



**RM OF CONNAUGHT NO. 457
ZONING BYLAW**

BYLAW NO. 07-2023

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ZONING BYLAW**

PREPARED FOR:

RM OF CONNAUGHT NO. 457

PREPARED BY:

Northbound Planning Ltd.

Meota, SK

March 2024

A BYLAW TO ADOPT A ZONING BYLAW

BYLAW NO. 07-2023

The RM of Connaught No. 457, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- 1) Pursuant to sections 46 and 75 of *The Planning and Development Act, 2007* the RM of Connaught No. 457, hereby adopts a Zoning Bylaw, identified as Schedule "A" to this bylaw.
- 2) The Reeve and Rural Municipal Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.

This Bylaw shall come into force and take effect upon final approval of the Minister of Government Relations.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of this Bylaw this _____ day of _____, _____

Reeve

(SEAL)

Administrator

Certified a true copy of
Bylaw No. _____ adopted by resolution
of the Council this

____ day of _____ 2024

Reeve

(S E A L)

Administrator

RM OF CONNAUGHT NO. 457

ZONING BYLAW

SCHEDULE 'A' to

BYLAW NO. 07-2023

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1.0 Introduction

Under the authority provided by section 46 of *The Planning and Development Act, 2007* provides that the Council of a municipality may pass a Zoning Bylaw. Therefore, the Council of the RM of Connaught No. 457 in the Province of Saskatchewan in open meeting enact as follows:

1.1 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the RM of Connaught No. 457.

1.2 Purpose

This Bylaw has been created to regulate development within the RM of Connaught No. 457 in order to provide for the amenity of the area as well as for the health, safety and welfare of the inhabitants of the Municipality.

1.3 Scope

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

1.4 Severability

If any section, clause, or provision of this Bylaw, including anything shown on the Zoning District Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Bylaw in whole or in part, other than the section, clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

1.5 Other Legislative and Bylaw Requirements

Nothing in this Bylaw affects the duty or obligation of a person to obtain a Development Permit, or to obtain any other permit, license or other authorization required by any bylaw, or the Act, or any regulation pursuant to those provincial regulations.

1.6 Bylaw Compliance

Errors and/or admissions by the Development Officer or someone acting under their direction administering this Bylaw while processing applications for development do not clear any party of responsibility for complying with the provisions of this Bylaw or any other bylaw of the Municipality or relieve any applicant from liability for failure to comply with this Bylaw.

No mistake or omission by the Development Officer or someone acting under their direction relieves any applicant from liability for failure to comply with this Bylaw.

2.0 Administration

2.1 Development Officer

- (1) The Administrator of the RM of Connaught No. 457 shall be the Development Officer responsible for the administration of this Bylaw, and in their absence, by such other employee of the Municipality as the Council designates from time to time. Council may appoint a Development Officer subject to the approval of Council to whom duties in the administration of this Bylaw may be delegated.

2.2 Application for a Development Permit

- (1) No person shall undertake a development or commence a use unless a development permit has first been obtained or is exempt as described in this Bylaw.
 - (a) Any person wishing to erect, alter, install, remove, demolish or relocate any building or structure, or make any excavation or landscaping within the jurisdictional boundaries of the Municipality shall be required to submit a Development Permit Application unless exempted in subsection 2.3.

- (2) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- (3) A building permit shall not be issued unless a development permit, where required, has also been issued.
- (4) The application for a development permit shall be made to the Development Officer in "Form A" as adopted or amended by resolution of Council and is not defined in this Bylaw.
 - (a) Where no new construction is proposed, but where a change to the intensity of use results, applicants shall still be required to submit a Development Permit Application and supply a written description of the proposed development in place of such plans.
- (5) Any Development Permit Application will be required to contain:
 - (a) Electronic building plans, or printed building plans on paper no larger than 11 x 17 sized paper. Plans must be prepared by a qualified professional. The Development Officer may accept alternative forms of printed plans with prior consultation. Plans shall also contain:
 - (i) Elevations, or diagrams showing the type, installation and/or construction schematics of the proposed building or structure.
 - (b) Site plans, which shall contain:
 - (i) The proposed use of land and any buildings or parts of buildings on the site.
 - (ii) A north arrow.
 - (iii) The property boundaries, all existing structures within the property boundaries, and setbacks from the proposed development to the property boundaries (i.e., dwellings, decks, garages, etc.).
 - (iv) The street frontage of the site.
 - (v) The location of all existing vegetation on site, and a description of any alteration to surface vegetation.
- (6) The Development Officer retains the right to request studies or research believed necessary for making a decision on a development permit, at the cost of the applicant, before rendering a decision. Such inclusion may contain, but is not limited to:
 - (a) Major drainage paths for water travelling over the site.
 - (b) A Real Property Surveyors Report (RPSR) showing all existing structures and easements on the site.
 - (c) Reclamation plans, emergency response plans, etc.

(d) Any and all photos or pictures of the proposed development in its existing condition (i.e., Move-In Residential Buildings).

(e) Site elevations and the 1:500 flood elevation.

(f) Geotechnical investigation prepared by an engineer licensed to practice in Saskatchewan.

(7) Real Property Surveyors Reports (RPSRs):

(a) A development permit application for a proposed residence on potentially hazardous land as defined by provincial regulation, this Bylaw, and the Official Community Plan, or lands that have an interest registered on the title pursuant to section 130 of the Act, must be accompanied by a RPSR prepared by a Saskatchewan Land Surveyor, which illustrates that the proposed elevation of the finished main floor is above the Minimum Building Elevation as defined herein.

(8) Letter of Credit, Bonds and Servicing Agreements

Council may require the submission of a letter of credit, performance or reclamation bond, servicing agreement, or any other form of assurance to ensure that the development is constructed and completed in accordance with the development standards and regulations set forth within this Bylaw.

(a) All agreements for letter of credits, performance or reclamation bonds, and servicing agreements shall individually stipulate procedures for the release or completion of the agreement that will be mutually agreed upon between the Municipality and development proponents.

(9) Hazard Lands:

(a) Where a proposed development of a building is to be located on land considered by the Municipality or under provincial regulation to be potentially hazardous, the land may be deemed "hazard lands". The Municipality may require the applicant to submit additional information to determine if the development will be within: the 1:500 flood elevation; and/or, within 50.0 metres (164.0 feet) of any slope that may be potentially unstable as determined by Council or the Development Officer..

(b) The Development Officer or Council may require that before a permit be issued in a flood hazard area the applicant may be required to supply the following:

(i) Professionally prepared information confirming that all development, redevelopment or alterations and additions will be adequately flood proofed to at least 0.5 metres (1.6 feet) above the 1:500-year flood elevation. This 1:500-year flood elevation plus any prescribed additional freeboard is commonly known as the estimated Minimum Building Elevation (MBE).

(ii) The bottom of the joists on the first floor, or the bottom surface of the slab on grade, of the building or structure is to be above the MBE.

(iii) Basements are prohibited, except where flood proofing is undertaken. The basement is to be designed to withstand any forces generated by flood water or ice up to and including the MBE.

(iv) Plumbing outlets may be permitted in basements below the MBE provided they contain an automatic shut-off valve approved by a certified inspector.

(v) Electrical outlets may be permitted in basements below the MBE provided they contain an independent switch for each outlet. The main switch box, heating and air conditioning units shall be located above the MBE.

(vi) Foundations and walls of any building or structure shall be adequately flood proofed to an elevation above the MBE. All plans for development shall be certified by a Professional Engineer.

(c) Actions identified in an assessment prepared pursuant to preceding sections which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued.

