



RM OF MARTIN NO 122

**BYLAW NO. 249 / 22**

**RURAL MUNICIPALITY OF MARTIN NO 122**

**ZONING BYLAW OF THE RURAL MUNICIPALITY OF MARTIN NO 122**

The Council of the Rural Municipality of Martin No 122 in the Province of Saskatchewan enacts as follows:

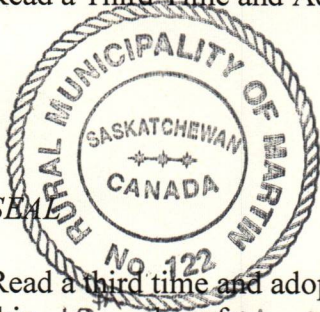
1. Pursuant to Section 34(1) of *The Planning and Development Act 2007*, the Council of the RM of Martin No 122 hereby adopts the Zoning Bylaw, identified as **Schedule "A"** to this Bylaw.
2. The Reeve and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
3. Bylaw No 173/07 and amendments Bylaw 180/08, Bylaw 192/13, Bylaw 230/20 and Bylaw 231/20 are hereby repealed.
4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 13<sup>th</sup> day of July, 2022

Read a Second Time the 10<sup>th</sup> day of May, 2023

Read a Third Time and Adopted the 10<sup>th</sup> day of May, 2023

<p>APPROVED REGINA, SASK. JUN 30 2023</p> <p><i>Jan Yuen</i></p> <p>Minister of Government Relations</p>
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SEAL

Read a third time and adopted this 10 day of May 2023

*Garry Bonkowski*

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**Garry Bonkowski – Reeve**

*Cheryl Barrett*

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**Cheryl Barrett – Chief Administrative Officer**

*Cheryl Barrett*

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Chief Administrative Officer

# SCHEDULE "A"



## ZONING BYLAW

**Bylaw No. 249/22**

**April 2023**



RM OF MARTIN NO 122

# RM of Martin No. 122

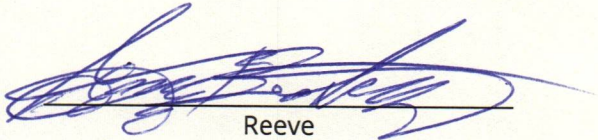
## Zoning Bylaw No. 249/22

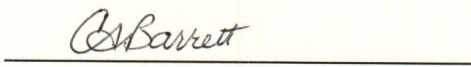
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2. The Reeve and Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
3. Bylaw No. 173/07 and any amendments made thereto is hereby repealed.
4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 13<sup>th</sup> day of July, 2022

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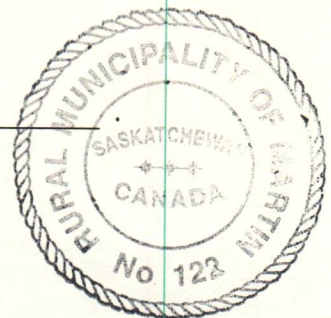
  
Reeve

  
Administrator



Certified a True Copy of the Bylaw adopted by Resolution of Council

on the 10<sup>th</sup> day of May, 2023



# **RM OF MARTIN No. 122**

## **ZONING BYLAW**

**SCHEDULE "A" TO BYLAW No. 249/22**

**APRIL 2023**

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**EXHIBIT A: DEFINITIONS**

**EXHIBIT B: ZONING DISTRICT MAP**

*QAB*

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# 1.0 INTRODUCTION

Under the authority provided by *The Planning and Development Act, 2007 (The Act)*, the Council of the RM of Martin No. 122, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

## 1.1 TITLE

This Bylaw No. 249/22 shall be known and may be cited as the Zoning Bylaw of the RM of Martin No. 122.

## 1.2 PURPOSE OF THE ZONING BYLAW

The purpose of this Bylaw is to regulate land use and development within the RM in accordance with the *RM of Martin No. 122 Official Community Plan Bylaw No. 248/22 (OCP)*.

## 1.3 SCOPE OF THE ZONING BYLAW

Development shall be permitted within the limits of the RM only when in conformity with the provisions of this Bylaw subject to the right of appeal provisions of *The Act*.

## 1.4 SEVERABILITY

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

## 1.5 ORGANIZATION OF THIS ZONING BYLAW

### 1.5.1 Administration

The application requirements, processes, and evaluation criteria for all types of development applications are contained in **Section 2.0**.

### 1.5.2 Regulations

General regulations that apply to all forms of development are contained in **Section 3.0** while additional regulations that apply to specific uses are contained in **Section 4.0**.

### 1.5.3 The Zoning District Schedules and Map

The Zoning District Schedules and Map are explained in and follow **Section 5.0**.

### 1.5.4 Definitions

The definitions contained in **Exhibit A** shall apply to both this Bylaw and the OCP.

### 1.5.5 Interpretation

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



## 2.0 ADMINISTRATION

### 2.1 DEVELOPMENT OFFICER & COUNCIL

#### 2.1.1 Development Officer

The Administrator of the RM of Martin No. 122 shall be the Development Officer responsible for the administration of this Bylaw. The Development Officer shall:

- (a) Receive, record, and review development permit applications.
- (b) Issue a decision on development permits for permitted uses.
- (c) Assist Council with issuing a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements.
- (d) Administer any Public Notification process as required by this Bylaw or any other Bylaw adopted by the RM.
- (e) Collect development application fees according to the fee schedule established in this Bylaw or any other Bylaw adopted by the RM.
- (f) Maintain for inspection by the public during regular office hours, a copy of this Bylaw, the Zoning District Map, and any amendments.
- (g) Perform other duties as determined by Council.

#### 2.1.2 Council

The RM of Martin No. 122 Council shall:

- (a) Issue a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements in accordance with *The Act*, the OCP, and this Bylaw.
- (b) Make a recommendation on all subdivision application referrals received from the Saskatchewan Ministry of Government Relations prior to a decision being made by the Minister.

### 2.2 DEVELOPMENT PERMITS

**2.2.1** No person shall commence a new use or undertake development, including repairs and renovations involving structural alterations, without first obtaining a development permit, unless exempt under **Section 2.3**.

**2.2.2** A development permit shall not be issued for any structure or use in contravention of any provisions of this Bylaw or the OCP, except as provided in an appeal pursuant to *The Act*.

#### 2.2.3 Frontage on Road

A development permit shall not be issued unless the site abuts or has frontage on a public road.

#### 2.2.4 Building Permit

A building permit shall not be issued in accordance with the RM Building Bylaw unless a development permit, where required, has also been issued. Applications for a development permit and building permit may be reviewed concurrently.

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### 2.2.5 Development Permit Validity

A development permit is valid for a period of 12 months. This period may be extended by the Development Officer before the development permit expires for an additional 12 months if requested in writing by the permit holder. A development permit shall be considered void if:

- (a) The use is not commenced while the development permit is valid;
- (b) A building permit, if required, is not obtained while the development permit is valid; or
- (c) The building permit expires while the development permit is no longer valid.

### 2.2.6 Cancellation of a Development Permit

The Development Officer or Council may cancel a Development Permit if:

- (a) It is revealed that the development permit was issued based on false or mistaken information;
- (b) ~~New information is revealed pertaining to the suitability of the site for the specific use or development;~~ or
- (c) The permit holder requests a modification to the original development permit.

KG

### 2.2.7 Buildings to be Moved

No building shall be moved within or into the RM without the issuance of a development permit, unless exempt under **Section 2.3**.

### 2.2.8 Demolition of Buildings

No building or structure shall be demolished within the RM without the issuance of a demolition permit in accordance with the RM's Building Bylaw.

## 2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

2.3.1 A development permit is not required for the following, but all other applicable provisions of this Bylaw shall apply:

- (a) The maintenance or construction of a public work by the RM or public utility;
- (b) Maintenance and repairs that do not include structural alterations;
- (c) Accessory buildings and structures that are under 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) in area, but **Section 3.4** shall still apply;
- (d) The erection of any sign, excluding Billboard Signs, unless otherwise required by this Bylaw, but **Section 3.6** shall still apply;
- (e) The erection of any fence or stand-alone wall (retaining wall, screen, etc.), but **Section 3.10** shall still apply;
- (f) The planting of any trees, shrubs, or landscaping, but **Section 3.11** shall still apply; and
- (g) A temporary building where the sole purpose is incidental to the construction or alteration of a building.

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## **2.4 DEVELOPMENT APPLICATION REQUIREMENTS**

**2.4.1** The requirements included in this Section apply to applications for development permits for permitted uses and discretionary uses as well as zoning and OCP amendments.

**2.4.2** Any development application shall be submitted with the required fees to the Development Officer and shall include the following information:

- (a)** The names and contact information of the applicant, the property owner, and the person who prepared the application and / or supporting material.
- (b)** The legal description of the subject property (1/4 Section or Lot, Block, Plan).
- (c)** A description of the proposed development or use on the subject property.
- (d)** A Site Plan that should include:
  - i.** A north arrow, the subject site property boundaries and dimensions, and all adjacent properties and public roads.
  - ii.** The location of any existing buildings, structures, utility poles, underground utilities, easements, and trees.
  - iii.** The location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions.
  - iv.** The location of any entrances or exterior doorways, walkways, and pedestrian circulation areas;
  - v.** The location and size of all proposed parking spaces, driveways, vehicle circulation areas, and loading spaces; and
  - vi.** The location and size of any proposed signs.
- (e)** Any other required information, supporting studies, or a concept plan as determined by the Development Officer or Council in accordance with this Bylaw and the OCP.

### **2.4.3 Development Application Fees**

Development application fees for development permits for permitted uses and discretionary uses, zoning amendments, OCP amendments, and other types of applications are outlined in **Section 2.9** of this Bylaw.

## **2.5 DEVELOPMENT APPLICATION PROCEDURES**

### **2.5.1 General Development Application Procedures**

The following procedures apply to all development applications for development permits for permitted uses and discretionary uses, zoning amendments, and OCP amendments in addition to those listed for specific applications in **Section 2.5.2 to 2.5.4**:

- (a)** Upon receiving the development application, the Development Officer will examine the application for compliance with the OCP and this Bylaw, including the evaluation criteria in **Section 2.6**, and any other applicable policies, regulations, and standards.
- (b)** Prior to making a decision or conducting public notice and referring the application to Council, the Development Officer may circulate the application to any government agencies, neighbouring municipalities, interested groups, or engineering, legal, or other professionals for consideration and for comment.
- (c)** The applicant shall be notified in writing of the decision on their application and shall be advised of their right to appeal in accordance with this Bylaw and *The Act*.
- (d)** A copy of all approved development permit applications involving the installation of water and sanitary services shall be sent to the Health Authority.

*QAS* 

**2.5.2 Permitted Use Application Procedures (approved by the Development Officer)**

In addition to the general development application procedures in **Section 2.5.1**, the following procedures apply to all development permit applications for permitted uses as demonstrated by **FIGURE 1**:

- (a) If a person applies for a development permit for a development or use that is permitted in its Zoning District and conforms to all provisions of this Bylaw and the OCP, then the Development Officer shall issue a development permit.
- (b) Performance standards, development standards, or conditions may be applied that are consistent with standards or conditions of this Bylaw in accordance with *The Act* (s. 62(4)) to ensure the development or use satisfies the development application evaluation criteria in **Section 2.6**.

