



# 2014 Zoning Bylaw

Rural Municipality of Leask No. 464

**The Rural Municipality of Leask No. 464**  
**Bylaw No. \_\_\_\_**

A Bylaw of the Rural Municipality of Leask No. 464 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Leask, 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 Leask hereby adopts the Rural Municipality of Leask 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- (3) Bylaw No. 6-92, the Zoning Bylaw, and all amendments thereto, are hereby repealed.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 \_\_\_\_\_ 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)

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

**ZONING BYLAW**

Being Schedule "A" to Bylaw No. \_\_\_\_\_  
Rural Municipality of Leask No. 464

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

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

## TABLE OF CONTENTS

	<u>PAGE</u>
<b>Section 1. INTRODUCTION</b>	<b>6</b>
1.1 Title	6
1.2. Scope	6
1.3 Severability	6
<b>Section 2. ADMINISTRATION</b>	<b>7</b>
2.1 Development Officer	7
2.2 Application for a Development Permit	7
2.3 Referral of Development Permit Application	8
2.4 Issuing Permits	9
2.5 Building Permits, Licenses and Compliance with other Bylaws	11
2.6 Appeals	11
2.7 Amending the Zoning Bylaw	13
2.8 Servicing Agreements and Development Levies	13
2.9 Fees and Advertising	13
2.10 Offences and Penalties	13
2.11 Minor Variances	14
<b>Section 3. GENERAL REGULATIONS</b>	<b>15</b>
3.1 Frontage on Road	15
3.2 Building to be Moved	15
3.3 Mobile and Modular Homes	15
3.4 Public Utilities, Pipelines and Facilities of the Municipality	15
3.5 Waste Disposal Facilities	15
3.6 Water	17
3.7 Storage of Chemicals, Fertilizers, and Combustible Materials	17
3.8 Environmental Management and Hazard Lands	17
3.9 Number of Buildings and Uses on a Site	18
3.10 Non-conforming Uses , Site and Buildings	19
3.11 Regulations for Signs and Billboards	19
3.12 Home Occupation Standards	21
3.13 Dwelling Groups	21
3.14 Kennel	22
3.15 Bed and Breakfasts and Vacation Farm Operations	22
3.16 Campgrounds	23
3.17 Long-term Campgrounds	24
3.18 Gravel Pits and Gravel Crushing/Aggregate Extraction Operations	27

3.19	Intensive Livestock Operations (ILO's)	28
3.20	Removal of Trees	32
3.21	Municipal and Environmental Reserve	32
3.22	Parking Requirements	33
3.23	Storage of Vehicles	33
3.24	Setbacks from Shorelines	33
3.25	Grading and Leveling of Sites	33
3.26	Access	34
3.27	Recreation Vehicles	34
<b>Section 4.</b>	<b>ZONING DISTRICTS</b>	<b>36</b>
<b>Section 5</b>	<b>AGRICULTURAL RESOURCE DISTRICT (AR)</b>	<b>37</b>
<b>Section 6</b>	<b>COUNTRY RESIDENTIAL DISTRICT (CR)</b>	<b>46</b>
<b>Section 7</b>	<b>LAKESHORE DEVELOPMENT DISTRICT (LD)</b>	<b>54</b>
<b>Section 8</b>	<b>RESORT COMMERCIAL DISTRICT (RC)</b>	<b>58</b>
<b>Section 9</b>	<b>LIGHT INDUSTRIAL AND HIGHWAY COMMERCIAL DISTRICT (M1)</b>	<b>61</b>
<b>Section 10</b>	<b>PROVINCIAL FOREST DISTRICT (F)</b>	<b>66</b>
<b>Section 11</b>	<b>DUNCAN'S BEACH RESORT DISTRICT (DB)</b>	<b>68</b>
<b>Section 12</b>	<b>HAMLET AREA DISTRICT (HA)</b>	<b>70</b>
<b>Section 13</b>	<b>DEFINITIONS</b>	<b>73</b>

## **SECTION 1: INTRODUCTION**

### **1.1 Title**

This bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Leask No. 464".

### **1.2 Scope**

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

### **1.3 Severability**

If any portion 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, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this bylaw.

## **SECTION 2: ADMINISTRATION**

### **2.1 Development Officer**

- a. The *Administrator* of the RM of Leask shall be the Development Officer responsible for the administration of this Bylaw unless another designate has been appointed by Council.
- b. The Development Officer shall be responsible for receiving all applications for development. The Development Officer shall make the decision on permitted use development permit applications based on the provisions of this Zoning Bylaw. All decisions for discretionary use development permit applications shall be made by Council and issued by the Development Officer.
- c. The Development Officer shall refer subdivision proposals, Zoning Bylaw amendments, Official Community Plan amendments and Servicing Agreements to Council for decision.
- d. The Development Officer may refer any planning inquiries, questions or permitted use applications for the purpose of clarification to Council for comment.

### **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, railways, 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

### **2.3 Referral of Development Permit 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. The Development Officer may also refer any application to adjacent municipalities or communities for review and/or comment.
- c. A copy of all approved development permit applications, involving the installation of water and sanitary services disposal, shall be sent to the local office of the Saskatchewan Ministry of Health.
- d. The method of sewage disposal shall be approved by the regional health authority prior to issuing a development permit.



## 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 or a discretionary use:

a. Permitted Use:

- i. The Development Officer will review the application and 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 notice of refusal when the application does not comply with a provision or regulation of this Bylaw and shall reference the specific provision or regulation the application did not meet.
- iii. All applicants shall be provided the effective date of the decision and information on their right of appeal.

b. Discretionary Use:

- i. The Development Officer will review the application and prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application, along with the report, 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:
  1. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
  2. 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. 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.
- 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. To achieve conformity with the requirements of the Official Community Plan and the Zoning Bylaw, Council may establish and incorporate the following development standards for permitted and discretionary uses:
- Mitigating measures identified to address a potentially inappropriate environmental conditions which may be created or compounded by development
  - Conservation, mitigative and rehabilitation measures to maintain and enhance wildlife habitats, heritage and archaeological areas and previously developed areas such as well sites
  - Sufficient amenities (recreational, aesthetics, services to address the needs of the individual utilizing the development)
  - 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.
  - The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust and odour; and
  - Landscaping, buffering, screening lighting and signs to enhance the site and create a sensitive interface between differing land uses.

- g. Appropriate federal and provincial approvals shall be acquired prior to any alteration of or development adjacent to shore lands.
- h. Written documentation from the regional health authority regarding sewage disposal methods will be required prior to issuing a development permit.

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

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

## **2.6 Appeals**

- a. The Rural Municipality has a functioning District Development Appeals Board.
- b. The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be determined by Council.
- c. The Development Appeals Board has the authority to hear an appeal based on:
  - i. The approval of a 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 Zoning Bylaw adopted under *The Planning and Development Act, 2007* (Section 242)

- d. The Development Appeals Board does not have the authority to hear an appeal where:
  - i. A discretionary use application is refused;
  - ii. Council refuses to amend a zoning bylaw or rezone land; and
  - iii. A decision concerning 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. 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 Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

## **2.7 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 Rural Municipality of Leask's Fees 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 (ie. 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.

## **2.8 Servicing Agreements and Development Levies**

- 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 are 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.

## **2.9 Fees and Advertising**

- a. The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Rural Municipality of Leask's Fees Bylaw.
- b. All advertising shall be as per the requirements of *The Planning and Development Act, 2007*.

## **2.10 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*.

## 2.11 Minor Variance

- a. Council is authorized to provide for minor variances as per the conditions and procedures outlined in *the Act*:
  - i. a 10% variance for the minimum required distance of a building from the lot line
  - ii. a 10% variance for the minimum required distance of a building to any other building on the lot.
- b. Applications for a minor variance may be made on the Development Permit Application Form, giving specifics as to the request, and that application shall be brought to the next regular meeting of The Rural Municipality of Leask No. 464. Council can:
  - i. approve the minor variance;
  - ii. approve the minor variance and impose terms and conditions on the approval; or
  - iii. refuse the minor variance.
- c. Written notice shall be provided to the application and adjacent properties as outlined in Section 60 of *the Act*.
- d. A record shall be maintained by the Rural Municipality of Leask No. 464 of all minor variance applications in accordance with *the Act*.