(d) The Municipality may refuse a permit for any development for which, in its opinion, the proposed actions are inadequate to address the adverse effects that may result in excessive costs to Municipality.

2.3 Developments Not Requiring a Development Permit

2.3.1 A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed:

- (1) The construction, installation, or maintenance of a public work by the Municipality or a public utility.
- (2) Internal maintenance and repairs that do not include structural alterations (i.e., mechanical or electrical work), where the alteration does not result in a change of use or an increase in the number of dwelling units within the building or on the site.
- (3) Fences, subject to height restrictions listed within each specific zoning district.
- (4) Buildings and structures under 9.3 metres squared (100 square feet).
- (5) Signs, unless otherwise regulated in this Bylaw
- (6) Official temporary uses, including the use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.
- (7) Private on-site domestic sewage systems subject to compliance with *The Saskatchewan Onsite Wastewater Disposal Guide*, *The Shoreland Pollution Control Regulations, 1976*, and approval from the appropriate provincial authority responsible for their administration.

- (8) Landscaping, all landscaping (including trees and shelterbelts), driveways, parking areas, flower beds, provided the natural drainage pathway is not adversely affected and does not cause negative impacts to adjacent properties. Landscaping shall be contained entirely within lot boundaries. Alterations to natural drainage patterns may require the approval from the Water Security Agency where applicable.
 - a) No applicant shall complete a development that causes adverse effects to surrounding landowners regarding surface drainage, runoff, or other natural effects.
- (9) All uses for land in which the sole purpose is historical and archeological sites, or wildlife and conservation management areas. However, this excludes structural buildings required for offices, interpretative centres, and uses and Game Farms (Harvest Preserve).
- (10) Agricultural principal uses excluding Intensive Livestock Operations' and farm residences and their accompanying accessory buildings (garage, deck, gazebo, storage buildings etc.).
- (11) Any television, radio, or internet antenna meant for the personal use of the operator on site.

2.3.2 Developments listed in clause 2.3.1 must be located in the District in which they are permitted and must comply with the regulations of this Bylaw.

2.4 Validity and Effective Time Period for Development Permit Applications

This section shall apply to both permitted and discretionary use applications.

- (1) If the development or use authorized by a development permit is not commenced within twelve [12] months from the date of issue of a permit and completed within twenty-four [24] months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.
- (2) If the use changes or there is a change to the intensity of use, a new development permit application shall be required.
- (3) Where the Municipality has approved a use for a limited time, as specified on "Form B", and that time has expired, that use of land or structure on that property shall cease until a new application is submitted, and approval for the extension or renewal is provided.
- (4) A development permit extension may be granted for an additional twelve (12) month period, provided that the extension is requested and approved before the expiry of the original permit. If the development is permitted, the Development Officer is authorized to grant the extension upon review, and a written letter shall be provided. If the use is a discretionary matter of the Council, the permit extension shall only be granted upon Council's review and approval by resolution.

2.5 Review of Applications

- (1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this Bylaw and the policies contained in the OCP.
- (2) The Development Officer shall be empowered to make a decision regarding a development permit application for a "permitted use."
- (3) Council reviews all discretionary use applications and will provide a decision through resolution. The Development Officer may provide recommendations to the Council based on their assessment of these applications.
- (4) 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.
- (5) Where applicable, development permit applications within the boundaries of an Organized Hamlet shall be referred to the current Organized Hamlet board for their review and input prior to a decision being rendered.
- (6) Council or the Development Officer may require a development or subdivision proponent to complete and provide a Comprehensive Development review, as per the policies outlined in the OCP.

2.6 Discretionary Use Applications

This section addresses special provisions and specific development standards that apply to discretionary development permits. These regulations shall apply in addition to the standard development permit regulations, as well as any standards listed in specific zoning districts.

- (1) Council reviews and makes decisions on all discretionary use applications through resolution. Council may approve the application, reject the application, or approve it with conditions. These conditions may include a time limit for conducting the use on the site, which is intended to align with the objectives of the OCP or this Bylaw, with respect to:
 - (a) The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings.
 - (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of that traffic and the adequacy of proposed off-street parking and loading.
 - (c) The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust, and odour.

(d) Any treatment given, as determined by Council, to aspects including landscaping, screening, open spaces, parking and loading areas, lighting and signs, but not including the colour, texture or type of materials, and any architectural detail.

(2) General Discretionary Use Evaluation Criteria:

In exercising its discretion, Council will consider the evaluation criteria identified below, and should determine the extent and nature of the information and analysis required to render a decision:

(a) Roadways: the assessment of capacity of existing roadway infrastructure to accommodate the proposed use.

(b) Air Resources: assess and consider the potential impacts and effects on local air resources.

(c) Soil Resources: assess and consider the potential impacts and effects on local soil resources.

(d) Water Resources: assess and consider the generation of waste resulting from the proposed use, and the capacity of existing water management services.

(e) Natural and Heritage Resources: assess and consider the potential impacts and effects on natural, cultural and heritage resources.

(f) Suitability and Sustainability: assess and consider the potential impacts and effects on social, economic and physical sustainability of the Municipality.

(g) Land Use Compatibility: the anticipated impact(s) of the proposed discretionary use on existing land uses in the area.

(h) Municipal Servicing Capacity: assess the demands on service provision provided by the Municipality.

(i) Potential Impacts on Waterbodies: assess the impacts of development on rivers and waterbodies and the public access to it.

(3) Advertising Discretionary Use Applications:

(a) The Development Officer shall advise the applicant that advertisement for the proposed use will be required by:

i) mailing a copy of the notice to the assessed owner or occupant (lessee), and landowners of each property within 75 metres (246 feet) of the subject property;

ii) posting notice at the Municipal office and/or other public bulletin boards; and

iii) any electronic information communication or distribution method employed by the Municipality.

(b) The Development Officer may increase the notification area, or method (i.e., posting in the newspaper) at their discretion. Broader notification may be employed to engage parties which may be impacted by uses which have greater potential for land use conflict, creation of nuisance, or widespread potential impact(s) along travel routes.

(c) At minimum, seven days before the meeting where the application will be discussed, the notice must be made publicly available and delivered to the parties mentioned in subsection 3(a)(i). Unless additional time is necessary for delivery, the notice will be sent by mail no later than twelve days before the meeting.

(d) The applicant shall pay to the Municipality all costs associated with the public notification.

2.7 Notice of Decision:

(1) Every decision of Council or the Development Officer on an application for a development permit shall be in writing, and a copy shall be sent to the applicant.

(2) Where an application is made for a permitted use or development, upon completion of the review, the Development Officer shall provide a Notice of Decision identified as "Form B", as adopted by Council. The form shall state one of the following options:

(a) An approval, where the application conforms to all provisions and regulations of this Bylaw; or

(b) An approval, where the application conforms to this Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw where necessary; or

(c) A refusal, where the application does not conform with a provision or regulation of this Bylaw, or in the opinion of the Development Officer or Council the development does not meet the evaluation criteria for suitability, stating the reason for refusal, and advising the applicant of any right of appeal that they may have.

(3) Where an application is made for a discretionary use or development, the Development Officer shall submit the application to the Council for review. Upon completion of its review, Council shall pass a resolution directing the Development Officer to provide a Notice of Decision identified as "Form B", as adopted by council. The form shall state one of the following options:

(a) An approval, where the application conforms to this Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw where necessary; or

(b) A refusal, where the application does not conform with a provision or regulation of this Bylaw, or in the opinion of Council the development does not meet the evaluation criteria for suitability, stating the reason for refusal, and advising the applicant of any right of appeal that they may have.