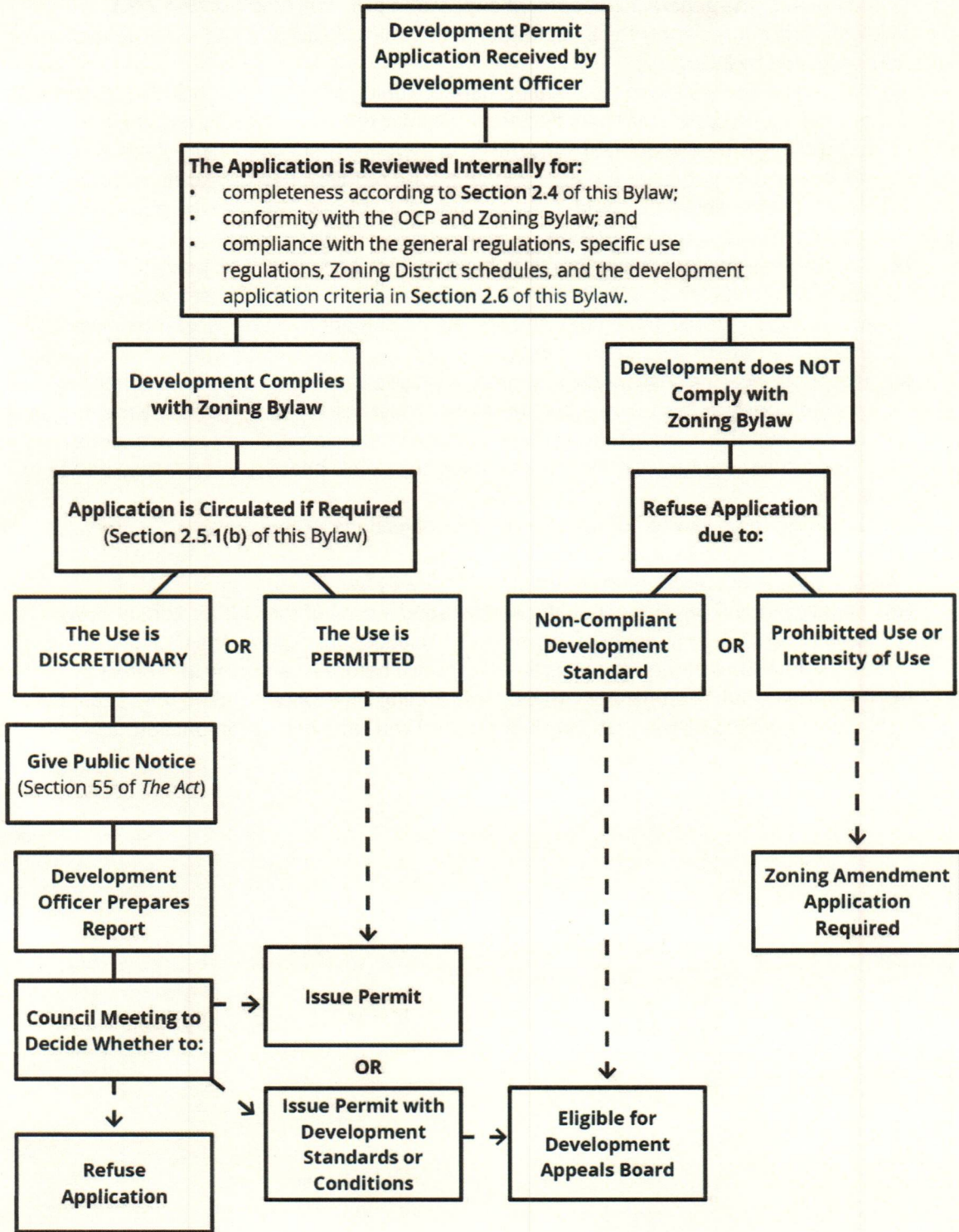
**2.5.3 Discretionary Use Application Procedures (approved by Council)**

In addition to the general development application procedures in **Section 2.5.1**, the following procedures apply to all development permit applications for discretionary uses in accordance with *The Act* (s. 54-58) and as demonstrated by **FIGURE 1**:

- (a) If a person applies for a development permit for a development or use that is listed as a discretionary use in its Zoning District, then the Development Officer shall give public notice of the application in accordance with *The Act* (s. 55).
- (b) The Public Notice shall be distributed to the assessed owners of property within a minimum 75 metres of the site of the application and shall indicate the date of the Council meeting at which the discretionary use application will be considered.
- (c) The Development Officer shall prepare a report for Council concerning the discretionary use application that may contain recommendations for conditions of approval to be applied in accordance with *The Act* (s. 56(3) & 62(3)) to ensure the development or use satisfies the development application evaluation criteria in **Section 2.6**.
- (d) Council shall consider the application together with the Development Officer's report and any written or verbal submissions received from the public before issuing a decision by Council resolution to:
  - i. Approve the discretionary use application as is;
  - ii. Approve the discretionary use application with performance standards, development standards, or conditions in accordance with *The Act* (s. 56(3)) to ensure the development or use satisfies the development application evaluation criteria in **Section 2.6**; or
  - iii. Reject the discretionary use application.



FIGURE 1. DEVELOPMENT PERMIT APPLICATION PROCESS



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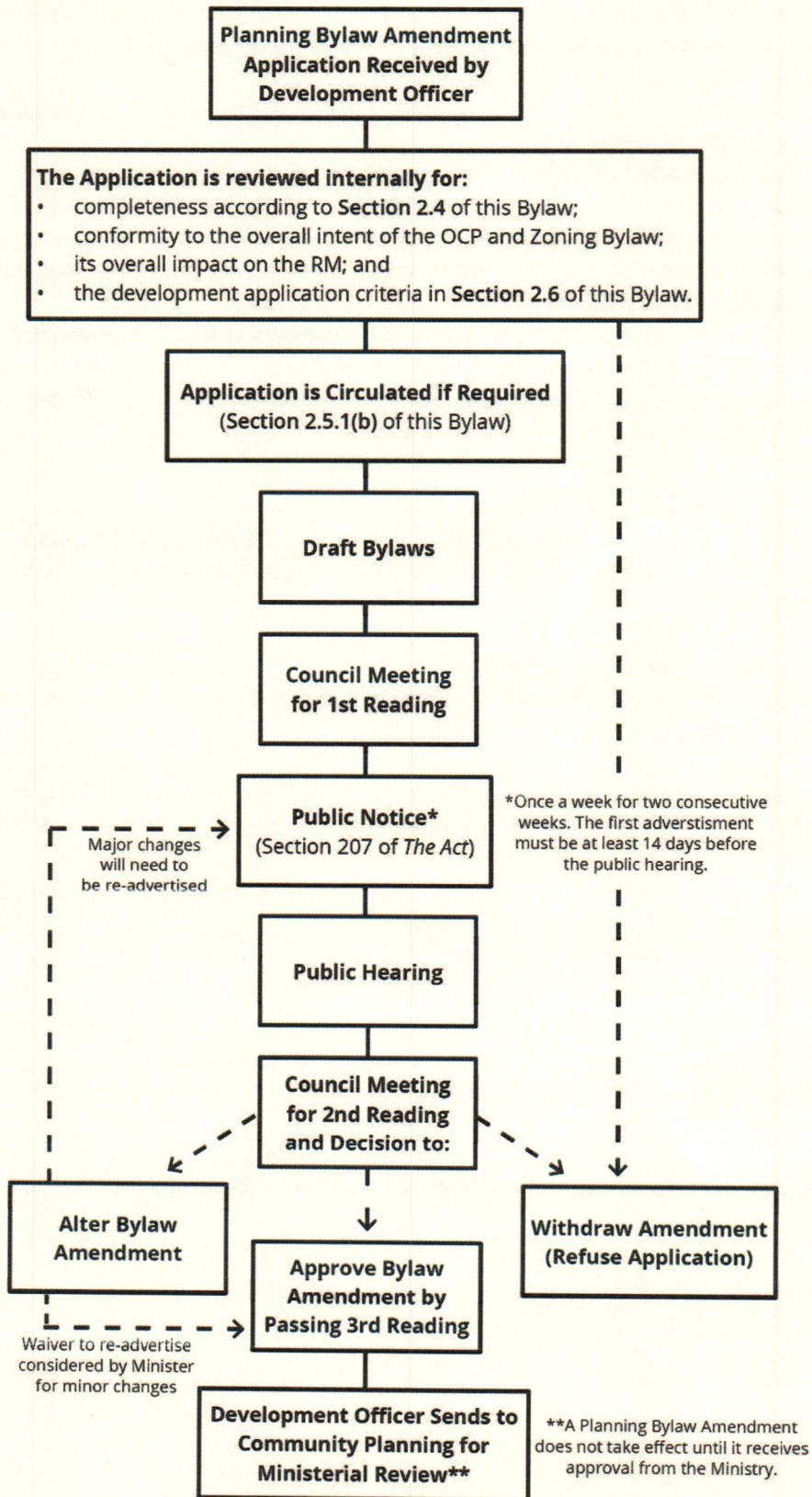
**2.5.4 Planning Bylaw Amendment Application Procedures (approved by Council)**

In addition to the general development application procedures in **Section 2.5.1**, the following procedures apply to all applications for Zoning Bylaw and OCP amendments as demonstrated by **FIGURE 2**:

- (a) If a person applies for an OCP amendment or zoning amendment (including a rezoning of their property), Council may decide to consider the application by passing a resolution authorizing the Development Officer to proceed with preparing draft bylaws and public notices, and to authorize the date and time for a required public hearing. If Council decides not to agree to consider the amendment or rezoning, then the applicant shall be notified in writing of the decision.
- (b) Council shall give the bylaws first reading only and shall publish a public notice of its intent to amend the OCP or Zoning Bylaw, once a week for two consecutive weeks in accordance with *The Act* (s. 207). The first advertisement must be at least two weeks before the date of the public hearing.
- (c) The public hearing shall be held before the second reading by Council. The hearing may be held during a Council meeting but Council must resolve to suspend the meeting for the hearing. The hearing may be closed once all representations are heard and all written submissions are accepted. Following the public hearing, Council may decide to either:
  - i. Alter the bylaw to address concerns or objections;
  - ii. Approve the bylaw amendment as is; or
  - iii. Refuse the application by withdrawing the Bylaw.
- (d) If approved, the Development Officer shall send a copy of the OCP or Zoning Bylaw amendment to the Ministry of Government Relations for review. Any OCP or Zoning Bylaw amendment requires Ministerial Approval before it can come into effect.
- (e) If an application requires both an OCP and Zoning Bylaw amendment, then separate bylaws are needed, but they may be prepared and reviewed in conjunction.



FIGURE 2. PLANNING BYLAW AMENDMENT APPLICATION PROCESS (OCP & ZONING)



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## **2.6 DEVELOPMENT APPLICATION EVALUATION CRITERIA**

**2.6.1** When evaluating applications for development permits for permitted uses and discretionary uses, as well as zoning amendments and OCP amendments, the Development Officer and Council shall consider whether such proposals:

- (a)** Conform with all relevant provisions of the OCP, this Bylaw, and any other applicable policies and regulations;
- (b)** Are viable and marketable;
- (c)** Are suitable for the proposed site and do not pose a threat to the natural environment;
- (d)** Are compatible with neighbouring properties and overall RM land use patterns;
- (e)** Are not detrimental to the health, safety, convenience, and general welfare of RM residents and visitors;
- (f)** Can be economically serviced including roadways, water and sewer, solid waste disposal, parks, schools, community facilities, and utilities;
- (g)** Can be suitably drained in accordance with **Section 3.12** of this Bylaw; and
- (h)** Create no undue burden on RM finances;

## **2.7 DEVELOPMENT APPEALS**

**2.7.1** Council shall appoint a Development Appeals Board (DAB) within 90 days of the adoption of this Bylaw to hear and issue decisions on development appeals in accordance with *The Act* (s. 213 to 227).

**2.7.2** A person who wishes to make an appeal to the DAB shall do so in writing to the Development Officer within 30 days of the date of issuance or refusal of a development permit application.

**2.7.3** The DAB has the authority under *The Act* (s. 219) to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted or discretionary use.

**2.7.4** The DAB does not have the authority to vary and will not hear appeals based on a decision by the Development Officer or Council to:

- (a)** Refuse a use or intensity of use not permitted in a Zoning District.
- (b)** Refuse a discretionary use or intensity of a discretionary use.
- (c)** Refuse a rezoning of the person's land.

**2.7.5** A decision by the DAB may be appealed to the Saskatchewan Municipal Board in accordance with *The Act* (s. 226).

