

The Rural Municipality of Bone Creek No. 108  
Bylaw No. 2013-04

A Bylaw of the Rural Municipality of Bone Creek No. 108 to adopt a Zoning Bylaw.

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

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Bone Creek hereby adopts the Rural Municipality of Bone Creek Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Rural Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 02-11, the Interim Development Control Bylaw is hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the fourteenth day of August, 2013.

Read a Second Time the twenty-first day of November, 2013

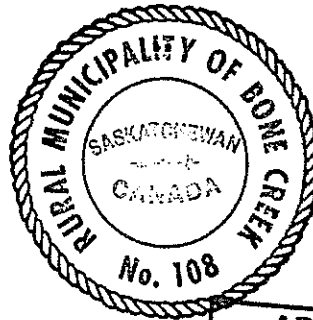
Read a Third Time the twenty-first day of November, 2013

Adoption of this Bylaw this twenty-first day of November, 2013.

M. E. Green  
(Reeve)

Jana Bawle  
(Rural Municipality Administrator)


(SEAL)



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**ZONING BYLAW**

Being Schedule "A" to Bylaw No. 2013-04  
Rural Municipality of Bone Creek No. 108

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

  
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(Rural Municipality Administrator)



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**Part 1      General**

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**1.1      Title**

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Bone Creek No. 108”

**1.2      Scope**

All development within the limits of the Municipality shall be in conformity with the provisions of this Bylaw.

**1.3      Severability**

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





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## Part 2 Administration

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### 2.1 Development Officer

The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw. In their absence Council may designate other employee(s) of the Municipality from time to time.

### 2.2 Application for a Development Permit

- a. Every person shall obtain a development permit before commencing any development within the Municipality, except those developments that are listed as exempt in each district.
- b. The completed development permit application shall include:
  - A description of the intended use or proposed development including any change in building use or land use change
  - Legal land description
  - The signature of the applicant and the registered landowner(s)
  - A copy of the Certificate of Title
  - Estimated commencement and completion dates
  - Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference)
  - any other information needed to assess the application.
  - An attached site plan which shall include:
    - All adjacent roads, highways, service roads and access to the site (label on site plan)
    - Rights-of-ways and easements (gas, oil, power, drainage easements, etc)
    - All drainage courses
    - Location of proposed development
    - Existing development on the site
    - Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc)
    - Setbacks to property line, road and services
    - Top of bank and water
    - Existing and proposed services:
    - Location of well or cistern

- Method and location of sewage disposal
  - Sign location and details like artwork, colors, size, lights, etc
  - Parking and loading facilities
  - Sidewalks, patios, playgrounds
  - North arrow
  - Any additional information deemed necessary by Council or the Development Officer
- c. The Development Officer shall require written evidence that the disposal method has been approved and/or an application has been made by to the Health District before a development permit can be issued.

### 2.3 Referral of Application

- a. The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- b. The Development Officer may refer the application to any internal or external departments or organizations for review or comment prior to issuing a development permit. Any recommendations received may be applied as conditions to the development permit.
- c. The Development Officer shall make available a copy of all approved Development Permit application involving installation of water and sanitary services should such information be requested by provincial officials under the *Public Health Act and Regulations*.

### 2.4 Issuing Permits

Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is either:

- a. Permitted Use:
- i. The Development Officer will issue a development permit when the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw

- ii. The Development Officer will issue a refusal, when the application does not comply with a provision or regulation of this Bylaw and write a letter to the applicant stating the reason for refusal.
  
- b. Discretionary Use:
  - i. The Development Officer will prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application to Council for a decision.
  
  - ii. At least 7 days before the application is to be considered by Council, the Development officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
    - a. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
  
    - b. Any other owners the Development Officer feels should be notified or who may have an interest in the lands.
  
  - iii. Council shall make a decision on a discretionary use, by resolution, that approves, approves with development standards or conditions, or refuses the discretionary use on that site and that instructs the Development Officer to:
    - 1. Issue a development permit incorporating any specific development standards set by Council, where the development complies with the standards of this Bylaw
  
    - 2. Issue a notice of refusal to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet
  
    - 3. All applicants shall be provided the effective date of the decision and information on their right of appeal.
  
- c. Prohibited Use
  - i. If the proposed development is not listed as a Permitted or Discretionary Use, it is considered a prohibited use.
  
- d. A new development permit approval is required when:

- i. The approved use ceases and is replaced by another use
  - ii. The approved use ceases for a 12 month period
  - iii. The development or use is not started within 12 months
  - iv. The intensity of use increases
- e. Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary on a site as a result of the adoption or amendment of this Bylaw, as of the date that this Bylaw or amendment comes into effect.
- f. Where a decision is not made upon an application within 60 days of submission to the Administrator, the applicant is deemed refused and may be appealed. The period for a decision may be extended by mutual agreement between Council and the applicant.
- g. Where a person wishes to vary the development from the application as approved, with or without conditions, the person must submit a new application and obtain a new development permit providing for the variation, before the variation is made.
- h. A development permit is valid for twelve months unless otherwise stipulated when the permit is issued.

## **2.5 Building Permits, Licenses, and Compliance with Other Bylaws**

- a. Nothing in this Bylaw shall exempt any person from: complying with a Building Bylaw or any other Bylaw in force within the Municipality. Where applicable, the Development Officer may apply other bylaws and policies as conditions to a development permit including, but not limited to the following Policies and Bylaws:
- i. Installation of Pipe Lines or Cable in Municipal Road Allowance Right of Ways
  - ii. Conditions for Proposed Seismic Operations
  - iii. Drilling Licenses- Oil and Gas
  - iv. Road Approaches – Oil/Gas Well Contractors
  - v. Road Development – Oil and Gas Well Contractors
  - vi. Road Development – Oil and Gas- Construction by R.M.
  - vii. A Bylaw to License the Drilling of Oil and Gas Wells
  - viii. Installation of Pipelines or cables in municipal road allowance right of ways-added
- b. In addition to the requirements of this Bylaw, an applicant must comply with any federal or provincial legislation and regulations.

- c. A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.

## 2.6 Appeals

- a. Council shall appoint a Development Appeals Board (The Board) in accordance with Section 49 and 214 to 218 of *The Planning and Development Act, 2007* (the Act).
- b. The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's policy which shall be adopted by resolution.
- c. The Development Appeals Board has the authority to hear an appeal based on:
  - i. The approval of development permit where it is alleged the Development Officer misapplied the zoning bylaw in approving the proposal
  - ii. The refusal of the Development Officer to issue a development permit because the proposal contravenes the zoning bylaw
  - iii. Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed)
  - iv. An order to repair or correct contraventions under a Nuisance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365 ) or *The Planning and Development Act, 2007* (Section 242)
- d. The Development Appeals Board does not have the authority to hear an appeal based on:
  - i. A discretionary use application is refused
  - ii. Council refuses to amend a zoning bylaw or rezone land
  - iii. A decision concerns a subdivision application
- e. Anyone starting an appeal must send written notice of appeal to the Secretary of the Development Appeals Board within:
  - i. 30 days of a Development Officer's decision being issued;

- ii. 30 days of the failure of a Council to make a decision;
  - iii. 30 days of receiving a permit with terms and conditions; or
  - iv. 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- f. The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal
- g. At least ten days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- h. In making an appeal to the Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

## 2.7 Development Not Requiring a Permit

The following developments are exempt from obtaining a development permit provided they meet the requirements of this Zoning Bylaw:

- a. Agricultural District:
- i. The planting, management and harvesting of field crops and gardens
  - ii. The management of pastures for the raising of livestock -excluding Intensive Livestock Operations (ILOs).
  - iii. General Mixed Farming
  - iv. Keeping of animals
  - v. Facilities for the direct sale of field crops
  - vi. Honey Extraction Facilities.
  - vii. Parking of private or agricultural vehicles on private lands
  - viii. Antenna and telecommunication tower to a maximum of 15.24m (50 ft)

- ix. Farm buildings and structures including but not limited to: barns, grain bins, Quonsets/animal shelter, etc.
- b. Accessory buildings which are less than 10m<sup>2</sup> (100 ft<sup>2</sup>)
- c. Building Alterations: repairs and maintenance of existing buildings.
- d. Sidewalks, steps, patios and decks.
- e. Landscaping on private lands: provided the drainage pattern of the site and adjacent sites are not negatively impacted.
- f. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- g. Development and expansion of municipal facilities, buildings and uses that are operated by the RM of Bone Creek No. 108.
- h. Signs, subject to Section 3.6.
- i. Fences less than 2 m (6.6 ft.) in height
- j. Keeping of domestic pets/animals
- k. Temporary Development- Development incidental to an approved construction site, or temporary asphalt plants (excluding gravel operations and workcamps).

## **2.8 Amending the Zoning Bylaw**

- a. Any person who seeks to amend this Zoning Bylaw must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
- b. The amendment application is subject to fees as set out in the Municipal Fee Bylaw.
- c. Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (i.e. provincial departments, interested stakeholders, etc.).
- d. The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
- e. Premature rezoning of land for development shall not be practiced.

- f. Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

## 2.9 Agreements

- a. Council may require a subdivision applicant to enter into a Servicing Agreement or development permit applicant to enter into a Development Levy agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- b. Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- c. Council will require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- d. Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

## 2.10 Fees and Advertising

- a. The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Municipal Fees Bylaw.
- b. All advertising shall be as per the requirements of *The Planning and Development Act, 2007*:
  - i. A council shall give notice of its intention to consider a bylaw amending or repealing: an official community plan; a fee bylaw; a zoning bylaw; a development levy bylaw; or any bylaw to sell all or any part of a buffer strip pursuant to section 179; or to exchange or sell all or any part of a municipal reserve pursuant to sections 199 and 200.
  - ii. After the first reading of a bylaw and before the second reading of the bylaw, council shall hold a public hearing.



- iii. The notice must be given by advertisement inserted at least once each week for two consecutive weeks in a newspaper circulating in the municipality or any other method that the minister may approve. The first notice must be published at least two clear weeks before the date of the public hearing.
- iv. The council shall make copies of the proposed bylaw available, at cost, to any interested person, together with a copy of the notice.
- v. If a council proposes to amend its zoning bylaw with respect to districts provided for in that bylaw, it shall give written notice, in accordance with subsection 207(6), to each owner of land that is the subject of the proposed amendment. The minister may, on the application of a council, exempt the council from compliance with the notice requirements to owners.

#### **2.11 Offences and Penalties**

- a. Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- b. Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

#### **2.12 Minor Variance**

- a. Council may vary the requirements of this Zoning Bylaw for the:
  - i. Minimum required distance of a building from the lot line
  - ii. Minimum required distance of a building to any other building on the lot
- b. The maximum amount of variance given by Council shall not exceed 10% from the requirements established in this Zoning Bylaw. The development must conform to the land use requirements established in this Zoning Bylaw and shall not affect neighbouring properties.
- c. The Development Officer shall refer the development permit application for the minor variance to Council. Council shall approve, approve with conditions or refuse the minor variance.

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

### **2.13 Interpretation**

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

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## Part 3 General Regulations

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The following regulations shall apply to all lands within the Rural Municipality of Bone Creek No. 108:

### 3.1 Environmental Management and Hazard Lands

- a. The Environment policies in Section 3.2.2 of the Official Community Plan shall be applied to all development on hazard lands.
- b. Identified actions for hazard avoidance, prevention, mitigation or remedy may be incorporated as conditions to issuance of a development permit. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects, or will result in excessive municipal costs.

### 3.2 Number of Principal Buildings, Residences and Uses on a Parcel

- a. Only one principal building or use per site shall be permitted on any one site excluding: public utilities and related uses, institutional uses, agricultural uses, communal dwellings, dwelling units and related uses, parks, Care Free Park District, schools, hospitals, recreation facilities, approved ancillary uses as specifically provided for in this Bylaw and mineral and resource developments.
- b. Council may, at its discretion, issue a development permit for additional principal uses or buildings in the Commercial and Agricultural District.
- c. Only one residence shall be allowed on a titled area unless:
  - i. the titled area is zoned Agricultural. Where the titled area is zoned as Agriculture, a maximum of two residences will be allowed per titled area excluding communal dwellings and related uses; and
  - ii. a multiple dwelling unit is allowed in accordance with this Bylaw
- d. A development permit application for an additional residence will not be approved unless the additional residence is designed, sited, constructed, and finished in a manner that is visually compatible and harmonious with the character of the surrounding residential developments.

**3.3 Mobile and Modular Homes**

- a. A mobile or modular home is considered a residence for the purpose of this bylaw.
- b. All residences, including mobile and modular homes, shall be attached to a permanent foundation or securely anchored to the ground and skirted prior to occupancy.
- c. Every mobile home shall bear CSAZ240 certification (or replacement thereof) and every modular home shall bear CSA A277 certification (or replacement thereof).

**3.4 Non-conforming Uses, Sites and Buildings**

- a. The adoption or amendment of this Bylaw does not affect non-conforming buildings, non-conforming uses or non-conforming sites.
- b. An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.
- c. Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- d. Any lands which do not conform to the site requirements as set out in this Bylaw shall be deemed to be conforming with regards to site size, provided that a registered title for the site existing prior to the coming into force of this Bylaw.

**3.5 Signs and Billboards**

- a. Signs located in a Highway Sign Corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" or amendments thereto, and subsection 4.2 shall not apply.
- b. Signs other than those located in a Highway Sign Corridor shall comply with the following:
  - i. any sign may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on the premises
  - ii. a maximum of two advertising signs is permitted on any site or quarter section
  - iii. government signs, memorial signs, and directional signs with no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction

- iv. temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property
- v. billboard and other off-site advertising signs are prohibited
- vi. all private signs shall be located so that no part of the sign is over a public right of way

### **3.6 Storage of Vehicles**

- a. Notwithstanding anything contained in this Bylaw, no person shall use any site for the parking or outside storage of more than four vehicles that are not operational.
- b. Part a. shall not apply to permitted machinery or automotive salvage yards.
- c. Council may require that machinery or automotive salvage yards be screened from roadways or neighbouring properties with landscaping, fences or a combination of both.
- d. The use of an abandoned or unlicensed vehicle, or a truck and trailer unit, for the purpose of a sign is prohibited.

### **3.7 Public Utilities, Pipelines, and Facilities of the Municipality**

- a. Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be allowed in all districts unless otherwise specified by this Bylaw and no minimum site area or yard requirements shall apply.
- b. Where a pipeline, other utility or transportation facility, crosses a municipal road Council may apply special design standards as considered necessary to protect the municipal interest in the road, including but not limited to requiring the pipeline to be punched under the road.