2.8 Revocation of Decision:

This section shall apply to both permitted and discretionary use applications.

- (1) Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, the Municipality may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.
- (2) Revocation of the development permit shall be submitted to the applicant in writing, stating the reason for the revocation, the effective date, the means of remedying the contravention, and any legislated right of appeal.

2.9 Development Appeal Board

- (1) Council shall appoint a Development Appeal Board in accordance with sections 49 and 214 to 218 of the Act.

2.10 Fees and Amendment to the Bylaws

- (1) Where a person requests Council to amend the OCP, this Bylaw, or other planning bylaw, that person shall pay to the Municipality a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.
- (2) Any application made in accordance with this Bylaw may be subject to an application fee, if prescribed in this Bylaw, or which may be established by separate bylaw of the Municipality in accordance with section 51 of the Act and may be subject to amendment from time to time at the discretion of Council.
- (3) These fees shall be in addition to any building permit and inspection fees, or other fees as may be prescribed by the provincial or federal government regulatory agencies.

2.11 Minor Variances to the Zoning Bylaw

- (1) The Development Officer shall review minor variance applications in accordance with section 60 of the Act.
- (2) An application for a minor variance to the this Bylaw shall be made to the Development Officer in a form as prescribed by the Development Officer.

2.12 Enforcement, Offences and Penalties

- (1) The Development Officer shall proceed with enforcement in accordance with sections 242 to 245 of the Act.

3.0 General Regulations

3.1 One Principal Building and Use Permitted on a Site

- (1) Not more than one principal use shall be established and not more than one principal building shall be placed on any one site except for:
 - (a) Uses and facilities owned and/or operated by the Municipality;
 - (b) Any public works or public utility; and
 - (c) Multiple complementary principal uses (excluding any residential use or sleeping accommodation), buildings, or structures on sites under private lease, subject to adherence to all site and setback regulations. (See definition of “horizontal integration”)

3.2 Frontage on Road

- (1) A development permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with Council for the improvement or building of a road.

3.3 Permitted Yard Encroachments

- (1) Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built-in-cabinets, gutters, windowsills, canopies, eaves, accessory building under 100 sq. ft., and fire escapes to a maximum projection of 0.61 metres (2.0 feet) into the required yard;
- (2) Wheelchair ramps to main floor level;
- (3) Light standards, flag poles, and permitted signs;
- (4) Handrails are permitted in all yards;
- (5) Private on-site domestic sewage systems subject to clause 2.3(7);
- (6) Fences subject to the specific requirements of the zoning district in which they are located; and
- (7) Driveways and walkways in the absence of a retaining wall or alteration to the natural topography of the site.

3.4 Non-conforming Uses, Buildings and Sites

- (1) The provisions of the Act, sections 88 to 93 inclusive, shall apply to all lawful existing non-conforming buildings, uses, and sites.

3.5 Natural Environment, Riparian Area Protection Regulations

- (1) Within riparian areas, areas of sensitive biological and animal habitats, or areas adjacent to rivers and waterbodies or potentially unstable slopes, the removal of trees shall not be permitted except for purposes of construction of access ways, park development, buildings, or the clearing of dead or diseased trees. Clearance of trees for access ways shall not be permitted greater than 3 m (9.8 feet) in width or further than 2 m (6.5 feet) from buildings.

(a) Clearing of trees or vegetation for reasons other than those stated above, or in greater quantity or affected area, shall require municipal approval through development permitting, and shall be subject to any policy or regulation of the RM with respect to protection of natural habitats or risk minimization where (potential) hazard lands area involved.

3.6 Landscaping, Grading and Levelling of a Site

- (1) Any site proposed for development shall be graded and levelled at the developers or owner's expense as is necessary to provide for adequate surface drainage within the parcel boundaries.
- (2) Grading, leveling, or placement of fill shall be located entirely within the boundaries of the site with accommodation of drainage routes incorporated into the landscaping.
- (3) Fill must be placed so that natural drainage courses, ditches, and culverts are not blocked or diverted, and does not cause off-site adverse effects to neighbouring properties and shall be adequately setback from property boundaries.
- (4) Failure to perform reasonable measures to prevent erosion of fill material into water bodies or water courses is in violation of this Bylaw and provincial regulation and is subject to enforcement. Persons found in violation will be subject to a penalty that reflects the recovery cost of the Municipality to perform site remediation and treatment.
- (5) As a part of a development permit or subdivision application, the Municipality may require the submission of a drainage plan which, to the acceptance of the Municipality, demonstrates how surface water through the area will be managed such that suitability of proposed development, and in-flows and out-flows, are properly provided. The responsibility and costs of any drainage planning shall generally be at the sole expense of the applicant.

3.7 Public Works, Water and Sewer Systems, Utilities, and Municipal Facilities

- (1) Public works and municipal facilities, except for solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this Bylaw, no minimum site or yard requirements shall apply.

- (2) Subject to the provincial regulations administered by the appropriate government ministries, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.
- (3) Where available, every dwelling and every building containing washroom facilities shall be connected to a sewer and water supply system. All costs related to connection are at the proponent's expense.
- (4) Where a collection, distribution, or transmission line will cross a registered road allowance, the Municipality may apply special design standards as it considers necessary to protect existing and future improvements to the road.
- (5) Final locations for water and sewage distribution and collection systems shall be chosen in consultation with the Water Security Agency and shall abide by all applicable provincial legislation.
- (6) Pit privies are prohibited where access to municipal sewer services exist. If sewer service is not available pit privies must meet or exceed Public Health requirements.

3.8 Move-In Residential Buildings

- (1) Applicants shall be required to submit photos showing the current condition of the residential building, including photos of all external walls.
- (2) Council shall consider the feasibility of moving a structure onto a site and the potential impacts to roadways, vegetation, utilities, or disruption to existing properties.
- (3) Applicants will be required to submit detailed plans and timing for the moving in of structures. Where upgrades to infrastructure or relocation of utilities is required, the responsibility for any associated costs will be the sole responsibility of the applicant. Council may require the provision by the applicant of a performance bond or other financial assurance to address potential damages to municipal infrastructure.

3.9 Bulk Fuel Storage and Sales

- (1) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6.0 metres (19.7 feet) from any street or other property boundary.
- (2) Above-ground fuel storage tanks which meet the standards of the *National Fire Code of Canada* may be permitted when associated with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use where that use is permitted in the zoning district.
- (3) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the *National Fire Code of Canada*.

- (4) Above-ground fuel storage tanks shall be:
- (a) Located at least 3.0 metres (9.8 feet) from any property line or building;
 - (b) Notwithstanding (a) above, above-ground fuel storage tanks associated with a gas bar or service station shall be:
 - (i) Located at least 6.0 metres (19.7 feet) from any property line or building.
 - (c) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres (9.8 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
 - (d) Notwithstanding (b) above, above-ground fuel storage tanks associated with a gas bar or service station shall be located at least 6.0 metres (19.7 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
 - (e) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means

3.10 Home Based Businesses

- (1) Home based businesses shall be clearly incidental and secondary or ancillary to the principal use of the site.
- (2) Home based businesses shall cause no variation in the residential or residential farm character and appearance of a dwelling, accessory residential building, or land, except for permitted signs.
- (3) All permits issued for home based businesses shall be subject to the condition that the permit may be revoked at a time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- (4) The home based business shall employ individuals who are full-time residents of the dwelling. Additionally, the Council, upon approval, may allow for up to two (2) other persons to be employed by the home-based business, either to work off-site or on-site, depending on the specific circumstances and requirements.