## **SECTION 3: GENERAL REGULATIONS**

**The following regulations shall apply to all Zoning Districts in this bylaw:**

### **3.1 Frontage on Road**

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 road, or unless satisfactory arrangements have been made with Council for the improvement or building of a road, where required.

### **3.2 Buildings to be Moved**

No building shall be moved within, or into, the municipality without first obtaining a development permit from the development officer. This shall exclude accessory buildings in the Agricultural District. All buildings to be moved shall comply with the RM's Policy.

### **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, wheels removed 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 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.

### **3.5 Waste Disposal Facilities**

- a. No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the appropriate Provincial agencies. Disposal of liquid, solid, or gaseous waste shall be governed by the appropriate Acts and regulations administered by the Province of Saskatchewan or related agencies.
- b. Development of a new solid or liquid waste disposal facility or expansion of an existing facility will be subject to the following, 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. any solid or liquid waste disposal facility shall be fenced to provincial standards
  - iii. adequate precautions will be taken to prevent the pollution of ground water by disposal operations
  - iv. the siting of any new disposal site will consider the direction of prevailing winds;
  - v. solid waste disposal facilities will be located 914.1 meters (3000ft.) from any residence unless the affected parties agree to a relaxation of this requirement;
  - vi. solid waste disposal facilities shall be located adjacent to an all-weather road and in proximity to a provincial highway.
- c. Criteria for approving a lagoon or sanitary landfill disposal area:
  - i. a municipal or regional landfill or lagoon project must undergo a provincial environmental impact assessment and a public hearing process to determine if the proposal is considered suitable for the area.
  - ii. any necessary mitigation measures will be specified as conditions of the permit approval
  - iii. 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



- iv. a lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard area

### **3.6 Water**

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

### **3.7 Storage of Chemicals, Fertilizers, and Combustible Materials**

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

### **3.8 Environmental Management and Hazard Lands**

- a. Any development proposed on lands that have the potential to be considered hazard lands or environmentally sensitive lands, the Development Officer may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.
- b. Where the development of a building is proposed within 150 m of an area of potential hazard lands or environmentally sensitive lands, Council will require the applicant to submit sufficient supporting information to determine if the development is appropriate for the lands.
- c. Supporting information shall be in the form of a report, prepared by a professional that is competent to assess the suitability of the proposed development site with respect to:
  - i. the potential for flooding up to the 1:500 flood elevation
  - ii. the potential for slope instability before and after the development and any proposed improvements (geotechnical report)
  - iii. the suitability of the location for the proposed use or building given the site constraints
  - iv. other environmental hazards

- v. the required mitigation measures if development is allowed to proceed and as determined in the geotechnical report. These measures may be attached as a condition for the development permit approval.
- d. No new buildings or additions to building shall be located in the flood way of the 1:500 year flood elevation of any watercourse or water body.
- e. Flood proofing of new buildings and addition to buildings shall be to an elevation of 0.5 metres above the 1:500 flood elevation of any watercourse or water in the flood fringe.
- f. Sanitary landfills and lagoons shall not be located on hazard lands.
- g. Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a development permit.
- g. A development permit will be refused if the proposed actions by the developer are inadequate to address the adverse conditions or will result in excessive municipal costs.

### **3.9 Number of Principal Buildings and Uses on a Site**

- a. Not more than one principal building, use and residence shall be allowed on any one titled area excluding:
  - i. principal agricultural and industrial uses, public use and private institution(s)
  - ii. a second residence on an agricultural parcel of at least 64 ha (160.0 ac) in size, agriculture is the principal use of the parcel, and the residence is to be occupied by a person who is engaged in the agricultural operation;
  - ii. a multiple dwelling unit (where it is allowed in accordance with this Bylaw);
  - iii. a communal dwelling i.e. Hutterite Colony (where it is allowed in accordance with this Bylaw). The maximum number of residences and uses for communal dwellings on one titled site may be determined at the discretion of Council.
  - iv. Mineral Resource Extraction and related uses

- v. Commercial developments at the discretion of Council
- b. 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.

### **3.10 Non-conforming Uses, Sites and Buildings**

- a. 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.
- 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. Existing non-conforming buildings may be repaired and maintained, but shall not have reconstruction performed to them such as wall removal/addition, pursuant to all the requirements of *the Act*.
- d. All other regulations for non-conforming buildings, sites and uses shall be dealt with subject to the provisions of the *Act*.

### **3.11 Regulations for Signs and Billboards**

- a. All signs situated along a highway or in a highway sign corridor are required to comply with *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986* as may be amended from time to time.
- b. Signs and billboards located outside of a highway sign corridor will require a development permit if the following uses or occupations on municipal premises are advertised:
  - o agricultural commercial uses;
  - o home occupations;
  - o principal use of a premises; or
  - o principal products offered for sale.

These signs and billboards are subject to the following requirements:

- i) no more than two (2) signs will be permitted on the premises;
- ii) each sign may be double faced;

- iii) no sign shall be excess of 6 square meters (64.5 square feet) in area, but the two (2) permitted signs may be combined and the total facial area shall not exceed 12 square meters (129 square feet);
  - iv) the maximum height of any sign shall be 6 meters (20 feet); and
  - v) any other conditions as may be required by Saskatchewan Highways and Transportation's *The Erection of Signs Adjacent to a Provincial Highway Regulations, 1986* as may be amended from time to time.
- c. Signs Not Requiring a Development Permit
- Address Signs – one address designation per use which denotes the numerical address and/or name of the occupant.
  - Agricultural Related Signs – agricultural related signs are permitted on a temporary basis, such as herbicide, or insecticide or seed advertising promotional signs.
  - Construction Signs – signs that indicate the impending development of a site are permitted on a temporary basis.
  - Directional Signs – signs such as traffic warning signs, parking or no trespassing signs.
  - Election Signs – election signs for any level of government are permitted.
  - Government Signs – all signs erected by any level of government.
  - Memorial Signs – memorial signs such as plaques, tablets and headstones.
  - Real Estate Signs – real estate signs are permitted only on the property which is being advertised.
  - Signs in a highway sign corridor.
- d. Additional signs shall be subject to the development regulations for the applicable district
- e. All signs, including those listed above, shall be located so that no part of the sign encroaches on a public right of way or interferes with the sight line of any intersection.

### **3.12 Home Occupation Standards**

- b. A buffer or screening may be required where the display or storage of goods or equipment upon or inside the premises are exposed to public view from the exterior.
- c. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
- d. Advertising signs may be limited in size and number by the development officer.
- e. The use shall not generate substantially more vehicular and/or pedestrian traffic and vehicular parking than normal within the district.
- f. The permitted use shall be valid only for the period of time the property is occupied by the applicant for such permitted use.
- g. All permits issued for home occupations shall be subject to the condition that the permit is renewed annually and may be revoked at any time if, in the opinion of the development officer, the use is or has become detrimental to the residential character and amenities of the area.

### **3.13 Dwelling Group**

- a. All service and other common buildings shall be of permanent construction.
- b. Access to sites shall be from a road internal to the dwelling group parcel.
- c. No dwelling shall be closer than 6 m to any other dwelling.
- d. 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.
- e. Before occupancy, a dwelling group site shall provide and a dwelling group shall at all times maintain the following:
  - i. Storage facilities necessary for site service and maintenance equipment.  
Screening in the form of landscaping and fencing around service buildings, storage compounds and refuse collection points.
  - ii. A neighborhood sign, not to exceed four square meters of face area.
  - iii. A key to any locked gates to be retained with the Leask Fire

Department.

- iv. A key to any locked gates to be retained in the municipal office to allow for inspections to be carried out on the property.

