

2018

TOWN OF STOUGHTON

Zoning Bylaw



Prepared by Prairie Wild Consulting Co.
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THE TOWN OF STOUGHTON

Zoning Bylaw No. 445/18

1. Pursuant to Section 45 of the *Planning and Development Act, 2007*, the Council of the Town of Stoughton hereby adopts the Zoning Bylaw, identified as Schedule “A” to this Bylaw.
2. The Mayor and Administrator are hereby authorized to sign and seal Schedule “A” which is attached to and forms part of this Bylaw.
3. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time this DAY day of MONTH 20 YEAR

Read a second time this DAY day of MONTH 20 YEAR

Read a third time and passed this DAY day of MONTH 20 YEAR

SIGNATURE OF MAYOR

MAYOR

SEAL

SIGNATURE OF CAO

CHIEF ADMINISTRATIVE OFFICER

THE TOWN OF STOUGHTON

Zoning Bylaw

Schedule "A" to Bylaw No. 445/18

SIGNATURE OF MAYOR

MAYOR

SIGNATURE OF CAO

CHIEF ADMINISTRATIVE OFFICER

SEAL

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SECTION 1: INTRODUCTION

The Zoning Bylaw is an implementation tool for administering day-to-day land use operations for the Town of Stoughton. This tool works in tandem with the goals, policies and objectives stated in the *Town of Stoughton Official Community Plan No 444/18*.

1.1 AUTHORITY

- 1.1.1 Under the authority granted by the *Planning and Development Act, 2007*, the Mayor and Council of the Town of Stoughton in the Province of Saskatchewan, in open meeting, hereby enact as follows.

1.2 TITLE

- 1.2.1 This Bylaw shall be known and may be cited as the Zoning Bylaw of the Town of Stoughton.

1.3 PURPOSE

- 1.3.1 The purpose of this Bylaw is to regulate development and control the use of land in the Town of Stoughton in accordance with the *Town of Stoughton Official Community Plan No. 444/18*.
- 1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Town of Stoughton (hereinafter referred to as the Town) and for the health, safety and general welfare of the inhabitants of the Town and area:
- To minimize land use conflicts;
 - To establish minimum standards to maintain the amenity of the Town;
 - To ensure development is consistent with the physical limitations of the land;
 - To restrict development that places undue demand on the Town for services; and
 - To provide for land use and development that is consistent with the goals and objectives of the Town.

1.4 SCOPE

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

1.5 SEVERABILITY

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

SECTION 2: DEFINITIONS

Whenever the subsequent words or terms are used in this Bylaw and the *Town of Stoughton Official Community Plan No. 444/18*, they shall have the following definition unless the context indicates otherwise.

A

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

Above Ground Fuel Storage Tank: A storage tank, any portion of which is above grade and contains gasoline; diesel fuel; propane; or, ethanol.

Accessory: A building or use that:

- Is subordinate to and serves the principle building or principle use;
- Is subordinate in area; mass; extent; and, purpose to the principle building or principle use served;
- Contributes to the comfort, convenience or necessity of occupants of the principle building or assists the principle use; and
- Is located on the same site as the principle building or use.

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

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

Aggregate Resource: See Quarriable Substance.

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

Alteration or Altered: With reference to a building, structure or site through a means of changes from one (1) major occupancy class or division to another, or structural change. This may include an addition to the area or height, the removal of or part of a building or any change to the structure including construction of, cutting into or removal of

any wall; partition; column; beam; joist; floor; or, other support. Changes to or closing of any required means of egress or changes to fixtures; equipment; cladding; trim; or, any other items regulated by this Bylaw such as parking and landscaping are also included.

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

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

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

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

Apartment Block: A building containing three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence as distinct from a hotel or rooming house.

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

Attached Covered Patio: A single storey patio which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is not integrated into the dwelling unit by virtue of the extension of the dwelling unit. In addition, 50% of the walls must be openings and no



basement may be constructed under the patio. Typically an attached covered patio would provide up to three-season use and would not provide fully furnished livable space.

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half (1/2) storey.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has two (2) to four (4) wheels; an internal combustion engine; alternative energy sources such as electrical, fuel cell or a hybrid of the two; and, is used for land transport.

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

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

B

Bare Land Condominium: A Bare land condominium involves dividing a parcel of land into individually owned 'bare land units'. A proposed plan of survey to create a bare land condominium requires the subdivision of the land and subdivision approval pursuant to the *Planning and Development Act, 2007*. Buildings on each bare land unit are owned by the individuals. The balance of the parcel around the units is common property. Generally, buildings on private units or common property are not constructed until after the bare land condominium plan has been registered. To ensure compliance with municipal bylaws, the municipality should discuss with the developer, any proposed construction of buildings prior to registration of the condominium plan. All buildings and improvements on common property are owned by the condominium corporation. Bare land condominiums are sometimes managed as exclusive communities, with control over local access.

Bare Land Condominium Unit: A bare land unit as defined by the *Condominium Property Act, 1993*.

Basement: That portion of a building that is partly or wholly underground, having above grade no more than 1.85 metres (6.1 ft.) of its clear height which lies below the finished level of the floor directly above.

Bed and Breakfast: A dwelling unit, licensed as a tourist home under the *Public Accommodations Regulations*, in which overnight accommodation within the dwelling unit, along with one (1) meal served before noon, is provided to the traveling public for a charge.

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

Buffer: A strip of land, vegetation, or land use that physically separates two (2) or more different land uses.

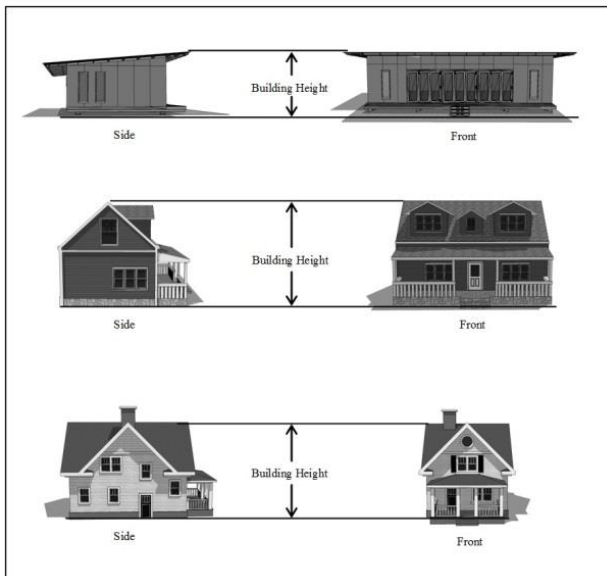
Building: A structure constructed on, in or over land and used for the shelter or accommodation of persons; animals; goods; or, chattels, and includes any structure covered by a roof supported by walls or columns.

Building, Accessory: See Accessory.

Building Bylaw: A bylaw of the Town of Stoughton to regulate the erection; alteration; repair; occupancy; or, maintenance of buildings and structures.

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





Building Height

Building Permit: A permit issued under the Building Bylaw of the Town of Stoughton, authorizing the construction of, or the addition to any building though does not include a development permit.

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

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

Bulk Fuel Sales and Storage: Includes land, buildings and structures for the storage and distribution of fuel and oil including retail sales or cardlock operations.

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

Bylaw: The Town of Stoughton Zoning Bylaw.

C

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

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

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

Car Wash: A building or portion of a building, which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery: A burial site or columbarium, as defined in the *Cemeteries Act Chapter C-4, R.S.S. 1981*, as amended from time to time.

Chief Administrative Officer (CAO): The Administrator of the Town of Stoughton.

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

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

Commercial/Industrial Use, Large Scale: Commercial or industrial land uses maintaining a lineal frontage in excess of 90 metres (295.3 ft.).

Commercial/Industrial Use, Small Scale: Commercial or industrial land uses maintaining lineal frontage of less than 90 metres (295.3 ft.).

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

Community Garden: An area of land managed and maintained by a formal or informal group of individuals to grow and harvest crops and/or non-food ornamental crops, such as flowers, for personal or group use; consumption; donation; or, sale at a farmers' market or farm stand. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and

may include common areas maintained and used by group members. Community gardens may occupy a portion of any public municipal land subject to the approval of the Development Officer.

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

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

Condominium: Land, buildings and units including private and common property as defined under the *Condominium Property Act, 1993*.

Condominium Unit: A division of land or building as defined in the *Condominium Property Act, 1993*.

Confectionary: A retail, commercial establishment supplying a limited selection of food and other daily household necessities to the surrounding area.

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

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

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

Convenience Store: The store offering for sale primarily food products; beverages; personal care items; hardware; and, printed matter and which primarily provides a convenient day-to-day services to residents and visitors of the area.

Council: The elected Council of the Town of Stoughton.

Cultural Institution: Establishments such as museums; art galleries; libraries; and, similar facilities or historical, education or cultural interests which are not commercially operated.

D

Daycare Centre: An establishment providing for the care, supervision and protection of children, adults, or seniors, though does not include the provision of overnight supervision.

Deck: Any raised floor structure at least 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed, either adjacent to a building or freestanding with stairway, ramp or similar access.

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

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

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

Development Permit: A document issued by the Town of Stoughton that authorizes development pursuant to this Bylaw, and does not include a Building Permit.

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

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

Driveway: The portion of a lot used to provide vehicular access from a street to a parking space or to an off-street parking or loading area located on the same lot.



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

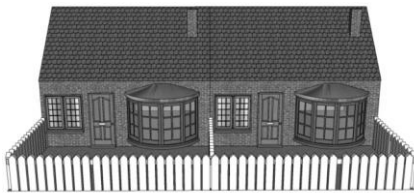
Dwelling Unit: One (1) or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities.

Dwelling, Duplex: A building that is divided into two (2) dwelling units with separate entrances and separated by a common party wall.

Dwelling Group: A group of single-detached, semi-detached, or multiple unit dwellings clustered on one (1) lot or site, built as one (1) development.

Dwelling, Multiple Unit: A building containing three (3) or more dwelling units and shall include condominiums, townhouses, row houses and apartments as distinct from a rooming house, hotel or motel.

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



Semi-Detached Dwelling

Dwelling, Single-Detached: A building containing only one (1) dwelling unit, and shall not include a mobile home as herein defined.



Single-Detached Dwelling

Dwelling, Townhouse: A dwelling designed as one (1) cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.



Townhouse Dwelling

E

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

Environmental Site Assessment: An investigation intended to identify actual or potential contamination, and is performed by a qualified person in accordance with the *Canadian Standards Association, Standard Z768-94, Phase 1 Environmental Site Assessment*.

Estimated Peak Water Level (PRWL): The water level calculated by the Saskatchewan Water Security Agency to determine a flood hazard area.

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

F

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

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

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

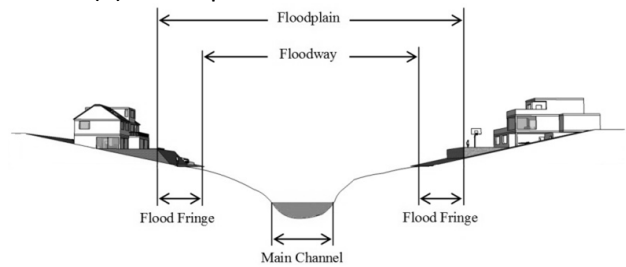
Flanking: Means to the side of a lot, parcel or site.

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

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

Floodway: The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one (1) metre or a velocity of one (1) metre per second.

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



Cross-Section of a Flood Fringe and Floodplain

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

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

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

Future Land Use Map (FLUM): In its projections, the map specifies certain areas for growth and others for residential; industry; commercial; and, conservation. The Future Land Use Map for Stoughton is attached as Appendix "A" in the *Official Community Plan No. 444/18*.

G

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

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

Garage/Garden Suite: A small accessory dwelling unit located in the rear of single detached dwelling or within a detached accessory building that may have cooking; food preparation; sleeping; and, sanitary facilities which are separate from those of the single detached dwelling.

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

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

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

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

Greenways: Corridors or protected open spaces that are publicly or privately owned and managed for conservation and recreation purposes.

Group Home: See Personal Care Home.

H

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

Hazard(ous) Land: Land having inherent environmental hazards; land subject to flooding, earth movement or slope instability; land with poor



natural drainage, ground water seepage, erosion, steep slopes, rock formations; or, other similar features.

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

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

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

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

Home-Based Business and Occupation: A trade or craft conducted for gain in a dwelling unit or a conforming accessory building by the resident or residents and which is incidental and secondary to the residence and does not change the building's exterior character.

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

I

Industrial Exclusionary Uses: Refers to certain industrial activities that may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale; appearance; noise; odour; emissions; and, hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Exclusionary uses include, though are not limited to, the following: landfill; ethanol plants; transformer stations;

uranium refineries; anhydrous ammonia storage; and, distribution centres.

Industrial Park: An area of land set aside for industrial development, usually located close to transport facilities, especially where more than one (1) transport mode coincides (i.e. highways, railways, airports).

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

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

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

J

Junked Vehicle: Any automobile; tractor; truck; trailer; or, other motorized vehicles that:

- Has no current valid licence plates attached to it; or,
- Is in a rusted; wrecked; partly wrecked; dismantled; partly dismantled; inoperative; or, abandoned conditions; and
- Is located on private land, though is not within a structure erected in accordance with any law respecting the erection of buildings and structures in force within the Town of Stoughton and that does not form a part of a businesses enterprise lawfully being operate on that land.

K

Kennel, Boarding: The temporary accommodation of more than four (4) dogs, cats or other domestic animals for commercial purposes.

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

Kennel, Enclosure: An accessory building or enclosure intended to house one (1) or more domestic animals.



L

Landscaped Area: An area not built upon and not used for any purpose other than as an open space that may include grass; shrubs; flowers; trees; and, similar types of vegetation and may contain paths; walkways; patios; fences; and, similar outdoor amenities and does not include parking areas, parking lots or driveways.

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

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

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

Live/Work: A dwelling unit, part of which may be used as a business establishment, where the dwelling unit is the principle residence of the business operator.

Live/Work Residential Acreage: A residential development where the owner's principle source of income is derived from a source other than agriculture, and where an onsite occupation or activity is permitted including the storage of material and the maintenance of equipment related to the occupation.

Loading Space: A space measuring at least 2.5 metres (8.2 ft.) in width and 8.5 metres (27.9 ft.) in depth, located on a lot, and having access to a street or land, in which a vehicle may park to load or unload.

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

Lounge: A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with food, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% of the public

assembly area in the adjoining restaurant, subject to provincial regulations.

M

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

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

Mayor: The Mayor of the Town of Stoughton.

