

# TOWN OF KINDERSLEY



## ZONING BYLAW

02 - 22

## Table of Contents

<b>1. INTRODUCTION .....</b>	<b>5</b>
1.1 Authority .....	5
1.2 Title .....	5
1.3 Scope.....	5
1.4 Purpose .....	5
1.5 Severability .....	5
<b>2. DEFINITIONS .....</b>	<b>6</b>
<b>3. ADMINISTRATION AND INTERPRETATION .....</b>	<b>17</b>
3.1. Development Officer .....	17
3.2. Council .....	17
3.3. Interpretation .....	17
3.5. Offences and Penalties.....	18
3.6. Inspection of Premises .....	18
3.7. Bylaw Compliance .....	18
3.8. Non-Conforming Buildings Uses and Sites.....	18
3.9. Fee for Zoning Amendment Application .....	18
3.10. Concurrent Processing of Permits and Licenses .....	18
3.11. Development Agreements .....	19
3.12. Servicing Agreements.....	19
3.13. Performance Bonds.....	19
3.14. Liability Insurance .....	19
3.15. Interests .....	19
3.16. Referral Under the Public Health Act .....	19
<b>4 DEVELOPMENT PERMITS.....</b>	<b>20</b>
4.1 Application .....	20
4.2 Exemptions .....	20
4.3 Procedure.....	21
4.4 Referral to Council .....	21
4.5 Development Permit Validity .....	21
4.6 Application Fees .....	22
4.7 Development Appeals Board.....	22
4.8 Right of Appeal.....	22
4.9 Filing an Appeal.....	22
4.10 Authority of the Development Appeal Board .....	22
4.11 Appeal from a Deemed Refusal .....	23
4.12. Minor Variances .....	23
4.13. Minor Variance Procedure.....	23
4.14. Invalid Development Permit .....	24
4.15. Cancellation of Permit .....	24
4.16. Stop-Work Order.....	25
4.17. Temporary Development Permits.....	25
<b>5 DISCRETIONARY USE .....</b>	<b>26</b>
5.1. Application Fees .....	26
5.2. Application Process.....	26
5.3. Terms and Conditions .....	27

5.4.	Evaluation Criteria.....	27
<b>6.</b>	<b>GENERAL REGULATIONS.....</b>	<b>29</b>
6.1	Principal Use Established .....	29
6.2	Multiple Uses .....	29
6.3	Number of Principal Buildings on a Site .....	29
6.4	Moving of Buildings .....	29
6.5	Demolition of Buildings.....	29
6.6	Front Yard Reduction .....	29
6.7	Visibility Clearance at Intersections.....	29
6.8	Height Restrictions.....	29
6.9	Permitted Yard Encroachments .....	30
6.10	Restoration to a Safe Condition .....	30
6.11	Grading and Leveling of Sites .....	30
6.12	Road Closings .....	31
6.13	Railway Crossings and Sight Distances .....	31
6.14	Frontage on Road.....	31
6.15	Landscape Buffers .....	31
6.16	Signage .....	31
6.17	Off-Street Parking & Loading Requirements.....	33
	Parking Schedule .....	35
	Off-Street Loading Space Schedule .....	36
6.18	Fence & Hedge Requirements .....	37
6.19	Restrictions on Changes .....	38
<b>7</b>	<b>SPECIFIC DEVELOPMENT STANDARDS.....</b>	<b>39</b>
7.1	Uses Permitted in all Zoning Districts.....	39
7.2	Home Based Businesses.....	39
7.3	Secondary Suites .....	40
7.4	Bed & Breakfast.....	40
7.5	Day Care and Child Care Facilities and Pre-Schools.....	41
7.6	Residential Care Homes .....	41
7.7	Bare Land Condominium Developments.....	41
7.8.	Manufactured / Modular homes .....	42
7.9.	Campgrounds.....	42
7.10.	Drive-Through Restaurants .....	43
7.11.	Outside Storage (Not including Shipping Containers).....	43
7.12	Shipping Containers (Storage, Sea and Rail Containers) .....	43
7.13	Accessory Buildings and Structures .....	45
7.14	Fabric Covered Structures.....	45
7.15	K ennels .....	46
7.16	Swimming Pools .....	46
7.17	Heritage Properties .....	46
7.18	Service Stations and Gas Bars.....	47
7.19	Cannabis Production Facilities & Retail Stores .....	47
7.20	Prohibited And Noxious Uses.....	47
7.21	Satellite Dishes, Solar Collectors, Wind Chargers .....	48
7.22	Wind Power Turbines and Towers .....	48
7.23	Communication Towers .....	48
7.24	Disposal of Wastes .....	49
7.25	Solid And Liquid Waste Disposal Facilities .....	49

**8. ZONING DISTRICTS AND ZONING MAPS.....50**

- 8.1. Zoning Districts..... 50
- 8.2. The Zoning District Map ..... 50
- 8.3. Boundaries of Zoning Districts ..... 50
- 8.4. Future Urban Development – FUD..... 51
- 8.5. Low Density Residential District - R1 ..... 53
- 8.6. Medium Density Residential District – R2..... 54
- 8.7. Small Lot Residential District – R2A ..... 55
- 8.8. Multiple Unit Residential District – R3..... 56
- 8.9. Low Density Multiple Unit Residential District – R3A ..... 57
- 8.10. Mobile Home Residential District – R4 ..... 58
- 8.11. Acreage Residential District - RA..... 59
- 8.12. Downtown Commercial District – C1 ..... 60
- 8.13. Core Area Commercial District – C2 ..... 62
- 8.14. Highway Commercial District – C3 ..... 64
- 8.15. Shopping Centre Commercial District – C4 ..... 66
- 8.16. Neighbourhood Commercial District – C5 ..... 68
- 8.17. Light Industrial District – M1 ..... 70
- 8.18. Heavy Industrial District – M2..... 72
- 8.19. Railway Industrial District – RW..... 74

**9 REPEAL AND ADOPTION ..... 76**

**APPENDIX “A” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS ..... 77**

**APPENDIX “B” DISCRETIONARY USE APPLICATION..... 82**

**APPENDIX “C” MINOR VARIANCE APPLICATION..... 84**

**APPENDIX “D” LAND USE MAP..... 86**

---

## 1. INTRODUCTION

### 1.1 Authority

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 03-14, the Official Community Plan of the Town of Kindersley, the Council of the Town of Kindersley in the Province of Saskatchewan, in open meeting, hereby enact as follows:

### 1.2 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Kindersley.

### 1.3 Scope

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

### 1.4 Purpose

**1.4.1** This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Town of Kindersley.

**1.4.2** The intent of this Zoning Bylaw is to provide for the amenity of the area within the Town of Kindersley (hereinafter referred to as Kindersley) and for the health, safety, and general welfare of the inhabitants of Kindersley and area:

- a) To minimize land use conflicts.
- b) To establish minimum standards to maintain the amenity of the Town.
- c) To ensure development is consistent with the physical limitations of the land.
- d) To restrict development that places undue demand on the Town for services; and
- e) To provide land-use and development that is consistent with the Town's goals and objectives.

### 1.5 Severability

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

## 2. DEFINITIONS

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

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

**Accessory Build or Use:** A building or use that:

- a) is subordinate to and serves the principal building or principal use.
- b) is subordinate in area, extent, and purpose to the principal building or principal use served.
- c) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and,
- d) is located on the same site as the principal building or principal use served.

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

**Aggregate Resource:** mineral materials including sand, gravel, clay, earth or mineralized rock, including recycled concrete.

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

**Agricultural Implement Dealer:** an establishment for the repair or sale of agricultural implements and including the sale of lubricants for agricultural equipment on the same premises as an accessory use.

**Alteration:** any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

**Ancillary Use:** a use that is secondary and subordinate to the principal use, which is specifically allowed, and may include an associated building but is not necessary for the operation of the principal use on that site.

**Animal Hospital:** a place used for the care and treatment of small and large animals involving out-patient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

**Applicant:** a developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act 2007*.

**Auction Markets & Facilities:** an area of land or facility that is used for a public sale in which goods or property are sold to the highest bidder.

**Auto Sales:** any building, land area, or other premises for the display, sale, or long-term lease of new or used automobiles, but may include trucks, vans, trailers, or recreational vehicles and including any indoor vehicle repair work conducted as an accessory use.

**Auto Wrecker:** an area where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored, or sold to the public.

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

**Balcony:** means a platform with a rail or balustrade on the outside of a building with access from an upper storey door or window.

**Bare Land Condominium / Unit:** a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

**Basement:** that portion of a building that is partly or underground.

**Bed and Breakfast:** a dwelling unit in which the occupants use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day for periods of one week or less, and in which:

- (a) maximum occupancy is three guest bedrooms.
- (b) must be the principal residence of the operator.
- (c) only one meal per day may be served to guests and meal must be served prior before 12:00 noon.
- (c) minimum of one off-street parking space for residents plus at least one off-street parking space for guests must be provided.
- (e) a sign advertising the Bed and Breakfast operation is limited to a window sign having a maximum letter size of .09 metres (approximately 3.5 inches) in height. A sign cannot be installed without a sign permit.

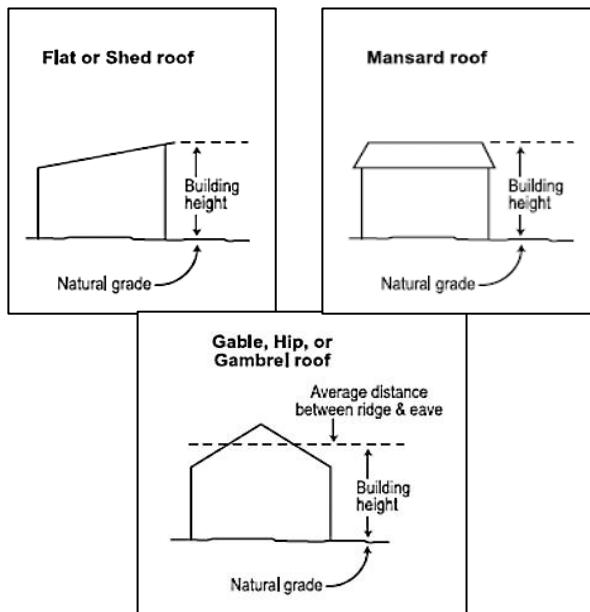
**Billboard:** a private freestanding sign, including supporting structure, which advertises goods, products, services, organizations.