3.11 Bed & Breakfast and Vacation Farms

- (1) Vacation farms shall be ancillary to an agricultural use and located on the same site as a farmstead, and may include bed and breakfast, cabins, and overnight camping areas.
- (2) Council may specify the maximum number of cabins permitted as part of a vacation farm operation.
- (3) Off-site signs may be permitted at the discretion of Council where necessary to provide directions from a highway or roadway to the operation.

- (4) Vacation farms and bed and breakfast operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.
- (5) Bed-and-breakfast operations shall be located in a 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.
- (6) Council will consider applications with respect to the following criteria:
 - (a) The proposed structures are suitable for the proposed development.
 - (b) There is a water source suitable for public consumption at the facility.
 - (c) There are suitable utilities and sewage disposal system for the facility.
 - (d) There are appropriate levels of access to the site and off-street parking for the users of the facility.
 - (e) The development will not be in conflict with adjacent uses or uses currently on site.

3.12 Campgrounds

- (1) The operator of a campground shall provide the Development Officer with a plan of the campground, identify any buildings, uses of land, and the location of all roadways and recreational vehicle 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 an amended plan incorporating the changes for approval.
- (2) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 6m, which shall contain no buildings.
- (3) No portion of any campsite shall be located within a roadway or required buffer area.
- (4) Each campsite shall have direct and convenient access to a developed internal roadway, which is not located in any required buffer area
- (5) Each campsite shall be large enough to allow for each recreational vehicle to be located at least 4.5 m from any other trailer coach and no portion of the campsite shall be located closer than 6 m from the site boundary.
- (6) Roadways within a campground shall be at least 6 m in width. No portion of any campsite, other use or structure shall be located within 3 m of any roadway.
- (7) A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one dwelling for the accommodation of the operator.

- (8) *The Public Health Act*, and associated regulations, shall be complied with in respect to all operations and development of the campground.

Council will consider applications with respect to the following criteria:

- (a) The site is located with convenient access to the recreational features, facilities or construction project that it is intended to serve.
- (b) The size and shape of the parcel and the design of the campground will ensure that each site is accessed from an interior roadway.
- (c) There is a water source suitable for public consumption at the campground.
- (d) There are suitable utilities, sewage disposal systems and facilities for the campground.
- (e) The development will not be in conflict with adjacent uses or uses currently on site.

3.13 Outfitting Operations and Lodges

- (1) Council may prescribe specific development standards related to the size of the operation or buildings used for the operation.
- (2) Council may prescribe specific development standards related to control of noise, glare, dust and odour.
- (3) Storage
 - (a) Outside storage shall be prohibited. All items associated with the commercial use shall be retained within an approved building.
 - (b) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles in the off-season period.
- (4) Signage
 - (a) Off-site signs may be permitted at the discretion of Council where necessary to provide directions from a highway or roadway to the operation.
- (5) Parking and Landscaping
 - (a) There shall be adequate off-street parking available for the proposed use. Parking shall be developed such that a minimum of one parking space is provided per potential patron.
- (6) Criteria and Standards for Outfitter Lodge
 - (a) The applicant or outfitter shall provide a letter, along with the development permit application, outlining the proposed method of operation, promotional strategy, services and amenities to be provided to guests, a detailed list of equipment to be used, and any other information that will assist Council in making their decision.

(b) The outfitter lodge shall be located in close proximity to the proposed hunting or fishing area.

3.14 Accessory Buildings and Structures

- (1) Private garages, carports and accessory buildings that are attached by a roof to a principal use or building shall be considered a part of the building and subject to the yard requirements of the building.

Accessory buildings considered part of the principal building shall not dominate the residential use of the proposed building.

- (2) Accessory buildings attached by a roof structure shall not exceed the size of the principal use.
- (3) Accessory and ancillary buildings shall not be constructed or placed on any site prior to the construction of the principal building except as follows:

(a) Where a Development Permit has been issued for a principal building, the Development Officer may, at their discretion, allow prior development of an accessory or ancillary building where such building is required for the storage of construction material or equipment.

(b) Applicants shall be required to show on the site plan the intended location of the future principal building on site.

3.15 Development by a Railway

Where new development is proposed in proximity to an existing or proposed rail line, the *FCM -RAC Guidelines for New Development in Proximity to Railway Operations* will be employed for guidance. Rail operators may be engaged to determine relevant considerations for new development, and development standards and setbacks may be employed to protect the public and new development, and to minimize potential nuisance.

4.0 Zoning Districts and Zoning Map

4.1 Classification of Zoning Districts

- (1) For the purpose of this Bylaw, the RM of Connaught No. 457 is divided into the following zoning districts, and the boundaries of which are shown on the “Zoning District Map.” Such zoning districts may be referred to by the appropriate symbol, as shown below:

A – Agricultural District

H – Hamlet District

4.2 Zoning District Map

- (1) The Zoning District Map accompanies and forms part of this Bylaw and is referred to in this Bylaw adopted by the RM of Connaught No. 457 signed by the Reeve and Rural Municipality Administrator and under the seal of the Municipality.

4.3 Boundaries of Zoning Districts

- (1) The boundaries of the zoning districts referred to in this Bylaw, together with an explanatory legend, notations, and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- (2) Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of RM of Connaught No. 457.

4.4 Zoning District Schedules

- (1) The uses or forms of development allowed within a zoning district, along with regulations or standards which apply are contained in the individual schedules in this Bylaw.
 - (2) Any site that does not conform to the specific district site sizes or frontage requirements shall be deemed to be a conforming site for the existing use provided that a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
-

5.0 A – Agricultural District

5.1 Intent

The general purpose of the Agriculture District is to encourage retention of agricultural land for crop production, livestock operations, related agricultural use, and to allow non-farm residential development at a level which will not jeopardize existing agricultural operations or remove prime farmland from production and those specific permitted uses as indicated.

5.2 Permitted Uses

- (1) Agricultural – field crops, bee keeping ranching, grazing, and other similar uses (excluding intensive livestock operations 300 animal units or greater where confined) customarily carried on in the field of general agriculture, including the sale, on the premises, of any produce or animals grown or raised on the premises.
- (2) Agricultural commercial uses, processing, and similar uses; grain elevators, grain and seed storage, drying, and cleaning; agriculture fertilizer storage.
- (3) Oil and gas related commercial uses (excluding mineral resource primary processing and transmodal facilities), processing, manufacturing, and distribution facilities.
- (4) Schools, cemeteries, places of worship, and community halls.
- (5) Public utilities and works, excluding solid and liquid waste facilities.
- (6) Historical and Archeological Sites.
- (7) Wildlife and Ecological Conservation Sites.
- (8) Institutional uses; recreational uses; sports fields, golf courses, and other similar uses.
- (9) Petroleum pipelines and related facilities, oil and gas exploration or extraction wells and related facilities, related primary processing facilities, and transmodal facilities.
- (10) Bulk fuel storage and sales.
- (11) Resource based activities;
 - (a) Fisheries – Fishing industry and related resource facilities.

5.3 Discretionary Uses

- (1) Implement and machinery sales and service; motor vehicle sales and servicing.
- (2) Stockyards and auction marts; abattoirs; animal kennels.
- (3) Non-farm residential development, in the form of single detached dwellings, mobile and manufactured homes, modular homes, dwelling groups, move-in residential buildings subject to any general regulation regarding the residential use, shall all be placed upon a permanent foundation.
- (4) Home based business; vacation farms; bed and breakfast homes, outfitters; campgrounds; agricultural tourism; and other similar uses.
- (5) Aggregate resource extraction, storage, processing, and crushing; natural resource storage and processing facilities.
- (6) Concrete manufacturing, storage, and processing facilities.
- (7) Intensive livestock operations; intensive agricultural operations.
- (8) Solid and liquid waste disposal facility; soil farms.
- (9) Salvage and wrecking yards.