### **3.14 Kennel**

- a. A Kennel shall not be located within or adjacent to a multi-parcel residential subdivision or closer than 304.8 m (1,000.0 ft) from the boundary of a multi-parcel residential subdivision. Exceptions may be made when a highway, arterial road or secondary road bisects the 304.8 m (1,000.0 ft) separation distance.
- b. All pens, rooms, exercise runs and holding stalls shall be soundproofed.
- c. All facilities shall meet provincial regulations, when necessary.
- d. No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m (82.0 ft) of any property line of the parcel on which the facility is to be sited;
- e. All exterior exercise areas (runs) shall be enclosed with a fence with a minimum height of 1.8 m (6.0 ft);
- f. All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the residence
- g. All facilities shall be visually screened from existing dwellings on adjoining parcels.

### **3.15 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. The agricultural use or residential use shall be established on the property prior to the establishment of the operation.
- c. The operation may include rooms, cabins, and overnight camping areas.
- d. The maximum number of rooms, cabins or overnight camping areas permitted will be specified as a condition of the development permit.
- e. On-site signs will be permitted in accordance with Section 3.11.

- f. All operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval and obtaining this license will be a condition of approval.
- g. Bed-and-breakfast operations shall be located in a residence 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.

### **3.16 Campgrounds**

- a. The operator of a camping facility shall provide the Development Officer with a plan of the development, identifying:
  - i. any buildings
  - ii. uses of land
  - iii. changes to the land, grading/drainage, stormwater management
  - iv. location of garbage collection
  - v. location of washroom facilities and utilities
  - vi. emergency evacuation plan
  - vii. location of all roadways
  - viii. campsites with dimensions.
- b. 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.
- c. There shall be a buffer area abutting the boundary of not less than 4.5 m, which shall contain no buildings and shall be left in its natural state
- d. No portion of any campsite shall be located within a roadway or required buffer area.
- e. Each campsite shall have direct and convenient access to the internal developed roadway.

- f. The space provided for roadways within a campground shall be at least 7.5 m in width.
- g. The development may include uses such as laundry facilities or a confectionery designed to meet the needs of the occupants of the campsites, and one residence for the accommodation of the operator.
- h. All provincial regulations, including *The Public Health Act*, shall be complied with in respect to all operations and development of the camping facility.

### **3.17 Long Term Campgrounds**

- (1) The following uses are allowed within a long term campground site:
  - (a) Trailer Coach, as defined in this bylaw, or a Recreational Vehicle which are both subject to standards within this bylaw.
  - (b) Recreational uses such as sports fields, parks, playgrounds, picnic grounds, lodges, hiking and cross country trails and other similar uses generally associated with long term campgrounds.
  - (c) Public utilities, excluding solid and liquid waste facilities.
  - (d) One (1) storage accessory building per campsite that does not exceed 9.29 sq. m (100 sq. ft) and that receives building permit approval, if necessary.
- (2) The uses prohibited within the long term campground shall include:
  - (a) Dwelling units on permanent foundations
  - (b) All forms of mobile homes
  - (c) Modular Homes
  - (d) Trailer coaches or trailer homes with axles and/or wheels removed
  - (e) converted buses.
  - (f) Home Based Businesses
  - (g) Outhouses
  - (h) Partially dismantled or inoperative vehicles.



- (3) The long term campground shall meet the following criteria:
- (a) Only one unit shall be permitted on each campsite.
  - (b) The Trailer Coach or Recreational Vehicle shall not be made permanent through the removal of axels and/or wheels.
  - (d) The campground must have a system for sewage and waste water disposal that meets provincial standards and has been approved by the province prior to the approval of a development permit.
- (4) Site Plan Required:
- (a) The operator of the long term campground shall provide the development officer a plan of the campground, identifying any buildings, uses of land and the location trailer coach or recreational vehicle campsites with dimensions. The site plan shall also show internal circulation requirements, street widths, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas and recreational areas.
  - (b) The addition or rearrangement of campsites, the construction or moving of buildings, the material change in the use of the portions of land or the filling or clearing of land shall require a development permit and the operator shall submit for approval an amended plan incorporating the development.
- (5) Roads and Access:
- (a) The long term campground shall be accessible by a registered, developed all-weather road.
  - (b) The number of access points shall be limited to control the entry and exist of vehicles. The access points shall also minimize interference with traffic flow and neighbouring uses. The location of these access points shall not route traffic through residential areas.
  - (c) Each campsite shall have direct and convenient access to a developed roadway which is not located in any required buffer area.
  - (d) The space provided for roadways within the long term campground shall be at least 7.5 metres in width. No portion of any campsite, other use or structure shall be located in any roadway or required buffer area.

- (e) The long term campground and each site within shall have clear access and identification for emergency vehicles and personnel.
- (6) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres which shall contain no buildings.
- (7) The individual campsites shall not be fenced. A fence may be erected around the perimeter of the campground property and shall form part of the development permit application.
- (8) Long term outside storage of materials within individual campsites shall be kept in a neat and orderly fashion.
- (9) Each Trailer Coach or Recreational Vehicle shall be located at least 4.5 metres from any other Trailer Coach or Recreational Vehicle and each campsite shall be dimensions sufficient to allow such Trailer Coach or Recreational Vehicle and shall have at least one vehicular parking space provided on site in addition to the parking space for the Trailer Coach or Recreational Vehicle.
- (10) *The Public Health Act*, and associated regulations, shall be complied with in respect to all operations and development of the campground.
- (11) All trailer coaches and recreational vehicles may be subject to the RMs Licensing of Trailer Camps Bylaw.
- (12) Council will consider applications with respect to the following criteria:
  - (a) the long term campground site is located with convenient access to the recreational features or facilities that it is intended to serve
  - (b) the size and shape of the parcel and the design of the long term 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.

### **3.18 Gravel Pits and Gravel Crushing/Aggregate Extraction Operations**

- a. All gravel operations and aggregate extraction operations shall meet provincial requirements and guidelines as well as municipal requirements
- b. Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.
- c. All operations shall have efficient servicing, haul routes and have a high consideration for public safety
- d. 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;
- e. 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.
- f. Minimum excavation, aggregate extraction and crushing setbacks are as follows unless otherwise required by provincial regulations:
  - i. 201 metres (660 ft) from any country residential lot line
  - iii. 805 metres (0.5 miles) from any occupied dwelling, excluding the residence of the operator
  - iv. 15 metres (50 feet) from the limit of a developed road allowance
  - v. 400 metres (0.25 miles) from any recreational or heritage lands which should not be disturbed
  - vi. 30 metres (100 feet) from any hazard lands
  - vii. 2 kilometres (1.25 miles) from any national, provincial, regional or municipal parks, wildlife management areas and bird sanctuaries.
- g. All gravel and aggregate extraction operations shall have direct access to a developed road.
- h. Applicants will be required to provide:

- i. 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;
- ii. a description of the excavation, stripping or grading operation, which includes a decommissioning plan;
- iii. a detailed timing and phasing of the project including the length of the proposed operation;
- iv. a plan showing the final site conditions and post-development land use plan following the completion of the operation;
- v. 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;
- vii 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.

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

- a. 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.
- b. The RM of Leask will also require the developer to apply for a municipal development permit.
- c. 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.
- d. Location Separation Criteria
  - i. 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 3.19:

**Table 3.19  
Maximum Separation Criteria for ILO to Specific Uses (in metres)**

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	800	800	1600	1600	1600
Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population	800	800	1600	2000	2000
Urban municipality 100-500 population	1600	3200	4800	4800	6400
Urban municipality 501-5000	1600	3200	4800	6400	6400
Urban municipality >5000	1600	3200	4800	6400	6400

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

d. Location Separation Criteria Reduction

- i. Council, at its discretion, may consider lesser separation distances than given in Table 3.19, subject to the following:
  1. Where a lesser separation distance than described, in Table 3.19 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.