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

Mini-Storage: A commercial facility made of more than one (1) unit in which customers can rent space to store possessions.

Mixed-Use: A mix of land uses that facilitate the mixing, rather than separation of, land uses in one (1) distinctive environment, either vertically in the same building or horizontally adjacent. It is intended to be compatible with adjacent uses.

Mobile Home: A trailer coach that may be used as a dwelling year-round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and a water cost or other similar facility that may be connected to a sewage system; and, that conforms to the Canadian Standards Association (CSA) *Standard #Z240*.



Double-Wide Mobile Home

Mobile Home Park: A site under single management for the placement of two (2) or more mobile homes and shall include all accessory buildings necessary to the operation and does not

include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the term “mobile home park” and “mobile home court” shall be deemed to mean the same.

Mobile Home Site: An area of land in a mobile home park or other residential areas that is intended to be occupied by one (1) mobile home and for exclusive use of its occupants with access to a driveway or a public street.

Mobile Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site. All such sites shall include public open spaces; internal streets and lanes; buffer zones; and, other amenity areas form a contiguous area of development.

Mobile Storage Container: A large standardized reusable corrugated weathering six sided steel box uses for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system. Intermodal means that the container can be moved from one (1) mode of transport to another without unloading and reloading the contents of the container. It does not contain a foundation or wheels for movement. It includes a trailer uses to handle freight in the transportation of good for others though exclude house trailers, light farm trailers and car trailers.

Modular (Manufactured) Home: A residential dwelling that is constructed off-site in a yard or factory, in one (1) or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site in the Town, and conforming to Canadian Standards Association (CSA) Standard #A277.



Modular (Manufactured) Home

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

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

Motor Vehicle: An automobile, truck, motorcycle or any other vehicle propelled or driven otherwise than by muscular power, excluding a commercial motor, a streetcar or other motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine.

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

Multiple Complimentary (Vertically Integrated) Activities: The accommodation of multiple complimentary activities which could be considered principle permitted uses under single or multiple ownership within one (1) or more buildings on a single parcel where these uses are considered to provide additional processing and/or the sale of manufactured goods produced onsite.

Municipality: The Town of Stoughton.

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

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

N

Natural Areas: An area relatively undisturbed by human activities and characterised by indigenous

species including remnant or self-sustaining areas with native vegetation, water or natural features.

Non-Conforming Site: A site consisting of one (1) 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: Any use of land, building or structure lawfully existing or under construction where permits have been issued at the time of passing this Bylaw, the use of which does not comply with all the regulations of this Bylaw governing the zoning district in which it is located.

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



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

Official Community Plan (OCP): The *Town of Stoughton Official Community Plan Bylaw No. 444/18*, as per Section 32 of the *Planning and Development Act, 2007*.

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

Outdoor Maintenance: Maintenance services that have all or any portion of their operations located outside of an enclosed building.



Parcel: Any quantity of land, consisting of one (1) or more lots, that is capable of being described with such definiteness that its location and boundaries may be established.

Parking Lot: An open area, other than a street, used for temporary parking of more than four (4) vehicles and available for public or private use.

Parking, Off-Street: Accommodation for the parking of vehicles off a public road or highway.

Parking Space: A space within a building or parking lot for the parking of one (1) motor or recreational vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres (8.2 ft.) in width and 5.5 metres (18.0 ft.) in length.

Park Model Trailer: A seasonal dwelling mobile home that cannot be licensed as a recreation vehicle, has no brake or tail lights, or must be permitted to be transported on a public highway. The total square footage must be at or below the maximum 538 ft², as specified in the Canadian Standards Association (CSA) *Standard # Z241*.

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

Patio: Any hard surface or floor structure less than 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed.

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

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

Personal Care Home: A facility licensed under the *Personal Care Homes Act* that provides long-term residential, social and personal care. This includes the accommodation; meals; supervision; or, assistance for persons who have limits on ability for self-care, and are unrelated to the operator or owner.

Personal Service Trades: A building or part of a building in which persons are employed in furnishing services and administering to customer's personal and/or grooming needs, though does not include the provision of health related services.

Placemaking: A multi-faceted approach to the planning, design and management of public



spaces. Placemaking capitalizes on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well being.

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

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

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

Public Work: A facility as defined under the *Planning and Development Act, 2007* including a system; work; plant; equipment; or, services, whether owned or operated by the municipality, or by a corporation under federal or provincial statute. The facility may furnish any of the following services and facilities to, or for the use of the inhabitants of the Town of Stoughton:

- Communication by way of telephone lines, optical cable, microwave and cable;
- Television services;
- Delivery of water, natural gas and electricity;
- Public transportation by bus, rail or other vehicle production, transmission;
- Collection and disposal of sewage, garbage and other wastes; and
- Fire and police services.

Q

Quarriable Substance: Any mineral substance, the property of the Crown in the right of Saskatchewan, which is capable of being quarried and includes bentonite; building stone; granite; gravel; gypsum; limestone; marble; marl; sand; slate; volcanic ash; and, any other substance which may from time to time be declared by the Lieutenant Governor in Council quarriable substance within the meaning of these regulations.

R

Real-Estate Signage: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m² (11 ft²).

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

Recreational Vehicle (RV): A vehicle intended to provide temporary living accommodation, built as part of, or to be towed by a motor vehicle to be used on public highway without special permit. Recreational vehicles include truck campers; motor homes; fifth wheel trailers; travel trailers; and, tent trailers.

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

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

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

Redevelopment: See Infill Development.

Residence: See Residential Use.

Residential Care Home: A licensed or approved group care home governed by provincial regulations that provide, in a residential setting, 24 hour care of persons in need of personal services, supervision or



assistance essential for sustaining the activities of daily living or for the protection of the individual.

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

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

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

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

Rooming House (Boarding House): A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and may include private toilet facilities.

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



Ready to Move (RTM) Home

S

Safe Building Elevation (SBE): A level as defined by the Ministry of Government Relations, at the time of subdivision to which flood proofing must be done for developments in the flood hazard area. The SBE is calculated as the Estimated Peak Water Level (EPWL) plus a freeboard value to allow for uncertainties in calculations and other possible hazards such as ice push; ice jams; wind; waves; and, erosion.

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

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

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

Sea Container: See Mobile Storage Container.

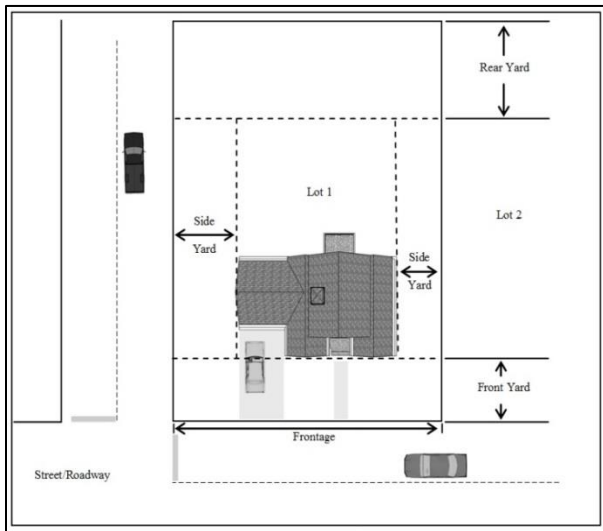
Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principle use is a one (1) unit dwelling.

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

Septic Tank: A digestion chamber in which sewage is received and retained and from which the effluent is discharged.

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

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



Location and Area of Setbacks

Shopping Centre: A building or group of buildings located on one (1) or more contiguous and/or non-contiguous lot or site, in which four (4) or more of the uses allowed in the zoning district are collocated for their mutual benefit including the use of off street parking and other joint facilities.

Should, Shall or May:

- 'Should' is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.
- 'Shall' is an operative word which means the action is obligatory.
- 'May' is an operative word meaning a choice is available, with no particular direction or guidance intended.

Sight Triangle: The triangular area formed, on corner sites, by the intersection front and side site lines at a street intersection and the straight line joining said site lines.

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

Sign, Billboard: A private free standing sign, including supporting structure, which advertises

goods; products; services; organizations; or facilities that are available from, located on or refer to a site other than the site on which the sign is located.

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

Sign, Fascia: A sign fastened to, or painted on, the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 metres (1.6 ft.) from such building or structure.

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

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

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

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

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

Sign, Temporary: A sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one (1) or more lots consolidated under a single Certificate of Title, considered as a unit devoted to a certain use or occupied by a building or permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

Site, Corner: A site at the intersection of two (2) or more public streets, or upon two (2) parts of the same street, the adjacent sides of which street(s) (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain

an angle of not more than 135 degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

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

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

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the street; for a corner site – the shorter line abutting a street; though in the case of a corner site with two (2) street lines of equal length, the front site line shall be designated by predetermined building lines.

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

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

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

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

Site, Through: A site other than a corner site, having separate frontages on two (2) streets. The front site line of a through site shall be determined by predetermined building lines.

Solar Collector: A device for the absorption of solar radiation for the heating of water or buildings or the production of electricity.

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

Special Needs Housing: See “Alternatively Abled Housing”.

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

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

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.6 metres (5.2 ft.) and 2.3 metres (7.5ft.) over a floor area of which is not less than one-third (1/3), nor more than two-thirds (2/3) of the floor area of the storey next below.

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

Strip Mall (Mini Mall): A building in which a minimum of three (3) and a maximum of six (6) of the permitted or discretionary uses of the zoning district are located together for their mutual benefit.

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

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

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

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means, used and maintained for the purpose of swimming, wading or diving and having a depth of 0.6 metres (2.0 ft.) or more at any point.



T

Tavern: An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with food, and is subject to provincial regulations.

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

Town: Town of Stoughton.

Traffic Calming: The deliberate slowing of traffic in areas of a community through the installation of safety solutions such as radar speed signs or speed bumps in order to enhance the safety for pedestrians and motorists.

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

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

Travel (Camping) Trailer, Truck Camper, 5th Wheel Trailer, Motor Home: Any vehicle designed, constructed or reconstructed in such a manner as it will permit occupancy as a dwelling or sleeping place for one (1) or more persons, notwithstanding that its running gear is removed; jacked up; is used; or, constructed in such a way as to enable it to be used as a conveyance upon public streets, highways. This includes self-propelled and non self-propelled vehicles.



Motor Home – 5th Wheel Trailer

Trucking (Transportation) Firm Establishment: The use of land, buildings or structures for the purpose



of storing; repairing; loading trucks, transporting trailers and/or buses, and does not include an automobile service station, transportation sales or rental outlets.

U

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

Used For: Includes “arranged for”; “designed for”; “intended for”; “maintained for”; and “occupied for”.

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 9.29 m² (100.0 ft²).

V

Vehicle: A device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and agricultural implements but does not include vehicles running only on rails or solely on railway company property.

Vehicle Repair and Maintenance Service, Indoor: Includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.

Visitor Information Centre: A building that provides information and services to visitors to a place such as a community, tourism amenities, services and others.

W

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

Waste Disposal Facility, Liquid: A facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension, though does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

Waste Disposal Facility, Solid: A facility or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial;

institutional; and, industrial sources which are disposed of in municipal or private landfills or transfer stations, and not including dangerous goods, hazardous waste or biomedical waste.

Water Body: A lake; pond; reservoir; lagoon; swamp; marsh; wetland; or, any other area containing standing surface water, either permanently or intermittently.

Water Course: Any natural or artificial stream; river; creek; ditch; channel; canal; conduit; culvert; drain; waterway; gully; ravine; or, wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason or overflow or design flood.

Wind Energy Conservation System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kilowatt (kW) for non-residential use of 10 kW for residential use. It will be considered an accessory use and is intended to provide onsite power for a principle use.

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

Wind Turbine, Electrical: An individual component of Wind Energy Conversation System which

converts kinetic wind energy to electrical energy through electric currents.

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

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

Y

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

Yard, Front: The area between the side site lines and the front site line to the front building line.

Yard, Rear: The area between the side site lines and the front site line to the rear building line (corner and interior).

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

Yard, Side: The area between the front and rear yards and between the side site line and the side building line (see Setback).

Z

Zoning District: See "Land Use Zoning District".



SECTION 3: ADMINISTRATION AND INTERPRETATION

3.1 DEVELOPMENT OFFICER

- 3.1.1 The Chief Administrative Officer of the Town of Stoughton shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the municipality as the Council designates from time to time.
- 3.1.2 The Development Officer shall:
- Receive, record and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving, discretionary uses, development permit conditions and development and servicing agreements;
 - Maintain for inspection by the public during office hours, a copy of this Bylaw, zoning map and amendments and ensure that copies are available to the public at a reasonable cost;
 - Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
 - Collect development fees, according to the fee schedule established in this Bylaw or any other Development Fee Bylaw adopted by the Town; and
 - Perform other duties as determined by Council.
- 3.1.3 The Development Officer shall be empowered to make a decision regarding a development permit application for a permitted use.

3.2 COUNCIL

- 3.2.1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by the Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- 3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by the *Planning and Development Act, 2007* and in accordance with the *Town of Stoughton Official Community Plan*.

3.3 INTERPRETATION

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

3.4 APPLICATION FOR A DEVELOPMENT PERMIT

- 3.4.1 Unless the proposed development or use is exempt from development permit requirements, before commencing any principle or accessory use development, including a public utility use, every developer shall:
- Complete and submit a development permit application; and
 - Receive a development permit for the proposed development.
- 3.4.2 A development permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the *Town of Stoughton Official Community Plan*.



- 3.4.3 Except where a particular development is specifically exempted by Section 3.5 of this Bylaw, no development or use shall commence without a development permit first being obtained.
- 3.4.4 A building permit, where required, shall not be issued unless a development permit has been issued, or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other bylaw in force within the municipality, or from obtaining any permission required by this, or any other bylaw of the municipality, the Province or the Federal Government.
- 3.4.5 The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved development permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under the *Public Health Act and Regulations*. The developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council that meets the *Public Health Act and Regulations* requirements.

3.5 DEVELOPMENT NOT REQUIRING A PERMIT

3.5.1 Residential Zoning Districts

- Buildings and structures under 9.29 m² (100.0 ft²) in area, which are accessory to a principle, residential use except where such dwelling is a discretionary use;
- The television antennae or radio antennae; and/or
- Relocation of any residential or accessory building provided development standards are still met on the site.

3.5.2 Commercial Zoning Districts

- Buildings and structures 9.29 m² (100.0 ft²) that are accessory to a permitted, principle, commercial use, except where such use is discretionary; and/or
- A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

3.5.3 Official Uses

- Uses and building undertaken, erected or operated by the Town.