**Bulk Fertilizer, Seed Cleaning Plants & Agrichemical Sales & Storage:** buildings or land used for the sale & storage of fertilizer, agrichemicals, and services for agricultural industry except for grain elevators.

**Buffer:** a strip of land, vegetation or land use that physically separates two or more different land uses.

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

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



**Building Bylaw:** any Bylaw of the Town of Kindersley regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

**Building Line, Front:** the front line of the wall of the principal building excluding permitted obstructions.

**Building Line, Rear:** the rear line of the wall of the principal building excluding permitted obstructions.

**Building Line, Side:** the sideline of the wall of the principal building, excluding permitted obstructions.

**Building Permit:** a permit issued under a Building Bylaw of the Town of Kindersley authorizing the construction of all or part of a building or structure.

**Building, Principal:** a building in which the primary or main use of the site is conducted.

**Bulk Fuel Sales and Storage:** includes land, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key-lock operation.

**Bus Terminal:** means a building or premises where buses pick up and discharge fare-paying passengers.

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

**Cannabis Production Facility:** a facility, approved under federal and provincial regulations, that is used for the planting, cultivation, testing, harvesting, processing, and distribution of the cannabis plant and any of its derivatives.

**Cannabis Retail Store:** a retail store, approved under federal and provincial regulations that sells cannabis and any of its derivatives.

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

**Carport:** a roofed enclosure attached to a principal building for the parking of motor vehicle(s) provided that not more than three sides are enclosed.

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

**Cemetery:** a cemetery or columbarium within the meaning of *The Cemeteries Act* Chapter C-4, R.S.S. 1981, as amended from time to time.

**Club:** a group of people organized for common interests or activities, usually characterized by certain membership qualifications, payment of fees, regular meetings, a constitution, and bylaws.

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

**Community Facilities:** a building or facility used for recreational, social, educational, or cultural activities and which is owned by the municipality or other non-profit organization(s).

**Community Events:** an event of cultural, traditional, or other type of unique activity, occurring for a limited or fixed duration (one-time, seasonal, annual) that impacts the Town of Kindersley by involving the use of, or having impact on, public and private infrastructure. Examples of these events include but not limited to: Goose Festival and Kindersley Rodeo, Concerts, and Canada Day.

**Community Garden:** an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, sale at

a farmers' market, or donation. Community gardens may be divided into separate plots or may be farmed collectively by members of the group.

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

**Concrete and Asphalt Plant:** an industrial facility used for production of asphalt or concrete and used in building or construction. Includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process and the storage and maintenance of required equipment.

**Construction Trades:** offices, work shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

**Convenience Store:** a store offering for sale primarily food products, beverages, tobacco, and personal care items and which provides a convenient day-to-day service to residents in the vicinity.

**Cultural Institution:** establishments such as museums, art galleries, libraries, and similar facilities or historical, educational, or cultural interests which are not commercially operated.

**Curb Cutting:** the cutting or lowering of a curb, sidewalk, or boulevard to provide for vehicular or pedestrian access to a site.

**Dairy Processing:** facilities for the processing and sale of dairy products such as cheese, cream, yogurt, ice cream and other goods but not including facilities for the keeping, rearing, or milking of animals.

**Day Care Centre:** an establishment providing for the care and supervision of children (or adults) but does not include the provision or overnight supervision.

**Deck:** a platform, with or without rails, attached to a principal building.

**Development:** the construction, extension, enlargement, or upgrading of any new or existing building used for the purposes of business, trade, profession, occupation, service, industry, agriculture, residence, recreation, religion, education, or any other purposes.

**Demolition Permit:** a document authorizing a demolition, issued pursuant to this *Zoning Bylaw*.

**Development Permit:** a document issued by the Town of Kindersley that authorizes development pursuant to this Bylaw but does not include a building permit.

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

**Distilleries, Wineries and Breweries:** facilities to produce alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion, and sale of said beverages.

**Driveway:** is a short private road leading from a public road, street or other thoroughfare to a building, house, garage, or similar structure.

**Driveway, Apron:** is the portion of the driveway access that is located outside of the public right-of-way, sidewalk, or boulevard, as to provide entry to a driveway for vehicular and pedestrian access to a site.

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

**Dwelling, Duplex:** a building that is divided into two dwelling units with separate entrances and separated by a common party wall either side by side or stacked.

**Dwelling Group:** a group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.

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



**Dwelling, Mobile Home:** a trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and washroom facilities and that conforms to Canadian Standards Association, Construction Standard No. Z240.2.1-1979 and amendments thereto.



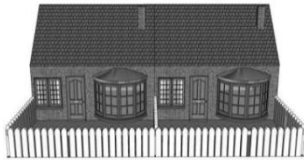


**Dwelling, Mobile Home Park (Court):** a site under management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

**Dwelling, Multiple Unit:** a building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments but not a rooming house, hotel, or motel.

**Dwelling, Ready-to-Move (RTM):** a ready-to-move one unit dwelling which is built to completion off-site using conventional lumber and building practices according to the current National Building Code of Canada, and which is transported to the site as a complete unit for placement on a fixed approved foundation.

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



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



**Dwelling, Town House:** a multiple unit dwelling in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall or ceiling which has no openings.



**Dwelling Unit:** a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities, and a kitchen. For the purposes of this definition, "kitchen" includes, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

**Educational Facility:** a post-secondary college, university, or technical institution.

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

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

**Fitness Centre:** a place where people go to do physical exercise to stay or become healthy and fit.

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

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

**Financial Institution:** a bank, credit union, trust company, or similar establishment.

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

**Frontage:** the piece of property that abuts a street and, in the case of a corner site, the shorter of the sides of the property that abuts a street.

**Fuel Storage Tank, Above Ground:** a storage tank that is above grade and contains gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

**Funeral Homes:** A funeral home, funeral parlor, or mortuary, is a business that provides burial and funeral services for the dead and their families. These services may include a prepared wake and funeral, and the provision of a chapel for the funeral and or crematorium.

**Garage, Private:** a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home-based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

**Garage, Public:** any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

**Garage/Yard Sale:** a sale of used or non-used household items held on the owner's premises and open to the public.

**Grain Elevator:** is an agrarian facility complex designed to stockpile or store grain. In the grain trade, the term "grain elevator" also describes a tower containing a bucket elevator or a pneumatic conveyor, which scoops up grain from a lower level and deposits it in a silo or other storage facility.

**Gas Bar:** a building or place where fuel and automotive fluids are sold, and which may have a convenience store and/or restaurant.

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

**Gun and Gun Supply Store:** a place used for the manufacturing, assembly, servicing, repair, storage, distribution or sale of firearms and ammunition.

**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 but are sold directly at wholesale or retail from the site.

**Greenhouse, Private:** a building for growing of flowers, plants, shrubs, trees, or similar vegetation that are transplanted outdoors on the same site, and where products may not be offered for sale.

**Group Home:** (Please refer to Residential Care Home)

**Hazardous Land:** land which is subject to flooding, ponding, subsidence, landslides, or erosion.

**Hazardous Material:** 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.

**Health Service Facility:** a building or part thereof used by qualified health service practitioners for the treatment of human health needs.

**Home Based Business:** an occupation, trade, profession, or craft conducted for gain in a dwelling unit or accessory building by the resident, which is secondary to the principal use of the site, and does not create a public nuisance because of noise, traffic, pollution, or parking. Home occupations shall not occupy more than 25% of the total finished floor area of a dwelling unit in any Residential District.

**Hotel:** a building or part of a building used as a place for sleeping accommodation with or without meals, and which may include a licensed beverage room, but does not include a motel.

**Hot Tub/Lap Pool:** any body of water permanently located outdoors or indoors, contained by artificial means, and used and maintained for the purpose of swimming, wading, or other similar activity and having a depth of 0.61 metres (2 feet) or more and which is 2.44 metres (8 feet) or less across the widest portion of the water surface.

**Highway Commercial (C3):** commercial activities normally located along highways, major roadways and in other locations considered strategic by the type of business involved serving the needs of residents and the traveling public.

**Industrial (Light District):** is to provide for a range of light industrial uses that do not create land use conflicts or nuisance conditions during the normal course of operations.

**Industrial (Heavy District):** is to provide for a range of industrial uses that may have the potential for creating nuisance conditions during operations.

**Industrial Complex:** a group of two or more detached principal buildings located on the same site, provided that each form of development comprising the industrial complex is otherwise a permitted or discretionary use in the zoning district.

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

**Industrial Park:** an area of land set aside for industrial development, usually located close to transport facilities, especially where more than transport mode coincides, i.e., highways, railroads, airports.

**Intersection:** an area where two or more streets or lanes meet or cross at grade.

**Infill Development:** re-development within existing areas or neighborhoods.

**Institutional Use:** the use of land and buildings for religious, charitable, educational or health purposes and includes churches, schools, hospitals, and special care.

**Junk, Scrap and Salvage Yards:** uses including, but not limited to, uses involved in salvaging, storing, or selling scrap metal, paper, plastic, glass, wood, and other waste material, as well as unlicensed vehicles and used vehicle parts.

**Kennel, Boarding:** the temporary accommodation of dogs, cats, or other domestic animals for commercial purposes.

**Kennel, Breeding:** the keeping of domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

**Kennel, Enclosure:** an accessory building or enclosure intended to house one or more domestic animals.

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

**Landscaping:** the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

**Lane (Back Lane or Alley):** a secondary level of access normally intended to give access to the rear or side of the lot or property.

**Land Use Map:** a document that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial and conservation.

**Land Use Zoning District:** divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with regulations.

**Livestock:** domesticated animals used primarily to produce fur, hides, meat, milk, eggs, or other product, or as breeding stock, but excluding companion animals.