5.4 Accessory Uses

The following uses shall be accessory to an existing principal building or use, and shall be considered as a permitted development, and subject to all site regulations listed in Section 5.5:

- (1) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use.
- (2) Farmstead development, with a principal agricultural use including:
 - (a) One (1) single detached dwelling, mobile and manufactured home, modular home or move-in residential building subject to any general regulation regarding the residential use; all shall be placed upon a permanent foundation.
 - (b) One (1) additional dwelling may be permitted on an agricultural parcel where the occupants are servicing the principal agricultural use.

5.5 Regulations

(1) Site Area Requirements:

(a) Agricultural Use(s):

(i) One quarter section, 64 hectares (158 acres) or equivalent shall be the minimum site area required to constitute an agricultural holding. Equivalent shall mean 64 hectares (158 acres) or such lesser amount as remains in an agricultural holding because of the registration of road widening, road right-of-way or railway plans or pipeline development, or natural features such as streams or bodies of water, or because of subdivision as permitted herein, but in any case, not less than 57 hectares (140 acres) unless otherwise specified in this Bylaw. Subdivision of land will be permitted for consolidation purposes subject to meeting the total area requirement for an agricultural holding.

(ii) Any agricultural holding which does not conform to the minimum site area requirement shall be deemed conforming regarding site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this Bylaw.

(iii) A reduced site area below 64 hectares (158 acres), but not below 14 hectares (34.5 acres) will be permitted for the purposes of agricultural holding consolidation and estate planning and settlement subject to a resolution of Council.

(b) Agricultural-related commercial development: **Minimum** – 0.4 ha (0.99 acres).

(c) Other Permitted and Discretionary uses, such as intensive agricultural and intensive livestock operations: **Minimum** – 0.8 ha (2.0 acres); **Maximum** – as determined by demonstrated space needs necessary for a viable principle agricultural use.

(d) Non-farm residential development: **Minimum** – 4.05 ha (10.00 acres); a maximum site area may be determined at the discretion of Council to accommodate existing developed farm yard sites or accommodate sites fragmented from the balance of the quarter section by either natural (river, creak, coulee, etc.) or man-made (developed road, railway, etc.) barrier.

(e) All other uses - **No minimum**; however, site area will be evaluated according to operational needs and requirements.

(2) Frontage Requirements:

(a) 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 and developed road, and upgrades or construction of any road may be requested through a signed servicing agreement.

(b) Developed municipal road allowances shall mean an existing paved or graded all-weather road on a registered right of way, or road allowance that meets the RM road construction standards, or unless satisfactory arrangements have been made with Council for the improvement or building of a road.

(c) Residential Development: **Minimum** - 20 metres (66 ft)

(3) **Density Requirements:**

(a) A maximum of two (2) parcels are permitted per quarter section, or equivalent* located within this District, for any agricultural, residential or commercial principal use, unless more than three sites existed prior to the passage of this Bylaw. Public utilities and works are excluded from any density calculation.

(b) Any proposed subdivision proposing the creation of two (2) sites, shall be at the discretion of Council.

(4) **Road Setback Requirements:**

(a) All buildings and structures shall be set back at least 45 metres (150 feet) from the centerline of any municipal road, road allowance, provincial highway, or as required by the ministry responsible for provincial highways.

(b) The minimum setback of all buildings and structures shall be 3.1 metres (10 ft) from the parcel boundaries if the above section (i) does not apply.

(c) Regulations in (a) and (b) above shall include the planting of trees and shrubs, stone piles and dugouts.

(5) **Separation of Uses:**

(a) A 457 metre separation is required between residences not occupied by a livestock operator and/or employee involved in the operation and intensive livestock operations, as measured from a dwelling to the area of confinement or animal waste storage.

(i) A lesser separation may be considered, where in the opinion of council, it is demonstrated that a closer distance would not unduly affect the owner of either land use or cause a public safety hazard.

(b) A 457 metre separation is required between residences, and solid or liquid waste facilities, as measured from a dwelling to the waste facilities

(i) A lesser separation may be considered, where in the opinion of council, it is demonstrated that a closer distance would not unduly affect the owner of either land use or cause a public safety hazard.

(c) No dwelling shall be located within 305 metres (1000 feet) of an anhydrous ammonia facility

5.6 Discretionary Use Evaluation Criteria and Regulations

The general discretionary use evaluation criteria listed in Section 2, and general regulations in Section 3 shall apply to all discretionary uses. Where more specific evaluation criteria and regulation is deemed appropriate by Council, it shall be supplemented below.

- (1) Aggregate resource extraction, storage, processing and crushing; concrete manufacturing, storage, and processing facilities; salvage and wrecking yards:
 - (a) Council may specify specific approval conditions regarding, but not limited to:
 - (i) daily operations (i.e., hours of operation, crushing times, potential nuisance related matters, etc.);
 - (ii) site rehabilitation and reclamation;
 - (iii) site landscaping and fencing;
 - (b) Council may require the submission of a surety, performance, or reclamation bond at time of application and permitting
 - (c) Applications shall have adequate set back and sufficient screening of any outdoor storage area from existing incompatible development or a municipal road allowance. The proposed use may be required to provide appropriate screening to the satisfaction of Council.
- (2) Non-farm residential development; home based business; vacation farms; bed and breakfast homes; agricultural tourism; and other similar uses:
 - (a) Appropriate locations for the proposed use shall be considered based on the surrounding area in relation to the agriculture industry, demand, and utility of the proposed ancillary use.
- (3) Implement and machinery sales and service; motor vehicle sales and servicing; bulk fuel storage and sales; intensive agricultural operations:
 - (a) Site size shall be appropriate, in Council's opinion, for the receipt, distribution or dispatch by vehicles of materials, goods or merchandise through the designation of a clearly defined parking, unloading or loading space on a site plan.
 - (b) Locations are encouraged to be adjacent to major transportation routes;
- (4) Intensive livestock operations; stockyards and auction marts; abattoirs; animal kennels:
 - (a) A livestock operation shall only be considered intensive where more than 300 animal units are confined to an area of less than 370 m² per unit. The review and evaluation of the discretionary use will include the following:
 - (i) The municipality shall proceed with public notification providing sufficient time to advertise the application, notify surrounding landowners, and shall include dates for the applicants open house regarding the proposal;
 - (ii) Pursuant to clause (1), the applicant shall be required to host an open house and provide information about the proposal, showing conformance to provincial

intensive livestock regulations;

(iii) Council may not render a decision until public notification procedures as outlined above have been completed, and provincial approvals have been received.

(iv) Sites of wintering, temporary housing, or calving of livestock shall not classify as an intensive livestock operation under this Bylaw, but may be subject to provincial regulation and subject to provincial approval for the use and a suitable waste management plan.

(b) The intensive livestock operation or kennel may include on-site residential development affiliated with the operation;

(c) All applicants shall be required as a condition of approval to provide applicable approval from provincial approving authorities, where applicable;

(d) Site size shall be appropriate, in Council's opinion, for the receipt, distribution or dispatch by vehicles of materials, goods, product or merchandise through the designation of a clearly defined parking, unloading or loading space on the site plan.

(e) Applicants shall be required enter into an agreement to upgrade municipal road allowances to primary weight standards to ensure all-season access to facilities where deemed necessary by the RM.