2. The developer shall provide written notice, approved by Council, to the owners of all residences within the distance provided in Table 3.19, and to the hamlet board of a hamlet or Council of urban municipality within the specified distance
3. Where the separation distances is significantly, in Council's opinion, less than the criteria of Table 3.19, 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.

e. Public consultation

- i. 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.
- ii. Council will encourage developers to hold a separate public open house prior to development permit consideration to provide information to affected landowners.
- iii. 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.
- iv. 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.

f. Water Supply and Protection

- i. 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:
  1. Require the applicant to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources

2. 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.
- g. Additional Information
- i. 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
  - ii. *The Agricultural Operations Act* and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may wish to refer a development permit application to the appropriate agencies for advice and recommendations.
- h. Permit conditions
- i. 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.
  - ii. 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 3.19
- i. Existing Livestock Operations
- i. 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.
- j. Development permits are required for any proposed:
- i. New ILO
  - ii. Expansion of an existing ILO
  - iii. Any temporary facility or part of a site

- iv. Change of animal species or type of operation, if it meets the definition of an ILO, as defined within this Bylaw.

### **3.20 Removal of Trees**

The removal of trees within 90 metres (300 feet) of a shoreline shall not be permitted except for purpose of the construction of access ways or buildings and the clearing of dead or diseased trees. Access ways shall not be cleared greater than 3 metres (9.8 feet) in width. For building construction, removal of trees further than 5 metres (16.4 feet) from the building shall not be permitted.

### **3.21 Municipal and Environmental Reserve**

Council shall consider the following for any development and/or uses on Municipal Reserve Lands:

- (1) There must be appropriate public access to the use.
- (2) All stairs and boat docks must be and must appear to be open to the public.
- (3) Council shall determine the number of stairs and boat docks for certain areas.
- (4) All stairs must be approved by the RM's building inspector.
- (5) Appropriate federal and/or provincial approvals shall be acquired prior to any alteration of or development adjacent to shore lands.
- (6) The maximum size for boat docks shall be no more than 2 meters in width and must not extend more than 20 meters from the shoreline.
- (7) By the recommendation of the RM's building inspector, any stairs and boat docks may be removed and the land restored at such time as they become abandoned, become a hazard or ownership changes hands.
- (8) Development will not occur if the shoreline area in front of a lakefront property has been deemed environmentally sensitive or restricted from development by either the municipality or other government agency.
- (9) Private boat docks, excluding launching docks, will not be developed at the lakefront portion of municipal walkways, roads or pedways.



- (10) Where lakefront developments are being proposed, Council will encourage portions of the land abutting the lake to be dedicated as Municipal or Environmental Reserve.

### **3.22 Parking Requirements**

(1) Provision of off-street parking spaces may be required when a new Resort Commercial, Lakeshore Development or Light Industrial or Highway Commercial development or subdivision is applied for.

(2) Parking site standards: parking stall dimensions shall be a minimum of 3 metres (10 feet) wide, 5.5 metres (18 feet) long, and 15 square meters (161 square feet) in area.

(3) Number of spaces required:

- (a) Residential – 1 per dwelling unit
- (b) All other uses – 1 per 10 sq. m of building floor space

(4) Access to parking from the municipal right-of-way shall be in a location that provides for safe entrance and egress.

### **3.23 Storage of Vehicles**

- a. Notwithstanding anything contained in this Bylaw, no site shall be used for the parking or outside storage of junked vehicles, except that no more than two such vehicles shall be stored on any Country Residential District and not more than twelve shall be stored on any site in the Light Industrial and Highway Commercial District excluding permitted salvage or auto body wrecker yards.
- b. All sites shall be kept in a neat and tidy manner. The RM may require screening from roadway or neighbouring properties by landscaping or fences of a combination of both.

### **3.24 Setbacks from Shorelines**

- a. Where any development is proposed which abuts a lake or water body, all buildings and structures shall be set back 90 meters (295 ft.) from the shoreline to protect the shorelines from environmental degradation. Council may relax this setback due to any topographical or physical circumstance that may prevent the setback from being met.

### **3.25 Grading and Levelling of Sites**

- a. Every development shall be graded and leveled at the owner's expense to provide adequate surface drainage that does not negatively affect adjacent properties or the stability of the land.
- b. Where grading or leveling is proposed in a hazardous area, the Municipality may consult the appropriate Provincial Agencies prior to making a decision on the development permit application.

### **3.26 Access**

- a. Every development shall have accessed to a developed road.
- b. 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.
- c. 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.

### **3.27 Recreation Vehicles**

- a. Only one recreational vehicle, which is not a mobile home, may be allowed for a time period not exceeding 30 consecutive days for the temporary sleeping accommodations of guest of a dwelling.
- b. The recreational vehicle shall be located on the same site as the dwelling unit.
- c. The recreational vehicle shall not be connected to any piped water supply or waste disposal system on any residential site.
- d. Notwithstanding the above, a recreational vehicle may be used on a temporary basis while construction is taking place in accordance with a building permit.
- e. This section shall only apply to lands zoned in the Lakeshore Development District (LD) and Duncan's Beach Resort District (DB).



## **SECTION 4: ZONING DISTRICTS**

### **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 Resource District – AR
  - ii. Country Residential District – CR
  - iii. Lakeshore Development District – LD
  - iv. Resort Commercial District – RC
  - v. Light Industrial and Highway Commercial District – M1
  - vi. Provincial Forest District – F
  - vii. Duncan’s Beach Resort District – DB
  - viii. Hamlet Area District – HA
  - ix. Country Residential Lakeshore District- CRLD

## **SECTION 5: AGRICULTURAL RESOURCE DISTRICT (AD)**

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development. Fragmentation of agricultural land in this district will generally be avoided.

### **5.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Agricultural Uses including:
  - i. Field crops
  - ii. Pastures for the raising of livestock (excluding ILOs)
  - iii. Keeping of animals
  - iv. Facilities for the direct sale of field crops
  - v. Manure application
- d. Installation and repair of public utilities
- e. Development and expansion of municipal facilities
- f. Wire fences less than 2 m in height and that are no closer to the roadway than the edge of the municipal road right-of-way.
- g. Parking of private or agricultural vehicles on private lands
- h. Landscaping on private lands
- i. Sidewalks, steps, patios
- j. Antenna and telecommunication tower to a maximum of 15.24m (50 ft)
- k. Repairs and maintenance of an existing building
- l. Accessory buildings or structures smaller than 100 sq. ft.

## **5.2 Permitted Uses that require development permit approval:**

- a. Residence (subject to section 3.9)
- b. Mineral Resource Exploration and Development:
  - ii. Petroleum exploration, extraction wells and related facilities
  - iii. Petroleum pipelines and related facilities
  - iv. Mineral mines or extraction facilities
- c. Mineral Resource Exploration and Development Ancillary uses and buildings
- d. Signs, subject to Section 3.11
- e. Agriculture service and contracting establishments
- f. All accessory buildings
- g. Accessory uses and buildings related to:
  - i. An established agricultural use
  - ii. An established residential use (private garages, sheds, and associated out buildings)
  - iii. Orchards and vegetable, horticultural or fruit gardens
- h. Signs, subject to Section 3.11
- i. Decks

## **5.3 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
- v. Agricultural equipment, fuel and chemical supply establishment
- vi. Apiaries, hatcheries, mushroom farms
- vii. Grain elevators, inland grain terminals and accessory buildings
- b. Tree and garden nurseries, market gardens and greenhouses
- c. Bed and breakfasts and vacation farms
- d. Home Occupations
- e. Kennel
- f. 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. Honey extraction facilities
  - v. Fish farming
  - vi. Home Occupations
  - vii. Kennel
  - viii. Solid and liquid waste disposal facilities
- g. Commercial Uses:
  - i. Salvage and storage yards
  - ii. Recreational commercial uses (sports arenas and fields, boat launches, drive-in theatres, golf courses, campgrounds, long term campgrounds, or similar type uses)