**2.7.6** Development appeal application fees are outlined in **Section 2.9** of this Bylaw.



**2.8 MINOR VARIANCES**

- 2.8.1 Applications for a minor variance shall be made to the Development Officer, who shall review the application and issue a decision in accordance with *The Act* (s. 60).
- 2.8.2 The Development Officer may grant a minor variance of up to 10% of any minimum yard setback or minimum distance between buildings or structures for either a permitted or discretionary use as specified by this Bylaw.
- 2.8.3 The Development Officer shall maintain a registry of all minor variance applications.
- 2.8.4 Minor variance application fees are outlined in **Section 2.9** of this Bylaw.

**2.9 DEVELOPMENT APPLICATION FEES**

2.9.1 The applicant of a development application shall pay a fee according to the following schedule:

- (a) Development Permit:
  - i. Permitted Use: \$0
  - ii. Discretionary Use: \$200
- (b) OCP or Zoning Amendment: \$250
- (c) Development Appeal: \$150
- (d) Minor Variance: \$50

**2.9.2 Costs of Advertising**

In addition to the above fees schedule, the applicant shall be responsible for the costs of any required public notice or advertising in accordance with this Bylaw and *The Act*.

**2.9.3 Municipal Agreements**

Applicants may be subject to additional servicing agreement fees, development levies, and performance securities in accordance with the OCP (s. 5.2) and *The Act*.

**2.9.4 Interest and Registration**

Council may require development agreements, servicing agreements and other documents to be registered or caveated against affected lands, to protect municipal and public interests. The cost of the registration of an interest or caveat will be the responsibility of the applicant.

**2.10 PERFORMANCE SECURITY**

2.10.1 As a condition of a Development Permit, Council may require the applicant to post and maintain a Performance Security in accordance with *The Act*, which may be a performance bond or letter of credit, to ensure that the development is constructed and completed in accordance with the time frames and development standards required in the approval.

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## **2.11 NON-CONFORMING USES, BUILDINGS, & SITES**

**2.11.1** Any use of land, building, structure, or site lawfully existing at the time of passing of 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 the provisions of *The Act* (s. 88 to 93).

**2.11.2** A legally nonconforming use or building pursuant to **Section 2.11.1** may be enlarged, reconstructed, repaired or renovated provided that:

- (a) The element of nonconformity is not increased; and
- (b) All other applicable provisions of this Zoning Bylaw are satisfied.

## **2.12 PERMITS, LICENSES, & COMPLIANCE WITH OTHER BYLAWS**

**2.12.1** In the event of a conflict between this Bylaw and the OCP, the provisions of the OCP shall prevail.

**2.12.2** Nothing in this Bylaw shall exempt any person from complying with any other federal, provincial, or municipal requirement. Developers are responsible for obtaining all applicable federal and provincial approvals.

**2.12.3** Where the requirements of this Bylaw conflict with those of any other federal, provincial, or municipal requirement, the more stringent requirement shall apply.

## **2.13 BYLAW ENFORCEMENT, OFFENCES, & PENALTIES**

**2.13.2** Pursuant to *The Act* (s. 242-245), the Development Officer may issue a stop order for development that contravenes this Bylaw or the standards and conditions specified in a development permit in order to achieve compliance.

**2.13.3** Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Act*.

**2.13.3** Errors and / or omissions by the Development Officer or someone acting under their direction while administering this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

## **2.14 RESTORATION TO A SAFE CONDITION**

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

**2.14.2** Repairs, renovations, and restorations shall be subject to development permit requirements if the building use, size, or setbacks are proposed to change.



## 3.0 GENERAL REGULATIONS

### 3.1 PROHIBITED & NOXIOUS USES

- 3.1.1 Any land use that is not listed as either a permitted, discretionary, or accessory use in its current Zoning District shall be prohibited.
- 3.1.2 No land shall be used for any purpose that is noxious without appropriate mitigation measures that ensure the health and well-being of people and the environment are protected.

### 3.2 USES PERMITTED IN ALL ZONING DISTRICTS

- 3.2.1 Nothing in this Bylaw shall prevent the use of any land for:
- (a) A public street or public park; and/or
  - (b) Municipal facilities and public utilities, excluding solid and liquid waste disposal sites.
- 3.2.3 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.

### 3.3 PRINCIPAL BUILDINGS, STRUCTURES, & USES

- 3.3.1 Only one principal building or use shall be permitted on any one site, except the following in accordance with all other applicable provisions of this Bylaw:
- (a) Public utilities and municipal facilities;
  - (b) Mineral resource operations;
  - (c) Institutional uses;
  - (d) Recreational uses;
  - (e) Agricultural uses; or
  - (f) Communal settlements;
- 3.3.2 Notwithstanding **Section 3.3.1** above, Council may, at its discretion, issue a development permit for additional principal buildings or uses on a site.
- 3.3.3 In any Zoning District, the principal use of the land must be established prior to the establishment of any accessory buildings, structures, or uses, unless provided for elsewhere in this Bylaw.

### 3.4 ACCESSORY BUILDINGS, STRUCTURES, & USES

- 3.4.1 Accessory buildings shall be subordinate to, used in conjunction with, and located on the same site as the principal building or use. A development permit for a principal use shall be required if in the opinion of the Development Officer or Council, a building, structure, or use is or grows to be too large or intensive to be considered accessory.
- 3.4.2 Subject to all other requirements of this Bylaw, an accessory building, structure, or use is permitted in any Zoning District when accessory to an established principal permitted or discretionary use.

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- 3.4.3** No accessory building or structure shall be used as a dwelling, unless otherwise specified in this Bylaw.
- 3.4.4** In any Zoning District, there is no maximum number of accessory buildings per site provided that all regulations and standards are met.
- 3.4.5** Accessory buildings or structures shall be subject to the same minimum setbacks as the principal building, structure, or use.
- 3.4.6** Private garages, carports, and other accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building.

### **3.5 BUILDING HEIGHTS**

- 3.5.1** Building height shall be measured from average grade level to the highest point of the roof structure exclusive of any chimney, antenna, satellite dish, solar panel, or any other similar protrusions that are separate from the roof structure.,
- 3.5.2** Unless otherwise specified by this Bylaw, the maximum building height for principal and accessory uses shall be 12.0 metres (39.4 ft). Taller buildings may be considered by resolution of Council (discretionary use approval).
- 3.5.3** Grain bins and elevators, wind turbines, communication towers, and other similar structures may exceed the maximum height requirements in **Section 3.5.2** above provided they comply with all other provisions of this Bylaw.

### **3.6 SIGNS & BILLBOARDS**

#### **3.6.1 Highway Signs**

Signs located in a highway sign corridor shall be regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations, 2012* or amendments thereto.

#### **3.6.2 All Other Signs**

All other signs and billboards other than those referred to in **Section 3.6.1**, shall be subject to the following regulations:

- (a)** A sign may only advertise agricultural commercial uses, home-based businesses, the principal use of a site, or the principal products offered for sale on the premises.
- (b)** Billboard signs advertising a business, service, or product not affiliated with the property for which it is located, shall require discretionary use approval by Council.
- (c)** The following signs shall be permitted provided that the signage is appropriate in scale, design, placement, and does not cause any safety concerns:
  - i.** Government signs, directional signs, and other signs that bear no advertising including traffic control, no trespassing, hunting restrictions and similar signs.
  - ii.** Memorial signs, plaques, or other commemorative signs or monuments are exempt from restriction provided that the signage is appropriate in scale, design, placement, and does not cause any safety concerns.
  - iii.** Elections signs, real estate signs, and other temporary signs providing information on a specific property provided that the temporary condition still exists.



- (d) A maximum of two (2) advertising signs are permitted on any site or quarter section and each sign shall be no larger than 3.5 m<sup>2</sup> and no higher than 6 metres in total height.
- (e) No sign shall project beyond the site lines of the site to which it pertains.
- (f) No sign shall be located in any manner that may, in the opinion of Council, visually obstruct or jeopardize public safety.
- (g) Signs with any neon, LED, or other similar lighting shall be designed to cast light downwards and located appropriately to prevent from visually obstructing drivers and jeopardizing public safety.

### **3.7 PARKING, LOADING, & HEAVY HAULING**

**3.7.1** All required parking lots, parking spaces, and loading spaces shall be surfaced in a suitable material that can be used year round.

#### **3.7.2 Residential Parking**

In all Zoning Districts, one (1) parking space shall be provided per dwelling unit, which shall be located on the same site as the dwelling unit.

#### **3.7.3 Commercial & Industrial Parking & Loading**

- (a) Sufficient on-site parking spaces shall be provided for employees, visitors, or customers of an approved commercial or industrial use in order to avoid parking spill out on to public roadways.
- (b) Where the use of a building site involves the receipt and / or distribution of materials, goods, or merchandise from semi-trucks or other large vehicles, a designated loading space shall be provided that is a sufficient size so not to interfere with regular vehicular parking or traffic on a public roadway.

#### **3.7.4 Heavy Hauling**

The RM may require a road maintenance agreement with developers and operators involved in concentrated heavy hauling on municipal roads to help pay for the incremental costs of road maintenance, construction and repair.

### **3.8 OUTDOOR STORAGE**

**3.8.1** All sites shall be well maintained and free from excessive waste and debris.

**3.8.2** Outdoor storage of any kind shall be a minimum 6.0 metres from any site line, unless a greater setback is required elsewhere in this Bylaw.

**3.8.3** Any unsightly outdoor storage of junked vehicles, debris, or other materials shall be adequately screened from public view from adjacent roadways and public lands by a solid fence, trees, landscaped berm, or other suitable structure.

**3.8.4** As a condition of development permit approval, the Development Officer or Council may require outdoor storage to be screened from adjacent land uses.

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### **3.9 STORAGE & HANDLING OF HAZARDOUS MATERIALS**

- 3.9.1** Any proposed development involving the storage and handling of hazardous materials or substances shall comply with all relevant provincial and federal regulations, including *The Hazardous Substances and Waste Dangerous Good Regulations, The Environmental Management and Protection Act, The Dangerous Goods Act*, and the *Fire Safety Act*. The RM shall be provided with a copy of all required licenses, permits, and approvals.
- 3.9.2** The Development Officer or Council may require the applicant to submit a report prepared by a qualified professional in accordance with the OCP (s. 5.2.6) to assess the safety of the proposed development or use, as well as identify any required mitigation measures to minimize the adverse impacts of the hazardous materials.
- 3.9.3** The Development Officer or Council may require the applicant to submit an Emergency Management Plan in support of the proposed development.

### **3.10 FENCES, HEDGES & SHELTERBELTS**

- 3.10.1** Landowners are responsible for ensuring all fences and other landscaping features are contained on or within their property lines.
- 3.10.2** Fences, hedges, shelterbelts, and other screening devices that obstruct the vision of driver's shall not be located in a sight triangle in accordance with **Section 3.14.3** of this Bylaw.
- 3.10.3** Any proposed shelterbelts or other significant landscape features within 90 metres of a provincial highway right-of way requires a permit from the Ministry of Highways and Infrastructure (MHI).

### **3.11 LANDSCAPING**

- 3.11.1** Developers and landowners shall, wherever possible, practice landscaping strategies that:
- (a) Protects native grasslands;
  - (b) Uses native species;
  - (c) Avoids the removal of existing trees and vegetation; and
  - (d) Integrates stormwater management to avoid disrupting natural drainage patterns.
- 3.11.2** Any landscaping shall not disrupt or alter the existing drainage pattern without prior approval from the RM or provincial agencies as may be required.
- 3.11.3** Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel along any roadway.
- 3.11.4** The Development Officer or Council may require a landscaped buffer to separate potential disturbances from adjacent land uses.

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*[Signature]*

### 3.12 SITE GRADING, LEVELLING, & DRAINAGE

- 3.12.1 Land clearing and any disruptions to the natural terrain and existing drainage pattern shall be discouraged, excluding standard agricultural practices.
- 3.12.2 No proposed development, site grading, or levelling shall result in surface drainage that adversely affects the environment, adjacent properties, or the stability of the land.
- 3.12.3 The Development Officer of Council may require a Grading or Drainage Plan to be prepared in support of any development application in accordance with **Section 2.4.2(e)**.