(f) The temporary confinement of livestock for seasonal feeding, wintering, or calving of less than 300 animal units shall not be considered by council to be an intensive livestock operation or require discretionary use approval.

Solid and liquid waste disposal facility; soil farms

(a) All applicants shall be required as a condition of approval to provide applicable approval from provincial approving authorities;

(b) Locations are encouraged to be adjacent to major transportation routes and will be evaluated on the basis of potential impacts on municipal infrastructure.

6.0 H – Hamlet District

6.1 Intent

To accommodate a range of existing and complementary uses within hamlets in the municipality and to provide for their orderly growth.

6.2 Permitted Uses

- (1) Residential
 - (a) Single detached dwelling.
 - (b) Mobile or manufactured and modular homes.
 - (c) Semi-detached dwelling, apartments.
 - (d) Townhouses, duplex dwellings.
- (2) Commercial
 - (a) Retail stores, offices, personal service establishments.
 - (b) Restaurants, confectioneries and other places for the sale and consumption of food and related items.
 - (c) Establishments for the servicing, storage and sale of motor vehicles, farm machinery and equipment.
 - (d) Gas bars, with or without convenience stores; service stations.
- (3) Institutional
 - (a) Schools and education institutions.
 - (b) Churches and religious institutions.
 - (c) Community halls.
 - (d) Municipal facilities.
- (4) Recreational
 - (a) Sports fields, rinks, parks, golf courses, and other similar uses.
- (5) Public Utilities

(a) Public utilities and works, excluding solid and liquid waste facilities.

6.3 Accessory Uses

- (1) Buildings, structures or uses accessory to and located on the same site with the main building or use shall be considered permitted and be subject to the site regulations of the principal use, unless otherwise specified in this Bylaw.
- (2) Shipping containers (Sea Cans) shall be at the discretion of Council.

6.4 Discretionary Uses

The following uses shall be permitted but only by resolution of Council and only in locations and under conditions specified in such resolution of Council.

- (1) Warehouse and supply depots.
- (2) Licensed establishment, taverns, pubs, breweries, cannabis retail, and hotels.
- (3) Agricultural commercial operations including fertilizer sales, but not including storage of agricultural products or anhydrous ammonia outlets.
- (4) Move-In Residential Buildings subject to any general regulation regarding the residential use.
- (5) Construction and landscape yards; storage yards and compounds.
- (6) Bed & Breakfast, Home-based businesses.
- (7) Commercial greenhouses and horticulture operations.
- (8) Solid and liquid waste disposal facilities.
- (9) Outfitter Operations and Lodges.

6.5 Regulations

(1) Site Area

(a) Single detached dwellings, mobile or manufactured and modular homes:

Minimum – 302 sq. m (3,250 sq. ft.)

(b) Commercial uses: **Minimum** – 232 sq. m (2500 sq. ft.)

(c) All other uses: **Minimum** - 302 sq. m (3,250 sq. ft.)

(2) **Site Frontage**

(a) Single detached dwellings, mobile or manufactured and modular homes:
Minimum – 7 m (22.9 ft.)

(b) Commercial uses: **Minimum** – 7.5 m (25 ft.); **Maximum** – 30 m (100 ft.)

(c) All other permitted uses: **Minimum** – 15 m (50 ft.)

(d) All other discretionary uses: **Minimum** – 30 m (100 ft.)

(3) **Yard Requirements**

(a) Front Yard: **Minimum** – 6.0 m (20 ft.)

(b) Side Yard: **Minimum** – 1.0 m (3.2 ft.) except for semi-detached dwellings where the party wall is above a property line, the side yard requirement is not applicable.

(c) Rear Yard: **Minimum** – 3.1 m (10 ft.)

(d) Decks: Uncovered decks to any property line: **Minimum** – 1.5 m (5 ft.)

(4) Fences: **Maximum Height in front yard** – 1.0 m (3.2 ft.)
Maximum Height Rear/Side yard – 1.8m (6ft.)

(5) No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres (3.2 ft.) above grade level.

6.6 Discretionary Use Evaluation Criteria and Regulations

The general discretionary use evaluation criteria listed in Section 2, and general regulations in Section 3 shall apply to all discretionary uses. Where more specific evaluation criteria and regulation is deemed appropriate by Council, it shall be supplemented below.

(1) Warehouses and supply depots; auto wreckers; construction yards, storage yards, and similar uses;

(a) The proponent may be required to enter into an agreement with the RM regarding routing of large trucks, and the maintenance of municipal roadways;

(b) Council may specify approval conditions regarding, but no limited to:

(i) daily operations (i.e., hours of operations, crushing times, etc.);

(ii) site rehabilitation and reclamation;

(iii) site landscaping and fencing;

(c) Council may require the submission of a surety or performance bond at time of application;

(d) Applications should be adequately setback and screened from any outdoor storage area from existing incompatible development or a municipal road allowance. The proposed use may be required to provide appropriate screening to the satisfaction of Council.

(e) Locations are encouraged to be adjacent to major transportation routes.

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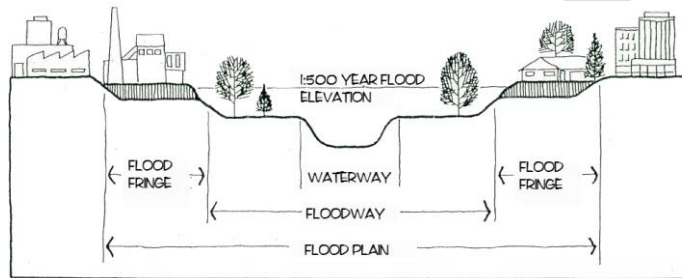
7.0 Interpretation

7.1 Definitions

Wherever the following words or terms are used in this Bylaw, they shall, unless the context provides otherwise, have the following meaning:

1:500 Flood Elevation: an overflowing of a large amount of water beyond its normal confines, with a probability of a 1:500, or 0.2 percent (0.2 %) chance of happening in any given year.

1:500 Flood Elevation



Accessory Building or Use: a building use or use that:

- (a) Is subordinate to and is exclusively devoted to the principal building or principal use;
- (b) Is subordinate in area, extent and purpose to the principal building or principal use served;
- (c) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,
- (d) Is located on the same site as the principal building or principal use served.
- (e) May include additional sleeping accommodations and washroom facilities, however it shall not include kitchen facilities.

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

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

Administrator: the Municipal Administrator for the RM of Connaught No. 457.

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

Alteration: any structural change or addition made to any building or structure. This includes any structural change including but not limited to an addition to the area or height of a building, any changes to the structure or supports of a building, or the addition or expansion of a deck raised more than 16 inches above grade.

Animal Unit (AU): the kind and number of animals calculated in accordance with the following table:

Animal Type	Number of Animals = 1 Animal Unit
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
Rams or ewes	7
Lambs	14
All (including llamas, alpacas, etc)	7
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
Colts and ponies	2
Other horses	1
Fallow deer	8.0
Fallow deer fawns	32.0
Elk	5.0

Elk calves	20.0
White tailed deer	8.0
White tailed deer fawns	32.0
Mule deer	8.0
Mule deer fawns	32.0

Applicant: a developer or person applying for a development permit under this bylaw.

Approved: approved by the Council of the RM of Connaught No. 457 or the Development Officer of the Municipality depending on the nature of the application in question.

Balcony: a platform projecting from the face of a wall, cantilevered or supported by columns or brackets, typically at least 2.4 metres (8.0 feet) above ground level.

Basement: a portion of a building that is partly or wholly underground and which has more than one (1) half of its height, from finished floor to finished ceiling, below grade level.