**Livestock Holding Pens:** A pen is an enclosure for holding livestock.

**Loading Space:** a space measuring at least 3.0 metres in width and 8.5 metres in depth, located on a lot, and 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 and which is of record with the Information Services Corporation by Certificate of Title.

**Lounge:** a room or area adjoining a restaurant that permits the sale of beer, wine, or spirits for consumption on the premises, with or without food.

**Lumber & Building Establishments:** means a place, building or structure used for the retail sale building supplies including, without limitation, lumber, roofing, masonry, plumbing, heating, electrical, paint and similar items. The sale of tools and equipment used in the building trades may be permitted as accessory to the main retail use.

**Manufacturing, Light:** a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, electronic devices.

**Manufacturing, Heavy:** the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land.

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

**Meat Processing:** (Please refer to Abattoir)

**Medical, Dental, Optical Clinics & Laboratories:** a place used for the conduct of medical, dental, or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices but does not include the manufacture of industrial chemicals.

**Mini-Storage:** a commercial facility made up of more than one unit in which customers can rent space to store possessions. (See also: Self-Service Storage Facility)

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

**Motel:** an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, and designed for use by the public, and may include a restaurant or licensed dining room.

**Municipal Facility or Protective Services:** land and/or structures including, but not limited to, the following purposes:

- (a) Office and/or meeting space.
- (b) Protective Services, providing fire, emergency, RCMP and/or police services.
- (c) Storage of municipal equipment or supplies.

**Municipality:** The Town of Kindersley.

**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 of The Planning and Development Act, 2007.

**Museum:** an institution established for the purpose of acquiring, conserving, studying, interpreting, assembling, & exhibiting to the public for instruction, enjoyment, or historical interest.

**Natural Areas:** an area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.

**Neutral Color:** a shade of color that is pale and not bright or strong and often referred to as earth tones.

**Night Club (Bar or Tavern):** a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing during certain hours of operation may also be provided.

**Non-Conforming Use or Building:** any use of land, building or structure lawfully existing or under construction where permits have been issued at the time of the passing of 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, vapors, smoke, dust (particles suspended in/or transported by air), vibrations, electrical or electromagnetic fields, glare, or light.

**Office or Office Complex:** a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government.

**Official Community Plan (OCP):** the *Official Community Plan* for the Town of Kindersley.

**Oilfield Supply and Services:** means a building or area of land that provides limited support services to pipeline, oilfield and mining operations, including but not limited to wireline & safety services, retail parts and equipment sales, and transportation services. Outdoor storage of vehicles and equipment permitted but does not include dangerous goods occupancy.

**Outdoor Markets and Concessions:** an open-air business venue where goods, crafts, or produce are sold directly to the public on a seasonal or temporary basis. It may include produce stands, concession stands, or similar operation deemed suitable by the development officer.

**Open Space:** passive and structure leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community, including parks, recreation and tourism nodes, and natural areas.

**Parcel:** a specified area of land.

**Parks & Playgrounds:** a piece of public land in or near a city that is kept free of houses and other buildings and can be used for pleasure and exercise: a large area of public land kept in its natural state to protect plants and animals.

**Parking Lot:** an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether free, for charge, or for accommodation of clients or customers.

**Parking, Off-Street:** refers to available parking spaces for vehicles that is not located on a public road.

**Parking Space, Vehicle:** a space within a building or parking lot for the parking of one vehicle and which has access to a developed street or lane, having minimum dimensions of 2.7 m wide by 6.7 m deep with direct lane access; 3.0 m wide by 6.7 m deep for a parallel space; and 2.7 m wide by 6.0 m deep for all other.

**Park Model Trailer/Unit:** a unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>). CSA Number Z241.

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

**Patio:** any ground level hard surface or floor structure.

**Permeable Paving Materials:** materials that include gravel, interlocking brick (with spacers), permeable concrete, permeable asphalt, soil pavement (poly-pavement), and structured grass surfaces. Each of these systems requires proper sub-grade preparation to allow infiltration and/or subsurface water absorption.

**Permitted Use:** the use of land, buildings or other structures that are permitted in a Zoning District where all requirements of this Bylaw are met.

**Person:** an individual, association, firm, partnership, corporation, trust, or agent, or other legal representatives of a person to whom the same can apply according to the law.

**Personal Service Trades:** a building or part of a building providing services to customer's personal and or grooming needs which may include barber shops, hairstyle salons, nail technicians, laundries, dry cleaners, shoe repair, photographic studios, and other similar uses.

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

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

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

**Public Work (Utility):** a facility as defined under The Planning and Development Act, 2007 including a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, including facilities or systems for:

- (a) electricity;
- (b) natural gas or oil;
- (c) supply of water and/or sanitary sewage;
- (e) telephone, internet, cable television or light distribution or transmission lines; and,
- (f) facilities for the collection, storage, movement, and disposal of storm drainage.

**Railways and Ancillary Railway Functions:** an area of land where trains are stored, switched, loaded, or unloaded and includes sites and facilities used to transfer commodities, goods, or products from one mode of transportation to another including related offices and storage facilities.

**Recreational Use:** the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor & 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 accessory building; but does not include the racing of animals or motorized vehicles.

**Recreational Vehicle:** a vehicle, such as a camper or motor home, used for traveling and recreational activities.



**Recreational Vehicle (RV) Park:** an area of land, managed as a unit, providing short-term accommodation for motorhomes, and camping trailers, including accessory facilities such as administration offices and laundry facilities.

**Recycling Collection Depot:** means a location for the collection of recyclable material, such as glass, paper, cardboard, metal cans, plastic, grass, or leaves in containers and in a location acceptable to the Town.

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

**Redevelopment:** (Please see Infill Development)

**Residential Care Home:** a licensed or approved group care home governed by Provincial regulations that provide, in a residential setting, 24-hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

**Restaurant:** a place where food and beverages are prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service window.

**Retail Store (Shop):** a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

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

**Rooming House (Boarding House):** a building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and with or without private toilet facilities.

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

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

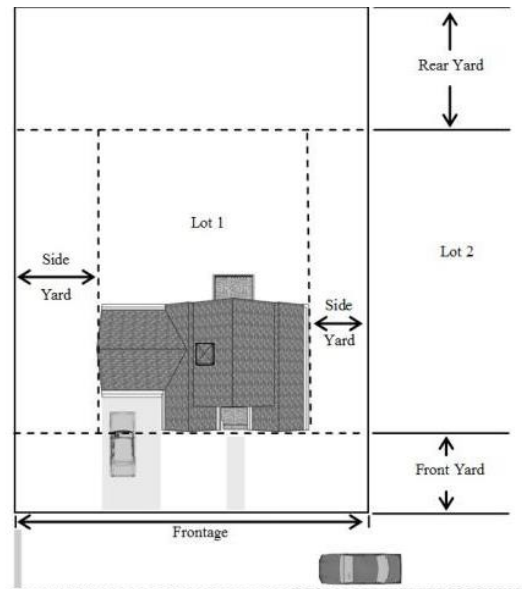
**School:** an educational facility under the jurisdiction of a Board of Education, a preschool, an elementary school, middle school, high school, a college, university, or any other school established and maintained either wholly or partially at public or private expense, whether the same is a boarding school and includes any dormitory building accessory to such school.

**Secondary Suite:** (Please see Suite, Secondary)

**Self-service storage facility:** a commercial business that rents or leases storage rooms, lockers, containers, and/or outdoor space, to store and access their goods. (See also: Mini-Storage)

**Service Station:** a site used for retail sale of lubricating oils and diesel/gasoline, automobile accessories, and for servicing and repairing of motor vehicles; but does not include an auto body or painting shop, car sales lot, or a car washing establishment.

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



**Shipping Containers:** also known as “Sea-Cans” is a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship, or transport truck. May be repurposed as an innovative way to construct an accessory structure or use to the principal building.

**Shopping Centre:** a building, or group of buildings, located on the same site and managed as a single unit, in which individual spaces are leased to permitted or discretionary commercial uses.

**Shopping Centre – Type I:**

a gross leasable floor area less than 600 square metres.

**Shopping Centre – Type II:**

a gross leasable floor area between 600 - 5,000 square metres.

**Shopping Centre – Type III:**

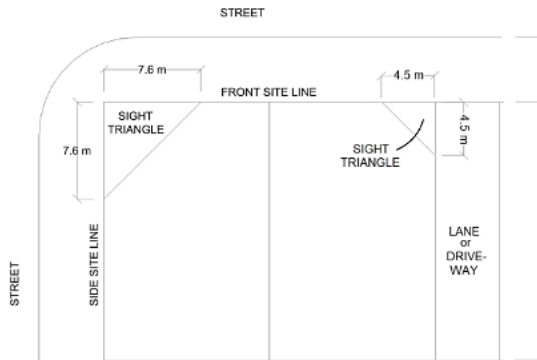
a gross leasable floor area greater than 5,000 square metres.



**Should, Shall or May;**

- a) Shall is a word meaning the action is obligatory.
- b) Should is a word meaning that to achieve plan objectives, it is strongly advised that the action be taken.
- c) May is a word meaning a choice is available, with no direction or guidance intended.

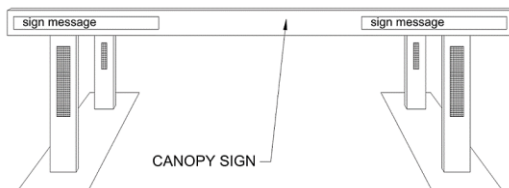
**Sight Triangle:** the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points.



**Sign:** any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization, or business; and which is visible on a street or public thoroughfare.

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

**Sign, Canopy:** a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground



**Sign, Directional:** a sign giving directions, instructions or facility information but not including any advertising copy.

**Sign, Electronic Variable Message:** a sign whose informational content can be changed or altered by means of computer-driven electronic impulses.