### 3.13 WORK WITHIN A MUNICIPAL RIGHT-OF-WAY

- 3.13.1 In accordance with the OCP, any proposed work within a municipal right-of-way (including undeveloped road allowances) such as bush clearing, trenching, or grading shall require a development permit.

### 3.14 DEVELOPMENT IN PROXIMITY TO PROVINCIAL HIGHWAYS

- 3.14.1 Any proposed development within 90 metres of a provincial highway right of way requires a roadside development permit from the Ministry of Highways and Infrastructure (MHI).

- 3.14.2 Any development, including buildings, trees/shrubs, granaries, dugouts, wells, etc., may be subject to minimum setbacks from a provincial highway. Setbacks vary depending on the highway classification and shall be confirmed through correspondence with MHI.

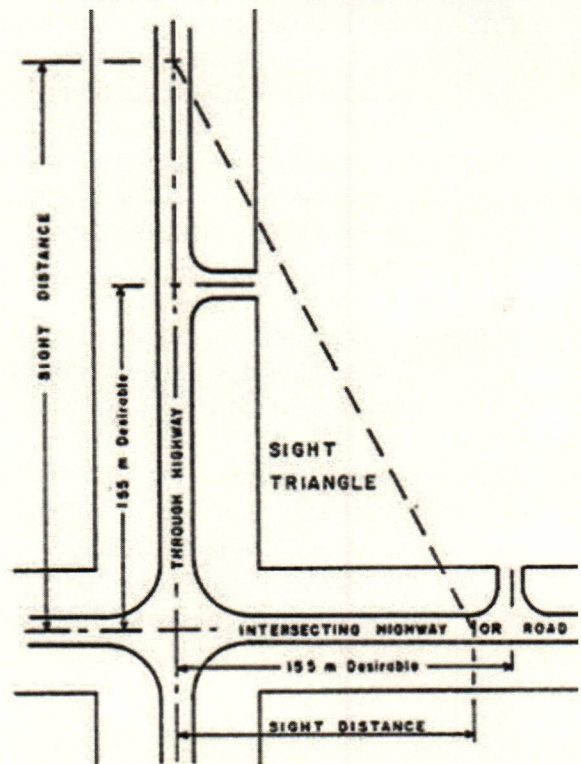
#### 3.14.3 Sight Triangle

Any building, structure, earth pile or vegetation in any Zoning District shall not obstruct the vision of drivers and shall not be located within a sight triangle, where the "sight distance" in **FIGURE 3** is determined by MHI.

#### 3.14.4 Highway Approach

The minimum separation distance from a highway approach to the centerline of an intersecting roadway is 90 metres, unless a greater setback is required by MHI.

FIGURE 3. SIGHT TRIANGLE DIAGRAM



*Handwritten signatures and initials.*

### **3.15 DEVELOPMENT IN PROXIMITY TO A RAILWAY**

- 3.15.1** Any proposed development or subdivision within 400 metres of a railway shall require consultation with the Railway Company and MHI.
- 3.15.2** The minimum building setback from the railway shall be 30 metres, unless a greater or lesser amount is established by the Railway Company, MHI, or any other provincial agency.
- 3.15.3** All development in proximity to a railway shall conform to the recommendations contained within Transport Canada's *Standards Respecting Railway Clearances* (pursuant to *The Railway Safety Act*), and other relevant regulations as described in the OCP (s. 4.3.2).
- 3.15.4** As a result of comments received under **Section 3.15.1**, Council or the Development Officer may require a safety barrier or buffer between the proposed development and the railway.
- 3.15.5** As a result of comments received under **Section 3.15.1**, Council or the Development Officer may require a Traffic Impact Assessment and/or a Noise and Vibration Impact Study to be prepared in support of any development application in proximity to a railway in accordance with **Section 2.4.2(e)**.

### **3.16 DEVELOPMENT IN PROXIMITY TO PIPELINES & TRANSMISSION LINES**

- 3.16.1** Any proposed development or subdivision involving pipelines or transmission lines shall be sited in accordance with all relevant federal and provincial regulations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CS) PLUS663".
- 3.16.2** The minimum setback from any development to the right-of-way or easement of an existing pipeline or transmission line shall be 15 metres, unless a greater setback is required by federal and provincial regulations, or a lesser setback has been granted by the owner of the pipeline.
- 3.16.3** Any proposed development or subdivision located within 350 metres of the centreline of any existing pipelines, utilities, or transmission right-of-way shall require consultation from the owner / operator.
- 3.16.4** In accordance with The National Energy Board, anyone proposing to conduct a ground disturbance or excavation within 30 metres of the centreline of a pipeline must:
- (a)** Ascertain whether a pipeline exists;
  - (b)** Notify the pipeline company of the nature and schedule of the excavation; and
  - (c)** Conduct the excavation in accordance with such regulations.



### **3.17 DEVELOPMENT ON HAZARD LANDS**

- 3.17.1** The Development Officer shall refer any development application for comments to provincial departments, other relevant agencies, or qualified professionals where a proposed development or subdivision is to be located on land considered to be potentially hazardous with respect to:
- (a) The potential for flooding up to the 1:500 flood elevation;
  - (b) The potential for slope instability; or
  - (c) The potential for groundwater or aquifer contamination.
- 3.17.2** The Development Officer or Council may require the applicant to submit a report prepared by a qualified professional in accordance with the OCP (s. 5.2.6) to assess the suitability of the land for the proposed development or subdivision, as well as identify any required mitigation measures.
- 3.17.3** Actions identified in comments and / or a report pursuant to **Section 3.17.1** and **3.17.2** may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.
- 3.17.4** Development of new buildings or additions to buildings within the floodway of the 1:500 year flood elevation of Pipestone Creek, Moosomin Lake, or any other watercourse or water body shall be prohibited. Flood proofing of new development to an elevation of, at minimum, 0.5 metres above the 1:500 year flood elevation shall be required.
- 3.17.5** The Development Officer or Council shall refuse a permit for any proposed development for which the proposed actions are inadequate to address the conditions present on the hazard land or that will result in excessive municipal costs.

### **3.18 ENVIRONMENTAL MANAGEMENT**

- 3.18.1** The Development Officer shall refer any application to relevant provincial departments, other agencies, or qualified professionals where a proposed development or subdivision has the potential to adversely threaten the natural environment, including:
- (a) Critical wildlife habitats;
  - (b) Native grasslands;
  - (c) Surface waterbodies and watercourses;
  - (d) Groundwater or aquifer quality; and
  - (e) Air quality.
- 3.18.2** The Development Officer or Council may require the applicant to submit a report prepared by a qualified professional in accordance with the OCP (s. 5.2.6) to assess the impact of the proposed development or subdivision on the natural environment, as well as identify any required mitigation measures.
- 3.18.3** Actions identified in comments and / or a report pursuant to **Section 3.18.1** and **3.18.2** may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.

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**3.18.4** The Development Officer or Council shall refuse any development application for which the proposed actions are inadequate to address the negative impact on the natural environment.

**3.19 HERITAGE & ARCHAEOLOGICAL RESOURCE MANAGEMENT**

**3.19.1** Any proposed development or use that may adversely impact designated heritage properties shall be reviewed and approved in consultation with the provincial ministry or agency responsible for *The Heritage Property Act*.

**3.19.2** Where a proposed development or subdivision is to be located on potentially heritage sensitive land according to the Heritage Conservation Branch's Developers' Online Screening Tool, the Development Officer shall refer any development application for comments to provincial departments, other relevant agencies, or qualified professionals.

**3.19.3** If it is determined following further screening that a Heritage Resource Impact Assessment (HRIA) be required, it is the responsibility of the developer to have it carried out by a qualified professional under an approved investigation permit. The study shall meet the requirements of the Heritage Conservation Branch and establish:

- (a) The presence and location of heritage sites within the project areas;
- (b) Suitable mitigation measures to be implemented;
- (c) The content, structure, and importance of those heritage sites; and
- (d) The need for follow-up investigations.

**3.19.4** Lands that are subject to a proposed subdivision where significant historical, cultural, or heritage resources are present may be dedicated as Environmental Reserve in accordance with *The Act* (s. 185).



## 4.0 REGULATIONS FOR SPECIFIC USES

### 4.1 INTENSIVE LIVESTOCK OPERATION (ILO)

4.1.1 The regulations that follow shall be applied to all of the following:

- (a) New ILOs including feedlots and poultry operations that qualify as intensive livestock operations as defined by *The Agricultural Operations Act*, excluding the temporary confinement of animals over winter;
- (b) Expansion of an existing ILO; or
- (c) The alteration of animal unit types in an approved operation as defined by TABLE 1.

Type of Animal	Number That Equals One (1) Animal Unit	Type of Animal	Number That Equals One (1) Animal Unit
<b>POULTRY</b>		<b>HORSES</b>	
Hens, cockerels, capons	100	Colts or ponies	2
Chicks, broiler chickens	200	Other than colts or ponies	1
Turkeys, geese ducks	50	Donkeys or mules	1
<b>HOGS</b>		<b>BISON</b>	
Boards or sows	3	Cows or bulls	1
Gilts	4	Calves	4
Feeder pigs	6	<b>FALLOW DEER</b>	
Weanling pigs	20	Fallow deer	8
<b>SHEEP</b>		Fallow deer fawns	32
Rams or ewes	7	<b>DOMESTIC INDIGENOUS</b>	
Lambs	14	Elk	5
Goats	7	Elk calves	20
<b>CATTLE</b>		White-tailed deer	8
Cows or bulls	1	White-tailed deer fawns	32
Feeder cattle	1.5	Mule deer	8
Replacement heifers	2	Mule deer fawns	32
Calves	4		

4.1.2 The development permit shall specify the maximum number of animal units as a condition of approval. A new development permit shall be required to expand the number or type of animal units listed as a condition of the original approval.

4.1.3 ILOs are subject to the minimum separation distances identified in TABLE 2 below. Distances are measured between the livestock building / facilities and the development or use. Separation distances do not apply to residences associated with the ILO. Distances in brackets apply where open liquid manure storage facilities are used or proposed.

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*[Signature]*

4.1.4 Council may consider reducing the minimum separation distances in **TABLE 2** in consultation with the appropriate provincial ministries or agencies and landowners provided that potential threats and nuisances to the development or use are mitigated to an acceptable level.

TABLE 2. MINIMUM SEPARATION DISTANCES FOR ILOs					
Development or Use	Number of Animal Units				
	100-299	300-499	500-1999	2000-5000	> 5000
	Minimum Separation Distance (m)				
Residence; campground; or tourist accommodation	300 (450)	400 (600)	800 (1,200)	1,200 (1,600)	1,600 (2,000)
Multi-parcel subdivision of 3 lots or more; Hamlet; Urban Municipality with < 100 population	400 (600)	800 (1,200)	1,200 (1,600)	1,600 (2,400)	2,000 (2,400)
Urban Municipality with 100-500 population	800 (1,200)	1,200 (1,600)	1,600 (2,000)	2,400 (2,400)	2,400 (2,400)

4.1.5 The Development Officer or Council may require professional validation or a detailed study that demonstrates the suitability of the land, and that negative environmental impacts, such as groundwater or aquifer contamination, will be limited.

4.1.6 The Development Officer or Council may require professional validation or a detailed study to demonstrate that the water supply is sufficient for the proposed ILO and that the supply of neighbouring developments will not be adversely affected.

4.1.7 In addition to complying with the requirements contained herein, all ILOs shall conform to the regulations provided within *The Agricultural Operations Act, 1995*.

## 4.2 RESOURCE EXPLORATION & DEVELOPMENT (OIL & GAS, SAND & GRAVEL, AND MINERALS)

4.2.1 Resource exploration development operations, including mineral resources, oil and gas, and sand and gravel, shall be subject to all federal and provincial regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.