Buffer: a strip of land, vegetation or land use that physically separates. Does not equate to “Buffer Strip” under the Act.

Building: a structure constructed or placed on, in or over land but does not include a public highway.

Building Bylaw: a bylaw of the RM of Connaught No. 457 regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to *The Construction Codes Act*.

Building Floor Area: the sum of the gross horizontal area of all floors of a building. All dimensions shall be measured between exterior faces of walls or supporting columns separating two (2) buildings. Floor area is calculated excluding in the case of a dwelling, any private garage, porch, and veranda.

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

Building Permit: a permit, issued under the Building Bylaw of the RM of Connaught No. 457, authorizing the construction of all or part of a building or structure.

Building, Principal: a building within which the principal use of the site is housed or conducted.

Building Line, Established: a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distanced from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

Bunkhouses: buildings and structures that are secondary to the principal or discretionary use and which will permit overnight accommodations, but such structures shall not contain kitchen facilities. Shall not be construed, in any way, as consent or approval for a future subdivision for the use.

Camp: to remain overnight with or without a tent or temporary shelter.

Campground Site, Group: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there is more than one (1) unit (i.e., campers, recreational vehicles, etc.) within an individual site boundary.

Campground Site, Seasonal: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there one (1) unit (i.e., campers, recreational vehicles, etc.) within individual site boundaries, or two (2) or more units in a group site boundary. This type of site is rented for long-term periods to be determined by Council.

Campground Site, Non-Seasonal: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there is one (1) unit (i.e. campers, recreational vehicles, etc.) within individual site boundaries. This type of site is rented for short-term periods to be determined by Council.

Camping Unit: a vehicle or structure that is or may be used as a temporary living quarter or shelter, and typically includes: motor homes, cabin trailer, tent trailer, truck camper, tent, van, car, truck, recreational vehicle, houseboat and other similar uses.

Campsite: an area within a seasonal campground, designed and developed to accommodate a family or a specified number of persons in one camping unit.

Carport: a roofed enclosure for the parking of a motor vehicle which has less than 60 percent (60%) of the perimeter enclosed by walls, doors or windows and is attached to the principal building on the site.

Communication Tower: a structure or structures used for receiving and broadcasting radio, internet, cellular service or television signals.

Compatible: with respect to land use, that land uses are able to coexist near each other without conflict or are consistent and capable of being used in combination with each other.

Corner lot: a lot at the intersection or junction of two (2) or more streets.

Council: The Council of the RM of Connaught No. 457.

Deck or Porch: a raised open platform, with or without railings, which is at least 40 centimetres (16 inches) above grade and attached to the principal building.

Dedicated Lands: lands dedicated pursuant to the Act, and *The Dedicated Lands Regulations, 2009*, as buffer strips, environmental reserve, municipal reserve, public reserve, and walkways.

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 of any building or land.

Development Appeals Board: a board established pursuant to section 49 of the Act, which may be a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3) of the Act.

Development Officer: the individual(s) appointed pursuant to section 2.1 – Development Officer to administer this Bylaw.

Development Permit: a permit, issued by the Council of the RM of Connaught No. 457 or its designated Development Officer that authorizes development but does not include a building permit.

Discretionary Use: a use or form of development that may be allowed in a zoning district following application to, and approval of Council; and which complies with the development standards, as required by Council, contained in this Bylaw.

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

Dwelling, Semi-Detached: means two dwelling units side by side in one building unit with a common party wall which separates, without opening throughout the entire structure, the two dwelling units.

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, including an RTM when attached to its foundation on the site, but not including a mobile or manufactured home and modular home as defined.

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.

Elevation: the height of a point on the Earth's surface above sea level.

Estimated Peak Water Level (EPWL): means the water level calculated by the Water Security Agency or other certified professional to determine a flood hazard area. It is based on the 1:500 peak flow for rivers and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most water bodies.

Existing: anything in place, or taking place, on the date of adoption of this Bylaw.

Farmstead –a single site, which includes the dwelling of the agricultural operator and those buildings, or facilities that are related to the agricultural use and may include cropland and pastures. A Farmstead may contain the following where located on the same site:

- A dwelling for the operator of an agricultural use.
- A bunkhouse or additional dwelling for employees and partners of the operator engaged in the agricultural use.
- Facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an ILO (unless approved as an ILO).
- Buildings for permitted accessory and ancillary use.

Fence: a constructed barrier erected to separate, enclose, screen or divide areas of land.

Flood plain: the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

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

Flood way: 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 1.0 metre or a velocity of 1.0 metre per second.

Flood fringe: the portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of 1.0 metre or a velocity of 1.0 metre per second.

Frontage: the length of the site line front, the site line abutting the street providing access. In the case of a corner lot the shorter side shall be considered the front. Where a pie shaped or non-rectangular lot is involved, the average width of the lot measured by its front and rear lot lines may be considered as the value for calculating the minimum frontage requirement of the lot.

Grade Level: the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Hazard Lands: land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

Hazardous Material: any material, product, substance, organism, gas, liquid or anything else which because of its quantity, concentration, location risk of spill, chemical or infectious characteristics, carcinogenic or mutagenic properties, is a potential or current threat to the physical environment, human health, living organisms, water supplies or other resources.

Heritage Building or Site: any property or site that is designated by the Municipality, the Provincial Government or the Federal Government as being a site that should be protected and preserved to protect heritage resources within the Municipality.

Heritage Resources:

- a) (a) Archaeological and paleontological objects; and
- b) (b) Any property or site of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value.
- c) (c) Heritage resources include built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

Home Based Business: a business, occupation, trade, profession or craft customarily conducted entirely within a dwelling or accessory building by the inhabitants of the dwelling, and where the use is clearly incidental and secondary or ancillary to the residential use and does not change the character of the dwelling.

Horizontal Integration: the accommodation of multiple complimentary activities which could be considered principal permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing, and/or the sale of manufactured goods produced onsite.

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 services or convention room.

Intersection: any place where two (2) or more streets meet or cross at grade.

Intensive Agriculture: an intensified system of tillage from the concentrated raising of crops and other plants for market and without restricting the generality of the above includes:

- (a) sod farms;
- (b) market gardens;
- (c) greenhouses;
- (d) nurseries, tree farms and other similar uses.

Intensive Livestock Operation: the confining of any of the following animals, in number equal or greater than 300 animal units, where the space per animal unit is less than 370 square meters:

- (a) poultry;
- (b) hogs;
- (c) sheep;
- (d) goats;
- (e) cattle;
- (f) horses;
- (g) any other animal prescribed by provincial regulation;

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

Lot: one surface parcel as defined under *The Land Titles Act, 2000*, and used as a unit for the purpose of regulation under this zoning bylaw.

Lot Coverage: the percentage of the lot covered by building, such as principal and accessory use buildings as outlined in this Bylaw.

Lot Line, Front: the property line that divides the lot from the street, in the case of a corner lot, the line separating the narrowest street frontage on the lot from the street.

Lot Line, Rear: the line at the rear of the lot opposite the front lot line.

Lot Line, Side: a lot line which is neither the front or rear lot line.

[Estimated] Minimum Building Elevation (MBE): an elevation a minimum of 0.5 metres above the EPWL which includes a necessary freeboard to adequately protect development from potential flooding, damage, erosion, ice, etc. The Water Security Agency usually recommends a freeboard of 0.5 metres for most situations and may be increased to 0.6 metres where dykes are used for flood proofing, or 1.0 metres in lake or river areas with greater uncertainty in estimating hydrological response. In some instances, the MBE may be registered to title with development standards as a condition of subdivision approval by the subdivision approving authority.