### **3.8 Solid and Liquid Waste Disposal Facilities**

- a. Development and maintenance of a solid or liquid waste disposal facility will be subject to the following special standards as specified by Council upon issuing a permit:
  - i. a buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area
  - ii. a lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard area
  - iii. any solid or liquid waste disposal facility shall be fenced
  - iv. Shall comply with appropriate provincial setbacks

- b. A lagoon or sanitary landfill disposal area shall be considered according to the following criteria:
  - i. a municipal or regional landfill or lagoon project that has undergone a provincial environmental impact assessment and a public hearing process will be considered suitable, with any necessary mitigation measures identified by that process
  - ii. private landfills and lagoons will be considered, provided they meet provincial requirements, and are located so they will not interfere with existing or future residential, recreational, or tourism development
  - iii. sanitary landfills and lagoons shall not be located on hazard lands.
- c. No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid or gaseous waste shall be governed by provincial legislation.
- d. Council will consider existing and future land use patterns when determining the location of new solid and liquid waste disposal facilities

### **3.9 Home Based Businesses**

- a. Home based businesses shall be ancillary to the farmstead or residence.
- b. Home based businesses shall cause no variation in the residential or residential farm character and appearance of the dwelling, accessory residential building, or land, except for permitted signs.
- c. All permits issued for home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- d. Any increase in the operation as applied for or approved shall require a new approval

### **3.10 Bed-and-Breakfast and Vacation Farm Operations**

- a. A bed and breakfast or vacation farm operation shall be a secondary use on the property.
- b. Council may specify the maximum number of cabins permitted as part of a vacation farm operation.

- c. On-site signs shall be permitted in accordance with Section 3. Off-site signs not exceeding 1 m<sup>2</sup> may be permitted by Council where necessary to provide directions from a highway or primary road to the operation.
- d. Vacation farms and bed-and-breakfast operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.
- e. Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence, or located in a dwelling accessory to and established on the same site as the operator's principal residence.
- f. Council will consider these types of applications with respect to the following criteria:
  - i. the proposed structures are suitable and comfortable for the proposed development
  - ii. there is a water source suitable for public consumption at the facility
  - iii. there are suitable utilities and a sewage disposal system for the facility
  - iv. there are appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. the development will not be in conflict with adjacent uses or uses currently on site.

### 3.11 Campgrounds

- a. The operator of a campground shall provide the administrator 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, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit for approval an amended plan incorporating the changes.
- b. A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 m (15 feet), which shall contain no buildings. A landscaped and treed buffer within the site boundary may be required.
- c. No portion of any campsite shall be located within a roadway or required buffer area.
- d. Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- e. Each campsite shall be large enough to allow for each trailer coach to be located at least 4.5 m (15 feet) from any other trailer coach and no portion of the campsite shall be located closer than 4.5 m (15 feet) from the site boundary.

- f. The space provided for roadways within a campground shall be at least 7.5 m (25 feet) in width. No portion of any campsite, other use, or structure shall be located in any roadway.
- g. A campground may include, as ancillary uses, a laundromat, a confectionery designed to meet the needs of the occupants of the campsites, shower and washroom facilities, and one single detached dwelling for the accommodation of the operator.
- h. *The Public Health Act*, and associated regulations, shall be complied with in respect to all operations and development of the campground.
- i. Council will consider applications with respect to the following criteria:
  - i. the site is located with convenient access to the recreational features or facilities that it is intended to serve
  - ii. the size and shape of the parcel and the design of the campground will ensure that each site is accessed from an interior roadway
  - iii. there is a water source suitable for public consumption at the campground
  - iv. there are suitable utilities, sewage disposal systems and facilities for the campground
  - v. the development will not be in conflict with adjacent uses or uses currently on site
  - vi. An emergency services plan shall be discussed and agreed to by the service providers and applicant.

### **3.12 Dwelling Groups/ Condominiums**

- a. Access to sites shall be from a road internal to the dwelling group parcel
- b. No dwelling shall be closer than 6 m to any other dwelling
- c. All buildings on a dwelling group parcel shall maintain the required yards to the property lines of the parcel provided for the District and the required set back to the centre line of a road.



### 3.13 Services: Access, Roads and Water

- a. All subdivisions and developments shall be serviced to meet municipal standards and provincial standards.
- b. Every development shall have physical and legal access to a public highway or municipal road that is developed to a standard that, in the opinion of Council, is suitable for the proposed development.
- c. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
- d. Approaches and road crossings require approval from Council.
- e. All roads and accesses required to facilitate the development shall be proposed by the developer as part of the request/ application for development. All roads and accesses shall be all weather and constructed to municipal standards.
- f. The developer may be required to enter into a road maintenance agreement, in accordance with the regulations of The Municipalities Act and as set out in the RM of Bone Creek's Road Haul Agreement and Road Maintenance policy/bylaw.
- g. No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to meet provincial requirements.

### 3.14 Setbacks

- a. Excluding the Hamlet District, no person shall hereafter plant trees or shrubs or place stone, earth or gravel piles, sumps, pits, portable structures, machinery or other objects/structures or buildings on private property within:
  - 91.44 metres (300 feet) from the intersection of the centre lines of any municipal roads
  - 45.72 metres (150 feet) from the centre line of any municipal road.
  - Oil and gas well centres are to be set back a minimum of 60 metres from the edge of any municipal road allowance, and 90 meters from the centre of an intersection. All above ground structures shall be located as far

from the road allowance as possible. Dirt piles, sumps and pits shall be located a minimum distance of 50 metres from the centre line of any municipal road, and 90 metres from the intersection of the centre lines any municipal roads. Where a reduced setback is needed, Council's approval is required.

- Properties that are zoned within the Hamlet District are exempt from these setbacks.
- Upon Council's approval, setbacks may be relaxed where rail line crossings or highways obstruct the ability to meet the required setbacks

b. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

1. The separation distance to an ILO
2. 305 m from a licensed public or private liquid waste disposal facility
3. 457 m from a licensed public or private solid waste disposal facility
4. 305 m from a honey processing facility.
5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan

c. Where a proposed development/subdivision is in close proximity to a provincial highway, the development/subdivision shall comply with Provincial Regulations.

### **3.15 Fences**

- a. No fence (including snow fences) may obstruct the view or site lines from public roads or accesses.
- b. All barb wire fences shall be erected on private land and setback from the property line at a distance that ensures there is room to fix the fence from private land.

**3.16 Grading and Leveling of Sites**

- a. To provide adequate surface drainage that does not negatively impact adjacent properties, grading and leveling of sites is required at the owner's and/or developer's expense.

**3.17 Storage of Chemicals, Fertilizers and Combustible Materials**

- a. The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit.

**3.18 Keeping of Animals on sites other than a farmstead**

- a. Two animal units will be allowed on a site of at least 2 hectares (5 acres). Four animal units will be allowed on a site of at least 4 hectares (10 acres). For each additional 1.2 hectares (3 acres), one additional animal unit will be allowed. All other animals shall be limited to domestic pets of the residents of the site.
- b. Animals shall not be pastured within 15 m (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 m (100 feet) of a property line.
- c. Animals shall be enclosed by a lawful fence.

**3.19 Manure Application**

- a. The minimum separation distance between a property containing an occupied dwelling and the location where manure is to be spread is listed within Table 1.