4.2.2 No resource exploration and development operation shall be located on hazardous or environmentally sensitive lands, or below the water table unless, through consultation with the appropriate provincial department or agency, such lands can be adequately protected through mitigation measures outlined by a professional study.

4.2.3 Residential uses shall be setback a minimum:

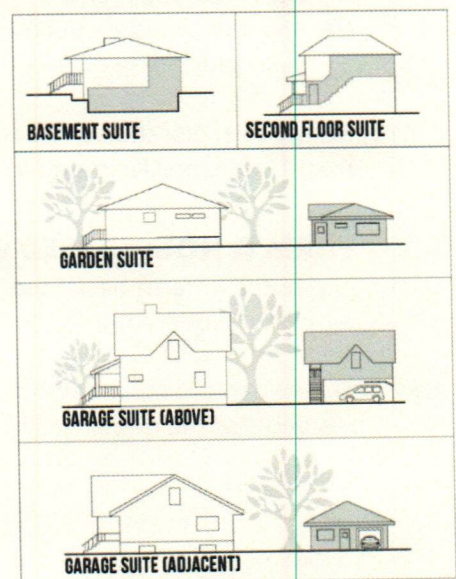
- (a) 500 metres from any mineral or oil and gas resource operation.
- (b) 250 metres from any sand and gravel operation.
- (c) Council may consider a reduced setback to **Section 4.2.3(a)** or **4.2.3(b)** in consultation with the appropriate provincial ministries or agencies and landowners provided that potential threats and nuisances to the residential use are mitigated.

- 4.2.4** All other minimum setbacks from resource exploration and development operations to roadways, other developments and uses, and environmental areas shall be determined in consultation with the appropriate provincial department or agency.
- 4.2.5** Land use incompatibility, threats to public safety, dust, noise, nuisance and pollution shall be minimized by the use of appropriate routes, fencing, signage, buffers, screening and hours of operation.
- 4.2.6** All resource exploration and development operations shall have efficient haul routes and may require a road maintenance agreement in accordance with *The Municipalities Act* and **Section 3.7.4** of this Bylaw.
- 4.2.7** The site of the resource exploration and development operations shall be kept in tidy and organized condition free from rubbish and debris.
- 4.2.8** The Development Officer or Council may require an emergency management plan to ensure the development will be operated safely.
- 4.2.9** The restoration of the site shall commence immediately upon termination of the operation. Progressive restoration should be required, where possible.
- 4.2.10** The Development Officer or Council may require a reclamation plan to ensure proper decommissioning and restoration of the lands to its natural condition following discontinuation or abandonment of the operation.
- 4.2.11** The Development Officer or Council may apply specific development standards or conditions to the development permit for resource exploration and development regarding:
- (a)** Access, circulation, and parking;
  - (b)** Fencing, screening, signage, fire suppression and other safety measures;
  - (c)** Stormwater management, drainage, erosion and sediment control;
  - (d)** Development phasing;
  - (e)** Site restoration; and
  - (f)** Any other matters deemed necessary to satisfy the requirements of the OCP and this Bylaw, including the development application evaluation criteria in **Section 2.6**.
- 4.2.12** Resource exploration and development operations that are inactive for a period of greater than 12 consecutive months shall require a new development permit.
- 4.3 FARM & HOME-BASED BUSINESSES**
- 4.3.1** The home or farm-based business shall clearly be accessory to the use of a farmstead and agricultural operation or the dwelling unit as a private residence.
- 4.3.2** The owner and main operator of the home or farm-based business shall be full-time residents of the dwelling.



- 4.3.3** If the property where the home or farm-based business is located is not owned by the business owner, then a letter from the property owner to the Development Officer authorizing the operation of the business is required.
- 4.3.4** Adjacent properties shall not be disturbed by any nuisance generated by the farm or home-based business such as dust, noise, light, odour, smoke, or substantially more traffic than would typically be associated with the dwelling.
- 4.3.5** On-site signs for the farm or home-based business shall be subject to **Section 3.6** of this Bylaw. Off-site signs no larger than 0.5 m<sup>2</sup> may be permitted at the discretion of Council where necessary to provide directions to the operation.
- 4.3.6** No other exterior alterations shall be undertaken to the principal or accessory building in which the farm or home-based business is located that is inconsistent with typical farmstead or residential character.
- 4.3.7** The Development Officer or Council may apply specific development standards or conditions to the development permit for a home-based business regarding:
- (a) The size of the operation, including the number and size of buildings used for the operation;
  - (b) The hours of operation;
  - (c) The number employees or customers permitted at any given time; and
  - (d) Any other matters deemed necessary to comply with the OCP and this Bylaw, in particular the development application evaluation criteria in **Section 2.6**.
- 4.3.8** Farm or Home-Based Businesses are subject to the condition that permission to carry out the business may be revoked at any time if, in the opinion of Council, the use is or has become too large to be considered accessory and/or has become detrimental to the amenities of adjoining properties. Any increase in the operation as originally applied for or approved shall require a new development permit approval.

**FIGURE 4. TYPES OF SECONDARY SUITES**



**4.4 SECONDARY SUITES**

- 4.4.1** A secondary suite shall only be constructed if accessory to a principal, single-detached dwelling as one of the types demonstrated in **FIGURE 4**.
- 4.4.2** A secondary suite shall not be permitted as accessory to semi-detached dwellings, multi-unit housing, or to mobile or RTM homes.
- 4.4.3** Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.

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*[Signature]*

4.4.4 Secondary suites must contain cooking, eating, living, sleeping, and private sanitary facilities.

4.4.5 Secondary suites must be connected to utilities and services that are of a standard typical to a principal dwelling.

#### **4.5 MOBILE, READY-TO-MOVE (RTM), & MODULAR HOUSING**

4.5.1 Any mobile, ready-to-move (RTM), or modular home shall comply with the following regulations:

(a) All mobile, RTM, and modular housing types shall bear the appropriate CSA certification.

(b) All mobile, RTM and modular housing types shall be placed on a permanent foundation (concrete pad, screw piles, etc.) at a standard comparable to a detached dwelling.

(c) Excluding temporary uses such as campgrounds and RV parks, all wheels, hitches, and running gear must be removed and skirting must be installed within 30 days after the arrival of the home.

4.5.2 All development applications for mobile, RTM and modular housing types shall include a recent photo of the dwelling to ensure it is of suitable standard and quality.

#### **4.6 COMMERCIAL & INDUSTRIAL DEVELOPMENT**

4.6.1 Any required services or utilities shall be of suitable standard and sufficient capacity to meet the needs of the proposed development.

4.6.2 Adjacent properties shall not be unduly disturbed by any nuisance generated by the development such as dust, noise, light, odour, or smoke.

4.6.3 Signs for any commercial and industrial development shall be subject to **Section 3.6** of this Bylaw.

4.6.4 Parking and loading for the proposed development shall be provided in accordance with **Section 3.7** and shall be contained in a designated area on the same site and shall not be within any municipal right-of-way.

4.6.5 The Development Officer or Council may require professional validation or a detailed study that demonstrates the suitability of the land for the proposed use and that negative environmental impacts will be limited.

4.6.6 The Development Officer or Council may apply specific development standards or conditions to the development permit for commercial or industrial development to satisfy the development application evaluation criteria in **Section 2.6** or any other requirements of this Bylaw.



#### **4.7 CAMPGROUND & RECREATION VEHICLE (RV) PARK**

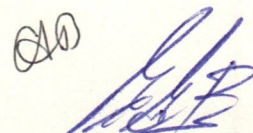
- 4.7.1** In accordance with **Section 2.4.2(d)**, any application for a campground or RV park shall include a Site Plan that demonstrates the layout and location sites, roadways, parking areas, buildings, utilities, and anything else identified by the Development Officer or Council.
- 4.7.2** A campground or RV park shall have within its boundaries, a buffer area abutting the boundary of the site of not less than 4.5 meters which shall contain no buildings.
- 4.7.3** The areas of each campsite or RV site shall be clearly demarcated and shall not be located within a required buffer area or roadway.
- 4.7.4** All sites shall be served by an internal all-weather roadway of at least 7.5 meters in width.
- 4.7.5** A campground or RV park may include the following accessory uses:
- (a)** Laundromat
  - (b)** Washroom / shower facilities
  - (c)** Confectionary
  - (d)** Swimming pool or other recreational uses
  - (e)** Accommodations for the owner and / or operator(s) of the campground or RV park
- 4.7.6** The development and operations of the campground or RV park shall comply with *The Public Health Act* and any other relevant provincial or federal legislation.
- 4.7.7** The owner or operator of the campground or RV park shall be required to obtain all necessary licensing in accordance with *The Public Accommodations Regulations of Saskatchewan*.

#### **4.8 CANNABIS**

- 4.8.1** The development and operation of a Cannabis Production Facility, Warehouse & Distribution Facility, or Retail Shop shall comply with all federal and provincial regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.
- 4.8.2** Applicants shall provide a detailed written statement explaining how their proposal will meet or exceed Health Canada regulations related to ventilation and to security.
- 4.8.3** Any potential nuisances including but not limiting to noise, light, smell, traffic, or dust shall be disclosed to the RM with a plan to mitigate all nuisances to an acceptable level.

#### **4.9 SOLAR ENERGY**

- 4.9.1** A Private Solar Energy System shall be permitted as accessory to an existing principal use provided that the system:
- (a)** Is located on the same site as the principal use;
  - (b)** Is used solely to produce electricity for uses on the same site, including net metering;
  - (c)** Is suitably installed and structurally secured according to the manufacturer's or professional engineer's certificate of structural safety; and
  - (d)** Complies with this Bylaw and any applicable provincial requirements.



**4.9.2** A Commercial Solar Energy System shall be considered as a principal use only and is subject to the following regulations:

- (a) The size and location of the commercial energy system shall not inordinately remove natural vegetation and productive agricultural lands.
- (b) Any potential nuisance including but not limited to noise, light, glare, or dust shall be disclosed to the RM with a plan to mitigate all nuisances to an acceptable level.
- (c) Council may require professional validation or a detailed study that demonstrates the suitability of the land for the proposed use and that negative environmental impacts will be limited or mitigated to an acceptable level.
- (d) Council shall require the decommissioning, removal, and restoration of the lands to its natural condition if the solar energy system becomes defective or abandoned.
- (e) The development and operation of a commercial solar energy system shall comply with all federal and provincial regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.

#### **4.10 WIND ENERGY**

**4.10.1** Any application for a proposed Private or Commercial Wind Energy System shall be forwarded to the Ministry of Environment for comments.

**4.10.2** A Private Wind Energy System shall be permitted as accessory to an existing principal use provided that the system:

- (a) Is located on the same site as the principal use; and
- (b) Complies with all other regulations and standards of this Bylaw.

**4.10.3** A Commercial Wind Energy System (Wind Farm) shall only be permitted as a principal use provided that the system:

- (a) Is not located on hazardous or environmentally sensitive lands.
- (b) Does not inordinately remove natural vegetation and productive agricultural lands, or detract from the amenity of the area; and
- (c) Complies with all regulations and standards of this Bylaw.

**4.10.4** The Development Officer or Council may require professional validation or a detailed study that demonstrates the wind turbine's structural integrity, the suitability of the land, and that negative environmental impacts and risks to public safety will be resolved or mitigated to an acceptable level.

**4.10.5** Unless a greater minimum setback is required elsewhere in this Bylaw or through consultations with the province, the minimum setbacks for wind turbines shall be:

- (a) From any property line: Twice the turbine height
- (b) From any onsite dwelling: Twice the turbine height.
- (c) From any neighbouring dwellings: 500 metres (0.5 km).

**4.10.6** Any potential nuisance including but not limited to noise, light, glare, or dust shall be disclosed to the RM with a plan to mitigate all nuisances to an acceptable level.

**4.10.7** Council shall require the decommissioning, removal, and restoration of the lands to its natural condition if the wind energy system becomes defective or abandoned.

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**4.10.8** The development and operation of a Wind Energy System shall comply with all federal and provincial regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.