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

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

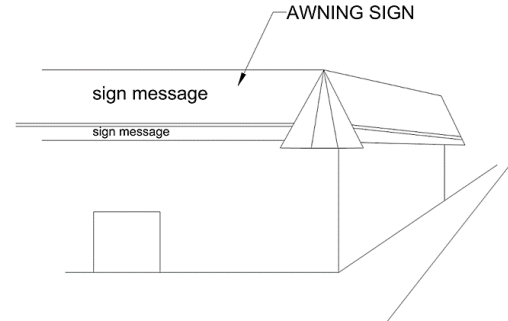
**Sign, Height:** the vertical distance measured from the highest point of the sign to the lowest point of the sign.

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

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

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

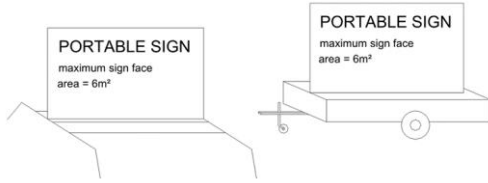
**Sign, Projecting (Awning):** A sign which is wholly or partially dependent upon a building for support and which projects more than 0.5 metres (1.64 feet) from such building. (Including Awning Signs).



**Sign, Real-Estate:** signage directly associated with the sale of a property on which it is located, and which maintains a gross surface area of less than 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>).

**Sign, Sandwich-Board:** referred to as an "A-Frame Sign" and is not permanently attached to or affixed into the ground or structure, and which is hinged or otherwise attached at the top enabling the two sign faces to be extended into an inverted V-Shape. It does not have any moving parts, lights, and does not require electricity. Only one sandwich-board is permitted per business and is typically located on the sidewalk and is designed to be brought indoors at the end of the business day. Maximum size is 900mm x 1200mm and must be constructed of durable materials capable of withstanding high winds. No sandwich-board sign may be located within 9 metres of an intersection.

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



**Sign, Traffic:** any official government owned sign, located typically on public property, and designated for the purpose of informing or directing traffic, and are either permanent or temporary.

**Signboard:** a board advertising a Garage Sale or Community Event and displays all required information and direction in a non-offensive manner. Locations of Signboards are determined by the Town of Kindersley.

**Site:** an area of land, consisting of one or more lots under a single certificate of title and intended to be used, by a single principal use or principal building.

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

**Site, Corner:** a site at the intersection of two or more public streets.



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

**Site Depth:** the horizontal distance between the front and rear site lines.

**Site, Interior:** a site other than a corner site, having separate frontages on two streets. The front site line of an interior site shall be determined by predetermined building lines. This is only allowed in Commercial and Industrial Zoning Districts.

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

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

**Site Line, Rear:** the site line at the rear of the site.

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

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

**Site, Width:** the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the zone where the site is located.

**Special Care Home:** a nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

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

**Storey, One-Half:** that portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 2.0 metres (6.57 feet) and 2.5 metres (8.21 feet) over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

**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.

**Street:** the whole and entire width of every highway, public road, or road allowance vested in Her Majesty in the right of the Province of Saskatchewan except for a “lane” as defined in this bylaw.

**Street Furniture:** is a collective term used to describe functional elements installed in the public right-of-way for the use of the public. They can include, but not limited to objects and pieces of equipment, such as benches, streetlights, transit shelters, tree planters, garbage and recycling receptacles, sculptures, and artwork.

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

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

**Suite, Secondary:** means a self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one-unit dwelling.

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

**Swimming Pool:** any body of water permanently located outdoors or indoors, contained by artificial means, and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.61 metres (2.0 feet) or more at any point.

**Theatre:** a building or outdoor area in which plays, lectures, presentations, screenings, and other dramatic performances are given, including movie theatres.

**Trucking Establishment:** the use of land, buildings, or structures for the purpose of storing, servicing, repairing, or loading trucks, transport trailers and/or buses, but does not include an automobile service station, transportation sales or rental outlets.

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

- a) m - meter(s)
- b) m<sup>2</sup> - square meter(s)
- c) km - kilometer(s)
- d) ha - hectare(s)

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

**Utility Shed:** an accessory building or structure used for the storage of goods with a maximum floor area of 9.29 m<sup>2</sup> (100 ft<sup>2</sup>).

**Vehicle Repair and Maintenance Service:**

- a) **Indoor:** includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.
- b) **Outdoor:** maintenance services have all or any portion of their operations located outside of an enclosed building.

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

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

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

**Work Camp:** a temporary Industrial or Construction camp established for the purpose of providing accommodation for employees, and the camp is usually made up of several mobile units, clustered in such a fashion as to provide sleeping, eating and other basic living facilities.

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

**Yard, Front:** the area between the side site and the front site line to the front building line

**Yard, Rear:** the area between the side site and front site line to the rear building line.

**Yard, Required:** the minimum yard required by a provision of this Bylaw, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

**Yard, Side:** the area between the front and rear yards and between the side site line and the side building line

**Zoning District:** a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.



### 3. ADMINISTRATION AND INTERPRETATION

#### 3.1. Development Officer

- 3.1.1** The Deputy Administrator of the Town of Kindersley shall be the Development Officer responsible for the administration of this Bylaw. Council may designate an alternate development officer(s).
- 3.1.2** The Development Officer shall:
- a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements.
  - b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost.
  - c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions.
  - d) Collect development fees, according to the fee schedule established in this Bylaw.
  - e) Perform other duties as determined by Council.
- 3.1.3** The Development Officer shall be empowered to make a decision, regarding a development permit application for a "Permitted use."

#### 3.2. Council

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

#### 3.3. Interpretation

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

### **3.4 Licenses, Permits, and Compliance with Other Bylaws and Legislation**

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation Bylaw or any other Bylaw in force within the Town of Kindersley or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Town of Kindersley or any law of the Province of Saskatchewan or Canada. Where requirements in this Bylaw conflict with those of any other Municipal, Provincial, or Federal requirements, the more stringent regulations shall prevail.

### **3.5. Offences and Penalties**

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

### **3.6. Inspection of Premises**

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw, in accordance with Section 242 of *The Planning and Development Act, 2007*.

### **3.7. Bylaw Compliance**

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

### **3.8. Non-Conforming Buildings Uses and Sites**

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

### **3.9. Fee for Zoning Amendment Application**

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

### **3.10. Concurrent Processing of Permits and Licenses**

A building permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with the Town of Kindersley's Building Bylaw, or any other Bylaw in force within The Municipality, or from obtaining any permission required by this, or any other Bylaw of The Municipality, the Province, or the Federal Government.

### 3.11. Development Agreements

Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan, and this Bylaw, pursuant to Section 171 to 176 inclusive, The Planning and Development Act, 2007.

### 3.12. Servicing Agreements

**3.12.1** Where a development proposal involves subdivision, Council shall require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*.

**3.12.2** In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

- a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, streetlights, graded, graveled, or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
- b) The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding, or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

### 3.13. Performance Bonds

The Development Officer may require a developer to post and maintain a performance bond to ensure developer performance in large scale projects. This will be implemented through either Contractual, Development or Servicing Agreements. This bond will guarantee final construction, including deficiency completion for any public infrastructure construction projects.

### 3.14. Liability Insurance

The Development Officer shall require developers to provide and maintain liability insurance to protect the Municipality, developer and public.

### 3.15. Interests

Council shall require that Development and Servicing Agreements and other documents be registered on affected lands, to protect municipal and public interests.

### 3.16. Referral Under the Public Health Act

The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act and Regulations*.

## 4 DEVELOPMENT PERMITS

### 4.1 Application

- 4.1.1** No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in Section 4.2.3.
- 4.1.2** A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- 4.1.3** A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed:
- a) The maintenance of a public utility by the Municipality or Crown Corporation.
  - b) The construction of a public utility by the Municipality.
  - c) The installation of public utility on any street or other public right-of-way by the Municipality.
  - d) A municipal facility installed and operated by the Municipality.
  - e) Maintenance and repairs that do not include structural alterations.
  - f) The installation of fences or accessory buildings under 9.29m<sup>2</sup> (100 ft<sup>2</sup>).
- 4.1.4** A building permit shall not be issued unless a development permit, where required, has also been issued.
- 4.1.5** If the development or land use authorized by a development permit is not commenced within six months from the date of issue of the permit, and completed within twelve months of issue, the permit is deemed void unless an extension has been granted prior to its expiry.

### 4.2 Exemptions

The following developments shall be exempt from development permit requirements, but shall conform to all other Bylaw requirements (e.g., building permits, setbacks, environmental and development standards):

#### 4.2.1 Residential Zoning Districts

- a) Buildings and structures under 9.29 metres<sup>2</sup> (100 feet<sup>2</sup>) in area, which are accessory to a principal, residential use except where such dwelling is a discretionary use.
- b) The erection of any fence, wall, gate, or communication antennae.
- c) Relocation of any residential or accessory building provided development standards are still met on the site.

#### 4.2.2 Commercial and Industrial Zoning Districts

- a) Buildings and structures that under 9.29 metres<sup>2</sup> (100 feet<sup>2</sup>) in area, which are accessory to a principal, residential use except where such structure is a discretionary use.
- b) The erection of any fence or gate.
- c) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

- 4.2.3** Accessory Uses  
All accessory uses, unless otherwise specified in this Bylaw.
- 4.2.4** Official Uses  
Uses and buildings undertaken, erected, or operated by the Town of Kindersley.
- 4.2.5** Internal Alterations  
Where there is no structural change or change in use
- 4.2.6** Landscaping  
Landscaped areas, driveways, and parking lots provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

### **4.3 Procedure**

- 4.3.1** The application for a development permit shall be made to the Development Officer in “Appendix A” as adopted or as amended from time to time.
- 4.3.2** The application shall be accompanied by two copies of a site or building plan showing dimensions and locations of existing and proposed buildings and structures as well as site lines. Where no new construction is proposed, the applicant shall supply a written description of the proposed development in place of such plans.
- 4.3.3** Where the application is for a discretionary use, the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that may be required to fully review the proposed development.

### **4.4 Referral to Council**

The Development Officer may submit any application to Council for a decision on the interpretation of the Bylaw, or upon special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.