3.5.4 Internal Alterations

- Residential Buildings: Internal alterations to a residential building, provided that such alterations do not result in a change or use of an increase in the number of dwelling units within the building or on site; and
- Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

3.5.5 Landscaping

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

3.6 DEVELOPMENT PERMIT PROCEDURE

- 3.6.1 As per Section 62(2) of the *Planning and Development Act, 2007*, if a person applies for a development permit with respect to a development or use described as a permitted use by a zoning bylaw, the Development Officer shall, if the application conforms to the Zoning Bylaw, issue a development permit.
- 3.6.2 As soon as an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups



Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant.

- 3.6.3 A copy of all approved development permit applications, involving the installation of water and sanitary services, shall be sent to the Health Authority.
- 3.6.4 Upon approval of a permitted or accessory use, the Development Officer shall issue a development permit for the use at the location and under such terms and development standards specified by the *Official Community Plan* and this Bylaw.
- 3.6.5 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted or accessory use application and any terms and conditions attached to an application.
- 3.6.6 A building permit, where required, shall not be issued unless a development permit has been issued, or is issued concurrently.

3.7 DISCRETIONARY USE APPLICATIONS

Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the zoning district in which they are located.

- 3.7.1 Discretionary Use Application Process:
 - a. Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees;
 - b. Where an application for a Development Permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable;
 - c. As soon as practicable after Council is advised that an application has been made for a Development Permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to whichever Government Agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant;
 - d. The Development Officer shall carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 metre (246 ft.) radius of the proposed development;
 - e. The Development Officer shall publish a notice of the application in accordance with the provisions of the *Planning and Development Act, 2007*, whereby the applicant shall pay to the municipality a fee equal to the costs associated with the public advertisement;
 - f. The Development Officer will prepare a report concerning the application which may contain recommendations that conditions of approval be applied in accordance with Section 56 of the *Planning and Development Act, 2007*;
 - g. The Development Officer will set a date for the public hearing at which time the application will be considered by Council and if deemed necessary, provide notice to assessed owners of property indicating so within the information packages provided as part of the notification process;
 - h. Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council; and



- i. Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.

3.7.2 Discretionary Use Decision

- a. The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board;
- b. Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid;
- c. Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw; and
- d. Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.

3.8 DEVELOPMENT PERMIT APPLICATION FEES

- 3.8.1 An applicant seeking the approval of a permitted or discretionary development permit application shall pay the following fee: \$100.00 or shall pay the required fees as set out in a separate Development Fee Bylaw of the municipality.
- 3.8.2 There shall be no development permit application fee for accessory buildings to a residential use, sign permits, licenses for home occupations or other forms of a business license.
- 3.8.3 An applicant seeking a discretionary use approval shall pay the required non-refundable fee: \$200.00 or shall pay the required fee as set out in a separate Development Fee Bylaw of the Town.
- 3.8.4 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set out in a separate Development Fee Bylaw of the municipality.

3.9 FEE FOR ZONING AMENDMENT APPLICATION

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

3.10 COMPREHENSIVE DEVELOPMENT REVIEWS

- 3.10.1 A Comprehensive Development Review may be completed prior to consideration of an application by Council by any person proposing to rezone for multi-parcel (greater than two (2)) residential, recreational, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial and industrial developments. The scope and required detail of the Comprehensive Development Review will be based on the scale and location of the proposed development, and address such areas as the following:
 - a. Proposed land use(s) for various parts of the area;



- b. The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- c. The location of, and access to, major transportation routes and utility corridors;
- d. The provision of services respecting the planning for future infrastructure within the municipality;
- e. Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas; and
- f. Appropriate information specific to the particular land use (residential, commercial or industrial).

3.10.2 The Comprehensive Development Review must be prepared in accordance with the overall goals and objectives of the *Town of Stoughton Official Community Plan*. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

3.11 DEVELOPMENT APPEALS BOARD

3.11.1 Council shall appoint a Development Appeals Board consisting of a minimum three members, to hear and determine appeals in accordance with Section 213 to 227 inclusive, of the *Planning and Development Act, 2007*.

3.11.2 Right of Appeal

- a. In addition to any other right of appeal provided by the *Planning and Development Act, 2007*, and any other act, a person affected may appeal to the Board if there is:
 - i. Alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
 - ii. A refusal to issue a development permit because it would contravene the Zoning Bylaw; or
 - iii. An issuance of a written order from the Development Officer.
- b. There is no appeal pursuant to 3.11.2.a.ii if a development permit was refused on the basis that the use in the zoning district for which the development permit was sought:
 - i. Is not a permitted use or a permitted intensity of use;
 - ii. Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
 - iii. Is a prohibited use.
- c. Appellants may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw;
- d. An appellant shall make the appeal pursuant to 3.11.2.a within thirty (30) days after the date of the decision; and
- e. The Development Officer shall make available to all interested persons copies of the provisions of the *Planning and Development Act, 2007*, respecting decisions of the Development Officer and right of appeal.

3.12 MINOR VARIANCE

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

- a. A minor variance may be granted for the following only:
 - i. Minimum required distance of a building from a lot line; and
 - ii. The minimum required distance of a building from any other building on the lot.
- b. The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw;
- c. The development must conform to all other requirements of this Bylaw;



- d. The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property; and
- e. No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of the *Planning and Development Act, 2007*.

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

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

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

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

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

3.12.6 A decision to approve a minor variance, with or without terms and conditions, does not take effect:

- a. In the case of a notice sent by regular mail, until twenty three (23) days from the date the notice was mailed; or
- b. In the case of a notice that is delivered by personal service, until twenty (20) days from the date the notice was served.

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

- a. Of the revocation of the approval; and
- b. Of the applicant's right to appeal the revocation to the Development Appeals Board within thirty (30) days of receiving the notice.

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

3.12.9 The Development Officer shall maintain a record of all minor variance applications.

3.13 NON-CONFORMING USES, BUILDINGS AND SITES

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

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

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

- 3.13.4 Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by Section 91 to 93 of the *Planning and Development Act, 2007*. These rights are subject to the following:
- The enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw;
 - All other applicable provisions of this Bylaw are satisfied; and
 - Issuance of a development permit required by this Bylaw.

3.14 DEVELOPMENT PERMIT – INVALID

- 3.14.1 A development permit shall be automatically invalid and development shall cease, as the case may be:
- If the development is not commenced within the period for which the permit is valid; or
 - If the development is legally suspended, or discontinued, for a period of twelve (12) or more months, unless otherwise indicated by Council or the Development Officer.

3.15 CANCELLATION

- 3.15.1 Council or the Development Officer may cancel a development permit, and when cancelled, development shall cease:
- Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;
 - Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
 - When a developer requests a development permit modification.

3.16 STOP-WORK

- 3.16.1 The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or an Interest Registered with Information Services Corporation under this Bylaw.

3.17 BYLAW COMPLIANCE

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

3.18 REGISTERING INTEREST

- 3.18.1 As per Section 175 of the *Planning and Development Act, 2007*, the municipality may register an interest based on a development levy agreement or servicing agreement in the land registry against the affected title.
- 3.18.2 On registration of an interest based on a development levy agreement or servicing agreement, the rights and privileges in the development levy agreement:
- Enure to the benefit of the municipality; and
 - Run with the land and are binding on the registered owner of the land the registered owner's heirs, executors, administrators, successor and assigns.

3.19 MOVING BUILDINGS

- 3.19.1 No building shall be moved within, into or out of the area covered by this Bylaw without obtaining a development permit from the Development Officer, unless such building is exempt under Section 3.5 of this Bylaw.

3.20 TEMPORARY DEVELOPMENT AGREEMENTS

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

3.21 DEVELOPMENT LEVY AGREEMENTS

- 3.21.1 Council may pass a Development Levy Bylaw pursuant to Section 169 to 170 of the Act to establish development levies to recover the capital costs of services and facilities.
- 3.21.2 As per Section 171 of the *Planning and Development Act, 2007*, if the Council deems it is necessary to do so, the Council or Development Officer may require the development permit applicant to enter into a development levy agreement with the municipality respecting the payment of the development levies.

3.22 SERVICING AGREEMENTS

- 3.22.1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *the Act*.
- 3.22.2 In accordance with Sections 172 to 176 inclusive of the *Planning and Development Act, 2007*, the agreement may provide for:
- The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities or other works that Council may require, including both onsite and off-site servicing; and
 - The payment of fees that the Council may establish as payment in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

SECTION 4: GENERAL REGULATIONS

The following regulations shall apply to all zoning districts in this Bylaw.

4.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

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

4.2 PRINCIPLE USE ESTABLISHED

- 4.2.1 In any zoning district in this Bylaw, the principle use of the land must be established prior to any accessory buildings, structures or uses being permitted.

4.3 MULTIPLE USES

- 4.3.1 Notwithstanding anything contained in this Bylaw, where any land, building or structure is used for more than one (1) purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 2.99 metres (9.8 ft.) of any other building on the site except to a building accessory to such dwelling.

4.4 USES PERMITTED IN ALL ZONING DISTRICTS

- 4.4.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 4.4.2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign of notice of any local or other government department or authority.
- 4.4.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works.

4.5 NUMBER OF PRINCIPLE BUILDINGS ON A SITE

- 4.5.1 Only one (1) principle building shall be permitted on any one (1) site except for the following: parks; schools; hospitals; healthcare clinics; recreation facilities; special care homes; senior citizen homes and approved dwelling groups; shopping centres; mobile homes in mobile home courts; and condominium developments.
- 4.5.2 Multiple unit residential buildings (e.g. duplex, fourplex) are considered to be one (1) principle building under this Bylaw, and all other uses and buildings on the site must be accessory.

4.6 ACCESSORY USES, BUILDINGS AND STRUCTURES

- 4.6.1 General Requirements
 - a. Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principle use which is a permitted or discretionary use in that same district, and for which a development permit has been issued;

- b. No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principle building to which it is accessory except in the following case:
 - i. Where a development permit has been issued for a principle building, Council shall allow the construction of the accessory building where such building is being used for the storage of construction material or equipment. If the principle building is not completed within the effective time period of the development permit for the associated principle building, the accessory building shall be removed.
- c. Where a building on a site is attached to a principle building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principle building, the building is deemed to be part of the principle building.

4.6.2 Satellite Dishes/Solar Chargers

4.6.2.1 The installation and operation of a free standing, roof mounted satellite dishes shall be permitted in all zoning districts subject to the following:

- a. In any commercial, community service or residential district such structures shall not exceed a height of 5.0 metres (16.4 ft.) above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and
- b. In any commercial, community service or residential district such structures if attached to or erected upon an accessory building upon which structure is attached or erected.

4.6.2.2 Roof mounted solar chargers/collectors shall be permitted in all zoning districts unless otherwise specified. A permit is required for the installation of solar collector/charger systems mounted on a building having a face area equal to or greater than 5.0 m² (53.8 ft²). Submissions shall include:

- a. A roof plan or wall elevation indicating the layout and spacing of the solar collectors on the roof of the building;
- b. Typical cross-section including but not limited to system height, tilt angle and attachments;
- c. Panel or module dimensions and manufacturers specifications including panel dead load and ballast where applicable;
- d. Mounting details clearly specifying panel attachment and specifications including framing reinforcement as may be required;
- e. Verification of existing roof or wall framing components affected by the proposed installation and the ability of the affected building structural system to accommodate all loads associated with the collector and racking system including dead load, wind load and snow accumulation;
- f. Solar panels used for the production of heat for water shall include mechanical drawings (plumbing schematic) detailing any connection to the potable water system; and
- g. The elevation of the panels shall not exceed the maximum height permitted for the principle building or, if mounted on an accessory building, shall not exceed the height of the accessory building.

4.6.3 Private Garages, Carports, Sunrooms, Solariums and Greenhouses

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

4.6.4 Swimming Pools

- a. Notwithstanding anything contained in this Bylaw, a swimming pool is permitted as an accessory use to permitted uses in any residential district or a motel (motor hotel) in a commercial district, to be located in the side or rear yard of any lot/site if:



- i. No part of such pool is located closer to any lot or street line than the minimum distance required for the principle building located on such lot;
- ii. The maximum height of such pool is 1.22 metres (4.0 ft.) above the average finished grade level of the ground adjoining the pool and within 4.57 metres (15.0 ft.) of such pool;
- iii. Every swimming pool shall be enclosed by a non-climbable fence of at least 1.83 metres (6.0 ft.) in height and not more than 10 cm from the ground, and located at a distance of not less than 1.52 metres (5.0 ft.) from the pool; and
- iv. Any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool.
- b. Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions in the applicable zoning districts in Sections 7-15 of this Bylaw, respecting accessory buildings.

4.6.5 Trailers and Mobile Storage Containers

4.6.5.1 Mobile storage containers are prohibited in any residential district.

4.6.5.2 Trailers and mobile storage containers may be used in commercial and industrial zoning districts and are subject to the following conditions:

- a. The units must be properly anchored;
- b. The units must be a minimum of 3.05 metres (10.0 ft.) from the primary building and must be located behind the rear wall of the primary building;
- c. The units must be kept in good shape and sightly as determined through inspection by Town representatives. Trailers and containers determined by the Town to be unsightly, misused, unsafe, or inappropriate in any way must be removed at the owner's expense within a time period specified by the Town;
- d. One trailer is allowed per property; and
- e. Those trailers and containers which have been placed on properties with permission from Council prior to the passing of this Bylaw shall be grandfathered in as to the location they are at now; however, if they are moved, the resetting is to comply with this Bylaw.

4.7 FRONT YARD REDUCTION

4.7.1 Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principle building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.58 metres (15.0 ft.) in a residential district unless otherwise permitted in this Bylaw.

4.8 IRREGULAR LOTS OR SITES

4.8.1 Irregular lots or sites are permitted at Council's discretion in all zoning districts.

4.8.2 Irregular lots or sites are permitted at Council's discretion for previously subdivided lots where the new subdividing lot line is in a straight line from the front lot line to the rear lot line.

4.8.3 Minimum required frontage for irregular lots may be measured at the minimum front yard setback requirement of the same zoning district.

4.8.4 Notwithstanding the provisions of clause (3) above, the Development Officer may request the minimum required frontage to be met at the property line for those cases where future building of development of the proposed lot or site may be limited by a reduced frontage at the property line.

4.9 PERMITTED YARD ENCROACHMENTS

- 4.9.1 Where minimum front, side or rear yards are required in any zoning district, the following yard encroachments shall be permitted:
- Uncovered and open balconies, terraces, verandas, decks and patios may have a maximum projection from the main wall of 1.83 metres (6.0 ft.) into any required front or rear yard; and
 - Window sills, roof overhangs, eaves, gutters, bay windows, chimneys and similar alterations may project a distance of 0.61 metres (2.0 ft.) into any required yard.