**Table 1 - Location Separation Criteria for Manure Spreading**

\* Distances are measured between edge of the manure application area and the edge of a nearest property boundary containing a dwelling in metres.

Method of Manure Application*			
* Distance between manure application and the nearest property boundary containing a dwelling	Injected	Incorporated within 24 hours	No incorporation
Communities of 1-1000 people	200 (656 ft.)	400 (1312 ft.)	800 (2625 ft.)
Communities of 1001-5000 people	400 (1312 ft.)	800 (2625 ft.)	1200 (3937 ft.)
Communities of >5001 people	400 (1312 ft.)	800 (2625 ft.)	1600 (5249 ft.)

**3.20 Heritage Properties**

Re-use, rehabilitation, preservation or restoration of heritage properties:

- a. site requirements listed are waived in regards to applications for the re-use, rehabilitation, preservation or restoration of identified and designated heritage properties
- b. the original site and structure are deemed to be in conformity with the Bylaw and permit applications may be approved if all other standards are in conformity.

**3.21 Outside Storage**

- a. Uses that include or may include storage may require screening from roads or neighbouring properties by landscape features or fences or a combination of both.
- b. Council may apply special standards as conditions of approval regarding screening, location of storage, location of vehicles on display, machinery and parts to avoid an unsightly premise.

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## 4 Zoning Districts

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### 4.1 Districts

- a. For the purpose of applying this Bylaw, the Municipality is divided into Zoning Districts.
- b. All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another District, attached to and forming part of this bylaw.

### 4.2 Boundaries

- a. The boundaries of all Zoning Districts are shown on the map entitled, "Zoning District Map" which is attached to, and forms a part of this Bylaw. Unless otherwise shown on the Map, the boundaries of the Districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. Unless otherwise shown on a Zoning Amendment Map, the Zoning District boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.

### 4.3 Regulations

- a. Regulations for the Zoning Districts are outlined in the following Sections:
  - i. Agricultural District
  - ii. Residential District
  - iii. Hamlet District
  - iv. Commercial District
  - v. Care Free Park
  - vi. Residential Recreation Development



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## 5 Agricultural District

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### 5.1 Permitted Uses that require development permit approval:

- a. Residential Uses
  - i. Residence (maximum of two residences per titled lot)
- b. Resource based uses:
  - i. Petroleum exploration, extraction wells and related facilities
  - ii. Petroleum pipelines and related facilities
  - iii. Mineral mines, extraction and processing facilities
- c. Accessory uses and buildings (greater than 10 sq. m (100 sq. ft.)) and excluding those listed as exempt.

### 5.2 Discretionary Uses

The following uses will be permitted at Council's discretion:

- a. Agricultural Uses
  - i. New or expanding Intensive Livestock Operation (ILO)
  - ii. Intensive agricultural operations
  - iii. Commercial agricultural operations
  - iv. Agricultural product processing, contracting and service establishments
  - v. Agricultural equipment, fuel and chemical supply establishment
- b. Residential Uses
  - i. Bed and breakfast
  - ii. Vacation farm

- iii. Dwellings ancillary to an institutional, recreational or commercial use.
- iv. Additional residence as per Section 3.2.
- c. Accessory uses and buildings related to:
  - i. An established Intensive Livestock Operation
  - ii. An established Intensive Agricultural Operation
  - iii. An established Commercial Agricultural Operation
  - iv. Home Based Business
  - v. Rodeo and Equestrian Centres
  - vi. Solid and liquid waste disposal facilities
- e. Commercial Uses:
  - i. Salvage and storage yards
  - ii. Recreational commercial uses (sports arenas, golf courses, tourist campgrounds, or similar type uses)
  - iii. Commercial uses related to the mineral and resource sector
  - iv. Machine shops and metal fabricators
  - v. Wholesale Distributors
- f. Community Uses:
  - i. Places of worship, cemeteries, and non-residential schools
  - ii. Radio, television and microwave towers
  - iii. Public parks and public recreational facilities
  - iv. Historical sites, archaeological sites, wildlife and conservation management areas



- v. Institutional camps
- vi. Rehabilitation and Youth Centres
- g. Workcamps
- h. Sand, Gravel and Crushing Operations including accessory uses and buildings
- i. Wind Energy Facilities and Development
- j. Logging, silviculture, timber processing and related tree harvesting operations
- k. Communal Dwellings and related uses

### **5.3 Regulations**

#### **a. Subdivision**

- i. The subdivision of any land within the Agricultural District is subject to the policies contained in the Official Community Plan.
- ii. Two subdivisions will be allowed per quarter section (3 separate titles per quarter section in total) before requiring rezoning to the appropriate District.
- iii. Additional sites may be considered where the site to be added is physically separated from the remainder of the parcel by a registered road plan or by a railway on registered right of way, and the separated site has direct access to a developed road

#### **b. Frontage**

- i. Minimum site frontage/width shall be 30.48 m (100 feet) for all parcels
- ii. Exemptions from minimum frontage may be considered by Council for resource based uses and public and/or municipal facilities or uses, and community uses. Council's approval is required.

#### **c. Site Size**

- i. Minimum site size shall be 2 ha (5 acres)
- ii. Maximum subdivided site size shall be 16 ha (40 acres)

- iii. Exemptions from minimum and maximum area requirements may be considered by Council for the following: public and/or municipal facilities or uses, resource based uses or community uses. Council's approval for the reduced or increased site size is required.
  - iv. In the case of a parcel physically severed as a result of road right of way or railway plans, drainage ditch, pipeline or transmission line, development or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
- d. Access:
- i. A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- e. Setback Requirements
- i. As per Section 3.17 of this Zoning Bylaw.
  - ii. No building shall be located closer than 3m (10 feet) to any other property line
- f. Resource Based Uses
- i. To provide appropriate access/egress, sewage, water, stormwater and/or drainage works for the construction of or upgrades to municipal infrastructure may be required at the developer's expense. Council may require the developer to enter into an agreement.
  - ii. Land use incompatibility, nuisance and pollution including odour and dust shall be minimized by considering appropriate routes, buffers, screening, etc.
  - iii. Signage, fencing, lighting restrictions or other safety measures may be required at the developer's expense.
  - iv. The developer may be required to submit to the RM a copy of the proposed reclamation or rehabilitation plan.
  - v. Oil and Gas Development

1. The following minimum separation shall be applied between new dwellings and existing well heads and/or batteries for oil and gas development and/or existing dwellings and new well heads and/or batteries for oil and gas development:
  - 300 m (1015 ft.) between the residential building and oil and gas well head(s) and/or battery(ies)
  - Council may reduce the minimum separation distance as a special standard where the applicant submits a written agreement to Council between the land owner of the dwelling and the owner of the operation agreeing to the reduced separation.
2. Developments shall comply with the appropriate municipal bylaws and policies as per Section 2.5 of the Zoning Bylaw.

#### **5.4 Criteria for Discretionary Use Applications**

Council shall use the following criteria in making a decision on a discretionary use development permit application:

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Commercial Uses, including Commercial Agricultural Developments:
  - i. Any proposed commercial development or commercial agricultural development must be located within two miles of Highway 13 and/or 37.
  - ii. Any unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.