### **4.5 Development Permit Validity**

- 4.5.1** A development permit is valid for a period of twelve months unless otherwise stipulated when the permit is issued.
- 4.5.2** Where the Development Officer determines that a development is being carried out in contravention of any condition of a development permit or any provision of this bylaw, the development officer shall suspend or revoke the development permit and notify the permit holder that the permit is no longer valid.
- 4.5.3** Where the Development Officer is satisfied that a development, for which the permit has been suspended or revoked, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw the Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.

#### **4.6 Application Fees**

The development permit application fees are set out in the Town of Kindersley Planning and Development Fee Schedule.

#### **4.7 Development Appeals Board**

A Development Appeals Board of the Town of Kindersley shall be appointed in accordance with Sections 213 to 227 of The Act.

#### **4.8 Right of Appeal**

**4.8.1** Where an application for a permitted use has been refused, the applicant shall be advised of the right of appeal.

**4.8.2** Where an application for a Discretionary Use has been approved by council, with prescribed special development standards, the applicant shall be advised of the right of appeal.

**4.8.3** Where an application for a discretionary use has been refused by council, the applicant shall be advised that there is no appeal pursuant to section 219(2) of the Act.

**4.8.4** An application for a development permit for a permitted use shall be deemed to be refused when a decision is not made within 40 days after the receipt of the application by the development officer, and an appeal may be made as provided in section 3.13.1 as though the application had been refused at the end of the period specified in this subsection.

**4.8.5** Where a person wishes to appeal to the board, he/she shall file written notice of his/her intention to appeal with the secretary of the board, together with the fee as set out in the Planning & Development Fee Schedule as amended from time to time.

#### **4.9 Filing an Appeal**

A person who wishes to appeal to the Development Appeal Board shall, within thirty (30) days of receiving the permit or notice, file a written notice of intention to appeal, and any appeal fee, with the secretary of the Board.

#### **4.10 Authority of the Development Appeal Board**

**4.10.1** The Development Appeal Board has the powers given by the Act to allow variances to the standards of this Bylaw, including standards and conditions as specified for a permitted use or a Discretionary Use.

**4.10.2** Nothing in this section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a district.

**4.10.3** Nothing in this section allows a Development Appeal Board to vary a refusal by Council to approve a Discretionary Use or intensity of a Discretionary Use provided for in the Bylaw for a district.

#### 4.11 Appeal from a Deemed Refusal

An application for a development permit for a Permitted Use shall be deemed to be refused when the Development Officer has not issued a decision more than forty days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application has been refused at the end of forty days.

#### 4.12. Minor Variances

**4.12.1** The Development Officer may vary the requirements of this Bylaw subject to the following requirements for residential properties only:

- a) A minor variance may be granted for the following:
  - i. Minimum required distance of a building from a site line.
  - ii. The minimum required distance of a building from any other building on the lot.
  - iii. Site coverage
- b) The maximum amount of a minor variance shall be 15% variation of this Bylaw.
- c) The development must conform to all other requirements of this Bylaw with respect to the use of the land.
- d) The relaxation of the Bylaw requirement must not injuriously affect a neighboring property.
- e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act 2007*.
- f) Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

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

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

**4.12.4** No existing site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which the site is located.

#### 4.13. Minor Variance Procedure

**4.13.1** An application form for a minor variance shall be in a form prescribed by the Development Officer or as attached in Appendix "C".

- a) Upon receipt of a minor variance application the Development Officer may:
  - Approve the minor variance
  - Approve the minor variance and impose terms and conditions on the approval
  - Deny the minor variance.
- b) Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

- c) Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- d) Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

**4.13.2** The Approved Written Notice shall contain:

- a) A summary of the application
- b) Reasons for and an effective date of the decision
- c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, will result in the approval being revoked; and
- d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
- e) A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.
- f) If an assessed owner of a property having an adjoining property with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
  - Of the revocation of the approval; and
  - Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

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

**4.14. Invalid Development Permit**

A development permit shall be automatically invalid, and development cease:

- a) If the proposed development is not commenced within the valid period;
- b) If the proposed development is legally suspended, or discontinued for a period of six or more months, unless otherwise indicated by Council or the Development Officer, or
- c) When development is undertaken in contravention of this bylaw, the development permit and specified development standards, and/or
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the development permit.

**4.15. Cancellation of Permit**

Council or the Development Officer may cancel a Development Permit, and when cancelled, development shall cease:

- a) Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information,
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability, and/or
- c) When a developer requests a development permit modification.



**4.16. Stop-Work Order**

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or a caveat under this Bylaw.

**4.17. Temporary Development Permits**

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

## 5 DISCRETIONARY USE

Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the *District*.

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- a) Site drainage of storm water
- b) The location of buildings with respect to buildings on adjacent properties
- c) Access to, number and location of parking and loading facilities
- d) Appropriate space for vehicle movement to reduce disruption of traffic flows on adjacent roadways
- e) Control of noise, glare, dust, and odour
- f) Landscaping, screening, and fencing to buffer adjacent properties.

### 5.1. Application Fees

An applicant seeking a Discretionary Use approval shall be responsible for costs related to the application.

### 5.2. Application Process

5.2.1 Applicants must file with the Development Officer:

- a) A discretionary use permit application.
- b) A site plan.
- c) Any other plans, or information as required by the Development Officer to determine if the application meets the criteria for discretionary use.

5.2.2 The application will be examined by the Development Officer for conformance with:

- a) The Official Community Plan
- b) This Bylaw.
- c) Any other applicable policies and regulations pertaining to the application.

5.2.3 The Development Officer may request comments from other government agencies where applicable.

5.2.4 The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval.

5.2.5 The Development Officer will set a date for the meeting, at least seven (7) days before the application will be considered by Council and will give notice by ordinary/hand delivered mail to assessed owners of property within 75 metres of the boundary of the applicant's land.

5.2.6 Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.

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

- 5.2.8** The Development Officer shall notify the applicant of Council's decision.
- 5.2.9** Where an application for a Discretionary Use is approved by resolution of Council, the Development Officer shall issue a Development Permit subject to any specified development standards prescribed by Council.
- 5.2.10** Where an application for a Discretionary Use is approved by resolution of Council but the proposed development does not meet the zoning regulations for the applicable zoning district, the Development Officer shall:
  - a) advise the applicant of Council's approval of the Discretionary use application and,
  - b) advise the applicant that the Development Permit application must be refused on the grounds of zoning non-compliance, but that applicant has the right of appeal.

### **5.3. Terms and Conditions**

- 5.3.1** Council may approve discretionary use applications for a limited period where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
- 5.3.2** If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
- 5.3.3** Council may instruct the Development Officer to issue a notice of refusal to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal.

### **5.4. Evaluation Criteria**

- 5.4.1** Council will apply the following general criteria in the assessment of the suitability of an application for a discretionary use or discretionary form of development.
- 5.4.2** The proposal must be in conformance with all relevant sections of the Official Community Plan and must demonstrate that it will maintain the character, density, and purpose of the zoning district, where necessary through the provision of buffer areas, separation, and screening.
- 5.4.3** The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- 5.4.4** The proposal must demonstrate that it is not detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property, improvements, or potential development in the vicinity.
- 5.4.5** The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- 5.4.6** The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking arrangements. Where this is not possible appropriate provisions shall be made to ensure no adverse parking or access effects occur.

- 5.4.7** Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- 5.4.8** Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- 5.4.9** All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- 5.4.10** Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

## 6. GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw.

### 6.1 Principal Use Established

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.

### 6.2 Multiple Uses

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with.

### 6.3 Number of Principal Buildings on a Site

**6.3.1** Only one (1) principal building shall be permitted on any one site except for the following: *parks, schools, hospitals, community facilities, residential care homes, motels, industrial complexes and approved dwelling groups and condominium developments.*

**6.3.2** Multiple unit residential buildings (e.g. duplex) are considered to be one principle building under this Bylaw, and all other uses and buildings on the site must be accessory.

### 6.4 Moving of Buildings

No building shall be moved on a parcel of land without obtaining a development permit from the Development Officer unless such building is exempt under Section 4.2 of this Bylaw. If moving a structure on public roadways an "Oversize/Overweight Permit" shall be obtained.

### 6.5 Demolition of Buildings

No building shall be demolished without first obtaining a Demolition Permit from the Development Officer. Such Permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment or change of land use of the site.

### 6.6 Front Yard Reduction

Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites.

### 6.7 Visibility Clearance at Intersections

On a corner lot, except for C1, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of 1.0 metre or greater above the elevation of the centre of the abutting street within a triangular area formed by the intersecting lot lines abutting the streets and a straight line joining said lot lines at points 7.5 metres distant from the intersection of the lot lines and 4.5 metres distant from the intersection of the lot lines when abutting a lane or driveway.

### 6.8 Height Restrictions

**6.8.1** Where a maximum height of buildings is specified in any District, the maximum height shall be measured from average grade level to the highest point on the building or as otherwise identified in the "Building Height" definition.

6.8.2 Any height limitations or regulations shall not apply to the following:

- a) Spires, cupolas, television antennas, solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.
- b) Mechanical penthouses, provided they are erected only to such heights as is necessary and provided they do not cover more than 10% of the gross roof area upon which they are located.

### 6.9 Permitted Yard Encroachments

The following shall not be considered in the determination of yard dimensions or site coverage:

- a) Steps or ramps above grade level which are necessary for access to a permitted building or for access to a site from a street or lane.
- b) Trees; shrubs; walks; uncovered driveways; fences; trellises; flag poles and wheelchair ramps.
- c) Overhanging eaves and gutters projecting not more than 1.0 metre into the required front or side yards.
- d) Lighting fixtures and lamp posts.
- e) Architectural features, chimneys, bay windows, bow or other projecting windows, projecting not more than:
  - Front Yard: 0.6 metres
  - Rear Yard: 1.0 metre
  - Side Yard: 0.5 metres
- f) Patios and decks are permitted provided they are:
  - Front Yard: not projecting more than 2.0 metres into front yard
  - Rear Site Line: must be located at least 2.0 metres from the rear site line
  - Side Site Line: must be located at least 0.5 metres from the side site line
- g) Canopies or balconies projecting not more than:
  - Front Yard: 2.0 metres into the required front yard
  - Rear Yard: 3.0 metres into the required rear yard
- h) Laundry drying equipment, recreational equipment, garbage stands
- i) Private swimming pools and tennis courts located in the side or rear yard

### 6.10 Restoration to a Safe Condition

Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area, or volume to contravene the provisions of this Bylaw.