4.10 SIDE YARD EXCEPTION

- 4.10.1 For semi-detached dwellings, townhouses, rowhouses or multiple unit dwellings no side yard shall be required where dwelling units share a common party wall.

4.11 SITE GRADING, LEVELING AND DRAINAGE

- 4.11.1 Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land:
- All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion;
 - All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling;
 - All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council; and
 - All drainage shall be directed towards natural water runs and shall not affect neighbouring properties.

4.12 HEIGHT OF BUILDINGS

- 4.12.1 Where a maximum height of a building is specified in any zoning district, the maximum height shall be measured from the average grade level to the highest point on the building exclusive of any chimney or antenna.

4.13 HERITAGE PROPERTIES

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

4.14 SIGNAGE OF NATURAL AND HUMAN HERITAGE SITES

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

4.15 BUFFER STRIPS

- 4.15.1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers may be required to separate uses from adjacent properties, in which the provincial approving authority will determine the size and width of the buffer.

4.16 CLOSINGS

- 4.16.1 In the event a dedicated street or lane shown on the Zoning District Map forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the zoning district of the

adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two (2) or more different zoning districts, the new district boundaries shall be the former centre line of the closed street or lane.

4.17 RAILWAY CROSSINGS AND SIGHT DISTANCES

- 4.17.1 Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within contrary to the site line distances set by Transport Canada.
- 4.17.2 Setbacks from active railways, for buildings or structures, shall be 29.87 metres (98.0 ft.) except for where provisions have been made in consultation with the operator of the railways, a lesser separation may be considered.
- 4.17.3 Setback distances will be measured from the mutual property line to the principle building face.

4.18 SIGHT TRIANGLES

- 4.18.1 No building, structure, earth pile or vegetation in any zoning district shall obstruct the vision of drivers within the sight line triangles.
- 4.18.2 Sight line triangles are calculated by connecting straight lines, which are measured from the intersection of centerlines of the various types of roads and railways 9.14 metres (30.0 ft.) distant from the point of intersection.
- 4.18.3 The maximum height within the sight triangle area will be 1.01 metres (3.3 ft.).

4.19 BARE LAND CONDOMINIUM DEVELOPMENTS

- 4.19.1 Bare land condominium developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the residential zones.
- 4.19.2 One primary dwelling unit is permitted per Bare land condominium lot. No individual detached accessory buildings are permitted.
- 4.19.3 Bare land condominium developments may include private open space and one accessory building for joint recreational or storage use by residents of the development shall be permitted, subject to all yard setback requirements of the Residential District in which it is located.

4.20 DISPOSAL OF WASTES

- 4.20.1 Subject to all acts and regulations pertaining in any way to the storage, handling and disposal of any waste material or used item, and except as permitted by these acts and regulations, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.
- 4.20.2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Water Security Agency. Disposal of liquid, solid or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health, and the Saskatchewan Water Security Agency.

4.21 SOLID AND WASTE DISPOSAL FACILITIES

- 4.21.1 Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions:
- The facility will be located as near as practical to the source of waste;
 - The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design;
 - The facilities will be located at least 457 metres (1499.3 ft.) for liquid and solid waste from any residence or recreational use;
 - The development of any new disposal sites shall take into consideration seasonal winds;
 - Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
 - Solid waste disposal facilities shall be located in proximity to an all-weather road; and
 - Council may apply special standards for screening, fencing, and reclamation of the site.

4.22 OIL AND GAS WELL ACTIVITIES

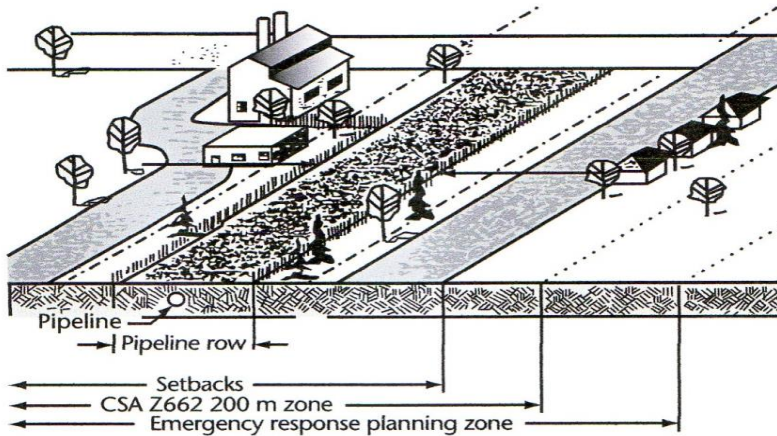
- 4.22.1 The municipality may apply special standards as outlined in the *Municipalities Act, 2005*, to protect the municipal interest when transportation, utility and pipeline facilities cross Municipal roads, or when seismic activity is proposed on roads or road allowance.
- 4.22.2 To minimize conflict between natural resource extraction, or oil and gas operations and surrounding land uses, no development shall be approved within 124.97 metres (410.0 ft.) of an existing, proposed, abandoned, or reclaimed well or facility as defined by the *Oil and Gas Conservation Regulations, 2012*.
- 4.22.3 Permanent structures or other improvements (including all temporary structures) are to be placed at a minimum of 45.72 metres (150.0 ft.) from the centre of the road and a minimum of 91.44 metres (300.0 ft.) from the centre of the road at intersections.

4.23 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

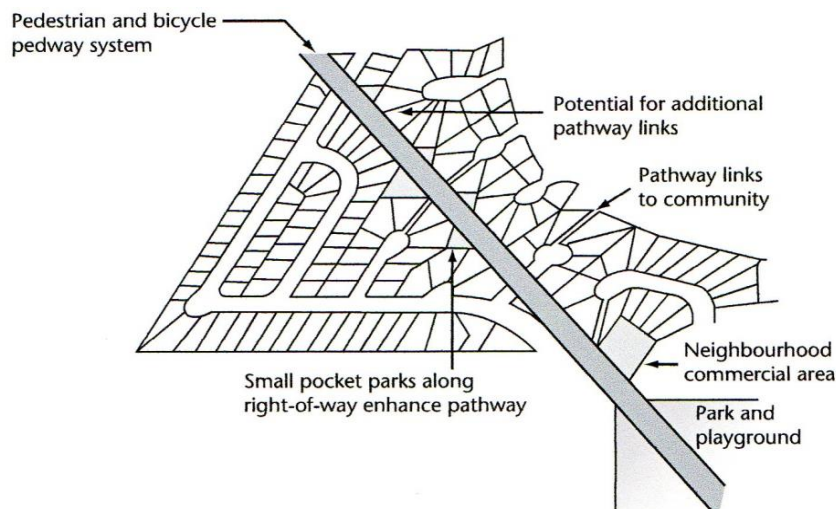
- 4.23.1 Any development involving pipeline and/or power line transmission right-of-ways shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate provincial Regulations or Act and any regulations or directives established by Crown Corporations. Refer to “Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663”, which may be amended from time to time.
- 4.23.2 Setbacks from pipelines, for buildings or structures, shall be 11.89 metres (39.0 ft.) except for where provisions have been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- 4.23.3 The National Energy Board has designated a “no disturbance” review area of 29.87 metres (98.0 ft.) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:
- Ascertain whether a pipeline exists;
 - Notify the pipeline company of the nature and schedule of the excavation; and
 - Conduct the excavation in accordance with such regulations.
- 4.23.4 The following figures provide the setbacks required by the Canadian Standards Association.

Land Use Areas





Example Land Uses Along a Pipeline Corridor



4.24 PAYMENT IN LIEU OF REQUIRED OFF-STREET PARKING FACILITIES

- 4.24.1 Council may exempt any applicant for a use permitted in the C1, C2 and IND Districts from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay the Council the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by \$1000.00.
- 4.24.2 The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.
- 4.24.3 The municipality shall hold all monies received in a separate account that is required to be expended only for the acquisition, construction, operation or maintenance of parking facilities.

SECTION 5: DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

5.1 TERMS AND CONDITIONS FOR DISCRETIONARY APPROVALS

5.1.1 This section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the zoning district. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards or criteria related to:

- a. Site drainage of storm water;
- b. The location of buildings with respect to buildings on adjacent properties;
- c. Access to, number and location of parking and loading facilities;
- d. Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- e. Control of noise, glare, dust and odour;
- f. Landscaping, screening and fencing to buffer adjacent properties;
- g. The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
- h. Prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
- i. Intensity of use.

5.2 GENERAL DISCRETIONARY USE EVALUATION CRITERIA

5.2.2 Council will apply the following criteria, and where applicable, the specific criteria found in the respective zoning district, in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- a. The proposal must be in conformance with all relevant sections of the *Official Community Plan* and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening;
- b. The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities;
- c. The proposal will have consideration for the health, safety, convenience, or general welfare of persons residing or working in the vicinity or that it is not injurious to property, improvements or potential development in the vicinity;
- d. The proposal will have consideration for landscaping and screening, and wherever possible, preserve existing vegetation;
- e. No new or expanded discretionary uses are to be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigation measures;
- f. The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur;
- g. Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area;
- h. Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area; and
- i. All operations must comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

5.3 HOME OCCUPATIONS

- 5.3.1 Home occupations (home-based businesses) are subject to the following conditions:
- Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principle residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size that provides services or products that would detrimentally affect the viability of the neighbourhood;
 - One (1) home occupation shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building;
 - One (1) advertising display shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed;
 - There shall be no exterior display or storage of any merchandise or material relating to the home occupation;
 - No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property line of the lot where the home occupation or business is located;
 - Up to two (2) persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer;
 - The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones;
 - No more than one (1) business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation; and
 - Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit.
 - Home occupations are subject to the condition that permission to carry out the home occupation may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighbourhood.

5.4 SECONDARY SUITES

- 5.4.1 Secondary suites are subject to the following conditions:
- Secondary suites may be constructed within a principle, single detached dwelling in a residential zone. Only one (1) secondary suite is permitted on each residential site;
 - Secondary suites must be located within the principle dwelling and must have a separate entrance from the principle dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping and sanitary facilities; and
 - Secondary suites may not exceed 79.99 m² (861.0 ft²) or 50% of the total floor space, including basements, and may not have more than two (2) bedrooms.

5.5 MODULAR HOMES

- 5.5.1 Modular homes are subject to the following conditions:
- All modular homes shall be placed on a permanent concrete foundation at a standard comparable to a single detached dwelling:
 - All modular homes shall be multi-modular, with the width approximately equivalent to the length; and
 - All modular homes shall complement adjacent and nearby dwellings.
 - Modular homes shall be permanently connected to water and sewer services provided by the municipality and permanently connected as available to other public utilities; and
 - All other requirements of this Bylaw apply.



5.6 BED AND BREAKFAST HOMES

- 5.6.1 Bed and breakfast homes are subject to the following conditions:
- Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principle residence;
 - No more than three (3) guest rooms shall be allowed in a bed and breakfast home;
 - The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the Health Authority;
 - The operation of the bed and breakfast home shall be subordinate and incidental to the principle use of a single detached dwelling as an owner occupied residence; and
 - No one other than the occupant and their immediate family members may be involved or employed in the management of the bed and breakfast home.

5.7 DAYCARE CENTRES AND PRE-SCHOOLS

- 5.7.1 Daycare centres and pre-schools are subject to the following conditions:
- Daycare centres and pre-schools may be approved as an accessory use or as a principle use;
 - In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property; and
 - Required parking spaces may not be located in a required front yard.

5.8 RESIDENTIAL CARE HOMES

- 5.8.1 Residential care homes are subject to the following conditions:
- Residential care homes may be approved as an accessory use or as a principle use;
 - In any Residential District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property;
 - Required parking spaces may be located in a required front yard; and
 - No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.

5.9 CAMPGROUNDS

- 5.9.1 Campgrounds are subject to the following conditions:
- The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development;
 - A campground shall have within its boundaries, a buffer area abutting the boundary of not less than 4.51 metres (14.8 ft.) which shall contain no buildings;
 - The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150.04 m² (1615.0 ft²) in area with its corners clearly marked;
 - One (1) permanent sign located on site advertising the campground is permitted per site;
 - The facial area of a sign shall not exceed 0.49 m² (5.3 ft²);
 - No sign shall be located in any manner that may obstruct or jeopardize the safety of the public; and
 - Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
 - No portion of any campsite shall be located within a roadway or required buffer area;
 - Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area. The space provided for roadways within a campground shall be at least



7.62 metres (25.0 ft.) in width. No portion of any campsite, other use or structure shall be located in any roadway;

- g. Each trailer coach shall be located at least 2.99 metres (9.8 ft.) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches;
- h. A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one (1) single detached dwelling for the accommodation of the operator; and
- i. The *Public Health Act* shall be complied with in respect to all operations and development of the campground.

5.10 TEMPORARY WORK CAMPS

5.10.1 Temporary work camps are subject to the following conditions:

- a. Temporary work camps are an accessory use to an industrial or resource development;
- b. A development permit for a work camp may be issued for up to one (1) year, at which time an application must be made for the continuance of the use for one (1) additional year, after which time a new development approval is required;
- c. An application for a development permit must provide the following information and a Concept Plan for the development:
 - i. The location, type and purpose of the camp;
 - ii. Adjacent land uses;
 - iii. The method of supply water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the *Saskatchewan Onsite Waste Water Disposal Guide* and in accordance with the *Saskatchewan Public Health Act*;
 - iv. The number of persons proposed to live in the camp;
 - v. The method of providing garbage disposal and pest control in the camp; and
 - vi. The start date for development, date of occupancy by residents and removal day for the camp.
- d. A temporary work camp for accommodation purposes must be:
 - i. Linked to a specific project for which a valid and current development permit has been issued and can only accommodate a minimum of twenty (20) persons and a maximum of three hundred (300) persons;
 - ii. Secured by the installation of appropriate fencing around the project accommodation and onsite security staff;
 - iii. Provide adequate onsite parking for private vehicles; and
 - iv. Separated (buffered) from adjacent land uses.
- e. The final review of an application will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the Health Authority, and any other relevant agency deemed necessary by the municipality;
- f. The work camp buildings and structures must be removed from the site when the project is completed; and
- g. The development must post a Performance Bond sufficient to remove and/or reclaim the site to ensure that:
 - i. The work camp accommodation remains onsite after the project is either completed or if work has stopped to the extent that the need for the camp no longer exists; or
 - ii. To reclaim the site as needed after the work camp has been removed from the site.