- iii. A road of a standard that meets the demands of the operation shall provide access to the site. If required, the operator will enter into a road use agreement with the RM.
  - iv. In the application for an intensive operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, showing that the supply shall be sufficient to meet the needs of that operation without adverse effects on the supply of water used by neighbouring properties.
- f. Wind Energy Facilities and Development
- i. The setback related to municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10m (33.33ft).
  - ii. The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10 m (33.33 ft.) or a minimum of 45.72 meters (150 ft.) unless otherwise agreed to by the landowner, developer and municipality.
  - iii. Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
  - iv. Approaches for access roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the development permit application.
  - v. Any proposed development within a municipal road allowance, i.e. underground lines or overhead poles/lines must be proposed by the developer as part of the development permit application.
  - vi. The developer is required to enter into a road use agreement with the municipality for the construction period to ensure roads are maintained in a condition agreeable by both parties.
  - vii. The separation distance from a residence to a wind energy generator (turbine) shall be a minimum distance of 550 m (1804 ft.).
  - viii. The wind energy generator (turbine) shall have no restrictions on color or height.
  - ix. Substations are required to be fenced.

- x. Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential danger.
  - xi. No hazardous waste shall be stored on the site.
- g. Rodeo Facilities and Equestrian Centers
- i. shall be located on sites exceeding 16 hectares (40 acres)
  - ii. shall meet setback distances set out in Section 3.17 of the Zoning Bylaw
  - iii. shall provide a water source suitable for public consumption at the rodeo facility or equestrian center
  - iv. shall have sewage disposal and other necessary utilities for domestic and public use
  - v. Council may require the proponent to obtain recommendations from appropriate agencies regarding issues related to water supply, quality and quantity, manure management plans, and any other issues Council deems relevant for the purpose of ensuring environmental protection
  - vi. The Agricultural Operations Act and other provincial legislation may apply to the development of a rodeo facility or equestrian center. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may refer a development permit application to the appropriate agencies for advice and recommendations
  - vii. there shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply. As a condition of approval, Council may:
    - require the project to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources
    - require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation
  - viii. application of manure will be carried out in accordance with Section 3.19 of the general regulations

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- ix. as a condition of approval, Council shall specify the maximum number of animal units for which the approval is made.
- h. Workcamps
- i. Federal, Provincial or municipal work camps do not require a development permit.
- ii. A development permit for a temporary work camp may be issued for up two (2) years. The permit may be renewed at Council's discretion. Consideration for renewal will depend on compliance with the conditions and complaints received regarding the development.
- iii. An application for a development permit for a work camp must provide the following information:
- a) the location, type and purpose of the camp;
  - b) adjacent land uses;
  - c) the method of supplying water, and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with Provincial regulations and be to the satisfaction of the Local Health Authority;
  - d) the number of persons proposed to live in the camp;
  - e) the start date for development, date of occupancy by residents, and removal date for the camp;
  - f) reclamation measures once the camp is no longer needed; and
  - g) letters of support from the adjacent land owners or residents, or other agencies (emergency services) when required by Council.
- iv. As a condition of approval, the Development Authority may include conditions to uphold all conditions in the Zoning Bylaw, and may also include the following:
- a) requirement for municipal road upgrading (if required) or entering into a road use agreement with respect to impact on the roadway used to provide access to the camp, such as dust control and other matters;
  - b) requirements to limit noise to daytime hours (generally 7am to 11 pm), with the exception of generator noise, which must be mitigated by

shielding or other method when it may be detrimental to an adjacent property;

c) requirement to maintain any existing natural buffers (trees, etc.); and

d) requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.

v. Council may require a performance bond to ensure that the development is constructed and completed in accordance with the time frames and development standards required in the approval.

i. Gravel Pits and Gravel Crushing Operations

i. All gravel operations shall meet provincial requirements and guidelines as well as municipal requirements

ii. Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.

iii. All operations shall have efficient servicing, haul routes and have a high consideration for public safety

iv. Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from qualified person regarding site development, services, modifications to application and location of operation;

v. Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.

vi. Minimum excavation setbacks are as follows:

1. 805 metres (0.5 miles) from any dwelling,

2. 45.72 metres (150 feet) from the centreline of a developed road allowance

3. 805 metres (0.5 miles) from any recreational or heritage lands which should not be disturbed

- 4. 30 metres (100 feet) from any hazard lands
- vii. All gravel operations shall have direct access to a developed road.
- viii. Applicants will be required to provide:
  - 1. a plan showing the location of the proposed area of operation, site boundaries, the depth of excavation and the quantity of topsoil to be removed;
  - 2. a description of the excavation, stripping or grading operation, which includes a decommissioning plan;
  - 3. a detailed timing and phasing of the project including the length of the proposed operation;
  - 4. a plan showing the final site conditions and post-development land use plan following the completion of the operation;
  - 5. a description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
  - 6. information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public.
- j. Intensive Livestock Operations (ILOs)
  - i. Applications for ILO's are received by Saskatchewan Agriculture. As part of the review process, a referral will be sent to the RM as well as to Community Planning. Community Planning will review the application for compliance with the municipal bylaws. The RM will also have a chance to respond to the application.
  - ii. The RM of Bone Creek will also require the developer to apply for a municipal development permit.



- iii. In order to manage the development of ILOs and surrounding land use interests, Council will consider applications for development of an ILO, including any rendering facility or abattoir.
- iv. Location Separation Criteria
  - 1. In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 1:

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

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	300	400	800	1200	1600
Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population	400	800	1200	1600	2000
Urban municipality 100-500 population	800	1200	1600)	2400)	2400
Urban municipality 501-5000	1200	1600	2400	3200	3200
Urban municipality >5000	1600	2400	3200	3200	3200

- Distances are measured between livestock facilities and building/site development
- Distances do not apply to residences associated with the operation.

- v. Location Separation Criteria Reduction
  - 1. Council, at its discretion, may consider lesser separation distances than given in Table 1, subject to the following:
    - Where a lesser separation distance than described, in Table 1 will not negatively impact the specific use or surrounding development, Council may grant a reduction of the location separation criteria.

Prior to granting a reduction, Council will consult with appropriate agencies.

- The developer shall provide written notice, approved by Council, to the owners of all residences within the distance provided in Table 1, and to the hamlet board of a hamlet or Council of urban municipality within the specified distance
- Where the separation distances is significantly, in Council's opinion, less than the criteria of Table 1, Council will require the developer of a proposed ILO to enter into an agreement with the owner of a residence and/or the Municipality consenting to the proposed development up to a specified size, as a condition of the approval. Council will require that an interest protecting the parties to the agreement, be registered against the residence and the ILO parcel titles at the cost of the developer.

vi. Public consultation

1. Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, in the local newspaper and will provide an opportunity for public comment for a minimum of 21 days prior to making a decision. All costs associated with advertising will be the responsibility of the developer.
2. Council will encourage developers to hold a separate public open house prior to development permit consideration to provide information to affected landowners.
3. If the developer does not hold a public open house, Council will hold a separate public meeting prior to development permit consideration to ensure community interests are considered before a decision is made by the Council, at the cost of the developer.
4. Council will make a decision on a proposed livestock operation within 45 days of receiving all information necessary to make a decision. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

vii. Water Supply and Protection

1. There shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply source. Prior to approval, Council may:

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

viii. Additional Information

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

ix. Permit conditions

1. As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made to reduce the potential for land use conflicts with neighbouring uses.
2. Council may impose development standards which specify the location of holding areas, buildings or manure storage facilities on the site, the locations may vary from the separation criteria in Table 1

x. Existing Livestock Operations

1. ILOs existing at the time of the adoption of this Bylaw may continue, however if there is any expansion of the operation or change of animal species or type of operation the developer will be required to obtain approval from Council in accordance with the requirements and conditions of this Bylaw.

xi. Development permits are required for any proposed:

1. New ILO
2. Expansion of an existing ILO
3. Any temporary facility or part of a site
4. Change of animal species or type of operation

k. Communal Dwellings

- i. All dwelling(s) are to be located on a parcel conforming to all requirements of the zoning bylaw, including area, setbacks/ frontage, and access.
- ii. All development shall comply with Section 3.1 of the Zoning Bylaw.
- iii. Utilities, including sewage disposal system(s) must meet provincial standards.