Mobile or Manufactured Home: shall mean a trailer coach:

- a) That is used as a dwelling for permanent or year round living.
- b) That has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system.
- c) Certified by the manufacturer that it complies with the *Canadian Standards Association Code CSA-Z240* series standards.
- d) That is properly skirted and attached to a permanent foundation.

Modular Home: a factory built home that is manufactured as a whole or modular unit and is designed 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.

Move-in (MI) Residential Building: Shall mean a single detached dwelling constructed off site which is being relocated to a new site in the municipality. A Move-in residential building has been used previously as a residential building.

Municipality: means the RM of Connaught No. 457 unless explicitly stated otherwise.

Municipal Facility: any structures or land owned and/or maintained by the Municipality that are used for:

- a) Office and meeting space.
- b) Storage of municipal equipment and supplies.
- c) Recreation.
- d) Other institutional purposes.

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.

Non-Farm Residential: includes a dwelling or site whose owner's principal source of household income is derived from a source other than the principal agricultural use of that site.

Official Community Plan (OCP): the Official Community Plan for the RM of Connaught No. 457.

Park Model Home: a dwelling unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters; has water faucets and shower or other bathing facilities that maybe connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association and is similar in form and construction to the following:



Party Wall – means either:

- a) A wall erected at, or upon, a line separating two of the parcels of land, each of which is, or capable of being, a separate legal parcel subdivided as per *The Planning and Development Act, 2007*; or
- b) A wall separating two Dwellings, each of which is, or is capable of being, a separate legal parcel divided under *The Condominium Act, 1993*;

Permanent Foundation: any concrete pads, pilings made of any material, pony walls or other support structures made of concrete, wood, steel or other metal, placed on or in the ground where a building will be constructed or installed.

Permitted Use: a use permitted within the Municipality in a certain zoning district as long as all other bylaw and regulation requirements are met.

Personal Service Establishment: a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

Principal Agricultural Use: Means that the chief reason for the use and development of the land is its use for agricultural purposes, and that such use constitutes the chief source of income or anticipated chief source of income of the applicant for a development permit for land.

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

Public Utility: shall mean a facility or service together with its associated public site or right of way which provides transportation, energy, drainage, and/or utility lines.

Public Works: a system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality.

- a) Systems for the production, distribution or transmission of electricity.
- b) Systems for the distribution, storage, or transmission of natural gas or oil.
- c) Facilities for the storage, transmission, treatment, distribution or supply of water.
- d) Facilities for the collection, treatment, movement or disposal of sewage and garbage.
- e) Telephone or light distribution lines;
- f) Microwave and cell phone tower communication facilities.
- g) Facilities for optical cable, or cable television services.

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.

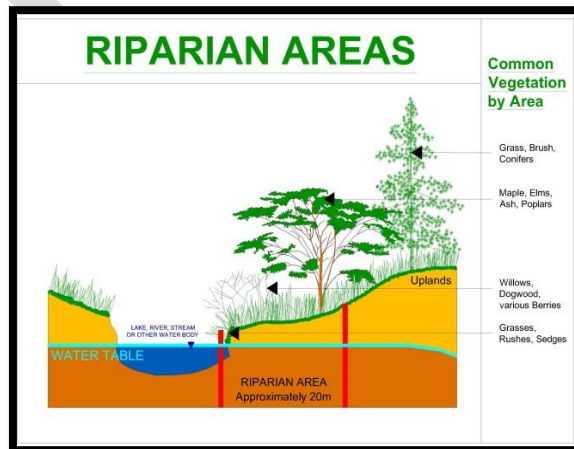
Ready-to-Move (RTM) Dwelling: a new single detached dwelling constructed off site to *National Building Code* or CSA-A277 standards to be moved onto a new permanent residential site building foundation.

Recreational Vehicle or RV: a tent trailer, travel trailer, truck camper, fifth wheel, motor home or other similar structure intended to provide temporary accommodation for travellers, tourists and campers.

Reeve: The Reeve of the RM of Connaught No. 457.

Restaurant: a commercial establishment where the primary products sold are food and beverages prepared and served to customers on site at tables or chairs or off-site, as in the case of take out and drive-thru's.

Riparian Area: the areas along the edges of water bodies and waterways such as streams, rivers and lakes that act as important natural bio-filters that protect water bodies and water resources such as groundwater from excessive sedimentation, pollutants in surface water runoff and erosion. These areas and the vegetation within them are instrumental in water quality management and protection and need to be protected. The area that they cover can vary depending on the area where they are located but it will be assumed to be the first 20.0 metres (65.61 feet) from the shoreline of any water body in the Municipality unless evidence to the contrary is provided by what Council determines to be a qualified professional.

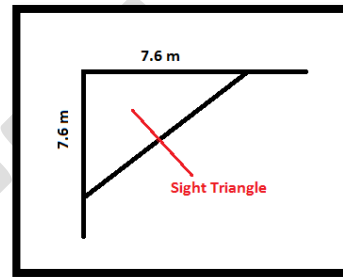


Sand and gravel: sand and gravel products, excluding ceramic clays, found on the surface of land and obtainable by either or both stripping off the service or excavation.

Setback: the minimum distance certain developments must be set back from other uses due to their nature to disqualify future development or injuriously affect the existing development.

Shipping Container: means a durable metal container typically used for shipping goods long distances by rail, ship or trucks. It is commonly used as a storage container. Also known as a Sea Can or Sea Container.

Sight Triangle: the triangular area formed, on a corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distanced along said site lines.



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

Site: Any parcel of land with fixed boundaries of record as in one title registered in the Information Services Corporation land registration system, or a “unit” in a bare-land condominium, the plan of which is registered as per *The Land Titles Act, 2000*. Applications where parcels are tied together shall be considered a unit for the sake of density calculations.

Site Line, Front: the boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

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.

Solid Waste Facility: a site designed specifically to store and/or process solid waste on land in a way that protects and respects the health of residents and the environment in the surrounding area.

Statement of Provincial Interest: a statement of provincial interest respecting land use planning and development, as per the *Statement of Provincial Interest Regulations*, pursuant to *The Planning and Development Act, 2007*.

Storage Compound: means an area that is open and exposed to the natural elements and does not involve the erection of permanent structures, or the material alteration of the existing state of the land and is intended for the storage of recreational and automotive vehicles and equipment, RV's, and trailers, but not for the storage, stockpiling or accumulation of industrial type goods, materials and/or equipment.

Street: a public thoroughfare which affords the principal means of access to the abutting property.

Structural Integration: substantial, enclosed structural connection between two buildings to form one continuous building.

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

Structure, Enclosed: a structure with a roof or ceiling and at least two walls.

Structure, Temporary: anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

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*.

Sustainable: meeting present needs without compromising the ability of future generations to meet their needs.

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

ac – acres	m – meter(s)
ft. – feet	m ² - square metre(s)
ft ² – square feet	km – kilometres
	ha – hectare(s)

Warehouse: means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage, and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial or professional users; to other wholesalers.

Yard: any part of a site unoccupied and unobstructed by any principal building or structure.

Yard, Front: a yard extending across the full width of a site between the front site line and the nearest main wall of the principal building.

Yard, Rear: a yard extending across the full width of the site between the rear site line and the nearest main wall of the principal building or structure on the site.

Yard, Side: a yard extending from the front yard to the rear yard between the side site line and nearest main wall of the principal building or structure on the site.

Zoning District: a specifically designated area of the municipality that is subject to a corresponding set of development rules and policies contained within the Zoning Bylaw and Official Community Plan.

8.0 Zoning District Map

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