5.11 GARAGE AND GARDEN SUITES

5.11.1 Garage and garden suites are subject to the following conditions:

- a. Garage and garden suites will be considered accessory to the principle permitted dwelling;
- b. No more than one (1) garden or garage accessory to a one-unit dwelling shall be allowed per site;



- c. Garage and garden suites must meet all requirements as outlined in the general regulations and the respective zoning district;
- d. The maximum site of a garden suite shall no greater than 50% of the size of the principle dwelling;
- e. Garage and garden suites must meet all relevant building, plumbing and development codes and will be regulated by the Town's building permit and inspection process;
- f. Garage suites may be located on the second storey of a building where the main storey is used as a private garage;
- g. Windows and doors in garden or garage suites shall be of a size and in locations that will not result in the loss of privacy where lanes exist;
- h. There shall be direct and separate access to the garden or garage suite dwelling by onsite driveway, public roadway or alley;
- i. Garage and garden suites may be no higher than the principle dwelling;
- j. Basements are not permitted in any garage or garden suite;
- k. A minimum of one (1) onsite parking space must be provided for a garage or garden suite and one (1) onsite parking space provided for the principle dwelling;
- l. The garage or garden suite must be hooked up to the water and sewer service of the principle dwelling;
- m. Other services, i.e. electrical, natural gas, cable and telephone, may be connected either to the services of the principle dwelling or be separate services;
- n. Service cables including electrical, telephone and television are to be buried underground if underground servicing is normal practice in the neighbourhood where the garage or garden suite is located;
- o. The location of a garage or garden suite and the site grading must allow for proper drainage of the site;
- p. The landowner shall enter into an agreement that the land shall not be considered for subdivision and condominium plans to provide a separate title for a garden or garage suite shall not be approved; and
- q. The garage or garden suite must not be used as a rental unit.

5.12 ABOVE-GROUND FUEL STORAGE TANKS

5.12.1 Above-ground fuel storage tanks are subject to the following conditions:

- a. Above-ground fuel storage tanks which meet the standards of the National Fire Code and which have a maximum capacity of 50,000 litres may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use;
- b. The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar site shall not exceed;
 - i. 150,000 liters for flammable liquids (gasoline);
 - ii. 100,000 liters for combustible liquids (diesel fuel); and
 - iii. 100,000 liters of propane.
- c. Above-ground fuel storage tanks shall be:
 - i. For uses other than service stations and gas bars, located at least 2.99 metres (9.8 ft.) from any property line or building, the 2.99 metre (9.8 ft.) separation distance may be reduced to 1.0 metre (3.3 ft.) for tanks with a capacity of 5,000 liters or less;
 - ii. For service stations and gas bars, located at least 6.0 metres (19.7 ft.) from any property line or building;
 - iii. Separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and
 - iv. At least 15.0 metres (49.2 ft.) from the boundary of any site within a Residential District.



- d. For uses other than service stations and gas bars, the dispensing equipment associated with above-ground fuel storage tanks shall be located at least 2.99 metres (9.8 ft.) from any property line, at least 7.50 metres (24.6 ft.) from any open flame or other ignition source, and at least 4.51 metres (14.8 ft.) from any door or window;
- e. For service stations and gas bars, the dispensing equipment associated with above-ground fuel storage tanks shall be located at least 6.00 metres (19.7 ft.) from any property line, at least 7.50 metres (24.6 ft.) from any open flame or other ignition source, and at least 4.51 metres (14.8 ft.) from any door or window;
- f. Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means;
- g. At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer;
- h. The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district; and
- i. Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the zoning district.

5.13 WIND ENERGY FACILITIES

5.13.1 Wind energy facilities are subject to the following conditions:

- a. All buildings and structures shall be set back at least 90.00 metres (295.3 ft.) from an intersection of any municipal road allowance, or provincial highway or such greater distance as required by the Department of Highways;
- b. The setback related to municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.06 metres (33.0 ft.);
- c. The minimum site size for the allowance of any wind energy facility shall be 2.02 hectares (5 acres);
- d. The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.06 metres (33.0 ft.), or a minimum of 38.01 metres (124.7 ft.), unless otherwise agreed to by the landowner, developer and the municipality;
- e. The separation distance from a wind energy generator (turbine) to a residential acreage or residential subdivision shall be a minimum distance of 550.01 metres (1,804.5 ft.);
- f. The maximum total tower height shall be:
 - i. 6.00 metres (19.7 ft.) above grade level in an Industrial Zoning District and the maximum noise standard shall not exceed 40 decibels; and
 - ii. 44.99 metres (147.6 ft.) above grade level in the Community Service or Future Urban Development Zoning District.
- g. Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances;
- h. All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the development permit application;
- i. Any proposed development within a Municipal road allowance, i.e. underground lines or overhead poles/lines, must be proposed by the developer as part of the development permit application;
- j. The developer is required to enter into a road use agreement with the municipality for the construction period to ensure roads are maintained in condition agreeable by both parties;
- k. The wind energy generator (turbine) shall have no restrictions on colour or height;
- l. Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.89 metres (6.2 ft.) and the design shall be included in the development permit application;

- m. Development and building permit applications for wind energy facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Professional Engineer of Saskatchewan;
- n. Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site; and
- o. Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

SECTION 6: ZONING DISTRICTS AND ZONING DISTRICT MAP

6.1 ZONING DISTRICTS

- 6.1.1 For the purpose of this Bylaw, the Town of Stoughton is divided into several zoning districts that may be referred to by the appropriate symbols. The uses or forms of development allowed within a zoning district, along with the regulations or standards which apply are provided in the district sections that follow.

R1	R2	RMH	C1	C2
Residential Single Detached Dwelling	Residential Multiple Dwelling	Residential Mobile Home District	Town Centre Commercial	Highway Commercial
IND	CS	FUD	FH	
Industrial	Community Service	Future Urban Development	Flood Hazard Overlay	

6.2 THE ZONING DISTRICT MAP

- 6.2.1 The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 445/18 adopted by the Town of Stoughton”, signed by the Mayor and Town Chief Administrative Officer under the seal of the Town, shall be known as the “Zoning District Map”, and such map is hereby declared to be an integral part of this Bylaw.

6.3 BOUNDARIES OF THE ZONING DISTRICTS

- 6.3.1 The boundaries of the districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, “Zoning District Map”.
- 6.3.2 Unless otherwise shown, the boundaries of the zoning districts are site lines, centre lines of streets, lanes, road allowances or such lines extended, and the boundaries of the municipality.

6.4 HOLDING DESIGNATION

- 6.4.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol “H”; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of the *Planning and Development Act, 2007*.
- 6.4.2 Any lands subject to a holding provision shall only be used for the following uses:
- Those uses existing on the land when the “H” is applied; and
 - Public works.

SECTION 7: RESIDENTIAL SINGLE DWELLING DISTRICT – R1

The purpose of the Residential Single Dwelling District (R1) is to accommodate primarily single family detached residential dwellings.

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

7.1 PERMITTED USES

7.1.1 Principle Uses

- a. One single detached dwelling, which includes a Ready-to-Move (RTM).

7.1.2 Accessory Uses

- a. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use; and
- b. Playgrounds and swimming pools.

7.1.3 Public Works and Municipal Facilities

- a. Public works buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

7.2 DISCRETIONARY USES

The following uses may be permitted in the R1 – Residential Single Dwelling District though only resolution of Council and only in locations specified in such resolution of Council.

7.2.1 Principle Uses

- a. Semi-detached, duplex dwelling, fourplex, townhouses and other multi-unit dwellings;
- b. Modular homes (refer to Section 5.5);
- c. Mobile homes; and
- d. Daycare centres and pre-schools (refer to Section 5.7).

7.2.2 Accessory Uses

- a. Secondary suites (refer to Section 5.4);
- b. Home occupations, home-based businesses (refer to Section 5.3);
- c. Garage and garden suites (refer to Section 5.11)
- d. Bed and breakfast homes (refer to Section 5.6);
- e. Residential care homes (refer to Section 5.8); and
- f. Temporary covered structures.

7.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

	Single Detached, RTM, Modular Homes	Public Parks and Playgrounds and Swimming Pools
Minimum site area	464.52 m ² (5,000.0 ft ²) with a lane, otherwise 602.94 m ² (6,490.0 ft ²)	No minimum
Minimum floor area	46.45 m ² (500.0 ft ²)	No minimum
Minimum site frontage	15.24 metres (50.0 ft.) with a lane, otherwise 19.0 metres (62.0 ft.)	No minimum
Maximum height	9.0 metres (30 ft.)	No maximum



Maximum site coverage	40% and 50% on a corner site	No maximum
Minimum front yard	7.62 metres (25.0 ft.)	7.62 metres (25.0 ft.)
Minimum rear yard	1.52 metres (5.0 ft.) except that for a corner lot, where access to an attached garage is obtained from a rear lot line (flankage), the minimum rear yard shall be 3.05 metres (10 ft.)	No minimum
Minimum side yard	1.52 metres (5.0 ft.) except that for a corner lot, the minimum side yard shall be 3.05 metres (10 ft.) from a side lot line, however, where access to an attached garage is obtained from a side lot line, the minimum side yard shall be 6.10 metres (20 ft.)	1.52 metres (5.0 ft.)

	Semi-Detached, Duplex Dwelling, Fourplex, Townhouses, Other Multi-Unit Dwellings (per dwelling unit)	
Minimum site area	464.52 m ² (5,000.0 ft ²)	
Minimum site frontage	10.67 metres (35.0 ft.)	
Maximum height	9.0 metres (30.0 ft.)	
Maximum site coverage	50%	
Minimum front yard	7.62 metres (25.0 ft.)	
Minimum rear yard	1.52 metres (5.0 ft.)	
Minimum side yard	1.52 metres (5.0 ft.) except that for a corner lot, the minimum side yard shall be 3.05 metres (10.0 ft.) from a side lot line, however, where access to an attached garage is obtained from a side lot line, the minimum side yard shall be 6.10 metres (20 ft.)	

Other Discretionary Uses	Daycare Centres, Bed and Breakfast Homes, Residential Care Homes	
Minimum site area	464.52 m ² (5,000.0 ft ²)	
Minimum site frontage	15.24 metres (50 ft.) where the lot is served by a lane, otherwise 17.98 metres (59.0 ft.)	
Maximum height	11.89 metres (39.0 ft.) with a lane; 14.94 metres (49.0 ft.) without a lane	
Maximum site coverage	50%	
Minimum front yard	7.62 metres (25.0 ft.)	
Minimum rear yard	1.52 metres (5.0 ft.)	
Minimum side yard	1.52 metres (5.0 ft.)	

7.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

Maximum floor area	83.61 m ² (900.0 ft ²)
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	0.61 metres (2.0 ft.) except where an accessory building has a door or doors opening onto a lane, then it shall not be located less than 2.13 metres (7.0 ft.)
Minimum side yard	0.61 metres (2.0 ft.) unless the side site line is abutting a street then the side yard shall be 3.66 metres (12.0 ft.)
Minimum setback from principle building	1.22 metres (4.0 ft.)
Maximum height	Height of accessory buildings shall not exceed the height of the principle building

- a. Accessory uses shall not be located in a required front yard unless stated elsewhere in the Zoning Bylaw;
- b. Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the square footage of the main floor of the principle dwelling in size;
- c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.61 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;
- d. A detached private garage is permitted in any side or rear yard, provided there is sufficient available space to comply with all other requirements in this section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted, except within a waste disposal bin for collection;
- f. No attached structure, i.e. deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded; and
- g. Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl, or other sheet material shall be permitted at Council's discretion in a rear or side yard.

7.5 FENCE AND HEDGE HEIGHTS

7.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:

- a. No hedge, fence or other structure shall be erected past any property line;
- b. In a required front yard, to a height no greater than 0.91 metres (3.0 ft.) above grade level;
- c. In a required rear yard, to a height no greater than 1.83 metres (6.0 ft.) above grade level; and
- d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 1.83 metres (6.0 ft.).

7.6 PARKING

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

Single detached, RTM, modular homes	1 space per unit or 2 spaces per unit
Semi-detached, duplex dwelling, fourplex, townhouses, other multi-unit dwellings (per dwelling unit)	1 space per unit or 2 spaces per unit
Public works	No requirements
Playgrounds and swimming pools	No requirements
Daycare centres, residential care homes	1 space plus 1 additional space for every 10 persons enrolled in the facility
Bed and breakfast homes	1 per guest bedroom

7.7 OUTDOOR STORAGE

- 7.7.1 No outdoor storage shall be permitted in the required front yard of any residential site.
- 7.7.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- 7.7.3 No yard shall be used for the storage or collection of hazardous material.
- 7.7.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, inoperable vehicles or machinery.
- 7.7.5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

7.8 DISCRETIONARY USE EVALUATION CRITERIA

- 7.8.1 All discretionary uses shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- 7.8.2 Specific discretionary use evaluation criteria for semi-detached, duplex dwellings, fourplex or townhouse and other multi-unit dwellings:
- Council shall give consideration to the locations on major streets and that the development will not cause excessive traffic through existing low density residential areas.
- 7.8.3 Specific discretionary use evaluation criteria for daycare centres and pre-schools, and residential care homes:
- Council will consider if the proposed use maintains the existing residential character of the neighbourhood.
- 7.8.4 Off-street parking spaces for daycare centres, pre-school nurseries and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

SECTION 8: RESIDENTIAL MULTIPLE DWELLING DISTRICT – R2

The purpose of the Residential Multiple Dwelling District (R2) is to accommodate a variety of high density residential development including single detached residences, semi detached residences, townhouses and multi-unit dwellings.

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

8.1 PERMITTED USES

8.1.1 Principle Uses

- a. One (1) single detached dwelling, including a RTM;
- b. Semi detached, duplex dwelling, fourplex or townhouses and other multiple unit dwellings; and
- c. Apartment buildings.

8.1.2 Accessory Uses

- a. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use.

8.1.3 Public Works and Municipal Facilities

- a. Public works, buildings and structures, excluding offices, shops, warehouses, storage yards, and waste management or sewage facilities.

8.2 DISCRETIONARY USES

The following uses may be permitted in the R2 – Residential Multiple Dwelling District though only by resolution of Council and only in locations specified in such resolution of Council.

8.2.1 Principle Uses

- a. Modular homes (refer to Section 5.5); and
- b. Daycare centres and pre-schools (refer to Section 5.7).

8.2.2 Accessory Uses

- a. Secondary suites (refer to Section 5.4);
- b. Home occupations, home-based businesses (refer to Section 5.3);
- c. Bed and breakfast homes (refer to Section 5.6);
- d. Residential care homes (refer to Section 5.8);
- e. Swimming pools; and
- f. Temporary covered structures.