#### **4.11 COMMUNICATION TOWER**

**4.11.1** The development and operation of a communication tower shall comply with all federal and provincial regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.

**4.11.2** The communication tower shall not be illuminated unless required by Transport Canada regulations and except for the manufacturer's logo or for safety purposes, shall not display any signage.

**4.11.3** The Development Officer or Council may require professional validation or a detailed study that demonstrates the tower's structural integrity, the suitability of the land, and that negative environmental impacts will be limited or mitigated to an acceptable level.

#### **4.12 PRIVATE AIRSTRIPS**

**4.12.1** Private airstrips may be considered in the Agricultural-Resource District provided that the site is of sufficient area and the application for a development permit complies with **Section 4.12.2** and all requirements of this Bylaw.

**4.12.2** The development and operation of a private air strip shall comply with all federal and provincial regulations, including *The Canadian Aviation Regulations*, and the RM shall be provided with a copy of all required licenses, permits, and approvals.

#### **4.13 PUBLIC UTILITIES & MUNICIPAL FACILITIES**

**4.13.1** Public utilities and municipal facilities shall be permitted in every district with the exception of solid and liquid waste disposal facilities.

**4.13.2** Public utilities and municipal facilities shall not be subject to any site area or yard requirements, unless otherwise specified by this Bylaw.

**4.13.3** Specific development standards such as minimum yard setbacks may be established, at Council's discretion, to protect existing or planned investments in public utilities and municipal facilities.

#### **4.14 SOLID & LIQUID WASTE DISPOSAL FACILITIES**

**4.14.1** The disposal facility shall have direct access to an adjacent all-weather road.

**4.14.2** The disposal facility shall be fenced and may require additional buffers such as trees, shrubs or a berm.

**4.14.3** The location and design of the facility shall take into consideration the direction of prevailing winds and the impact or nuisance to nearby properties.

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**4.14.4** The disposal facility location shall be located a minimum 457 metres from any residential use. Council may consider a reduced setback of 300 metres in rare circumstances where no other option exists and all potential nuisances are completely mitigated.

**4.14.5** Development and operation of the facility shall comply with all provincial environmental and health regulations and the RM shall be provided with a copy of all required licenses, permits, and approvals.


**4.14.6** Council may require professional validation or a detailed study that demonstrates the suitability of the land, and that negative environmental impacts, such as groundwater or aquifer contamination, will be limited or mitigated to an acceptable level.

#### **4.15 BARE LAND CONDOMINIUM DEVELOPMENTS**

**4.15.1** Bare land condominium developments shall be zoned to an appropriate Zoning District for the proposed use and should comply, in so much as possible, with the regulations and development standards of the proposed use as contained in this Bylaw.

**4.15.2** Each bare land condominium unit must have access to a public road or internal private road that connects to a public road.

**4.15.3** Bare land condominium developments may include private open space and amenity areas for use by members of the condominium association.

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## 5.0 ZONING DISTRICTS

### 5.1 CLASSIFICATION OF ZONING DISTRICTS

- 5.1.1 For the purpose of this Zoning Bylaw, the RM of Martin No. 122 is divided into the following Zoning Districts, which may be referred to by their corresponding symbols in **TABLE 3**.

Zoning District	Symbol
Agricultural-Resource	AR
Rural Residential	RR
Commercial-Industrial	M1
Environmental Conservation	EC

### 5.2 THE ZONING DISTRICT MAP

- 5.2.1 The map enclosed herein as **Exhibit B**, adopted by Council and signed by the Reeve and Administrator, and under the seal of the RM of Martin No. 122 shall be known as the **RM of Martin Zoning District Map** and is an integral part of this Bylaw. The **Zoning District Map** identifies the Zoning District that applies to every parcel of land within the RM boundaries.

### 5.3 BOUNDARIES OF ZONING DISTRICTS

- 5.3.1 The boundaries of the Zoning Districts referred to in this Bylaw, together with an explanatory legend and notations, are shown on the **Zoning District Map**.
- 5.3.2 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 RM.

### 5.4 ZONING DISTRICT SCHEDULES

- 5.4.1 The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply, are contained in the district schedules that follow.

### 5.5 SITE SIZE ADJUSTMENTS

- 5.5.1 In all Zoning Districts, the minimum site size requirements shall be as stated, except that the size of the remnant shall be deemed to be conforming in any of the following instances:
- (a) Where roads, railways, pipeline and other public or private utilities are subdivided or registered as easements, including widenings; and
  - (b) Where adjustments are required due to irregularities in the primary survey system.



## 6.0 AGRICULTURAL-RESOURCE (AR)

### 6.1 INTENT

6.1.1 The intent of the **Agricultural-Resource (AR)** Zoning District is primarily to accommodate agriculture and related uses. Other compatible uses will be accommodated that support a rural lifestyle and economy. The AR Zoning District will also provide for the responsible exploration and extraction of resources, where present.

### 6.2 PERMITTED & DISCRETIONARY USES

#### 6.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

##### (a) Agricultural & Resources

- i. Field crops, pastures for the raising of animals and poultry, beehives, grazing, ranching, and other similar uses customarily carried out in the field of general agriculture but excluding intensive livestock operations subject to **Section 4.1** and all other uses listed as discretionary under **Section 6.2.2**.
- ii. A farmstead including one (1) single-detached farm dwelling per quarter section that is associated with the agricultural operation.
- iii. Gas and oil wells and related processing facilities subject to **Section 4.2**.
- iv. Mineral resource development operations subject to **Section 4.2**.
- v. Sand and gravel development operations subject to **Section 4.2**.

##### (b) Non-Farm Residential

- i. One principal single-detached dwelling on a subdivided site less than one quarter section according to **Section 6.3.1(b)i**.

##### (c) Agricultural Related Commercial

- i. The sale of any produce grown or raised on the agricultural operation excluding those uses listed as discretionary under **Section 6.2.2**.

##### (d) Institutional, Recreational, Other

- i. Institutional uses including schools, places of worship, cemeteries, and municipal facilities.
- ii. Wildlife, wildfowl, and native grasslands habitat and conservation management.
- iii. Historical and archaeological sites.
- iv. Nature trails or other passive recreational uses (non-commercial).
- v. Linear public or private utilities, excluding solid and liquid waste disposal sites subject to **Section 4.13**.
- vi. Communal settlements.

##### (e) Accessory

- i. Secondary suites or a maximum of two (2) accessory dwellings that are legitimately associated with the same agricultural operation in **Section 6.2.1(a)ii** or the non-farm principal dwelling in **Section 6.2.1(b)i**.
- ii. Home or farm-based business including a bed & breakfast or vacation rental in accordance with **Section 4.3**.
- iii. Other customarily accessory buildings, structures, and uses, excluding a dwelling, subject to **Section 3.4**.



## 6.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

### (a) Agricultural

- i. New ILOs including feedlots and poultry operations as defined by *The Agricultural Operations Act*, excluding the temporary confinement of animals over winter, subject to **Section 4.1**.
- ii. Major agricultural product processing including but not limited to, seed cleaning or packaging plants.
- iii. Abattoirs, feedlots, and poultry operations (including retail meat sales outlets).
- iv. Tree and garden nurseries, market gardens, and commercial green housing.
- v. Apiaries, hatcheries, and mushroom farms.

### (b) Commercial / Industrial

- i. Agriculture equipment, fuel, and chemical supply and service.
- i. Breeding or boarding kennel.
- ii. Bulk fertilizer processing, storage, and distribution.
- iii. Commercial recreation uses.
- iv. Grain terminals, elevators, and related uses.
- v. Work camp.
- vi. Storage yard or stockyard.

### (c) Other

- i. Solid and liquid waste disposal sites subject to **Section 4.14**.
- ii. Commercial solar energy system subject to **Section 4.9.2**
- iii. Commercial wind energy system subject to **Section 4.10.3**.
- iv. Private airstrips subject to **Section 4.12**.
- v. Campground and RV park subject to **Section 4.7**.

## 6.3 DEVELOPMENT STANDARDS

### 6.3.1 SUBDIVISION

#### (a) Agricultural

- i. The typical site area constituting an agricultural operation or agricultural holding shall be one quarter section or equivalent. Equivalent shall mean 64 hectares (158 acres) or such lesser amount as remains because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.
- ii. A reduced site area below 64 hectares may be permitted at Council's discretion for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring, topographical or physical limitations, as a result of subdivision permitted herein, or where legitimate agricultural uses require a lesser amount.



**(b) Non-Agricultural Subdivision**

- i. Including the initial farmstead, the subdivision of a maximum of two (2) sites for a non-agricultural use will be allowed per quarter section provided it complies with all other requirements of this Bylaw.

**(c) Access and Services**

- i. All subdivisions shall be adequately serviced to municipal and provincial standards.
- ii. All uses shall have adequate access and egress to the municipal or provincial road system.
- iii. All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered road.
- iv. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and / or roads.

**6.3.2 SITE SIZE REQUIREMENTS FOR SPECIFIC USES**

- |  |                                 |
|--|---------------------------------|
| <b>(a) Agricultural Uses:</b>            | Minimum 16 hectares (40 acres)  |
| <b>(b) Non-farm Residential:</b>         | Maximum 8 hectares (20 acres)*  |
| <b>(c) Commercial / Industrial Uses:</b> | Maximum 16 hectares (40 acres)* |
| <b>(d) All Other Uses:</b>               | No minimum                      |

\*A greater or lesser site size may be permitted, at Council or the Development Officer's discretion, due to existing physical circumstances or legitimate needs provided that it does not remove an inordinate amount of productive agricultural land.

**6.3.3 SITE FRONTAGE AND SETBACK REQUIREMENTS**

**(a) Site Frontage**

All subdivided sites shall have a minimum site frontage of 45 metres (150 feet).

**(b) Front Yard or Centreline Setback**

All buildings and structures (excluding fences) shall have a minimum 45 metres (150 feet) setback from the centreline of any public road including an undeveloped road allowance, unless a greater distance is required by the Ministry of Highways and Infrastructure.

**(c) Side or Rear Yard Setback**

All buildings and structures (excluding fences) shall have a minimum 6 metres (20 feet) setback from any side or rear site line that does not abut a public road including an undeveloped road allowance.

**6.3.4 STANDARDS FOR DISCRETIONARY USES**

Council will consider development permit applications for discretionary uses in the Agricultural-Resource Zoning District with respect to the intent, uses, and development standards of this schedule and:

- (a)** The development application evaluation criteria in **Section 2.6;**
- (b)** Any relevant General Regulations in **Section 3.0;**
- (c)** Any relevant Regulations for Specific Uses in **Section 4.0;** and
- (d)** The Vision, Principles, Objectives and Policies of the OCP.

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## 7.0 RURAL RESIDENTIAL (RR)

### 7.1 INTENT

**7.1.1** The intent of the **Rural Residential (RR)** Zoning District is to provide opportunities for the subdivision and development of multiple non-farm dwellings in appropriate locations that are highly accessible and serviceable, and pose no conflict with adjacent uses and do not threaten the natural environment.

### 7.2 PERMITTED & DISCRETIONARY USES

#### 7.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

**(a) Residential**

- i. One (1) single-detached dwelling.

**(b) Institutional, Recreational, Other**

- i. Institutional uses including schools, places of worship, cemeteries, and municipal facilities.
- ii. Wildlife, wildfowl, and native grasslands habitat and conservation management.
- iii. Historical and archaeological sites.
- iv. Nature trails or other passive recreational uses (non-commercial).
- v. Linear public or private utilities, excluding solid and liquid waste disposal sites subject to **Section 4.13**.

**(c) Accessory**

- i. Home-based business subject to **Section 4.3**.
- ii. One secondary suite (all types) subject to **Section 4.4**.
- iii. Other customarily accessory buildings, structures, and uses, excluding a dwelling, subject to **Section 3.4**.