### 6.11 Grading and Leveling of Sites

Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.

- a) A site elevation must be provided to the town for construction of any building.
- b) All excavations or filling shall be re-vegetated after construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
- c) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Development Officer.

### 6.12 Road Closings

In the event a dedicated street or lane shown on the Zoning District Map is closed, this area shall be included within the zoning district of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different zoning Districts, the new district boundaries shall be the former centre line of the closed street or lane.

### 6.13 Railway Crossings and Sight Distances

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 45.72 metres (150 feet) of the point of intersection of the centre line of both the railway and the street.

### 6.14 Frontage on Road

No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on and access to an existing public road. (See Frontage definition)

### 6.15 Landscape Buffers

**6.15.1** Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties may be required at a minimum of 3 feet landscaped buffer, unless a fence is required for other reasons.

**6.15.2** Primary entrances into the Town and parking lots abutting major roads will require a landscape buffer.

**6.15.3** Notwithstanding any other provisions in this Bylaw, where buffers are required for walking trails, parks, and landscaped areas, they shall be required to reflect the character and intent of the Official Community Plan.

### 6.16 Signage

#### 6.16.1 Sign Permit

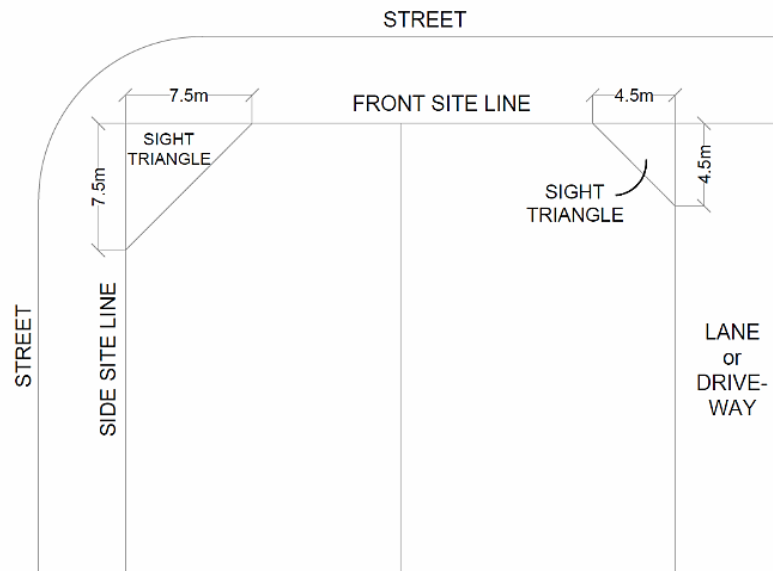
All signs, whether requiring a permit or not, are subject to the sign regulations and size limits of the district in which they are located. A sign permit is required for any sign except as follows:

- a) Official signs erected by the municipality for a public purpose.
- b) Real estate signs advertising the sale, lease, or rental of the property on which it is located.
- c) Temporary signs of less than 1 m<sup>2</sup> in surface area
- d) Directional or safety signs bearing no advertising information
- e) Address signs for buildings, all containing no advertising information.
- f) Election signs during the period of an election campaign, and seven (7) days thereafter.
- g) Temporary signs located inside a building window, exclusive of any electrified sign greater than 0.5m<sup>2</sup> in area.

- h) Signs visible only from the interior of a building.
- i) Construction signs, located on the site of the construction to which they refer.

**6.16.2** General Sign Regulations

- a) Official signs erected by the municipality for a public purpose shall be of a size and placed at a location appropriate to that purpose and shall be exempt from any sign regulation of this bylaw.
- b) Except as specifically provided in district zoning, all signs shall be located within the limits of the parcel on which they are located and shall not project over the site lines.
- c) Private signs shall not be placed on public rights of way, or attached to public utilities, or other public facilities, except where space is specifically rented by the Municipality for the purpose of advertising.
- d) No sign shall be located within the sight triangle as identified below:



- e) No sign shall cover, obscure, or in any way detract from the visibility and function of an official sign or traffic control device.
- f) Real estate and construction signs shall be removed once the contract is completed, and the property is occupied by the new owner, lessee or tenant.
- g) A permit for a temporary sign is valid for the period of the temporary event to which it refers or for a period of two (2) months, whichever comes first. The sign shall be removed once the permit expires unless a new permit is first obtained.
- h) No sign shall obstruct or jeopardize the safety of the public.

**6.16.3** Sign Permit

Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.



**6.16.4** Licensing of Portable Signs

Portable signs intended for rental or lease at more than one site during a one-year period or located at more than one site during a one-year period must be licensed.

- a.) The annual license shall be in the form of a license sticker which must be affixed anywhere on the top one-third of the sign on the end or face closest to the street.
- b.) A license sticker is not transferable from one portable sign to another.
  - i. No portable sign shall have a single face area greater than 6.0 m<sup>2</sup>.
  - ii. No portable sign shall have a height greater than 3.0 metres above grade.
  - iii. No portable sign shall occupy any space required for off-street parking unless the site contains more parking sites than required under this Bylaw.
  - iv. On any single site, no portable sign may be located closer than 20.0 metres from any other portable sign.

**6.16.5** Denying or Revoking Sign Permits

The Development Officer may deny or revoke a sign permit for any of the following reasons:

- a.) Erection of the sign has not commenced within three months from the date of issue of the permit.
- b.) The sign does not conform to all relevant provisions of this Bylaw.
- c.) The sign being constructed or erected does not conform to the approved drawings.
- d.) The sign is not in a proper state of repair.

**6.17 Off-Street Parking & Loading Requirements**

**6.17.1** In Residential Districts, the general location and design of a driveway development shall comply with the following:

- a) Entrances to and exists from the driveway will cause as little traffic interference as possible.
- b) The width of a driveway apron shall be constructed to align with the driveway or parking pad.
- c) The edge of the driveway apron shall be of a wing-type design and will not extend through the sidewalk or change the elevation of the sidewalk.
- d) The removal of any public tree on Town boulevard to allow for the construction of a driveway apron will be determined on a case-by-case basis.
- e) No driveway development shall interfere with fire hydrants, utility wires or poles.
- f) A driveway apron shall not be situated within the sight line triangle.

**6.17.2** Off-street parking leading to a public street, shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets.

**6.17.3** For multiple unit dwellings, all parking spaces and all required visitor parking spaces shall be clearly marked or signed as such.

**6.17.4** No person within any District shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with the development.

## Town of Kindersley Zoning Bylaw 02-22

- 6.17.5** When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement that specifically affects the requirements for parking and loading facilities, the number of parking and loading spaces shall be increased by the additional number of spaces required by this Bylaw.
- 6.17.6** Whenever the use of a building is changed, the parking and loading spaces shall be provided as required for the new use. However, if the building was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number of spaces that the requirements for the new use exceed those of the existing use.
- 6.17.7** Any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion, or other cause to the extent of 75% or more of its value above the foundation to rebuild that is reconstructed, repaired, or re-established, shall provide off-street parking and loading facilities in accordance with this Bylaw.
- 6.17.8** Required off-street parking spaces in any Commercial or Industrial District may be located on a separate site that is within a convenient walking distance to a maximum of 150 metres of the principle building or use, provide such spaces are located within a Commercial or Industrial District.
- 6.17.9** Where the necessary off-street parking space is provided on a parcel that is separate from the principle use, an agreement between the Municipality and the owner of the site on which the parking is to be located shall be recorded in the town office. The agreement shall bind the owner and his heirs and successors restricting the use of the site for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; an interest based on the agreement shall be registered against the titles on behalf of the Municipality.
- 6.17.10** Off-street parking shall be provided in accordance with the following "Parking Schedule", and associated regulations. Except where specifically noted, all floor areas represent gross floor areas. One space is required for each unit or part of a unit. For shopping centers, the number required applies to the entire shopping center, including restaurants or offices

PARKING SCHEDULE	
LAND USE	PARKING SPACES REQUIRED (Minimum)
<b>Residential</b>	
Single-Detached Dwelling Mobile Home, Modular or Manufactured Home, RTM	1 Parking Space
Semi-Detached Dwelling Multiple Dwelling Unit, Duplex, Townhouse	1 Per Dwelling Unit
Bed And Breakfast	1 Per Dwelling Unit, <i>Plus</i> 1 for Guests
<b>Institutional / Recreational</b>	
Residential Care Home	1 plus 1 per 5 client residents
Special Care and Senior Centre	1 per 4 client beds / Dwelling Units
Hospital	1 per 2 beds
Elementary & Middle Schools	1 per classroom
High School and Colleges	4 per classroom
Community Center, Auditorium, Theatre	1 Per 10 Fixed Seats (or 1 Per 25 m <sup>2</sup> of space for movable seating)
Private Club, Places of Worship	1 per 20 fixed seating (or 1 per 50 m <sup>2</sup> for movable seating)
Museum, Library, Cultural Institution	1 per 4 patron seats
Bowling Alley	
Ice Rink, Curling Rink, Arenas	2 per sheet of ice or playing field, plus 1 per 10 fixed seats
Fitness center	1 per 30 m <sup>2</sup>
<b>Commercial (C1, C2, C3, C4, C5)</b>	
Retail Stores	1 per 40 m <sup>2</sup>
Shopping Centers	1 per 30 m <sup>2</sup>
Office Complex	1 per 50 m <sup>2</sup>
Lounges, Bars, Restaurants	1 per 4 patron seats, (or 1 per 10 m <sup>2</sup> patron space if seating not fixed)
Hotel or Motel	1 per guest room or motel unit
Lumber Yard, Home Improvement Center	1 per 50 m <sup>2</sup>
All Others	1 per 30 m <sup>2</sup>
<b>Industrial (M1 M2) &amp; Railway (RW)</b>	
Manufacturing and processing plants	1 per 60 m <sup>2</sup>
Warehouse (restricted access)	1 per 100 m <sup>2</sup>