- h. 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
- i. Private and licensed airstrips
- j. Solid and liquid waste disposal sites
- k. Communal Dwellings
- l. Additional Farm Residence
- m. Mineral Resource Processing including ancillary uses and buildings

#### **5.4 Regulations**

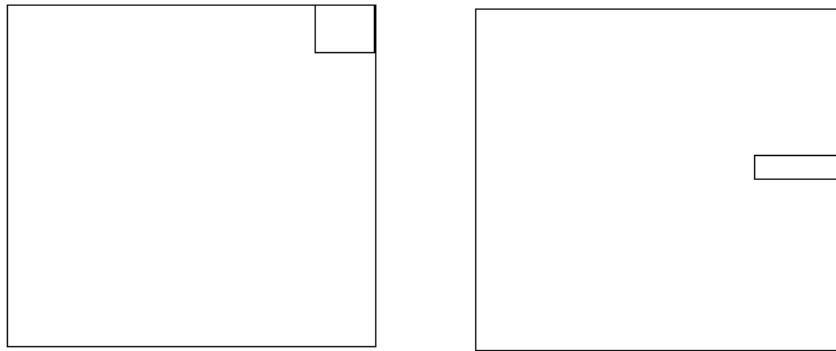
- a. Subdivision
  - i. The subdivision of any land within the Agricultural District is subject to the policies contained in the Official Community Plan.
  - ii. No more than one separate parcel shall be subdivided from any quarter section.
  - iii. Additional sites may be considered where the site to 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 shall be 100 m (328ft) for all parcels
  - ii. Exemptions from minimum frontage may be considered by Council for resource based uses and community uses.



c. Site Size

- i. Minimum site size shall be 2.4 acres
- ii. Exemptions from minimum area requirements may be considered by Council for resource based uses and community uses.

EXAMPLE OF SUBDIVISION SITES



d. Access:

- i. All development will require access to a developed road.
- ii. 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
- iii. 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. The minimum setback of buildings, including a residence, from the enterline of a developed road, municipal road allowance, or provincial highway shall be 45 m (147 ft).

- ii. The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft)
- iii. The minimum setback of buildings, including a residence that does not abut a municipal road allowance, municipal grid road, and main farm access road or provincial highway shall be:
  - a. Front Yard- 10 meters (30 ft.)
  - b. Side Yard – 10 meters (30 ft.)
  - c. Rear Yard- 10 meters (30 ft.)
- iv. Trees, shrubs, stone piles, portable structures, machinery or other objects, such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in 5.41(i) and 5.41(ii)
- v. 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 as regulated in Section 3.19
  - 2. 305 m (1000ft) from a licensed public or private liquid waste disposal facility
  - 3. 457 m (1499ft)from a licensed public or private solid waste disposal facility
  - 4. 305 m (1000ft) from a honey processing facility.
  - 5. 305 m (1000ft) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
  - 6. 600 m (1968ft)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.
  - 8. A lesser separation distance may be allowed upon approval by Council where the developer and residence provide written agreement to Council.

## 5.5 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 unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.
  - ii. 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 heavy haul agreement with the RM.
  - iii. 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. Home Occupations:
  - i. Any increase in the operation as applied for or approved shall require a new discretionary use approval

- g. Bed-and-breakfast and Vacation Farm:
  - i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility
  - iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
- h. Campgrounds shall be subject to the regulations set out in section 3.16.
- i. 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) No new or expanded dwelling(s) will be located in the 1:500 flood elevations.
  - (iii) Utilities, including sewage disposal system(s) must meet provincial standards.
- j. Other requirements of this bylaw specific to the proposed use are met.

## **5.6 Mineral Resource Exploration, Development and Processing**

- a. To provide appropriate access, egress and sewage, water, storm water and/or drainage works, the construction of or upgrades to municipal infrastructure may be required at the developer's expense.
- b. Land use incompatibility, nuisance and pollution including odour and dust shall be minimized by considering appropriate routes, buffers, setbacks and screening.

- c. Signage, fencing, lighting restrictions or other safety measures may be required at the developer's expense.
- d. The developer shall submit to the RM a copy of the proposed reclamation or rehabilitation plan.

## **SECTION 6: COUNTRY RESIDENTIAL**

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 are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- b. Development and expansion of municipal facilities
- c. Signs, subject to Section 3.11
- d. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- e. Landscaping on private lands
- f. Sidewalks, steps, patios
- g. Keeping of Animals
  - i. Limited to domestic pets of the residents of the site

### **6.2 Permitted Uses that require development permit approval:**

- a. Residence
- b. Residential Accessory Buildings and Uses
  - i. Private garages
  - ii. Private garden sheds
  - iii. Private greenhouses
  - iv. Orchards, vegetable, horticultural or fruit gardens

- v. Accessory uses and buildings related to an approved discretionary use
- c. Recreational uses:
  - i. Public sports fields and parks, golf courses, community centres
  - ii. Other public or non-profit recreational facilities
- d. Signs, subject to Section 3.11
- e. Decks

### **6.3 Discretionary Uses:**

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

- a. Convenience or confectionary uses including gas bars.
- b. Institutional uses such as churches, education and/or religious institutions, hospitals or schools.
- c. Recreational uses related to country residential development including community centres, golf courses, parks and public sports fields.
- d. Dwelling Groups
- e. Home Occupations
- f. Bed and Breakfast Operations
- g. Solid and Liquid Waste Disposal Facilities
- h. Keeping of animals on the same site as an established residence

### **6.4 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 will be required in all residential subdivisions to separate residential uses and existing agricultural development.
- b. Frontage
- i. Minimum site frontage shall be 20 m 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 1 ha (2.5 acres)
  - ii. Exemptions from minimum area requirements may be considered by Council for public utility uses and municipal facilities.
  - iii. A maximum of four (4) country residential subdivision(s) per 64.8 hectares (160 acres) will be allowed at Council's discretion, unless the land being subdivided abuts a lake on which exists a lakeshore development or resort commercial district.
- d. Access:
- i. All development requires access to a developed road
  - ii. 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
  - 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.
  - iv. Where applicable, lots within a subdivision shall be provided 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 and Building Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the centerline of a developed road, municipal road allowance, or provincial highway shall be 46 m (147 ft).
2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft)
3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 10 m (30 ft)
4. No outside storage shall be permitted in the front yard.

ii. Side and Rear Yard:

- a. A yard abutting any other road, all buildings shall be set back at least 7.6 metres (25 ft.)
- b. Front and Rear Yard: 3 metres (10 feet)
- c. Side Yard: 1.5 metres (5 feet)
- d. The yard requirements shall not apply to any public utility, municipal facility, or public recreational use.
- e. Lots existing on, or before the passing of this bylaw, shall be considered to be conforming with respect to the minimum site area and frontage requirements of this bylaw.

iii. 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 as regulated in Section 3.19
  - 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.
  
- iv. Subject to the demonstration of a potential land use conflict residential subdivision and development will be prohibited on sites with the following setbacks:
  - a. 2 kilometers (1.25 miles) or greater distance as determined by Council from:
    - i. existing or proposed industrial developments; and
    - ii. airports.
  - b. 305 metres (1,000 feet) from an existing farm dwelling; and
  - c. 201 metres (660 feet) from an existing or proposed industry or gravel pit operation.
  
- v. Minimum Building Requirements
  - i. Residential 100 sq. meters (328 ft.)

- vi. Public boat launches, public docks, golf course and public parks, public picnic grounds, public beaches and public sports fields, nature trails and exhibits shall be specified by council.