#### 7.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

**(a) Residential**

- i. More than one (1) secondary suite (all types) subject to **Section 4.4**.
- ii. Mobile, ready-to-move (RTM), or modular homes subject to **Section 4.5**.
- iii. Bare land condominiums subject to **Section 4.15**.

### 7.3 DEVELOPMENT STANDARDS

#### 7.3.1 SUBDIVISION

**(a) Multiple-Lot Subdivisions**

Subdivisions of three (3) to five (5) sites per quarter section for non-agricultural uses shall be permitted. Additional sites may be considered by resolution of Council (discretionary use approval).



**(b) Access and Services**

- i. All subdivisions shall be adequately serviced to municipal and provincial standards.
- ii. All uses shall have adequate access and egress to the municipal or provincial road system.
- iii. All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered road.
- iv. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and / or roads.

**7.3.2 SITE SIZE REQUIREMENTS FOR SPECIFIC USES**

- (a) Non-farm Residential: Minimum 0.4 hectares (1 acre)  
Maximum 4.05 hectares (10 acres)\*
- (b) All Other Uses: No minimum

\*A greater or lesser site size may be permitted, at Council's discretion, due to existing physical circumstances or legitimate needs provided that it does not remove an inordinate amount of productive agricultural land.

**7.3.3 SITE FRONTAGE AND SETBACK REQUIREMENTS**

**(a) Site Frontage**

All sites shall have a minimum site frontage of 20 metres (65 feet).

**(b) Front Yard or Centreline Setback**

All buildings and structures (excluding fences) shall have a:

- i. Minimum 6 metres (20 feet) setback to an internal subdivision road.
- ii. Minimum 12 metres (40 feet) setback to a public road allowance unless a greater distance is required by the Ministry of Highways and Infrastructure. A reduced setback may be permitted, at Council's discretion, if compliance would be impractical or too costly and the reduction is in the public interest.

**(c) Side or Rear Yard Setback**

All buildings and structures (excluding fences) shall have a minimum 3 metres (10 feet) setback from any side or rear site line that does not abut a public road allowance unless a greater distance is required by the Ministry of Highways and Infrastructure.

**7.3.4 STANDARDS FOR DISCRETIONARY USES**

Council will consider development permit applications for discretionary uses in the Rural Residential Zoning District with respect to the intent, uses, and development standards of this schedule and:

- (a) The development application evaluation criteria in **Section 2.6**;
- (b) Any relevant General Regulations in **Section 3.0**;
- (c) Any relevant Regulations for Specific Uses in **Section 4.0**; and
- (d) The Vision, Principles, Objectives and Policies of the OCP.

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## 8.0 COMMERCIAL-INDUSTRIAL (M1)

### 8.1 INTENT

8.1.1 The intent of the **Commercial-Industrial (M1)** Zoning District is to provide for the development of a wide variety and intensity of commercial and industrial land uses in appropriate locations such as highway-oriented sites.

### 8.2 PERMITTED & DISCRETIONARY USES

#### 8.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

- (a) Agriculture equipment, fuel, and chemical supply and service.
- (b) Commercial nurseries or greenhouses, including retail.
- (c) Motor vehicle dealers and service establishments.
- (d) Service stations and gas bars.
- (e) Hotels and motels.
- (f) Restaurants.
- (g) Retail stores excluding cannabis retail shops.
- (h) Commercial recreation facilities.
- (i) Storage facilities, warehousing, supply and distribution facilities.
- (j) Linear public or private utilities, excluding solid and liquid waste disposal sites subject to **Section 4.13**.
- (k) **Accessory**
  - i. Customarily accessory buildings, structures, and uses, excluding a dwelling, subject to **Section 3.4**.

#### 8.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

- (a) One accessory dwelling unit (including a mobile, RTM, modular home), within or attached to an approved use.
- (b) Major agricultural product processing including but not limited to, seed cleaning or packaging plants
- (c) Abattoirs and poultry operations (including retail meat sales outlets).
- (d) Storage facilities, warehousing, supply and distribution facilities.
- (e) Cannabis facilities and retail shops subject to **Section 4.8**.





## 9.0 ENVIRONMENTAL CONSERVATION (EC)

### 9.1 INTENT

9.1.1 The intent of the **Environmental Conservation (EC)** Zoning District is to protect environmentally sensitive and ecologically valuable lands. The EC Zoning District may also be applied to hazardous lands, such as those prone to instability, flooding, or in close proximity to hazardous uses.

### 9.2 PERMITTED & DISCRETIONARY USES

#### 9.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

- (a) Agricultural uses which will not adversely affect the environmental sensitivity of the area.
- (b) Wildlife, wildfowl, and native grassland habitat and conservation management.
- (c) Historical and archaeological sites.
- (d) Open space, nature trails, or other passive recreational uses (non-commercial).
- (e) Linear public utilities, excluding solid and liquid waste disposal sites.
- (f) **Accessory**
  - i. Accessory buildings, structures, and uses, excluding a dwelling, subject to **Section 3.4**.

#### 9.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

- (a) Institutional uses including schools, places of worship, cemeteries, and municipal facilities.
- (b) Gas and oil wells and related processing facilities subject to **Section 4.2**.
- (c) Mineral resource development operations subject to **Section 4.2**.
- (d) Sand and gravel development operations subject to **Section 4.2**.

### 9.3 DEVELOPMENT STANDARDS

#### 9.3.1 SUBDIVISION

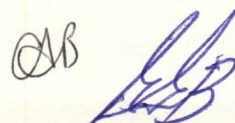
(a) The subdivision of lands within the EC District shall be prohibited. Any subdivision and rezoning to an appropriate zoning district shall require supporting studies / technical investigations that demonstrates that the use can be supported without hindering the environmental integrity and value of the lands.

#### 9.3.2 SITE SIZE REQUIREMENTS FOR SPECIFIC USES

(a) All Uses: No minimum or maximum

#### 9.3.3 SITE FRONTAGE AND SETBACK REQUIREMENTS

(a) No person shall plant non-native trees or shrubs, or place stone, earth piles, sumps, pits, portable structures, machinery, or other structures or buildings on private property, other than transparent fences, unless legitimately required for the operation of an approved permitted or discretionary use.



**9.3.4 STANDARDS FOR DISCRETIONARY USES**

Council will consider development permit applications for discretionary uses in the Environmental Conservation Zoning District with respect to the intent, uses, and development standards of this schedule and:

- (a) The development application evaluation criteria in **Section 2.6**;
- (b) Any relevant General Regulations in **Section 3.0**;
- (c) Any relevant Regulations for Specific Uses in **Section 4.0**; and
- (d) The Vision, Principles, Objectives and Policies of the OCP.



## EXHIBIT A: DEFINITIONS

Whenever the following words or terms are used in this Bylaw or the OCP, they shall be held to have the following meaning unless provided otherwise.

### A

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

**Accessory:** A use, building, or structure customarily associated with, incidental to, subordinate to, and located on the same site as the principal use, building or structure.

**Act, The:** *The Planning and Development Act, 2007* of the Province of Saskatchewan.

**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.

**Administrator:** The Administrator of the Rural Municipality of Martin No. 122 pursuant to *The Municipalities Act*.

**Agricultural Use:** The use of land, buildings or structures for the purpose of animal husbandry; fallow; field crops; forestry; market gardening; pasturage; private (non-commercial) 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.

**Agricultural Operation:** As defined in *The Agricultural Operations Act*.

**Alteration or Altered:** any structural change or addition to a building or structure, including a change from one type of use to another.

**Animal Husbandry:** The rearing, confinement or feeding of poultry, hogs, horses, sheep or cattle on a site, but does not include intensive livestock operations.

**Animal Unit (A.U.):** the number of animals of a particular livestock classification that will excrete 160.9 lbs (73 kg) of total nitrogen in a 12-month period.

**Applicant:** A developer or person applying for a development permit, subdivision approval or a bylaw amendment.

**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.

### B

**Bare Land Condominium:** A bare land condominium involves dividing 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 Act*. Buildings on each bare land unit are owned by the individuals. The balance of the land 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*.

**Bed and Breakfast:** a dwelling unit, licensed as an itinerant use accommodation under *The Public Accommodation Regulations*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

**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:** A subordinate building detached from a principal building, located on the same site, the purpose of which is to enclose a use accessory to or part of the principal use.

**Building, Principal:** A building within which the principal use of the parcel is housed or conducted.

**Building Bylaw:** A bylaw of the RM of Martin No. 122 to regulate the erection; alteration; repair; occupancy; or, maintenance of buildings and structures.

**Building Height:** The height of a building according to **Section 3.5** of this Bylaw.

**Building Permit:** A permit issued under the Building Bylaw of the RM of Martin No. 122, authorizing the construction of all or part of any building or structure, and does not include a Development Permit.

## C

**Campground:** An area used for a range of overnight camping experiences, from tenting to serviced RV 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.

**Cannabis Production Facility:** A federally licensed facility for the growing of cannabis plants and harvesting of product from those plants where all plant growth activities are carried out indoors.

**Cannabis Retail Shop:** A retail business operating from a storefront location authorized by *The Cannabis Control Act* selling any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate or edible product originating from the cannabis plant.

**Carport:** A building or structure or part thereof, where the majority 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.

**Cemetery:** Property used for the interment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

**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.

**Communal Settlement:** Settlements, including potential groups of buildings for agricultural, educational, living, and other shared purposes.

**Communication Tower:** 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.

**Community Facility:** 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.

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

**Council:** The elected Council of the RM of Martin No. 122.

**Cultural Resource:** As defined in *The Statements of Provincial Interest Regulations*.

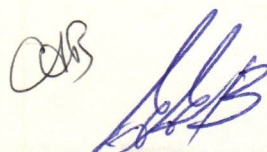
## D

**Decommissioning:** The final shutting down, dismantling and removal of any infrastructure or development once it has reached the end of its operation life.

**Demolition Permit:** A permit issued for the removal or dismantling of a building or structure within the R.M. boundaries as prescribed under *The Construction Codes Act*.

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

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



**Development Permit:** A document issued by the RM of Martin No. 122 that authorizes development pursuant to this Bylaw, and does not include a Building Permit.

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

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

**Dwelling, Farm:** An approved one-unit dwelling that is legitimately tied to an agricultural operation.

**Dwelling, Mobile:** A structure built on a deformation resistant frame or metal chassis that is defined in the Canadian Standards Association (CSA) and bears a CSA seal attesting that the structure complies with the #Z240 standards built prior to 2019 or CSA standard #A277 built after January 1, 2019. Mobile dwellings are constructed off-site in a yard or factory and include a deformation resistant frame to allow them to be placed on a surface riding foundation such as cribbing for ease of transportation to site.

**Dwelling, Modular:** 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 R.M., and conforming to CSA standard #A277.

**Dwelling, Non-farm:** An approved one-unit dwelling that is not tied to an agricultural operation.

**Dwelling, Single-Detached:** A building containing only one (1) dwelling unit that is occupied or intended to be occupied as a permanent home or residence, and that shall not include a Recreational Vehicle, Mobile Dwelling, Truck Camper, 5<sup>th</sup> Wheel Trailer, or Trailer Coach as herein defined.

**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.

## E

**Engagement:** As defined in *The Statements of Provincial Interest Regulations*.

**Environmental Reserve:** Dedicated lands that are provided to a municipality for protecting or conserving natural or environmentally sensitive areas, or that were dedicated as public reserve and transferred to a municipality pursuant to *The Act*.

**Environmentally Sensitive Lands:** As defined in *The Statements of Provincial Interest Regulations*.

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

## F

QAB

QAB



**Farmstead:** 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 vertical structure used to enclose or screen areas of land according to **Section 3.8** of this Bylaw.

**Fill (Clean Fill):** Uncontaminated non-water-soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and or clay or ceramic products. Clean fill does not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive, or radioactive.