8.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

	Single Detached, RTM, Modular Homes	Semi Detached, Duplex Dwellings, Modular Duplex	Townhouse, Fourplex, Other Multiple Unit Dwellings	Apartment Buildings	Public Parks and Playgrounds and Swimming Pools
Minimum site area	464.52 m ² (5,000.0 ft ²) with a lane, otherwise 602.94 m ² (6,490.0 ft ²)	278.71 m ² (3,000.0 ft ²) with a lane, otherwise 650.04 m ² (6,997.0 ft ²)	199.93 m ² (2,152.0 ft ²) or 459.97 m ² (4,951.0 ft ²) plus 93.0 m ² (1,001.0 ft ²) for each unit more than three (3) on the ground floor	557.42 m ² (6,000.0 ft ²) or 929.96 m ² (10,010.0 ft ²)	No minimum
Minimum floor area	46.45 m ² (500.0 ft ²)	46.45 m ² (500.0 ft ²)	46.45 m ² (500.0 ft ²) per unit	36.98 m ² (398.0 ft ²) per dwelling unit	No minimum
Minimum site frontage	15.24 metres (50.0 ft.) with a lane, otherwise 19.0 m (62 ft.)	6.40 metres (21 ft.) with a lane, otherwise 21.03 metres (69 ft.)	6.10 metres (20.0 ft.) per dwelling unit	22.86 metres (75.0 ft.)	No minimum
Maximum height	9.0 metres (30.0 ft.)	9.0 metres (30.0 ft.)	9.0 metres (30.0 ft.) or 3 storeys	9.0 metres (30.0 ft.) or 3 storeys	No maximum
Maximum site coverage	40% and 50% on a corner lot	40% and 50% on a corner site	50%, 60% on a corner lot	50% interior site, 60% corner site	No maximum
Minimum front yard	7.62 metres (25.0 ft.)	7.62 metres (25.0 ft.)	7.62 metres (25.0 ft.)	6.10 metres (20 ft.) or 7.62 metres (25.0 ft.)	7.62 metres (25.0 ft.)
Minimum rear yard	1.52 metres (5.0 ft.) except that for a corner lot, where access to an attached garage is obtained from a rear lot line (flankage), the minimum rear yard shall be 3.05 metres (10 ft.)	1.52 metres (5.0 ft.)	1.52 metres (5.0 ft.)	1.52 metres (5.0 ft.)	No minimum
Minimum side yard	1.52 metres (5.0 ft.) except that for a corner lot, the minimum side yard shall be 3.05 metres (10 ft.)	1.52 metres (5.0 ft.) except that for a corner lot, the minimum side yard shall be 3.05 metres	1.52 metres (5.0 ft.) or 50% of the average wall height, whichever is greater	1.52 metres (5.0 ft.) or 50% of the average wall height, whichever is greater	1.52 metres (5.0 ft.)

from a side lot line, however, where access to an attached garage is obtained from a side lot line, the minimum side yard shall be 6.10 metres (20 ft.)

(10 ft.) from a side lot line, however, where access to an attached garage is obtained from a side lot line, the minimum side yard shall be 6.10 metres (20 ft.)

Other Discretionary Uses	Daycare Centres, Bed and Breakfast Homes, Residential Care Homes
Minimum site area	464.52 m ² (5,000.0 ft ²) with a lane, otherwise 602.94 m ² (6,490.0 ft ²)
Minimum floor area	46.45 m ² (500.0 ft ²)
Minimum site frontage	15.24 metres (50 ft.) where the lot is served by a lane, otherwise 17.98 metres (59.0 ft.)
Maximum height	9.0 metres (30.0 ft.)
Maximum site coverage	40% or 50%
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	1.52 metres (5.0 ft.) or 25% of the depth of the site, whichever is greater
Minimum side yard	1.52 metres (5.0 ft.)

8.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

Maximum floor area	83.61 m ² (900.0 ft ²) or 111.48 m ² (1,200.0 ft ²)
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	0.61 metres (2.0 ft.) except where an accessory building has a door or doors opening onto a lane, then it shall not be located less than 2.13 metres (7.0 ft.)
Minimum side yard	0.61 metres (2.0 ft.) unless the side site line is abutting a street then the side yard shall be 3.66 metres (12.0 ft.)
Minimum setback from principle building	1.22 metres (4.0 ft.)
Maximum height	Height of accessory buildings shall not exceed the height of the principle building or 4.00 metres from ground level up to mid-way of a sloped roof or even with a flat roof

- Accessory uses shall not be located in a required front yard unless stated elsewhere in the Zoning Bylaw;
- Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the square footage of the main floor of the principle dwelling in size;
- A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a

minimum of 0.61 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;

- d. A detached private garage is permitted in any side or rear yard, provided there is sufficient available space to comply with all other requirements in this section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted, except within a waste disposal bin for collection;
- f. No attached structure, i.e. deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded; and
- g. Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl, or other sheet material shall be permitted at Council's discretion in a rear or side yard.

8.5 FENCE AND HEDGE HEIGHTS

8.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:

- a. No hedge, fence or other structure shall be erected past any property line;
- b. In a required front yard, to a height no greater than 0.91 metres (3.0 ft.) above grade level;
- c. In a required rear yard, to a height no greater than 1.83 metres (6.0 ft.) above grade level; and
- d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 1.83 metres (6.0 ft.).

8.6 SIGNAGE

8.6.1 One (1) permanent sign is permitted per site. The facial area of a sign shall not exceed 0.46 m² (5.0 ft²).

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

8.6.3 Additional signs shall be approved at the discretion of Council.

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

8.6.5 Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

8.7 PARKING

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

Single detached, RTM, modular homes	1 space per unit or 2 spaces per unit
Semi-detached, duplex dwelling, fourplex, townhouses, other multi-unit dwellings (per dwelling unit)	1 space per unit or 2 spaces per unit
Apartment buildings	1.25 spaces per dwelling
Public works	No requirements

Playgrounds and swimming pools	No requirements
Daycare centres, residential care homes	1 space plus 1 additional space for every 10 persons enrolled in the facility
Bed and breakfast homes	1 per guest bedroom

8.8 OUTDOOR STORAGE

- 8.8.1 No outdoor storage shall be permitted in the required front yard of any residential site.
- 8.8.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- 8.8.3 No yard shall be used for the storage or collection of hazardous material.
- 8.8.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, inoperable vehicles or machinery.
- 8.8.5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

8.9 DISCRETIONARY USE EVALUATION CRITERIA

- 8.9.1 All discretionary uses shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- 8.9.2 Specific discretionary use criteria for daycare centres and pre-schools, and residential care homes:
 - a. Council will consider if the proposed use maintains the existing residential character of the neighbourhood.
- 8.9.3 Off-street parking spaces for daycare centres, pre-school nurseries and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

SECTION 9: RESIDENTIAL MOBILE HOME DISTRICT - RMH

The purpose of the Residential Mobile Home District (RMH) is to accommodate mobile home park development in a concentrated manner.

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

9.1 PERMITTED USES

9.1.1 Principle Uses

- a. Mobile home parks; and
- b. One (1) mobile home.

9.1.2 Accessory Uses

- a. Uses, building and structures accessory to the foregoing permitted uses and located on the same site with the main use; and
- b. Playgrounds and swimming pools.

9.1.3 Public Works and Municipal Facilities

- a. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

9.2 DISCRETIONARY USES

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

9.2.1 Principle Uses

- a. Laundromat.

9.2.2 Accessory Uses

- a. Home occupations, home-based businesses (refer to Section 5.3); and
- b. Temporary covered structures.

9.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

	Mobile Home Parks	Mobile Home Sites
Minimum site area	2.0 hectares (4.9 acres)	360.0 m ² (3,875.0 ft ²) with a lane, 450.02 m ² (4,844.0 ft ²) without a lane
Minimum floor area	-	44.97 m ² (484 ft ²)
Minimum site frontage	14.94 metres (49.0 ft.)	11.89 metres (39.0 ft.) with a lane, 14.94 metres (49.0 ft.) without a lane
Maximum site coverage	-	40%
Minimum front yard	4.57 metres (15.0 ft.)	4.57 metres (15.0 ft.)
Minimum rear yard	7.62 metres (25.0 ft.)	1.52 metres (5.0 ft.)
Minimum side yard	7.62 metres (25.0 ft.)	1.52 metres (5.0 ft.)



Discretionary Uses	Home Occupations, Laundromats
Minimum site area	450.02 m ² (4,844.0 ft ²)
Minimum floor area	No minimum
Minimum site frontage	11.89 metres (39.0 ft.) with a lane, 14.94 metres (49.0 ft.) without a lane
Minimum front yard	4.57 metres (15.0 ft.)
Minimum rear yard	1.52 metres (5.0 ft.)
Minimum side yard	1.52 metres (5.0 ft.)

9.4 DEVELOPMENT STANDARDS FOR MOBILE HOMES

- 9.4.1 All mobile homes must meet the standards set out in *CSA Z240 Procedure for Certification of Factory Built Houses*, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the *National Building Code* has been certified using the Z240 procedure.
- 9.4.2 All applications for mobile homes will be required to submit a photo to Council of the mobile home prior to approval.
- 9.4.3 All attached and accessory structures shall require a building permit and shall comply with the requirements of the *National Building Code of Canada* and the Building Bylaw of the Town of Stoughton.
- 9.4.4 All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted, or prefinished so the design and construction will complement the main structure.
- 9.4.5 In order to protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival, and skirting must be installed in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.
- 9.4.6 All mobile homes shall be connected to water and sewer services provided by the municipality and connected as available to other public utilities.

9.5 ACCESSORY USES, BUILDINGS AND STRUCTURES

Maximum floor area	83.61 m ² (900.0 ft ²)
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	0.61 metres (2.0 ft.) except where an accessory building has a door or doors opening onto a lane, then it shall not be located less than 2.13 metres (7.0 ft.)
Minimum side yard	0.61 metres (2.0 ft.) unless the side site line is abutting a street then the side yard shall be 3.66 metres (12.0 ft.)
Minimum setback from principle building	1.22 metres (4.0 ft.)
Maximum height	Height of accessory buildings shall not exceed the height of the principle building

- a. Accessory uses shall not be located in a required front yard unless stated elsewhere in the Zoning Bylaw;
- b. Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the square footage of the main floor of the principle dwelling in size;

- c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.61 metres (2.0 ft.) from the side lot line and the roof does not project past the side lot line;
- d. A detached private garage is permitted in any side or rear yard, provided there is sufficient available space to comply with all other requirements in this section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted, except within a waste disposal bin for collection;
- f. No attached structure, i.e. deck, shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded; and
- g. Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl, or other sheet material shall be permitted at Council's discretion in a rear or side yard.

9.6 FENCE AND HEDGE HEIGHTS

- 9.6.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:
- a. No hedge, fence or other structure shall be erected past any property line;
 - b. In a required front yard, to a height no greater than 0.91 metres (3.0 ft.) above grade level;
 - c. In a required rear yard, to a height no greater than 1.83 metres (6.0 ft.) above grade level; and
 - d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 1.83 metres (6.0 ft.).

9.7 SIGNAGE

- 9.7.1 One (1) permanent sign is permitted per site. The facial area of a sign shall not exceed 0.46 m² (5.0 ft²).
- 9.7.2 In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling.
- 9.7.3 Additional signs shall be approved at the discretion of Council.
- 9.7.4 No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- 9.7.5 Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

9.8 PARKING

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

Mobile Homes	1 space per unit or 2 spaces per unit
Public works	No requirements
Playgrounds and swimming pools	No requirements
Laundromats	1 space per 28 m ² (301.39 ft ²) of gross floor area

9.9 OUTDOOR STORAGE

- 9.9.1 No outdoor storage shall be permitted in the required front yard of any residential site.



- 9.9.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- 9.9.3 No yard shall be used for the storage or collection of hazardous material.
- 9.9.4 Council may require additional standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts, inoperable vehicles or machinery.
- 9.9.5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

SECTION 10: TOWN CENTRE COMMERCIAL – C1

The purpose of the Town Centre Commercial District (C1) is to continue to encourage a “downtown” experience by providing pedestrian oriented activities and services.

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

10.1 PERMITTED USES

10.1.1 Principle Uses

- a. Banks, credit unions, and other financial institutions;
- b. Administrative offices;
- c. Barbers, hairdressers, and other similar personal services establishments;
- d. Medical, dental, and other health care offices and clinics or health services;
- e. Restaurants, cafes, coffee shops, and other similar fast food services;
- f. Confectionaries and delicatessens;
- g. Storefront retail stores and outlets;
- h. Police, ambulance stations;
- i. Storefront bakeries, butcher shops, and similar food processing with onsite retail sales;
- j. Theatres, community services;
- k. Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- l. Licenses premises for the sale and consumption of alcoholic beverages;
- m. Outdoor markets and concessions (permanent, season, or occasional);
- n. Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, crafts people and similar trades including retail sales of art and craft products; and
- o. Storefront construction trades without yards.

10.1.2 Accessory Uses

- a. Buildings, structures or uses accessory to and located on the same site as the principle building or permitted use.

10.1.3 Public Works and Municipal Facilities

- a. Public works buildings, offices, and structures excluding warehouses, storage yards and waste management or sewage facilities.

10.2 DISCRETIONARY USES

The following may be permitted in the C1 – Town Centre Commercial District though only by resolution of Council and only in locations specified by such resolution of Council.

10.2.1 Principle Uses

- a. Strip malls;
- b. Lumber and building supply establishments;
- c. Community services;
- d. Daycare centres (refer to Section 5.7);
- e. Rooming house;
- f. Animal hospitals, or clinics and offices of veterinary surgeons;
- g. Shops of plumbers, pipe fitters, metal workers, and other industrial trades manufacturing and sales;
- h. Service stations (refer to Section 5.12);



- i. Motor vehicle repair shops;
- j. Car washes;
- k. Newspaper offices and printing plants, and services; and
- l. Funeral homes.

10.2.2 Accessory Uses

- a. Dwellings attached to and behind, or above, commercial establishments.

10.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

	Commercial Uses	Service Stations	Strip Malls
Minimum site area	278.71 m ² (3000.0 ft ²)	278.7 m ² (3,000.0 ft ²)	900.04 m ² (9,688.0 ft ²)
Minimum site frontage	7.62 metres (25.0 ft.)	30.48 metres (100.0 ft.)	30.48 metres (100.0 ft.)
Height	11.89 metres (39.0 ft.) or	11.89 metres (39.0 ft.)	11.89 metres (39.0 ft.)
Minimum front yard	No requirement	7.62 metres (25.0 ft.)	14.94 metres (49.0 ft.)
Minimum rear yard	1.52 metres (5.0 ft.) except when the rear of a lot directly abuts any Residential or Community Service District or abuts a public street, then the minimum rear yard shall be 6.10 metres (20.0 ft.)	10% of the depth of the lot	6.10 metres (20.0 ft.)
Minimum side yard	No requirement except when the side site line directly abuts any Residential or Community Service District or abuts a public street, then the minimum side yard shall be 1.52 metres (5.0 ft.)	1.52 metres (5.0 ft.)	1.52 metres (5.0 ft.)