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## 6 Residential District

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The objective of this district is to provide for the subdivision and development of Residential development. It will be used to accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Residential District will be used for residential purposes with limited agricultural uses allowed on the sites.

### 6.1 Permitted Uses that require development permit approval:

- a. Residence
- b. Accessory Uses and Buildings (greater than 10 sq. m (100 sq. ft.))
- c. Recreational uses:
  - i. Public sports fields and parks, golf courses and community halls
  - ii. Other public or non-profit recreational facilities
- d. Keeping of animals on the same site as an established residence

### 6.2 Discretionary Uses:

The following uses will be permitted at Council's discretion:

- a. Solid and liquid waste disposal facilities.
- b. Bed-and-breakfast Operations
- c. Home Based Businesses
- d. Ancillary residential development
- e. Dwelling groups/ Condominiums

### 6.3 Regulations

- a. Subdivision
  - i. The subdivision of any land that does not meet the subdivision requirements within the Agricultural District will be required to be rezoned to this district and

are subject to the policies contained in the Official Community Plan for Residential Lands.

- ii. All residential subdivisions shall be located adjacent to an existing developed road
- iii. All residential subdivisions shall be serviced to meet municipal standards.
- iv. A buffer strip may be required in all residential subdivisions to separate residential uses and existing agricultural development.

b. Site Requirements

Site Development Requirements within Country Residential		
Requirement	Residence	Other Uses
Minimum for Site Area	.8 hectares (2 acres)	none
Maximum for Site Area	8 hectares (20 acres)	none
Minimum for Site Frontage	30.48m (100 feet)	none

- i. Exemptions from minimum and maximum area requirements may be considered by Council for the following: In the case of a parcel physically severed as a result of road right of way or railway plans, drainage ditch, pipeline or transmission line, development or natural features such as watercourses, water bodies there shall be no maximum/minimum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.

d. Access:

- i. All development shall comply with Section 3.15 of this Bylaw.
- ii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

iii. All lots within a subdivision may be required to have access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

e. Setback Requirements

i. All development shall comply with Section 3.16 of this Bylaw.

ii. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft).

iii. No building shall be located closer than 3m (10 feet) to any other property line.

f. Side and Rear Yard

i. Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.

**6.4 Criteria for Discretionary Use Applications**

a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.

b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.

c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.

e. Home Based Businesses (in addition to Section 3.11 of this Bylaw):

- i. No home based business in this District shall include auto body repair or repainting operations
  - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
  - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
- f. Bed-and-breakfast Operation
- i. Shall comply with Section 3.10 of this Bylaw
- g. Solid and liquid waste disposal facilities will only be permitted in the Residential District if there are no suitable sites within the Agricultural District.
- h. Other requirements of this bylaw specific to the proposed use are met.
- i. Commercial and recreational uses

Council will consider the following in making a use decision for commercial, commercial recreational facilities or community halls:

- i. the uses should be located at or near the entry to a residential subdivision and not require access through the residential development
  - ii. an application for a golf course and any associated residential development must prepare a concept plan addressing transportation, utilities, and design, as well as any other issues identified by Council
  - iii. public rinks and community halls may be located on municipal reserve within the subdivision.
- j. Ancillary residential development:

Council will also consider the following when making a decision for ancillary residential development:

- i. the site is large enough to be used as a residential principal use; and
- ii. the site has reasonable year round access.



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## 7 Hamlet District

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The objective of this district is to provide for urban density development of residential and associate commercial or industrial development which do not directly support agriculture. The Hamlets of Simmie, Scotsguard and Instow will be zoned as Hamlet District.

### 7.1 Permitted Uses that require development permit approval:

- a. Residence
- b. Accessory uses and buildings greater than 10m<sup>2</sup> (100 ft<sup>2</sup>) to an approved use

### 7.2 Discretionary Uses

- a. Recreational uses:
  - i. Public sports fields, golf courses, parking lots
  - ii. Parks
  - iii. Rinks
  - iv. Playgrounds
  - v. Trails, walkways and natural interpretive areas
- b. Community uses:
  - i. Community halls, public museums, cultural institutions, and libraries
  - ii. Non-residential schools and educational institutions
  - iii. Places of worship/ Religious Institutions.
  - iv. Heritage Uses/ Facilities
- c. Commercial Uses:
  - i. Retail stores, commercial retail services, restaurants
  - ii. Liquor sales, beverage room, restaurants, and lounges
  - iii. Grocery store

- iv. Care facilities: Medical Centres, Care Homes, and Child Care Centers (subject to Provincial Regulations)
- v. Personal service shops
- vi. Motels and hotels
- vii. veterinary clinics/hospitals
- viii. dwelling units accessory to commercial use
- d. Industrial Uses:
  - i. Agricultural equipment, motor vehicle, or recreational equipment dealers and service establishments
  - ii. Agricultural seed, fuel, and chemical supply establishments
  - iii. Agricultural product storage, transshipment, service and contracting establishments, excluding facilities for the handling of large animals
  - iv. Construction trades
  - v. Manufacturing or processing establishments
  - vi. Welding, machine shops, and metal fabricating.
- e. Residential Uses:
  - i. Bed-and-breakfast Operation
  - ii. Home based businesses (appropriate to for the site)
  - iii. Ancillary Residential Development

### 7.3 Regulations

#### a. Site Requirements

Site Development Requirements within Hamlet			
Requirement	Residence	Accessory Buildings	Other
Minimum Site Area	1000m sq. (10,763 ft sq.)	N/A	1000m sq. (10,763 ft. sq.)
Maximum Site Area	0.04 ha (1 acre)	N/A	0.04 ha (1 acre)
Minimum Frontage	15.24m (50 feet)	N/A	30m (100 feet)
Front Yard Setback	7.6m (25 feet)	7.6m (25 feet)	7.6m (25 feet)
Side Yard Setback	1.5m (5 feet)	1.5m (5 feet)	1.5m (5 feet)
Rear Yard Setback	7.6m (25 feet)	1.5m (5 feet)	1.5m (5 feet)
Setback from Hamlet road	7.6 m (25 feet)	7.6 m (25 feet)	7.6 m (25 feet)

- i. Exemptions from frontage, site size and setbacks may be considered by Council for public utility uses, recreational uses and municipal facilities.
- ii. No portion of any building, including eaves, shall be located within 0.9m (3 feet) of any site line.
- iii. Site consolidation or parcel ties will be required where a proposed development does not comply with the Hamlet District regulations.

#### b. Access:

- i. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered

developed road, including any road to be developed under a signed servicing agreement.

- ii. All lots within a subdivision may be required to have access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.