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

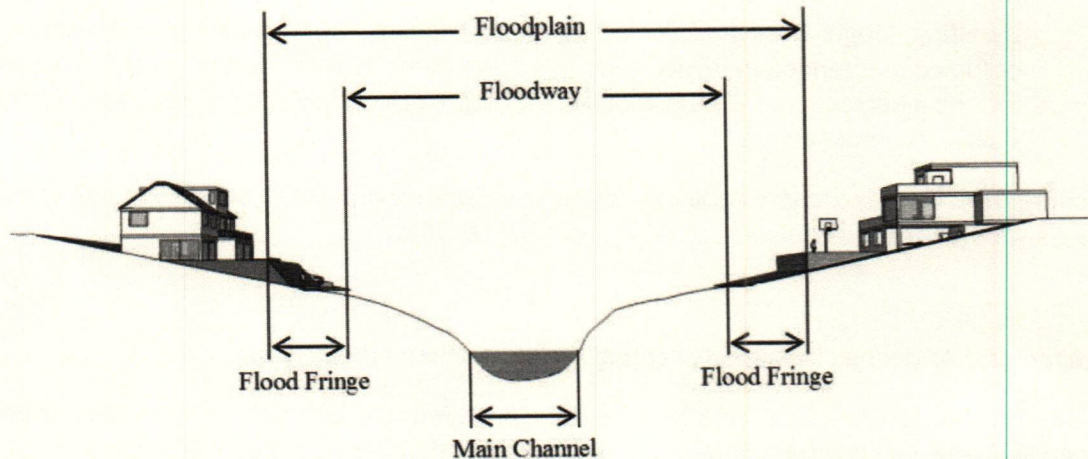
**Flood Fringe:** As defined in *The Statements of Provincial Interest Regulations*.

**Flood Plain:** As defined in *The Statements of Provincial Interest Regulations*.

**Flood Proofed:** As defined in *The Statements of Provincial Interest Regulations*.

**Floodway:** As defined in *The Statements of Provincial Interest Regulations*.

**FIGURE 5: CROSS-SECTION OF A FLOOD FRINGE AND FLOODPLAIN**



**Frontage (Site Frontage):** The distance across the front site line along a public road (a site must front on a road).

**G**

**Garage:** 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.

**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.

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**Geotechnical Analysis:** An assessment or estimation by a qualified expert of the earth's subsurface and the quality and or quantity of environmentally mitigative measures that would be necessary for development to occur.

**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.

## H

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

**Hazard(ous) Land:** As defined in *The Statements of Provincial Interest Regulations*.

**Heritage Resource:** As defined in *The Statements of Provincial Interest Regulations*.

**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*.

**Holding Tank:** A digestion chamber in which sewage is received and retained to be transported to a final point of disposal.

**Home or Farm Based Business:** Development consisting of the use of a conforming dwelling unit or residential accessory building as a business by the resident or residents, which is incidental and secondary to the residence and does not change the building's exterior character. This does not include a home office or the production or retail of cannabis, or any use that is listed as discretionary or prohibited in the specific zoning district.

**Home Office:** An office located within a dwelling unit where a resident may carry out typical office work for remuneration but does not meet with any clients or customers on site.

**Hotel:** A building, structure or part of a building or structure in which sleeping accommodation with or without meals is provided for remuneration by tourists or travelers, and where guests register or record is kept.

## I

013



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

**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.

**Intensity of Use:** The density of use, number of units, size of development, or bulk, form or number of buildings or structures for a permitted, discretionary or prohibited use.

**Intensive Livestock Operation (ILO):** As defined in *The Agricultural Operations Act*.

**J**

**K**

**L**

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

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

**Loading Space:** A space having access to a street or lane, 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. A site may constitute more than one lot if they are contiguous and under the same landowner.

**M**

**Manufacturing:** 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.

**Mineral Exploration and Development:** As defined in *The Statements of Provincial Interest Regulations*.

**Mineral Resources:** As defined in the *Mineral Resources Act, 1985*.

**Minister:** The Minister of Government Relations for the Government of Saskatchewan.

**Motel:** A building or group of buildings on a parcel designed and operated to provide individual rental units for the use of the traveling public, each unit containing at least a bedroom and bathroom and providing convenient access to a parking space for the use of the occupants of the unit.

CR  


**Municipal Facility:** A building and/or site owned and/or operated by a municipal government, including but not limited to: offices, public works, public utilities, and community facilities.

**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 Act*.

**Municipal Road:** A public roadway subject to the direction, control and management of the RM.

## 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.

**Net Metering:** A billing arrangement that allows customers with grid-connected energy systems to receive credit for any excess electricity generated on-site and provided to the utility grid.

**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.

## O

**Official Community Plan (OCP):** The *RM of Martin No. 122 Official Community Plan Bylaw No. 248/22*, 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.

## P

**Parcel:** 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 "parcel" and "site" shall be deemed not to mean the same. A site may constitute more than one parcel if they are contiguous and under the same landowner.

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

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

QAB



**Personal Services:** The provision of services related to a customer's personal and/or grooming needs, excluding the provision of health related services.

**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.

**Processing:** The processing and preparation of commodity or commodities produced off-site and may be sourced from multiple-locations.

**Public Utility:** A government, municipal or corporation under Federal or Provincial statute which operates a public work and/or provides a service to the general public.

**Public Works:** Under *The Act*, means:

- systems for the production, distribution or transmission of electricity;
- systems for the distribution, storage or transmission of natural gas or oil;
- facilities for the storage, transmission, treatment, distribution or supply of water;
- facilities for the collection, treatment, movement or disposal of sanitary sewage;
- telephone, cable television or light distribution or transmission lines; or
- facilities for the collection, storage, movement and disposal of storm drainage.

## Q

**Quarter Section:** Approximately 64.8 ha (160 acres) or a lesser amount that remains due to the original survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development, or natural features such as water courses or water bodies as defined by the Township Plan of Survey in the Land Titles Office.

## R

**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 Use, Commercial:** The use of land, building(s), or structure(s) for the purpose of selling a recreational amenity, including but not limited to the racing of animals or motorized vehicles, and paintball.

**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.

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

AS  
LFB

**Resource Exploration and Development:** The exploration, extraction, and development of resources including mineral resources, oil and gas, and sand and gravel, subject to this Bylaw and all relevant provincial acts and regulations.

**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:** 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 limited servicing and manufacturing of products onsite for sale on the site, so long as it is accessory to the principal retail use of the site.

**Rezoning:** The act of changing the land use zoning district of land through an application for a zoning amendment, subject to conditions of this Bylaw and approval from Council.

**Right-of-Way:** The land set aside for use as a roadway or utility corridor.

**Road or Roadway:** 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).

**Road, Internal Subdivision:** A road or roadway that is not part of the original township survey and has been subdivided to provide internal circulation, in the case of a service road, access to sites.

## S

**Safe Building Elevation (SBE):** A level as defined by the Ministry of Government Relations, at the time of subdivision to which flood proofing is required. 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.

**Salvage Yard:** A facility 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.

**Sand and Gravel:** As defined in *The Statements of Provincial Interest Regulations*.

**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.

**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:** A required minimum separation distance, usually from the nearest point of a building or structure to a site line, railway, or centre line of a public road allowance.

**Sight Triangle:** The triangular area formed, on corner sites, by the intersection front and side site lines at an intersection and the straight line joining said site lines, as demonstrated by **FIGURE 3** and described in **Section 3.14.3** of this Bylaw.

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

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

**Site:** An area of land, consisting of one (1) or more continuous parcels with the same landowner, 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. For the purposes of this Bylaw the term "parcel" and "site" shall be deemed not to mean the same. A site may constitute more than one parcel if they are contiguous and under the same landowner.

**Site, Corner:** A site at the intersection of two (2) or more public roadways.

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

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

**Site Line:** Any boundary of a site.

**Site Line, Front:** The boundary that divides the site from the public road allowance, highway or road. In the case of a corner site, the site boundary that abuts the public road allowance, highway or road to the front of the principal building shall be deemed to be the front site line. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

**Site Line, Rear:** The 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 and other features on a site in relationship to the site lines as further described in **Section 2.4.2.d**.

**Solar Energy System, Commercial:** A solar panel energy conversion system consisting of solar panels and associated control or conversion electronics, which is intended to produce power for resale or off-site distribution.

**Solar Energy System, Private:** A solar energy conversion system consisting of solar panels and associated control or conversion electronics, where the priority and intention is to provide electrical power on the same site, including net metering.

AW  
BEB

**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.

**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.

**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*.

**Subdivision, Multiple-Lot:** A subdivision that creates more than two new sites in any Zoning District.

**Suite, Garage or Garden:** An accessory dwelling unit located within a detached accessory building that has cooking, sleeping, and sanitary facilities which are separate from those of the single-detached dwelling. Typically garden suites are standalone structures while garage suites are either attached to or located above a detached garage.

**Suite, Secondary:** An accessory dwelling unit which may be located within a single-detached dwelling or in a detached accessory building on the same property as a single-detached dwelling.

**Sustainable:** As defined in *The Statements of Provincial Interest Regulations*.

## T

## 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.

**Use, Accessory:** See “Accessory”.

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

**Use, Permitted:** A use or development which is rightfully allowed in its Zoning District subject to the regulations of this Bylaw and following application for a development permit that is approved by the Development Officer.

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

## V

**Vacation Rental:** The short-term rental of a dwelling unit as temporary accommodation by a person or group of persons for up to 30 days or based on a daily or weekly rate by way of concession,

ASB

ASB



permit, lease, license, rental agreement or similar arrangement, unless otherwise prohibited by this Bylaw, or any other Bylaw of the RM. A Vacation Rental may also include a single-detached dwelling which is owner occupied, and in which not more than two bedrooms are rented.

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

## W

**Warehousing:** The use of a building for the storage and distribution of wholesale goods and materials.

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

**Watercourse:** A river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

**Wind Energy System:** Any structure(s) used for the conversion, production, and transmission of wind energy into electrical energy and related facilities connected to a substation or metering point.

**Wind Energy System, Commercial (Wind Farm):** Wind energy conversion system consisting of wind turbine(s), a tower and associated control or conversion electronics, which is intended to produce power for resale.

**Wind Energy System, Private:** Wind energy conversion system consisting of wind turbine(s), a tower and associated control or conversion electronics, where the priority and intention is to provide electrical power for use on-site (either behind the meter or off-grid).

**Work Camp:** A temporary residential complex used to house workers/contractors on a temporary basis of more than 28 days and less than two years. The camp is made up of three or more mobile units or travel trailers, clustered in such fashion as to provide sleeping, food preparation/eating, recreation, parking and other basic living facilities. Modular, manufactured, or any type of dwelling on permanent foundations are not permitted. Typically, this use is required seasonally to support the short-term housing demands of a large-scale construction workforce.

## X

## Y

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

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

**Yard, Rear:** The area from the rear building line and the rear site line, between the side site lines.



**Yard, Side:** The area between the side lot line and the nearest wall of the principal or accessory building or structure on the site.

**Z**

**Zoning District:** Divisions identified in the Zoning Bylaw according to **Section 5.0** of this Bylaw that establish permitted and discretionary uses as well as development standards.

CAO

ELB

Exhibit 'B' of Zoning Bylaw No. 249/22

# RM OF MARTIN NO. 122 ZONING DISTRICT MAP

## LEGEND

### Transportation

- Primary Highway
- Municipal Highway
- Gravel Road
- +++++ Canadian Pacific Railway

### Natural + Physical Features

- Watercourse
- Water Body

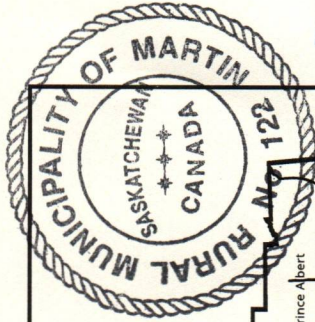
### Zoning Districts

- AR Agricultural-Resource
- RR Rural Residential
- M1 Commercial-Industrial

### Administrative

- EC Environmental Conservation
- RM Boundary
- Quarter Section
- Town of Wapella
- Section
- First Nation Lands
- Township Line

## LOCATION



Reeve

*Barritt*

R.M. Administrator

May 10, 2023

Date

March 2023

