up an elevation of 0.5 metres (1.65 feet) above the 1:500 year flood elevation.

7.1.7 Any existing buildings may be replaced or expanded subject to appropriate flood proofing measures being provided.

7.1.8 For the purpose of this Bylaw, appropriate flood proofing measures shall mean:

a) That all buildings shall be designed to prevent structural damage by flood waters;
b) The first floor of all buildings shall be constructed above the designated flood design elevation; and
c) All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.

8 REPEAL AND ADOPTION

Bylaw No 264/2000 as amended shall be repealed upon Bylaw 373/2014, the Zoning Bylaw, coming into force and effect.

MINISTERIAL APPROVAL

This Bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister of Government Relations.

COUNCIL READINGS AND ADOPTION

Read a first time this 22nd day of September 2014

Read a second time this 24th day of November 2014

Read a third time this 24th day of November 2014

Bylaw Adopted this 24th day of November 2014

F. Hamburger
MAYOR

Valerie Hubbard
ADMINISTRATOR

THE TOWN OF BALGONIE INCORPORATED SEAL 1907 SASKATCHEWAN

GOVERNMENT OF THE PROVINCE OF SASKATCHEWAN OFFICE OF GOVERNMENT RELATIONS THE MINISTER

MINISTERIAL SIGNATURE

SEAL

MINISTERIAL APPROVAL DATE

Certified a true copy of Bylaw No. 374/2014 passed by resolution of Council on the 24th day of November, 2014.

Valerie Hubbard
Administrator

Bylaw Approved in Part
The following portions in strikethrough are not approved

~~5.3.4 Where the boundary of the District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the bylaw.~~

for Assistant Deputy Minister
Ministry of Government Relations
APR 0 1 2015

APPENDIX A: ZONING DISTRICTS MAP