Other Discretionary Uses	Lumber and Building Establishments, Public Transportation Depots, Daycare Centres, Rooming Houses, Animal Hospitals, Shops of Plumbers, Pipe Fitters, Metal Workers and other Industrial Trades Manufacturing and Sales, Service Stations, Motor Vehicle Repair Shops, Car Washes, Newspaper Offices and Printing Plants, Funeral Homes		
Minimum site area	235.04 m ² (2530.0 ft ²)		
Minimum site frontage	7.62 metres (25.0 ft.)		
Maximum site coverage	75%		
Height	14.94 metres (49.0 ft.)		
Minimum front yard	No requirement		
Minimum rear yard	No requirement except 6.10 metres (20.0 ft.) minimum rear if abutting a Residential District without an intervening street or lane. 1.52 metres (5.0 ft.)		
Minimum side yard	1.52 metres (5.0 ft.) minimum side yard if abutting a Residential District without an intervening street or lane		



10.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

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

10.5 SIGNAGE

10.5.1 Signs and billboards shall be prohibited in the C1 – Town Centre Commercial except for signs advertising the principle use of the premises of the principle products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- a. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- b. No more than two (2) signs shall be permitted on the premises;
- c. Additional signs shall be approved at the discretion of Council;
- d. The facial area of a sign shall not exceed 7.0 m² (75.0 ft²) for each 7.62 metres (25.0 ft.) of site frontage;
- e. Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property, are permitted; and
- f. Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

10.6 PARKING

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

Commercial use	No requirement
Rooming house	1 parking space per room available for occupation
Lumber and building supply establishments	1 space per 49.98 m ² (538.0 ft ²) of gross floor or 1 space per 3 employees, whichever is greater
All other uses	No requirement

10.7 LANDSCAPING

10.7.1 Where a site abuts any Residential District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.52 metres (5.0 ft.) in width throughout which shall not be used for any purpose except landscaping.

10.8 DISCRETIONARY USE EVALUATION CRITERIA

10.8.1 All discretionary uses shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.

10.8.2 Specific discretionary use evaluation criteria for accessory dwellings attached to and behind, or above, commercial establishments:

- a. A maximum of one accessory dwelling unit attached to and behind, or above, a commercial establishment will be allowed;
- b. Council will favourably consider an accessory dwelling where it is located in the principle building with the front of the building at grade level always remaining a commercial use;
- c. Council will only consider accessory dwellings that have a main entrance that is separate from that of the commercial establishment; and
- d. Dwelling units must be provided with a fire exit secondary to the required entrance.

10.8.3 Specific discretionary use evaluation criteria for strip malls:



- a. Council will favorably consider the proposed use where it can be demonstrated that it is primarily for pedestrian use and accessible to the public from both the street and from the development;
- b. Council will consider the appropriate separation to other uses that may be incompatible with strip mall retail and service activities;
- c. Council will consider the potential uses and street access to the site when making a discretionary use decision on a proposed strip mall. Ingress and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard; and
- d. Other criteria may include street façade, main street entrance, windows along the street and the relaxation of onsite parking requirements.

10.8.4 Specific discretionary use evaluation criteria for lumber yards:

- a. Development of these uses on other than the existing sites will be encouraged to locate on vacant land with adequate space.

10.8.5 Specific discretionary use evaluation criteria for building supply establishments, construction trades, motor vehicle repair shops, car washes and newspaper offices and printing plants:

- a. The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on surrounding adjacent areas. Consideration may be given, though not limited to, the following effects:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and other emissions emanating from the operation;
 - iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and
 - iv. Utilization of hazardous substances.
- b. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.

10.8.6 Specific discretionary use evaluation criteria for rooming houses:

- a. Council will favourably consider a rooming house that is contained within a single-detached (both halves must be a rooming house) dwelling; and
- b. Council will consider if the proposed use maintains the existing residential character of the neighbourhood.

10.8.7 Specific discretionary use evaluation criteria for funeral homes:

- a. Council shall favourably consider the location of the proposed use on a lot that abuts a major (primary or secondary) street, as identified in the *Official Community Plan* "Transportation Hierarchy" Reference Map.

10.8.8 Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes an access to or from major streets or designated truck routes.

10.8.9 All operations related to construction trades, artisans and craft shop offices shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted, except within a waste disposal bin for collection.

SECTION 11: HIGHWAY COMMERCIAL – C2

The purpose of the Highway Commercial District (C2) is to facilitate a wide range of commercial and related activities located along the Highways.

No person shall within a C2 – Highway Commercial District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

11.1 PERMITTED USES

11.1.1 Principle Uses

- a. Business and/or professional offices;
- b. Motels or motor hotels including a dwelling for caretakers, owners, or managers;
- c. Restaurants, confectionaries including drive-thrus;
- d. Licensed premises for the sale and consumption of alcoholic beverages;
- e. Strip malls;
- f. Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- g. Car washes;
- h. Service stations and other establishments for the servicing, storage, and sale of motor vehicles, trailers, recreation, or farm machinery and equipment;
- i. Garden centres or commercial greenhouses;
- j. Lumber and building supply establishments;
- k. Tourism oriented commercial recreation activities;
- l. Police, ambulance stations; and
- m. Residential home building establishments.

11.1.2 Accessory Uses

- a. Accessory uses including integrated or complementary uses, buildings or structures accessory to and located on the same site as the principle building or use.

11.1.3 Public Works and Municipal Facilities

- a. Public works offices, buildings, structures and warehouses excluding waste management or sewage facilities.

11.2 DISCRETIONARY USES

The following may be permitted in the C2 – Highway Commercial District though only by resolution of Council and only in locations specified by such resolution of Council.

11.2.1 Principle Uses

- a. Tourist campgrounds;
- b. Public transportation depots;
- c. Animal hospitals or clinics and offices of veterinary surgeons;
- d. Construction trades and contractor's yards;
- e. Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales;
- f. Autobody shops;
- g. Campground including recreational vehicle park (refer to Section 5.9);
- h. Rooming house;
- i. Temporary work camps (refer to Section 5.10);
- j. Commercial greenhouse;



- k. Agricultural implement, motor vehicle, recreational vehicle, and/or mobile home sales and servicing and/or storage compound; and
- l. Semi-trailer and container parking lot.

11.2.2 Accessory Uses

- a. Temporary covered structures; and
- b. Mobile storage containers.

11.3 PROHIBITED USES

- a. Aggregate materials, storage or handling operations;
- b. Storage of hazardous materials; and
- c. Abattoirs.

11.4 SITE DEVELOPMENT REQUIREMENTS

Public works shall have no minimum or maximum site requirement.

	Permitted Uses
Minimum site area	696.77 m ² (7,500.0 ft ²)
Minimum site frontage	22.86 metres (75.0 ft.)
Minimum front yard	No requirement, with the exception of commercial greenhouses which is 7.62 metres (25.0 ft.)
Minimum rear yard	10% of the lot depth; Commercial greenhouses 1.52 metres (5.0 ft.)
Minimum side yard	0.91 metres (3 ft.) on each side except 3.05 metres (10.0 ft.) minimum on the side abutting a corner lot

	Hotels, Motels	All Other Uses
Minimum site area	929.03 m ² (10,000.0 ft ²)	696.77 m ² (7,500.0 ft ²)
Minimum site frontage	30.48 metres (100.0 ft.)	22.86 metres (75 ft.)
Height	14.94 metres (49.0 ft.) for principle buildings	
Minimum front yard	15.24 metres (50 ft.)	7.62 metres (25.0 ft.)
Minimum rear yard	3.05 metres (10.0 ft.) with lane, 6.10 metres (20.0 ft.) without lane	3.05 metres (10.0 ft.) with lane, 6.10 metres (20.0 ft.) without lane
Minimum side yard	3.05 metres (10.0 ft.)	3.05 metres (10.0 ft.)

11.5 ACCESSORY USES, BUILDINGS AND STRUCTURES

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

11.5.2 Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl, or other sheet material shall be permitted at Council's discretion in a rear or side yard.

11.5.3 Mobile storage containers shall be permitted at Council's discretion in a rear or side yard.



11.6 FENCE AND HEDGE HEIGHTS

- 11.6.1 Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for commercial or industrial purposes abuts a Residential District without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.52 metres (5.0 ft.) in height in a side or rear yard and over 0.76 metres (2.5 ft.) in a front yard.
- 11.6.2 No fence in a commercial or industrial zone shall exceed 2.44 metres (8.0 ft.).
- 11.6.3 No barbed wire or razor fences shall be allowed in the Commercial District.

11.7 LANDSCAPING

- 11.7.1 A landscaped strip of not less than 3.05 metres (10.0 ft.) in width throughout lying, parallel, and abutting the front site line, shall be provided on every site.
- 11.7.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- 11.7.3 Where a site abuts any Residential or Community Service District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.05 metres (10.0 ft.) in width throughout which shall not be used for any purpose except landscaping.

11.8 PARKING REQUIREMENTS

Strip malls	5381 parking space for each 49.98 m ² (538.0 ft ²) of floor area
Stores and offices	1 parking space for every 49.98 m ² (538.0 ft ²) of gross floor area
Restaurants, other eating places	1 parking space for every 10 seats provided for patrons
Motels, motor hotels or rooming houses	1 parking space for each unit
Service stations	1.5 parking spaces for each service bay
All other uses	1 parking space for each 74.97 m ² (807.0 ft ²) of building floor area

11.9 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m² (183 ft²). Doors located in side yards shall not be used for delivery purposes.

Gross Floor Area	Minimum Number of Loading Spaces
93 m ² to 1300 m ²	1 space
1300 m ² to 2800 m ²	2 spaces
Greater than 2800 m ²	2 spaces + 1 space for each 5600.0 m ² (60,278.0 ft ²)

11.10 SIGNAGE

- 11.10.1 Signs and billboards shall be prohibited in the C2 – Highway Commercial District except for signs advertising the principle use of the premises or the principle products offered for sale on the premises. Permitted signs shall be subject to the following requirements:
- Two (2) permanent signs are permitted per site. The facial area of a sign shall not exceed 3.34 m² (36.0 ft²):
 - The two permitted signs may be combined and the total facial area shall not exceed 6.50 m² (70.0 ft²).
 - Additional signs shall be approved at the discretion of Council;
 - No sign shall be located in any manner that may jeopardize public safety;
 - Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to temporary condition affecting the property are permitted; and
 - Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

11.11 OUTSIDE STORAGE

- 11.11.1 No outdoor storage shall be permitted in the required front yard of any commercial or industrial site.
- 11.11.2 Council may apply special standards as a condition, or for a discretionary use approval, regarding the location of areas used for storage for that use.
- 11.11.3 No wrecked, partially dismantled, or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.

11.12 DISCRETIONARY USE EVALUATION CRITERIA

- 11.12.1 All discretionary uses shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- 11.12.2 Specific discretionary use evaluation criteria for commercial greenhouse; construction trades and contractor's yards, shops of plumbers, pipe fitters, metal workers, other industrial trades, manufacturing and sales, and autobody shops:
- The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on surrounding adjacent areas. Consideration may be given, though not limited to, the following effects:
 - Municipal servicing capacity;
 - Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and other emissions emanating from the operation;
 - Anticipated increased levels or types of vehicle traffic, unsafe conditions for vehicles, cyclists or pedestrians; and
 - Utilization of hazardous substances.
 - Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and
 - Commercial greenhouses used for growing medical and recreational cannabis shall be compliant with any provincial and federal regulations.
- 11.12.3 Specific discretionary use evaluation criteria for rooming houses:



- a. Council will favourably consider a rooming house that is contained within a single-detached or semi-detached (both halves must be a rooming house) dwelling; and
- b. Council will consider if the proposed use maintains the existing residential character of the neighbourhood.

- 11.12.4 Specific discretionary use evaluation criteria for agriculture implement, motor vehicle, recreational vehicle and/or mobile home sales storage compound, and semi-trailer and container parking lots including mobile storage containers:
- a. Council will favourably consider the proposed use where it is located in an area of low-visibility, and screened to avoid any adverse visual impact.
- 11.12.5 Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to or from major streets or designated truck routes.

SECTION 12: INDUSTRIAL – IND

The purpose of the Industrial District (IND) is to provide areas for industrial activities which have moderate potential for conflict with adjacent land uses and rely on access to prime traffic routes.

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

12.1 PERMITTED USES

12.1.1 Principle Uses

- a. Business and/or professional offices;
- b. Industrial parks containing a combination of permitted uses;
- c. Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials;
- d. Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious;
- e. Oilfield supply and service establishments;
- f. Auto body shops;
- g. Construction and other contractors, industrial trades, workshops, yards, plants and/or offices;
- h. Warehousing and supply depots;
- i. Farm and industrial machinery equipment and vehicle sales and service;
- j. Trucking operations;
- k. Semi-trailer and container parking lot;
- l. Lumber and building supply establishments;
- m. Construction of RTM homes or agricultural building assembly area;
- n. Motor vehicle, recreational vehicle and/or mobile home sales and servicing and/or storage compound; and
- o. Commercial recycling depots.

12.1.2 Accessory Uses

- a. Buildings, structures and uses accessory to, and located on the same site as, the principle building or use excepting any building or structure used for human habitation.

12.1.3 Public Works and Municipal Facilities

- a. Public works buildings and structures including offices, warehouses, storage, yards and waste management or sewage facilities.

12.2 DISCRETIONARY USES

The following uses may be permitted in the IND - Industrial District though only by resolution of Council and only in locations specified in such resolution of Council.

12.2.1 Principle Uses

- a. Bulk petroleum sales and storage;
- b. Oilfield equipment parking lot and staging area;
- c. Stockyards and auction marts;
- d. Salvage yards and auto wreckers;
- e. Meat processing plants/abattoirs;
- f. Seed cleaning plants, feed mills and flour mills;
- g. Commercial greenhouses;
- h. Fertilizer sales and storage;



- i. Cement manufacturing; and
- j. Aggregate material storage or handling operations.

12.2.2 Accessory Uses

- a. Temporary fabric covered structures; and
- b. Mobile storage containers.

12.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum requirements.