**6.17.11 Payment of Cash-in-Lieu of Required Off-Street Parking**

- a) Pursuant to The Planning and Development Act 2007, the Development Officer may exempt any person who is required to provide off-street parking in a Commercial District from providing those spaces, where, instead, he pays the Municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required to provide by the average current market value of 25 m<sup>2</sup> of land in the area and zone of the development as calculated by the Development Officer, or by an independent land appraiser if requested and paid for by the applicant.
- b) The Development Officer shall record the number of spaces paid for with the parcel records and shall consider those spaces as provided with respect to that parcel. Where a development on that parcel requires a greater number of spaces than provided on the site either by cash-in-lieu or by actual spaces on the site, only the additional spaces will be required.
- c) Cash-in-lieu received for off-street parking spaces will not be refunded where the intensity is decreased or the use is changed, requiring less off-street parking spaces. The spaces will continue to be considered as provided with respect to the parcel.
- d) A person who pays the required cash-in-lieu of providing off-street parking facilities associated with a development shall be deemed to have met the off-street parking regulations for that development.
- e) All such sums of monies shall be paid to the Municipality prior to the issuance of a development permit and any building permit.
- f) All such sums shall be placed in an account of the Municipality used to provide public parking spaces.

**6.17.12 Off-Street Loading**

In any Industrial or Commercial District, where the use of a building or site involves the receipt, distribution or dispatch of materials, goods or merchandise from vehicles, adequate space for such vehicles to stand during loading or unloading shall be provided on the site in conformity with the following schedule:

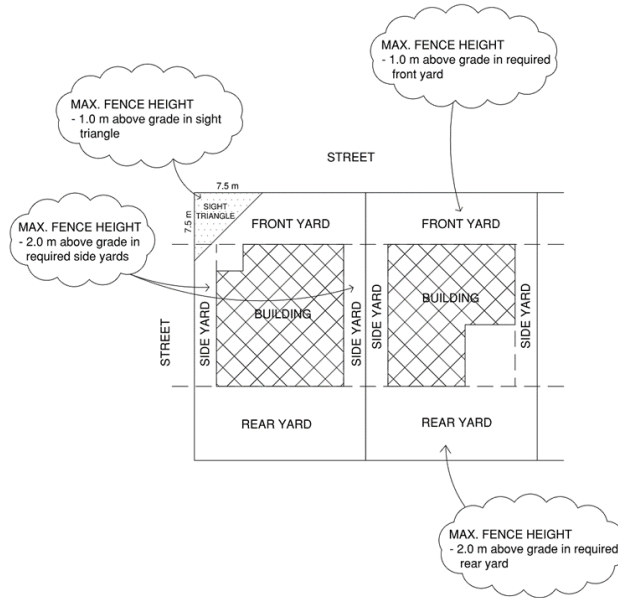
<b>OFF-STREET LOADING SPACE SCHEDULE</b>	
<b>GROSS FLOOR</b>	<b>LOADING SPACES REQUIRED (Minimum)</b>
AREA 100 m <sup>2</sup> to 1,500 m <sup>2</sup>	1
1,501 m <sup>2</sup> to 3,000 m <sup>2</sup>	2
Over 3,000 m <sup>2</sup>	2 plus 1 for each 6,000 m <sup>2</sup> (or part thereof) over 3,000 m <sup>2</sup>

All off-street loading spaces shall be located on the site and be of sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a public roadway.

**6.18 Fence & Hedge Requirements**

**6.18.1** No barbed wire, electrified, or razor wire fences shall be allowed in any District.

**6.18.2** On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, shall be erected, placed, planted, or maintained within the triangular area formed by the intersecting property lines and the straight line joining said property lines at points which are 7.5 metres distant from the point of intersection, measured along said property lines, to a height greater than 1.0 metre as illustrated below:



Residential Districts:

Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences, and hedges in all Residential Districts.

- a) No hedge, fence or other structure shall be erected past any property line.
- b) In a required front yard, to a height of more than 1.0 metre above grade level.
- c) In a required rear yard, to a height of more than 2.0 metres above grade level.
- d) In a required side yard, to a height of more than 2.0 metres above grade level.
- e) Except permitted accessory buildings, no fence or other structure, shall be erected to a height of more than 1.83 metres (6 feet).

Commercial, Industrial, Railway and Future Land Use Districts:

Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences, and hedges in all Commercial, Industrial, Railway and Future Land Use Districts.

- a) no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 metres above grade level.
- b) Where a lot used for commercial or industrial purposes abuts a residential district with or without an intervening street or lane, it shall be screened except for points of entrance and exit by a solid painted fence or wall over 2.0 metres in height or a compact evergreen hedge or tree belt not less than 2.0 metres in height, all of which shall be always maintained in good condition.

**6.19 Restrictions on Changes**

- 6.19.1** Any use, land or building shall not be changed, including construction to a new or existing building, and no land shall be severed from any site, if it creates a situation that contravenes any of the provisions of this Bylaw.
- 6.19.2** Notwithstanding the provisions of clause 7.1.1, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by the Municipality or the Province of Saskatchewan for a public work.

## 7 SPECIFIC DEVELOPMENT STANDARDS

The Council will apply the following specific development standards of a particular land use or structure as defined below:

### 7.1 Uses Permitted in all Zoning Districts

- 7.1.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 7.1.2 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.
- 7.1.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighborhood in which the same is located.

### 7.2 Home Based Businesses

Home Based Businesses are subject to the following conditions:

- 7.2.1 Shall clearly be secondary and ancillary to the use of a dwelling unit as a private residence.
- 7.2.2 No more than two (2) home occupation(s) allowed per dwelling unit.
- 7.2.3 Business to be conducted entirely within the dwelling or accessory building.
- 7.2.4 One (1) advertising display sign allowed on the site or premise. No LED or neon signs allowed.
  - a) The facial area of a sign shall not exceed 0.47 m<sup>2</sup> (5.0 ft<sup>2</sup>)
  - b) No sign shall be in any manner that may obstruct or jeopardize the safety of the public
- 7.2.5 Shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- 7.2.6 No equipment or process used shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the property.
- 7.2.7 Up to two (2) persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer.
- 7.2.8 Shall not cause or add to on-street parking congestion. One (1) off-street parking must be provided for each non-resident employee.
- 7.2.9 No more than 25% of the gross floor area of the principal building, and 50% of the gross floor area of an accessory building can be used for the home-based business.
- 7.2.10 The permit may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighborhood.

### 7.3 Secondary Suites

Secondary Suites are subject to the following conditions:

- 7.3.1 Secondary suites may be constructed within a principal, single detached dwelling in a residential zone.
- 7.3.2 Only one secondary suite is permitted on each residential site.
- 7.3.3 Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.
- 7.3.4 Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities.
- 7.3.5 Secondary suites may not exceed 60 m<sup>2</sup> or 35% of the total floor space, including basements, and may not have more than two bedrooms.

### 7.4 Bed & Breakfast

- 7.4.1 Bed and breakfast homes shall be in a single-detached dwelling used as the operator's principal residence.
- 7.4.2 Bed and breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy.
- 7.4.3 Maximum occupancy is three guest bedrooms.
- 7.4.4 Must be the principal residence of the operator.
- 7.4.5 Only one meal per day may be served to guests and meal must be served prior before 12:00 noon.
- 7.4.6 Minimum of one off-street parking space for residents plus at least one off-street parking space for guests must be provided.
- 7.4.7 A sign advertising the Bed and Breakfast operation is limited to a window sign having a maximum letter size of .09 metres (approximately 3.5 inches) in height. A sign cannot be installed without a sign permit.
- 7.4.8 Council will consider applications with respect to the following criteria:
  - a) The proposed structure is suitable and comfortable for the proposed development.
  - b) There is adequate space on the site for the proposed facility.
  - c) There are appropriate levels of access to the site and off-street parking is available for the users of the facility and for the operator.
  - d) The development will complement adjacent residential uses.
  - e) Use as a bed and breakfast home will be considered an asset in the preservation of heritage buildings.



## 7.5 Day Care and Child Care Facilities and Pre-Schools

Day care and Child Care Facilities and Pre-schools are subject to the following conditions:

- 7.5.1 May be approved as a Discretionary Use or as a Permitted Use.
- 7.5.2 May also be the Principal Use or an Ancillary Use.
- 7.5.3 In any residential district, no exterior alterations shall be undertaken to a structure which would be inconsistent with the residential character of the building, property, or residential area.
- 7.5.4 If located in residential districts, at least 3.25 m<sup>2</sup> (35 ft<sup>2</sup>) of fenced on-site outdoor play space must be allotted for each child present in the facility at any one time.

## 7.6 Residential Care Homes

Residential Care Homes are subject to the following conditions:

- 7.6.1 May be approved as an ancillary use or as a principal use.
- 7.6.2 Where allowed as a discretionary use, a residential care home may be developed in a single-detached dwelling, subject to obtaining a provincial license, pursuant to the Act under which the home is proposed to operate.
- 7.6.3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- 7.6.4 The residential care home shall maintain the single- detached residential character of the property consistent with the neighborhood.
- 7.6.5 A residential care home shall meet all the regulations for a single-detached dwelling as prescribed for the district in which it is located.
- 7.6.6 The operator shall ensure that adequate supervision and care is always available at the home.
- 7.6.7 In approving a residential care home, Council may specify the maximum number of clients that maybe cared for in a residential care home but in no case shall the number exceed ten (10) persons.
- 7.6.8 Council will consider applications with respect to the following criteria:
  - a) The structures are suitable and comfortable for the proposed development and provide for the appropriate level of supervision.
  - b) There is adequate space on the parcel for the proposed facility.
  - c) There are appropriate levels of off-street parking for the residents of the facility and the operator.
  - d) The concentration of residential care homes will not exceed two (2) facilities per residential block, and the home will complement adjacent residential uses.