## **6.5 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 Occupations:
  - i. No home occupation 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.
  - iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval
- f. Bed-and-breakfast Operation
  - i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility

- iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
- g. Keeping of animals
- i. One large animal (horse or cattle) will be permitted on a site of at least 0.8 ha (2 acres).
  - ii. For each additional 0.8 ha (2 acres), one additional large animal will be permitted.
    - 2 acres = 1 animal
    - 4 acres = 2 animals
    - 6 acres = 3 animals
    - 8 acres = 4 animals
    - 10 acres = 5 animals
  - iii. All other animals shall be limited to domestic pets of the residents of the site.
  - iv. Animals shall not be pastured within 15 m of any dwelling not owned by the operator of the pasture or owner of the animals and 2 km from the corporate limits of villages, resort villages or hamlets.
  - v. The use of vacant residential sites for the pasturing of animals is prohibited.
- h. Solid and liquid waste disposal facilities will only be permitted in the Country Residential District if there are no suitable sites within the Agricultural District.
- i. Other requirements of this bylaw specific to the proposed use are met.



## **SECTION 7: LAKESHORE DISTRICT**

The intent of this district is to provide provisions for subdivisions and developments within the LD – Lakeshore Development District. The LD – Lakeshore Development District shall be used when considering a bylaw amendment to allow for a proposed residential subdivision near or adjacent to any lake within the Rural Municipality of Leask No.464. Lands previously zoned in the Lakeshore District (LD) and Lakeshore District (LD1), excluding Duncan’s Beach, will be zoned as the Lakeshore Development District (LD). All previously subdivided lots shall be deemed conforming.

### **7.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Keeping of animals – limited to domestic pets i.e. dogs and cats
- b. Outside Storage subject to Section 7.4.6
- c. Public utilities except solid and liquid waste disposal facilities
- d. Signs, subject to Section 3.11

### **7.2 Permitted Uses**

The following principal uses shall be permitted in this district:

- a. Single-detached dwellings
- b. Modular Homes
- c. Recreational uses that includes: boat launches and docks, golf courses, parks, picnic grounds, public beaches, sports fields, community halls and municipal service facilities.
- d. Signs, subject to Section 7.4.5
- e. Buildings and uses accessory to the permitted principal use on the same site.

### **7.3 Discretionary Uses**

The following uses are discretionary in this district:

- a. Commercial uses limited to:
  - Personal service shops
  - Restaurants and food establishments
  - Retail merchandise
  - Bait and tackle shops
- b. Ancillary residential uses for the operator of a commercial use
- c. Home Occupations

## **7.4 Regulations**

### 7.4.1 Site Area Requirements

- (1) Minimum – 1338 square metres (14,400 square feet).

### 7.4.2 Site Frontage Requirements

- (1) Minimum – 37 m (120 ft)

### 7.4.3 Yard Requirements

- (1) Front and Rear Yard: 3 metres (10 feet)
- (2) Side Yard: 1.5 metres (5 feet)
- (3) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use.
- (4) Lots existing on, or before the passing of this bylaw, shall be considered to be conforming with respect to the minimum site area and frontage requirements of this bylaw.

### 7.4.4 Building Requirements

- (1) Principle Buildings

Floor Area for residence (\*note: can include the sum of both floors):

Minimum – 93 m<sup>2</sup> (1000 square feet)

#### 7.4.5 Signs

- (1) The maximum facial area of a sign on residential sites shall be 1.2 square metres (12.7 ft.)
- (2) The maximum facial area of a sign for commercial and/or recreational sites shall be 3.5 square metres (37.7 ft.)

#### 7.4.6 Outside Storage

- (1) No outside storage shall be permitted in a yard abutting a road
- (2) Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from a road.

#### 7.4.7 Municipal Reserve

- (1) For any subdivision(s) located adjacent to any lake(s), municipal reserve will be required on the lands which abut the lake(s).

### **7.5 Criteria and Development Standards for Discretionary Uses**

#### 7.5.1 Home Occupations

- (1) Home occupations shall comply with Section 3.12.
- (2) No home occupation in this district shall include auto body repair, or small engine equipment repair, or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home-based business in this district.

#### 7.5.2 Commercial Uses

- (1) One ancillary residence for the operator of the commercial use is permitted on the site to Council's discretion





## **SECTION 8: RESORT COMMERCIAL DISTRICT**

The purpose of this district is to provide provisions for subdivisions and developments within the RC- Resort Commercial District. The RC- Resort Commercial District will be used when considering a bylaw amendment to allow for a proposed commercial development near or adjacent to any lake within the RM of Leask.

### **8.1 Permitted Uses that are exempt from obtaining a development permit, provided they meet the requirements of this bylaw:**

- a. Signs subject to section 3.11
- b. Public utilities

### **8.2 Permitted Uses**

The following principal uses shall be permitted:

- a. Motels and hotels
- b. Personal service shops
- d. Restaurants and take-out food establishments
- e. Retail merchandise shops
- f. Recreational operations including marinas and boat launches
- g. Dwelling units, buildings, structures or uses secondary and accessory to, when located on the same site with the principal use.
- h. On common property within a bare land condominium development, the following are permitted where accessory to the dwelling group:
  - i. Community Centres
  - ii. Golf Courses
  - iii. Parks
  - iv. Public Sports Fields
  - v. Maintenance Shops
- i. Signs, subject to Section 8.4

### **8.3 Discretionary Uses**

The following principal uses are discretionary in this district:

- a. Commercial recreational uses

- b. Service stations and gasoline service bars
- c. Dwelling Groups
- d. Tourist Cabins
- e. Campgrounds
- f. The following accessory uses to a discretionary use:
  - i. Dwelling units, buildings, structures or uses secondary and accessory to, when located on the same site with the principal use.

#### **8.4 RESORT COMMERCIAL DISTRICT REGULATIONS**

##### a. Site Size

The minimum site size shall be 500 meters<sup>2</sup> (5,385 ft<sup>2</sup>)

##### b. Site Frontage

The minimum site frontage shall be 15 metres (50 ft.)

##### c. Minimum yard requirements

(i) Yards not abutting a municipal road allowance, municipal grid road, main farm access road or provincial highway shall be required to have the following minimum setbacks:

- Front and Rear Yard: 6 metres (20 feet)
- Side Yard: 1.5 metres (5 feet)

(ii) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use.

##### d. Building Requirements

###### (i) Principle Buildings

Maximum Height – 10.5 m (35 ft.) from ground to peak

e. Signs

The maximum facial area of a sign for commercial and/or recreational sites shall be 3.5 square metres (37.7 ft.)

f. Parking

Parking spaces shall comply with section 3.22 of this Zoning Bylaw.

**8.5 Criteria for Discretionary Uses**

- a. Campgrounds and long term campgrounds are subject to the regulations in Section 3.16 and 3.17
- b. Approval of tourist cabins shall be based on the following criteria:
  - i. the site is located with convenient access to any recreational features or facilities that it is intended to serve;
  - ii. there is a water source suitable for public consumption at the campground;
  - iii. there are suitable utilities, sewage disposal systems and facilities for the campground;
  - iv. the development will not be in conflict with adjacent uses or uses currently on site;
  - v. the number of existing campsites within the municipality; and
  - vi. the density of cabins or campsites requested in relation to others within the municipality.

**SECTION 9: LIGHT INDUSTRIAL AND HIGHWAY COMMERCIAL DISTRICT**

The objective of this district is to provide appropriate regulations and standards to allow for industrial and highway commercial developments and uses within the RM. Where development is being proposed in close proximity to a highway, the permitted and/or discretionary use application will be referred to the Ministry of Highways and Infrastructure to ensure the proposal is consistent with provincial setback requirements and other regulations.

**9.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Signs, subject to Section 3.11
- b. Public utilities

**9.2 Permitted Uses that require development permit approval:**

- a. Agricultural and automobile services, implement sales, 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
- g. Retail stores
- h. Drive-in theatres
- i. Convenience stores
- j. Automotive service stations and gas bars
- k. Accessory buildings to the above permitted uses
- l. Signs, subject to section 9.3 f.