	Permitted and Discretionary Uses
Minimum site area	899.95 m ² (9,687.0 ft ²)
Minimum site frontage	30.48 metres (100.0 ft.)
Maximum Height	14.94 metres (49.0 ft.)
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	3.05 metres (10.0 ft.) or 10% of the depth of the site
Minimum side yard	4.88 metres (16.0 ft.) or 3.05 metres (10.0 ft.) on each side

12.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

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

12.4.2 Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one (1) or more sides with fabric, plastic, vinyl, or other sheet material shall be permitted at Council's discretion in a rear or side yard.

12.4.3 Mobile storage containers shall be permitted at Council's discretion in a rear or side yard.

12.5 FENCE AND HEDGE HEIGHTS

12.5.1 Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for commercial or industrial purposes abuts a Residential District without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.52 metres (5.0 ft.) in height in a side or rear yard and over 0.61 metres (2.0 ft.) in a front yard.

12.5.2 No fence in an Industrial District shall exceed 2.44 metres (8.0 ft.).

12.5.3 No barbed wire or razor wire fences shall be allowed in an Industrial District.

12.6 LANDSCAPING

12.6.1 A landscaped strip of not less than 3.05 metres (10.0 ft.) in width throughout, lying parallel and abutting the front site line, shall be provided on every site.

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

12.6.3 Where a site abuts any Residential or Community Service District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.05 metres (10.0 ft.) in width throughout which shall not be used for any purpose except landscaping.



12.7 PARKING

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

Warehouses or manufacturing activities	1 parking space for each 90.02 m ² (969.0 ft ²) of gross floor area
Principle buildings	1 parking space for every 49.98 m ² (538.0 ft ²) of gross floor area, or 1 parking space for each 1.5 employee, whichever is greater

12.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17.00 m² (183.0 ft²). Doors located in side yards shall not be used for delivery purposes.

Gross Floor Area	Minimum Number of Loading Spaces
93 m² to 1300 m²	1 space
1300 m² to 2800 m²	2 spaces
Greater than 2800 m²	2 spaces + 1 space for each 5600.0 m ² (60,278.0 ft ²)

12.9 SIGNAGE

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

- a. Two (2) permanent signs are permitted per site. The facial area of a sign shall not exceed 3.34 m² (36.0 ft²):
 - i. The two permitted signs may be combined and the total facial area shall not exceed 6.5 m² (70.0 ft²).
- b. Additional signs shall be approved at the discretion of Council;
- c. No sign shall be located in any manner that may jeopardize public safety;
- d. Temporary signs not exceeding 1.02 m² (11 ft²) advertising the sale or lease of the property or other information relating to temporary condition affecting the property are permitted; and
- e. Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

12.10 OUTSIDE STORAGE

12.10.1 No outdoor storage shall be permitted in the required front yard of any commercial or industrial site.

12.10.2 No yard shall be used for the storage or collection of hazardous material.

12.10.3 Council may apply special standards as a condition, or for a discretionary use approval regarding the location of areas used for storage for that use.

12.10.4 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normal used for the maintenance of the property, vehicles or vehicular parts.

12.10.5 All outside storage shall be fenced and where the area abuts a residential area all junk yards and auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.13 metres



(7.0 ft.) and constructed of material suitable to conceal from view of the materials stored on the site. No materials shall be stacked above the height of the fence.

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

12.11 DISCRETIONARY USE EVALUATION CRITERIA

- 12.11.1 All discretionary uses shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- 12.11.2 Specific discretionary use evaluation criteria for stockyards and auction marts:
- a. Shall be located at least 300 metres (984.25 ft.) from all residential and community service districts.
- 12.11.3 Specific discretionary use evaluation criteria for salvage yards and auto wrecker operations:
- a. All salvage yards will be favourably considered where it can be demonstrated that it can be totally hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
 - i. Distance and careful location;
 - ii. Natural or planted vegetation;
 - iii. An earth berm;
 - iv. An opaque fence;
 - v. A building; or
 - vi. Other appropriate methods approved by Council.
- 12.11.4 Specific discretionary use evaluation criteria for oilfield equipment parking lot and staging area:
- a. The designated truck access routes will not be primarily through residential areas.
- 12.11.5 Specific discretionary use evaluation criteria for bulk petroleum sales and storage, meat processing plants/abattoirs, commercial greenhouses, fertilizer sales and storage, cement manufacturing, and aggregate material storage or handling operations:
- a. The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given to:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and other emissions emanating from the operation;
 - iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and
 - iv. Utilization of hazardous substances.
 - b. The designated truck access routes will not be primarily through residential areas; and
 - c. Commercial greenhouses used for growing medical and recreational cannabis shall be compliant with any provincial and federal regulations.

12.12 PERFORMANCE STANDARDS

- 12.12.1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
- a. Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;



- b. Smoke - no process involving the use of solid fuel is permitted;
- c. Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d. Odor - the emission of any odorous gas or other odorous matter is prohibited;
- e. Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f. Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed beyond the property line of the lot;
- g. External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
- h. Industrial wastes - waste which does not conform to the standards established from time to time by Town bylaws shall not be discharged into any Town sewers; and
- i. The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

SECTION 13: COMMUNITY SERVICE - CS

The purpose of the Community Service District (CS) is to provide areas for a wide range of community service related activities including social, recreational, institutional, parks and public service.

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

13.1 PERMITTED USES

13.1.1 Principle Uses

- a. Elementary, high schools and other educational facilities;
- b. Lodges, social clubs and service clubs;
- c. Municipal offices, libraries, historic and cultural institutions, community halls;
- d. Cemeteries;
- e. Places of worship and assembly halls;
- f. Daycare centres and pre-schools;
- g. Health facilities and special care homes;
- h. Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools and other similar uses. More than one (1) recreational use may be permitted per site;
- i. Golf courses;
- j. Natural open areas;
- k. Community gardens;
- l. Pedestrian trails and bicycle pathways;
- m. Skateboard parks or BMX bike-terrain;
- n. Scenic lookout and interpretation facilities, rest stops and other public trail facilities;
- o. Visitor information centres; and
- p. Community facilities.

13.1.2 Accessory Uses

- a. Buildings, structures or uses secondary or subordinate to, and located on the same site as, the principle use, shall be considered accessory uses and, may include commercial uses.

13.1.3 Public Works and Municipal Facilities

- a. Public works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts and other drainage works, and shall include water reservoirs, waste management sites, and sewage treatment facilities.

13.2 DISCRETIONARY USES

The following uses may be permitted in the CS – Community Service District only by resolution of Council and only in locations specified in such resolution of Council.

13.2.1 Principle Uses

- a. Campgrounds (refer to Section 5.9).

13.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site coverage.



	Elementary and Secondary Schools	Skating, Curling Rinks, Swimming Pools	Libraries, Places of Worship, Daycare Centres, Religious and Cultural Institutions
Minimum site area	No minimum requirement	613.16 m ² (6,600.0 ft ²)	450.02 m ² (4,844 ft ²)
Minimum site frontage	60.05 metres (197.0 ft.)	20.12 metres (66.0 ft.)	14.94 metres (49.0 ft.)
Site coverage	75%	-	-
Minimum front yard	15.24 metres (50.0 ft.)	7.62 metres (25.0 ft.)	6.10 metres (20.0 ft.)
Minimum rear yard	7.62 metres (25.0 ft.)	7.62 metres (25.0 ft.)	6.10 metres (20.0 ft.) except where the rear site line abuts a Residential District without an intervening street or lane, at least 7.62 metres (25.0 ft.) shall be provided
Minimum side yard	7.62 metres (25.0 ft.)	1.5 metres (5 ft.) except on a corner site abutting a street in which case 3.6 metres (12 ft.) shall be provided	50% of the height of the building or 3.02 metres (10.0 ft.), whichever is greater
Height	No maximum	No maximum	14.94 metres (49.0 ft.)
	All Other Uses		
Minimum site area	No minimum or 450.02 m ² (4,844.0 ft ²)		
Minimum site frontage	No minimum		
Minimum front yard	6.10 metres (20.0 ft.)		
Minimum rear yard	6.10 metres (20.0 ft.)		
Minimum side yard	50% of the height of the building or 3.02 metres (10.0 ft.), whichever is greater		

13.4 ACCESSORY USES, BUILDINGS AND STRUCTURES

Maximum floor area	All accessory buildings shall not exceed 120 m ² (1,291.7 ft ²) in area
Minimum front yard	7.62 metres (25.0 ft.)
Minimum rear yard	All accessory buildings with a door or doors opening onto a lane shall not be located less than 2.13 metres (7.0 ft.) from the site line abutting the lane
Minimum side yard	0.91 metres (3.0 ft.) unless the side site line is an abutting a street in which case the side yard shall be 3.66 metres (12.0 ft.)
Minimum setback from principle building	1.22 metres (4.0 ft.)
Maximum height	6.10 metres (20.0 ft.) from grade level to the underside of the eaves

13.5 SIGNAGE

- 13.5.1 One (1) permanent sign is permitted per site. The facial area of a sign shall not exceed 3.99 m² (43.0 ft²).
- 13.5.2 Additional signs shall be approved at the discretion of Council.
- 13.5.3 Billboards are prohibited except for one (1) information sign for each building or use and those bearing notices of special events and activities, or other information relating to a temporary condition affecting the site and shall not exceed 1.02 m² (11.0 ft²) in size.
- 13.5.4 Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events, are permitted.

13.6 PARKING

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

Elementary school	1 parking space for each staff member
High school	1 parking space for each staff member, plus 1 parking space for every 10 students
Churches and places of assembly	1 parking space for each 49.98 m ² (538.0 ft ²) of floor area
Special care homes	1 parking space for each bed
Institutional buildings, private clubs and lodges	1 parking space for each 49.98 m ² (538.0 ft ²) of floor area
Recreational buildings, sports facilities and fields	1 parking space for each of every ten patrons or seats

13.7 LANDSCAPING

- 13.7.1 A landscaped strip of not less than 3.05 metres (10.0 ft.) in width throughout, lying parallel and abutting the front site line, shall be provided on every site.
- 13.7.2 On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- 13.7.3 Where a site abuts any Residential District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.52 metres (5.0 ft.) in width throughout which shall not be used for any purpose except landscaping.

SECTION 14: FUTURE URBAN DEVELOPMENT - FUD

The purpose of the Future Urban Development District (FUD) is to limit development that may affect the future growth of the Town by providing temporary and transitional uses and activities.

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

14.1 PERMITTED USES

14.1.1 Principle Uses

- a. Agricultural crop production and buildings and structures customarily accessory to the use; and
- b. Community gardens.

14.1.2 Accessory Uses

- a. Uses, buildings and structures accessory to the principle building or use.

14.1.3 Public Works and Municipal Facilities

- a. Community facilities; and
- b. Public works buildings and structures including offices, warehouses, storage, yards and waste management or sewage facilities.

14.2 DISCRETIONARY USES

The following uses may be permitted in the FUD – Future Urban Development District but only by resolution of Council and only in locations specified in such resolution of Council.

14.2.1 Principle Uses

- a. Recreational uses and sports grounds; and
- b. Commercial greenhouses, market gardens and sod farms.

14.3 SITE DEVELOPMENT REGULATIONS

Public works shall no minimum or maximum site requirements.

Minimum site area	Existing, no subdivision
Minimum site frontage	Existing site frontages permitted
Maximum site coverage	10%
Minimum front yard	10.0 metres (32.8 ft.)
Minimum rear yard	10.0 metres (32.8 ft.) for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 metres (98.4 ft.)
Minimum side yard	7.5 meters (24.6 ft.) for dwellings and buildings accessory thereto except that the minimum side yard abutting a public street shall be 10.0 metres (32.8 ft.).

14.4 SIGNAGE

14.4.1 One (1) permanent sign is permitted per site. The facial area of a sign shall not exceed 1.02 m² (11.0 ft²).

14.4.2 In the case of a home occupation, an additional permanent sign is permitted.

14.4.3 Additional signs shall be approved at the discretion of Council.

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



- 14.4.5 Temporary signs not exceeding 1.02 m² (11.0 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

14.5 DISCRETIONARY USE EVALUATION CRITERIA

- 14.5.1 Council will consider the applications for discretionary uses with respect to the following criteria:
- The infrastructure servicing capacity is available to service the development without excessive impact on other uses being served by the system;
 - The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the *Town of Stoughton Official Community Plan*; and
 - The development will not require the development of new streets and utility lines except as may be provided for in existing plans under *Town of Stoughton Official Community Plan* and that the proposal is not premature.
- 14.5.2 Where a development is proposed at a location at which standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets the *Public Health Act and Regulations* requirements.

SECTION 15: FLOOD HAZARD OVERLAY – FH

The intent of the Flood Hazard Overlay (FH) area is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in areas designated as flood hazard zones.

15.1 DEFINING THE BOUNDARY

- 15.1.1 For all proposed development in this cautionary area, the developer shall be required to contact Saskatchewan Water Security Agency to determine the 1:500 year return frequency flood event and necessary freeboard.

15.2 SITE REGULATIONS IN THE FLOOD HAZARD LAND AREAS

- 15.2.1 Development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- 15.2.2 If the development of new buildings or additions is approved in the flood fringe, flood-proofing to an elevation of 0.5 metres (1.6 ft.) above the 1:500 year flood event will be required.
- 15.2.3 Placement of off-site fill in the flood fringe should be limited to that required for flood-proofing or flood risk management, in order to minimize displacement.
- 15.2.4 For a proposed development located within the flood fringe, Council may require the developer to undertake a flood study carried out by a qualified professional. The study shall determine the 1:500 flood elevation including the floodway and the flood fringe areas and any potential impacts and mitigative measures of the proposed development.
- 15.2.5 “Hazardous Substances and Waste Dangerous Goods” are prohibited, as defined by the *Hazardous Substances and Waste Dangerous Goods Control Regulations* of the *Environmental Management and Protection Act* of Saskatchewan.

15.3 FLOOD PROOFING REGULATIONS

- 15.3.1 A development permit shall not be issued for any land use, erection, alternation or use of any building or structure within the Flood Hazard Overlay area unless the site/development meets approved flood proofing measures 0.5 metres (1.64 ft.) above the 1:500 flood design elevation.
- 15.3.2 Any existing buildings may be replaced or expanded subject to appropriate flood proofing measure being provided.
- 15.3.3 For the purpose of this Bylaw, appropriate flood proofing measure shall mean:
- That all buildings shall be designed to prevent structural damage by flood waters;
 - The first floor of all buildings shall be constructed above the designated flood design elevation; and
 - All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.



TOWN OF STOUGHTON ZONING DISTRICT MAP