- c. Dugouts are prohibited

#### **7.4 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Council will apply the criteria of the Official Community Plan when considering locations for commercial and industrial uses
- f. Home Based Businesses:
  - i. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District.
  - ii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
- g. Bed-and-breakfast Operation
  - i. Shall comply with Section 3.12 of this Bylaw
- h. Other requirements of this bylaw specific to the proposed use are met.

- i. Commercial, Industrial and Agricultural Service Uses
  - i. Council may apply site specific standards, when issuing a development permit, regarding screening of storage areas, fencing, or required yards adjacent to residential uses
  - ii. locations within residential areas of hamlets will be avoided for industrial and agricultural service uses
  - iii. for commercial developments, locations on a main street, adjacent to a railway, or adjacent to a highway or a main access route to the hamlet will be preferred
  - iv. commercial development that is compatible with residential uses may be considered in residential areas if the site is of sufficient size.
- j. Uses Compatible With Residential Development
  - i. bed-and-breakfast and personal care homes are considered compatible with residential development provided the sites are large enough to provide adequate parking and separation to adjacent dwellings
  - ii. home based businesses which provide personal services are generally considered compatible with residential development if the services are provided within the dwelling.
  - iii. a golf course shall be located on a separate parcel to any associated residential developments.
- k. Institutional uses:
  - i. in approving an institutional use, Council may specifically limit any residential component based upon the application; any expansion or change of form of the residential component will require a new approval
  - ii. Council may apply the following criteria in considering institutional uses:
    - the use will be separate from the residential subdivision areas
    - the use will not disrupt the quiet enjoyment of the area
    - the proposal will provide for adequate sewer and water supply services.
- l. Ancillary residential development:

Council will also consider the following when making a decision for ancillary residential development:

- iii. the site is large enough to be used as a residential principal use; and
- iv. the site has reasonable year round access.

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## 8 C – Commercial District

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The objective of this district is to provide for commercial and industrial development uses within the RM. Council encourages commercial development to locate in close proximity to existing provincial highways.

### 8.1 Permitted Uses that require development permit approval:

- a. Service, dealers, contracting and supply establishments
- b. Commercial nurseries or greenhouses, including retail.
- c. Services stations with or without confectionary
- d. Motor vehicle dealers and service establishments
- e. Motels and hotels
- f. Restaurants
- g. Retail stores and personal service shops
- h. Public utilities
- i. Construction trades
- j. Veterinary clinics and hospitals
- k. Recreational uses
- l. Accessory Uses and Buildings, greater than 10 sq.m (100 sq. ft.) to an approved use

### 8.2 Discretionary Uses

- a. Abattoirs, skinning and tanning facilities
- b. Manufacturing
- c. Fabricating
- d. Product processing and fabricating

- e. Auction Mart
- f. Outside Storage of materials ancillary to the principal use
- h. Storage unit facilities, structures and containers.
- i. Commercial trucking establishments
- j. Warehousing, supply and distribution facilities
- k. Salvage yards, auto and machinery wreckers
- l. Solid and liquid waste disposal facilities

**8.3 Regulations**

Site Requirements for all Uses in the Commercial District unless identified otherwise	
Minimum Site Area	1000m sq. (10,763 ft. sq.)
Maximum Site Area	At the discretion of Council
Minimum Frontage	30.48m (100 feet)
Front Yard Setback	7.6m (25 feet)
Side Yard Setback	1.5m (5 feet)
Rear Yard Setback	1.5m (5 feet)
Minimum setback of buildings from internal subdivision roads	7.6m (25 feet)
Floor Area	Maximum 30% of the site

- i. Exemptions from frontage, site size and setbacks may be considered by Council for public utility uses, recreational uses and municipal facilities.
- ii. All development shall comply with the setback requirements listed in Section 3.14 of the Zoning Bylaw



- d. Access:
- i. All commercial uses must demonstrate adequate access and egress (entrance and exit flow) to the provincial or municipal road system.
  - ii. Access may be required to be provided by a service road that meets provincial and municipal standards. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.
  - iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

#### **8.4 Criteria for Discretionary Use Applications**

- a. All Discretionary Commercial Uses
- (i) A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
  - (ii) The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access and to all provincial requirements.
  - (iii) No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
  - (iv) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
  - (v) Year round access to the site shall be available.

- (vi) All commercial uses shall be separated from a residence not occupied by the operator of the use, by a distance of at least 300m (984.25 ft.) unless the applicant can establish to the satisfaction of Council that the use will not emit noxious odours, smoke, dust and noise limiting the enjoyment or use of the residence.

b. Signs

- i. where multiple businesses operate within a single structure one business logo sign is allowed per visible business front. The maximum dimension of the sign shall not exceed three meters in vertical or horizontal direction, parallel to the front of the building, nor exceed a depth of 0.3 m (1 ft.)
- ii. one business name sign is allowed per visible business unit front, and shall not exceed 15% of the area of the front of the building and shall not exceed 30m<sup>2</sup> (322 ft<sup>2</sup>) , parallel to the front of the building, nor exceed a depth of 0.3m (1 ft.).

c. Salvage Yards, Auto and Machinery Wrecking Yards

- i. no wrecked, partially dismantled or inoperative vehicle or machinery shall be stored or displayed in any yard setback abutting a road
- ii. Council may apply special standards as conditions of approval regarding screening, location of storage, location of vehicles on display, machinery and parts to avoid an unsightly premise
- iii. the proximity and location of residential and tourist facilities shall be considered.

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## 9 Care Free Park (CFP)

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The objective of this district is to allow the existing area within Care Free Park to continue as a conforming use. Sites will be required to go through the subdivision process prior to Council considering new residences. Future subdivisions will be considered on its merits through a rezoning to the residential district and will be subject to the regulations of that district. The following regulations will apply to the area that is zoned as Care Free Park on the Zoning District Map.

### 9.1 Permitted Uses that require development permit approval:

- a. Accessory uses and buildings (greater than 10 sq. m (100 sq. ft.))

### 9.2 Prohibited Uses

- a. New Residences
- b. Accessory buildings with sleeping accommodations

### 9.3 Regulations

- a. All development shall comply with the setback requirements listed in Section 3.14 of the Zoning Bylaw
- b. Future subdivisions will be considered on its own merits and rezoned to the recreation residential district.

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## 9 RD – Residential Recreation District

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The objective of this district is to provide for recreational development uses within the RM. The RM will encourage recreational development to locate in the area surrounding Duncairn Dam.

### 9.1 Permitted Uses that require development permit approval:

- a. One Residence- limited to single family dwellings, modular or mobile homes
- b. Public utilities
- c. Accessory buildings- limited to two per site.

### 9.2 Discretionary Uses

- a. Recreational Uses
- b. Services stations with or without confectionary
- c. Motels and hotels
- d. Restaurants
- e. Retail stores
- f. Home Based Business
- g. Camping Facilities

### 9.3 Regulations

- a. Subdivision
  - i. All subdivisions shall be serviced to meet municipal standards and provincial standards.
- b. Frontage
  - i. Minimum site frontage shall be 15.24m (50 ft.) for all parcels.

- ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

c. Site Size

- i. Minimum site size shall be 5000 sq. m (53819.55 sq. ft.)
- ii. Maximum site size shall be at the discretion of Council.
- iii. Exemptions from minimum site size requirements may be considered by Council for public utility uses and municipal facilities.

d. Access:

- i. All uses shall have appropriate access to a developed road.
- ii. Access may be required to be provided by a service road that meets provincial and municipal standards.
- iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

e. Setback Requirements

i. Front Yard:

- 1. No buildings, trees, shrubs, stone, earth or gravel piles, portable structures, corrals, board and page wire fences, machinery or other similar objects shall be within 90 m (295.27 ft) from the intersection of two or more roads or within 60 m (196.85ft) from the centerline of a provincial highway, grid road, main farm access road, or road allowance which is used as access to the lands.
- 3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft)
- 4. No building shall be located closer than 3m (10 feet) to any property line.
- 5. No building shall be located in any area of a site closer than 6 m (19.67 ft) to an undeveloped road allowance.

- ii. Side and Rear Yard:
  - 1. The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft)
  - 2. Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.
- iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:
  - 1. The separation distance to an ILO.
  - 2. 305 m from a licensed public or private liquid waste disposal facility
  - 3. 457 m from a licensed public or private solid waste disposal facility
  - 4. 305 m from a honey processing facility.
  - 5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
  - 6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
  - 7. no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.
- f. Building Size Requirements
  - 1. The Principle building shall be a minimum of 91 m<sup>2</sup> (1000 ft<sup>2</sup>)
- g. Accessory Buildings
  - 1. Two accessory buildings are allowed per site.
  - 2. Garden suites are prohibited.
  - 3. Campers as a secondary residence and/or temporary accommodation are prohibited.

- h. Off Season Storage
  - 1) The storage of trailers or related structures shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.
  - 2) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles.
- i. Keeping of animals other than domestic pets is prohibited.
- j. Domestic Animals
  - i. Domestic Animals are limited to 2 dogs and 2 cats per household
  - ii. All domestic animal litters are allowed in a household for up to 12 weeks from birth

#### 9.4 Criteria for Discretionary Use Applications

- a. All Discretionary Uses
  - i. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
  - ii. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
  - iii. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
  - iv. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use
- b. Home Based Businesses- Subject to Section 3.9
- c. Campgrounds – Subject to Section 3.11





## 10 Definitions

In this Bylaw when the following words or terms are used, they have the following meaning, unless the context provides otherwise:

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

**Act** – *The Planning and Development Act, 2007.*

**Administrator** – the official administrator for the Municipality pursuant to *The Municipalities Act.*

**Agricultural Operator:** those persons responsible for the day-to-day management decisions made in the operation of a farm or agricultural operation.

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

**Ancillary Residence** - a dwelling unit that is used by the owner/operator of the principal use and is located on the same site.

**Ancillary Use** – a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

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

Animal Type	# of Animals = 1 Animal Unit
Poultry	
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
Hogs	
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
Sheep	
Rams or ewes	7
Lambs	14
Goats etc.	
All (including llamas, alpacas, etc.)	7
Cattle	
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
Horses	

	Colts and ponies	2
	Other horses	1
Other	Domesticated native ungulates (deer, elk, bison, etc.)	1

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

**Bed-and-Breakfast Operation**– a residence, licensed as a tourist home under *The Public Accommodation Regulations*, in which overnight accommodation within the unit, along with one meal served before noon, is provided to the travelling public for a charge.

**Beverage Room** – an establishment, licensed by the Province of Saskatchewan, in that alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.

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

**Building, Accessory** – a subordinate detached building apart from the main building or main use and located in the same site, which provides better and more convenient function of the main building or main use.

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

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

**Care Services/Facility**- means development to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care, nursery schools and play schools.

**Communal Dwelling** - is identified as the dwelling unit(s) on land owned by Hutterite, Mennonite or any other institutional use who use the land for agricultural, educational, and other shared purposes.

**Concept Plan** – a detailed layout of an area which will eventually be developed.

**Council** – the Council of the Rural Municipality of Bone Creek No. 108.

**Developed Road** –an existing paved or graded all-weather road on a registered right of way, or a road for which arrangement have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.

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

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

**Discretionary Use** – means a use of land or buildings or form of development that:

- (a) is prescribed as a discretionary use in this Bylaw; and
- (b) requires the approval of Council pursuant to Section 56 of the Act and this Bylaw.

**Domestic Animal**- Animals such as dogs and cats that have been tamed and made fit for a human environment.

**Dwelling, Single Detached** – a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home, modular home, or trailer coach as defined here.

**Dwelling Unit** – one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

**Dwelling Group** – a group of principal buildings used as dwellings, located on a single parcel, developed as a project including, rental, condominium or bare land condominium forms of tenure.

**Farmstead** – a farm or the part of a farm comprising its main buildings together with adjacent lands.

**Floor Area** – the sum of horizontal area contained within the outside of the outside walls of a building at each floor level at or above grade, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, or unfinished room or attic.

**Flood Way** – means 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.

**Flood Fringe** – means the portion of the flood plain 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.

**Frontage** – the full length/width of a site measured alongside the road onto which the site fronts.

**Grocery Store** – the use of a building, or a portion of a building, for the sale of foodstuffs and convenience goods to serve the needs of the surrounding residents and the traveling public.

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

**Home Based Business** – an occupation carried on by the occupants of a residence or agricultural operation and is a use secondary to the permitted use.

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

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

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

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

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

**Junked Vehicles** – any automobile, tractor, truck, trailer or other vehicle that:

- (a) has no valid license plate
- (b) is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition
- (c) is not contained within a permitted building
- (d) does not form part of a permitted business

**Kennel** - development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.

**Liquor Sales** – the wholesale or retail sale or distribution to the public of any and all types of alcohol spirits/beverages.

**Mobile Home** – a trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof):

- (a) that is used as a dwelling
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system
- (c) that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.

**Modular Home** – a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

**Motel** – a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

**Municipality** – the Rural Municipality of Bone Creek No. 108

**Non-Conforming Building** – a building:

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

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

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

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

**Outside Storage** – the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.

**Pasture** – a site that is used for the raising and feeding of livestock by grazing.

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

**Personal Service Shops** – a facility for providing a service to individuals, including but not limited to barbershops, professional services, medical clinics, drycleaners, etc.

**Principal Use** – the main activities conducted on a site.

**Principal Building** – the main building in which the principal use of the site is conducted.

**Public Road** – a road allowance or a legally surveyed road vested in the name of Ministry of Highways and Infrastructure.

**Public Utility** – excluding wind energy, a government or private enterprise, which provides a service to the general public.

**Quarter Section** – a quarter Section as defined by the Township Plan of Survey in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter Section defined on the Township Plan of Survey.

**Reeve** – the Reeve of the Rural Municipality of Bone Creek No. 108

**Residence** – a single detached dwelling, mobile home or modular home

**School** – a site, building or other premises and improvements that is utilized for the purposes of educating students with a faculty.

**Sign** – any writing (including letter or word), pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building
- (b) is used to announce or direct attention to, or advertise
- (c) is visible from outside the building.

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

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

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

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

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

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

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

**Units of measure** – units of measure in this Bylaw are metric abbreviated as follows:

m	- metre(s)
m <sup>2</sup>	- square metre(s)
km	- kilometre(s)
ha	- hectare(s)
ac	- acre(s)
ft	- foot (feet)

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

**Vacation Farm** – an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:

- (a) rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished to enable the preparation of meals if full board is not provided

- (b) a tract of land on which one or more camping, tenting or parking sites is located, where electricity, potable water and toilet facilities are provided to the persons, families, or groups occupying any of the sites.

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

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

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

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

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

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

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

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