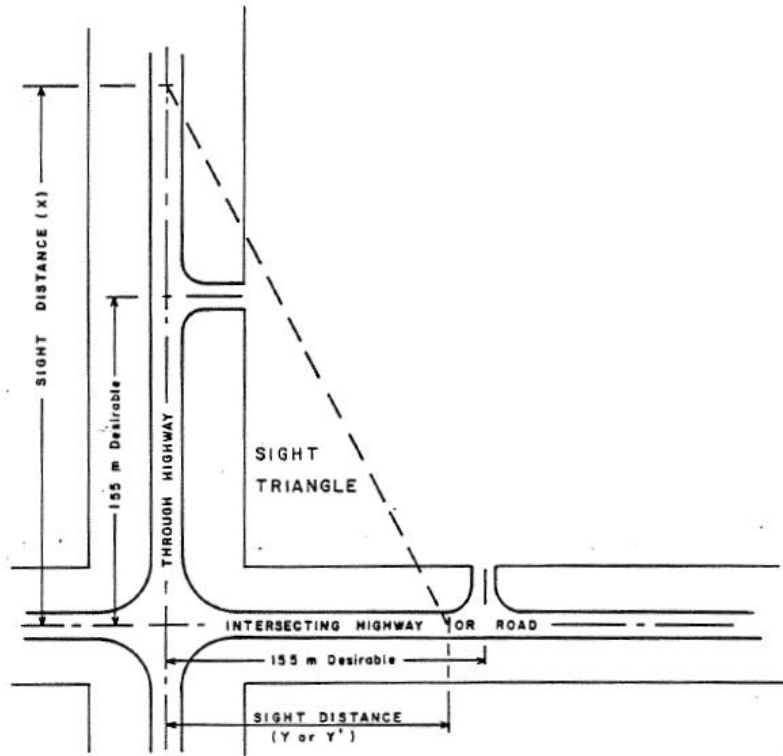
### **9.3 Discretionary Uses**

- a. Abattoirs, skinning and tanning facilities
- b. Manufacturing
- c. Fabricating
- d. Agricultural product processing
- e. Auction Mart
- f. Outside Storage of materials visible from the Highway
- g. Accessory buildings to the above discretionary uses.
- h. Nurseries and greenhouses
- i. Restaurants
- j. Storage facilities, warehouses, supply and distribution facilities
- k. Veterinary clinics
- l. Welding and machine shops

### **9.4 Regulations**

- a. Subdivision
  - i. All subdivisions shall be serviced to meet municipal standards and provincial standards.
- b. Frontage
  - i. Minimum site frontage shall be 30.4m (100 ft) m 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 1114.8 sq. m (12,000 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. Access may be required to be provided by a service road that meets provincial and municipal standards.
  - 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 shall be provided 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.
- e. Setback Requirements
- i. Front Yard:
    - 1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the enterline of a provincial highway shall be at the discretion Council after discussions with the Ministry of Highways and Infrastructure.
    - 2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the enterline of a municipal road allowance, municipal grid road, and main farm access road shall be 45 m (150 ft).
    - 3. The minimum setback for buildings on private property from the internal subdivision road shall be 7.6 m (25 ft)
    - 4. No outside storage shall be permitted in the front yard.
    - 5. The Ministry of Highways and Infrastructure site triangle at intersections shall be adhered to:



ii. Side Yard:

1. The minimum setback for buildings on private property from any side yard shall be a 3 m (10 ft).

iii. Rear Yard

1. The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 3 m (10 ft).



- f. Signs
  - i. One business name sign is permitted per visible business unit front, and shall not exceed 15% of the area of the front of the building and shall not exceed 30 sq. m, parallel to the front of the building, nor exceed a depth of 0.3 m.
  - ii. All signs and artwork shall be approved as part of the development permit approval.

#### **9.5 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 and to all provincial requirements.
- 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. Year round access to the site shall be available.
- g. A road of adequate standard provides access and egress to the operation from a provincial highway to the site.
- h. Other requirements of this bylaw specific to the proposed use are met.

## **SECTION 10: PROVINCIAL FOREST DISTRICT (F)**

The purpose of this district is to ensure appropriate development takes place on all lands that are located within the Nisbet Provincial District and to ensure uses that are proposed within this district are provided for in accordance with Saskatchewan Environment. All lands within the Nisbet Forest will be zoned in this district, as shown on the Nisbet Provincial Forest Map below. Government agencies may be consulted prior to issuing a development permit.

### **10.2 Permitted Uses that Require a Development Permit**

- a. Uses related to the protection, conservation and management of wildlife, vegetation and other natural features
- b. Municipal facilities
- c. Public works excluding solid and liquid waste disposal sites

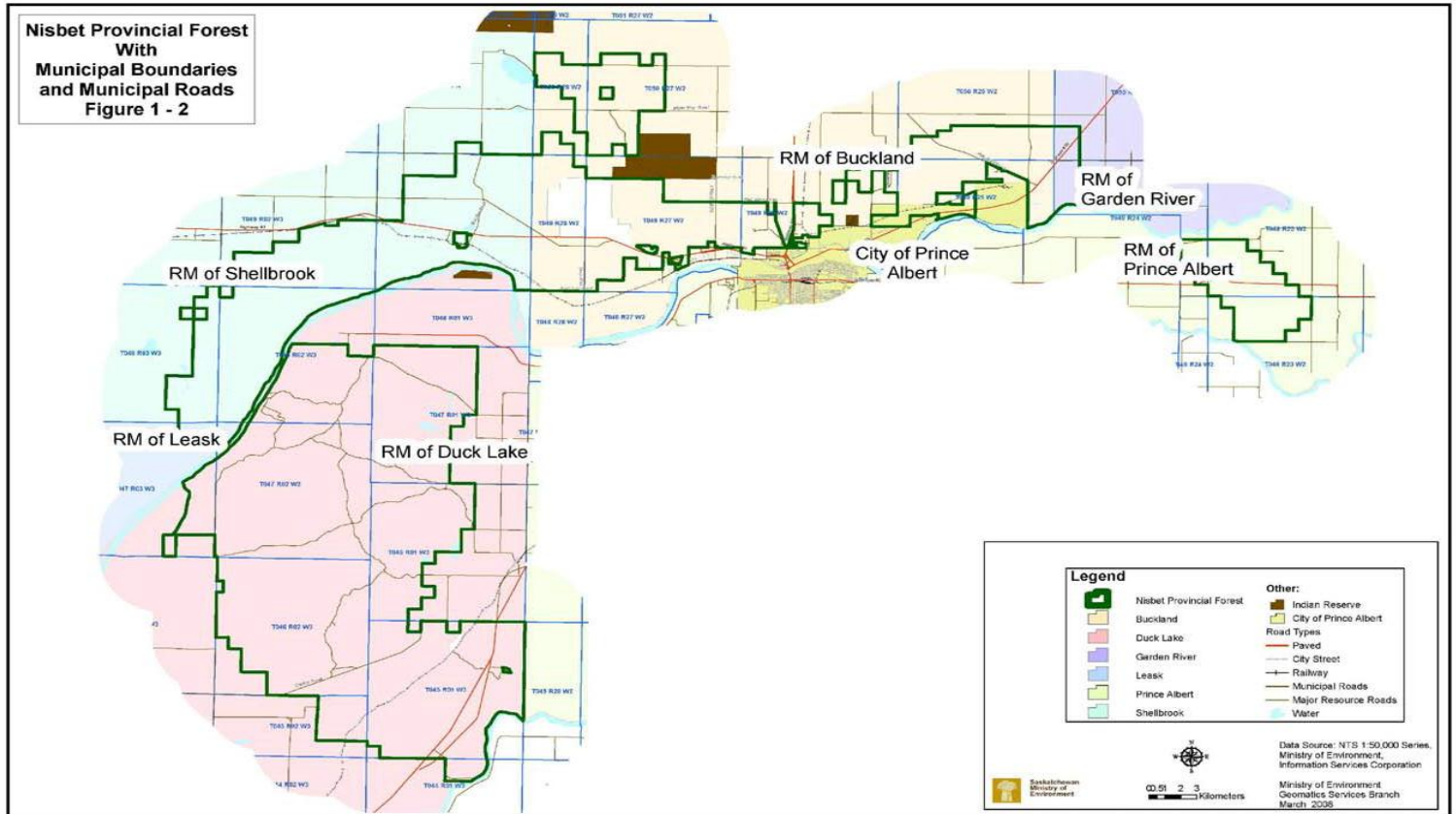
### **10.3 Discretionary Uses**

- a. Historical or archaeological sites
- b. Open space passive recreational activities

### **10.4 PROVINCIAL FOREST DISTRICT REGULATIONS**

- a. All operations shall comply with the appropriate regulations set out by the Ministry of Environment or other applicable agencies.
- b. The R.M. of Leask may consult with the Ministry of Environment prior to issuing a development permit for any of the uses listed above.
- c. Site Requirements and setbacks: All uses within this district are exempt from meeting specific site size and setback requirements.

## Map: Nisbet Provincial Forest



Source: Saskatchewan Ministry of Environment, Nisbet Integrated Forest Land Use Plan. March 28, 2008

## **SECTION 11: DUNCAN'S BEACH RESORT DISTRICT (DB)**

The objective of the Duncan's Beach Resort District is to provide for existing residential development for the area known as Duncan's Beach, located in a portion of Legal Subdivisions 1 and 2 SW 33-48-7 West of the 3<sup>rd</sup> Meridian, which is comprised of Lots 1-20 Block 1, Lots 1-4 Block 2, MR1, MR2, ER1, ER2, Duncan Drive and the portion of Duncan Road running north, as shown in bold dashed outline on the attached map, to allow existing buildings to continue as conforming uses and for each dwelling to be upgraded or replaced.

### **11.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Keeping of animals – limited to domestic pets i.e. dogs and cats
- b. Public utilities except solid and liquid waste disposal facilities
- c. Signs, subject to Section 3.11

### **11.2 Permitted Uses**

- a. Residential: Single detached dwellings
- b. Recreational: Boat launches, docks, golf courses, parks, picnic grounds, public beaches and sports fields, nature trails and exhibits
- c. Accessory: Buildings, structures or uses accessory to, and located on the same site with the principal building or principal use (as listed in a. and b.).

### **11.3 Regulations**

- a. Single detached dwellings and accessory buildings existing as of January 9, 2002:
  - Minimum site area: 380 square metres (4090 sq. ft)
  - Minimum site frontage: 12.5 metres (41 ft.)
- b. New and replacement single detached dwellings, including

structural alterations:

Minimum site area: 380 square metres (4090 sq. ft)

Minimum site frontage: 12.5 metres (41 ft.)

Minimum front yard: 1.5 metres (5 ft)

Minimum rear yard: 1.5 metres (5 ft)

Minimum side yard: 1.5 metres (5 ft)

Minimum floor area: 50 square metres (538sq. ft.)

- c. New and replacement accessory buildings, including structural alterations:

Minimum front, side and rear, yard: 1.5 metres(5 ft)

- d. Private parks, public parks, public recreation facilities, nature trails and exhibits:

No requirements

## **SECTION 12: HAMLET AREA DISTRICT (HA)**

The intent of this district is to provide a transition area between the Hamlet of Pelican Cove and agriculture development. The Hamlet Area District acts as the buffer between the two land uses and ensures that future development will be harmonious with the future growth areas of the Hamlet.

### **12.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Keeping of animals – limited to domestic pets i.e. dogs and cats
- b. Outside Storage subject to Section 12.4.5
- c. Public utilities except solid and liquid waste disposal facilities
- d. Signs, subject to Section 3.11
- e. Field Crops

### **12.2 Permitted Uses**

- a. Residential: Single Detached Dwelling, Mobile and Modular Homes on permanent foundations
- b. Accessory uses and buildings
- c. Signs, Subject to section 3.11

### **12.3 Discretionary Uses**

- a. Multi-Unit Residential
- b. Accessory buildings prior to the construction of the principal building
- c. Commercial Uses: Convenience stores with or without gas bars, retail stores, commercial retail service, restaurant and public accommodation establishments, restaurants and the other places for the sale and consumption of food and related items.
- d. Campgrounds
- e. Public storage facilities

- f. Hotels, motels and hostels
- g. Recreational Uses
- h. Home Occupations
- i. Accessory uses to the discretionary use on the site.

## **12.4 Regulations**

### 12.4.1 Site Area Requirements

- (1) Minimum – 1338 square metres (14,400 square feet).

### 12.4.2 Site Frontage Requirements

- (1) Minimum – 37 m (120 ft)

### 12.4.3 Yard Requirements

- (1) Front and Rear Yard: 3 metres (10 feet)
- (2) Side Yard: 1.5 metres (5 feet)
- (3) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use.
- (4) Lots existing on, or before the passing of this bylaw, shall be considered to be conforming with respect to the minimum site area and frontage requirements of this bylaw.

### 12.4.5 Outside Storage

- (1) No outside storage shall be permitted in a yard abutting a road
- (2) Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from a road.

## **12.5 Criteria and Development Standards for Discretionary Uses**

### 12.5.1 Home Occupations

- (1) Home occupations shall comply with Section 3.12.

- (2) No home occupation in this district shall include auto body repair, or small engine equipment repair, or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home-based business in this district.



## **SECTION 13: 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.*

**Agricultural Holding-** The cumulation of all sites owned by an agricultural operator and does not include a hobby farm or country residence.

**Agricultural Operator-** a household unit whose principal source of income is derived from the agricultural production of an agricultural holding.

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

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

Kind of Animal		Number 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	
	- bison,	1
	- elk, reindeer	4
	- deer	7

**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.

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

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

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

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

**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.

**Building Residential-** a single-detached, semi-detached, duplex or mobile dwelling unit.

**Building Site-**the specific site on which the principal building is to be erected.

**Billboard-**a poster panel or painted bulletin and includes any structure panel, board or object designed exclusively to support such poster, panel or a painted bulletin.

**Camping Facility/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.

**Campground, Long Term** – the seasonal operation of an area of land managed as a single unit, which provides long term accommodation for recreational vehicles and trailer coaches, used by the same occupant(s) for the entire season. The difference between a long term campground and a campground, as described in Section 3.16 of this bylaw, is that a long term campground is intended for prolonged visits and shall be located near amenity areas.

**Care Services** 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 type of colony who use the land for agricultural, educational, and other shared purposes.

**Council** – the Council of the Rural Municipality of Leask No. 464.

**Country Residential Use-** a dwelling or site whose owner's principal source of household income is from a source other than the principal agricultural use of that site.

**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.

**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.

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

**Farmstead Site**- a site which includes the residence of the farm operator and those buildings or facilities which are related to the farm operation, and are normally surrounded by the farmstead shelterbelt.

**Flood Plain** – means the area prone to flooding from a waterbody or watercourse that comprises the combined area of the flood way and flood fringe.

**Flood Proofed** – means 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** – 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.

**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.

**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/Home occupation** – 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.

**Lake** – any body of water that is surrounded by land within the R.M. of Leask No.464

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

**Municipality** – the Rural Municipality of Leask No. 464

**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.

**Passive Recreation Use:** means a recreational land use that does not require significant development upon the site and does not lessen the natural character of the area.

**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.

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

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

**Public Utility** – 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.

**Recreational Vehicle**- Shall mean a unit intended to provide temporary living accommodations for campers or travelers, built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

**Reeve** – the Reeve of the Rural Municipality of Grant No. 372

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

**Road**- shall mean a public thoroughfare which affords the principal means of access to abutting property, but shall not include an easement or lane.

**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*.

**Trailer Coach** – any vehicle or dwelling that has been modified to allow for both transportation upon public roads or highways and also be utilized as a dwelling or sleeping place for one or more persons.

**Tree Nursery**- the use of land for raising shrubs, trees and bedding plants for the express purpose of commercial sale.

**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.

**Use, Agricultural Related Commercial-** a service to the agricultural community such as auction marts, bulk fuel sales, fertilizer distribution, grain and seed cleaning and drying, implement and machinery assemblage, sale and service, stockyards, veterinary clinics and other similar uses.

**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.