## 7.7 Bare Land Condominium Developments

Bare Land Condominium Developments shall comply with the minimum site area, coverage, width, height, and yard setbacks as stated in the applicable zones.

**7.8. Manufactured / Modular homes**

- 7.8.1 All manufactured and modular homes shall be placed on a permanent foundation at a standard comparable to a single-detached dwelling.
- 7.8.2 All manufactured and modular homes shall have architectural features similar or complementary to adjacent and nearby homes.
- 7.8.3 Manufactured and modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.

**7.9. Campgrounds**

Campgrounds are subject to the following conditions:

- 7.9.1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and location of roadways, recreational vehicles or tent campsites including dimensions. The addition or rearrangement of campsites, construction or moving of buildings, and material changes, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 7.9.2 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.57 metres (15 feet) which shall contain no structures.
- 7.9.3 The operator of a campground shall designate an area for each recreational vehicle or tent, which shall be not less than 148.64 m<sup>2</sup> (1600.00 ft<sup>2</sup>) in area with its corners clearly marked.
- 7.9.4 One permanent sign advertising the campground is permitted.
- 7.9.5 One permanent sign per camping area is permitted identifying each camping site in numerical format.
- 7.9.6 No portion of any campsite shall be located within a roadway or required buffer area.
- 7.9.7 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 7.9.8 Each recreational vehicle shall be located at least 3.05 metres (10 feet) from any other recreational vehicle, and each campsite shall have dimensions sufficient to allow such units.
- 7.9.9 The space provided for roadways within a campground shall be at least 7.62 metres (25 feet) in width.
- 7.9.10 No portion of any campsite, other use or structure shall be in any roadway.
- 7.9.11 A campground may include as ancillary uses a laundromat or a confectionery, and one single detached dwelling for the accommodation of the operator.
- 7.9.12 *The Public Health Act* shall be complied with in respect to all operations and development of the campground including water and sewer services.

### 7.10. Drive-Through Restaurants

A drive-in restaurant or drive-through service should be designed and located to minimize visual, traffic and noise impacts on neighbouring development.

- 7.10.1 Restaurants with drive through sales shall have room on site for at least five (5) cars in the ordering line without the use of public roadway space. This line of cars shall not block access to parking stalls.
- 7.10.2 Access and egress lanes shall not be located to create congestion on the adjacent streets.
- 7.10.3 Lanes must be situated so that other vehicles leaving or entering the parking lot won't be hindered by others using the drive-through.
- 7.10.4 Drive-throughs must be placed so that pedestrians entering and exiting the building are not required to cross the driving lane.
  - a) For existing drive-throughs, when it is necessary for individuals to have to cross drive-through lanes, crosswalks must be clearly demarcated from the parking area to the building entrance.

### 7.11. Outside Storage (Not including Shipping Containers)

- 7.11.1 No outdoor storage shall be permitted in the required front yard of any residential site.
- 7.11.2 No yard shall be used for the storage or collection of hazardous material.
- 7.11.3 Council may apply special standards as a condition for a discretionary use approval regarding the location of areas used for storage for that use.
- 7.11.4 No wrecked, partially dismantled, or inoperable vehicle or machinery shall be stored or displayed in any portion of the yard.
- 7.11.5 Provisions shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or (1) recreational vehicle for sale at any given point in time except for commercial auto dealerships.

### 7.12 Shipping Containers (Storage, Sea and Rail Containers)

#### **Part 1 Shipping Containers in Place Prior To This Bylaw (*lawfully "non-conforming"*):**

Shipping containers that already have a permit with the Town or was installed in a manner that conformed to the requirements of the Zoning Bylaw and Official Community Plan in place at the time of its installation (i.e.: setbacks site, coverage, Development Permit Requirements) will be permitted provided it is modified in accordance with the following health and safety requirements:

- 7.12.1 The container upon inspection is structural safe
- 7.12.2 The container is located on a suitable and stable surface to prevent ground sinking
- 7.12.3 Risk of uplift or overturning is addressed that includes proper anchorage

*Note that the following are not permitted in a lawfully "non-conforming" shipping container:*

- a) No flammable or combustible liquids or gases
- b) No plumbing, electrical, gas services or connections to the shipping container
- c) If any dangerous goods are stored within the shipping container placards must be mounted on two sides of the container that is most visible to first responders.

If your shipping container is located inappropriately on your property or otherwise did not conform to the zoning regulations in place at the time of installation or if it does not have the required development permit and was installed illegally, **then the shipping container must be removed.** These shipping containers are unlawful, and their removal is not appealable and there is no avenue to vary this requirement.

**Part 2 Shipping Container Requirements Under Zoning Bylaw 02-22 (Current Installations):**

Shipping containers were designed to facilitate the transportation of goods across different transportation systems including ships, railways, and trucks. These containers have increasingly been used for purposes other than what they were designed for, and this poses a significant public safety hazard and a hazard to first responders. The Town has updated its requirements to regulate where and how they may be used.

All Zoning Districts:

**7.12.4** Where a Shipping Container is used as a component of a building it shall not be considered a “Shipping Container” and is instead a structure or portion thereof provided it meets the following requirements:

- a) It is built in accordance with the National Building Code, as updated from time to time; and
- b) designed and built under the professional design and review of a registered professional as defined in the National Building Code, as updated from time to time; and
- c) has received a valid building permit.

**7.12.5** Where a Shipping Container is modified and certified pursuant to CSA A277, *Procedure for Certification of Prefabricated Buildings*, it shall not be considered a “Shipping Container” and is instead considered a manufactured home or portion of a manufactured home.

**7.12.6** Shipping Containers are permitted in all zones under the following TEMPORARY circumstances:

- a) Construction Sites:  
Containers may be temporarily placed on construction sites for storage incidental to an active construction project on that site, provided that:
  - i) a building permit has been issued for construction on the site and the permit has not expired, and
  - ii) the shipping container is removed once construction is completed, stopped or the building permit expires.
- b) Loading or Unloading Goods:  
A single container may be placed on a parcel for a period totaling no more than 30 days, for the purpose of loading or unloading goods to permanently relocate the residential or commercial use, provided that the name of the moving enterprise is displayed on the container and the enterprise holds a current municipal business license and a current provincial commercial transport license.
- c) Public Infrastructure:  
Containers may be temporarily placed on any parcel or on a highway for use in conjunction with the construction or repair of public infrastructure.

Residential Districts (All) and Commercial Districts (C1, C2, C4, C5)

Shipping Containers are prohibited except for situations stipulated in the above.

Commercial Districts, Industrial Districts and Railway Districts (C3, M1, M2, RW)

Shipping containers are permitted in these districts under the following conditions that include an approved development permit that clearly identifies the below requirements:

- 7.12.7** A Shipping Container shall be vented as follows:
- a) one (1) ventilation opening within 150 mm of the floor in the container door primarily used for opening
  - b) one (1) ventilation opening within 150 mm from the top of the container on the opposite end from the doors for cross ventilation
  - c) ventilation openings cannot be directly venting toward a structure
  - d) neither ventilation opening can be obstructed by stored materials at any time and must be kept clear of internal and external debris
- 7.12.8** Visible placards for all stored dangerous goods must be visible on two sides of the shipping container.
- 7.12.9** Containers determined by the Town to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a period specified by the Town

**7.13 Accessory Buildings and Structures**

- 7.13.1** An accessory building shall not be in a required front yard.
- 7.13.2** No door that could give access for a vehicle to a private garage shall be less than less than 1.2 meters to a lane to which it gives direct access.
- 7.13.3** Private garages and accessory buildings if less than 10 m<sup>2</sup>, shall have a minimum side or rear yard of 0.75 m and a maximum projection of 0.5 m into the required yard for any eaves, gutters, or drain spouts into that yard.
- 7.13.4** Private garages and carports, attached to a principal building by a substantial roof structure shall be considered as part of the principal building.
- 7.13.5** Accessory buildings shall not exceed the square footage of the main floor of the principle building in size.
- 7.13.6** All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

**7.14 Fabric Covered Structures**

- 7.14.1** Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl, or other material shall be prohibited on all residential sites.
- 7.14.2** Fabric covered structures shall be permitted as an accessory structure only in the C3, C4, M1 and M2 districts.
- 7.14.3** Applications for fabric covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code.

### 7.15 Kennels

- 7.15.1 No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 300 meters (about 1000 ft.) of any dwelling located on adjacent lots.
- 7.15.2 The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- 7.15.3 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- 7.15.4 Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of the Development Officer.
- 7.15.5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- 7.15.6 No animals shall be allowed outdoors between the hours of 10:00 p.m. to 7:00 a.m. daily. During this time, all animals shall be kept indoors.
- 7.15.7 A boarding use shall at no time unduly interfere with the character of the neighborhood or the general enjoyment of adjoining sites.

### 7.16 Swimming Pools

Notwithstanding anything contained in this Bylaw, a swimming pool is permitted in the side yard or rear yard of any lot as an ancillary use to principle uses in the Residential Districts or as an ancillary use to motels and hotels if:

- 7.16.1 The maximum height of such pool is 5 feet above the average finished grade level of the ground adjoining the pool; and
- 7.16.2 Every swimming pool shall be enclosed by a non-climbable fence of at least 6 feet in height and not more than 4 inches from the ground.
- 7.16.3 Any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool and shall:
  - a) Have a minimum side yard of 0.5 metres
  - b) Any building or structure, other than a dwelling, required for changing clothing, pumping, or filtering facilities, or other similar accessory uses, shall comply with the provisions as set out in this bylaw for accessory buildings.

### 7.17 Heritage Properties

Provincial and Municipal heritage properties subject to preservation agreements are subject to development review processes as defined by *The Heritage Property Act*, Sections 23, 24, and 25. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.

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

### 7.18 Service Stations and Gas Bars

Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 meters from any street or other property boundary. Saskatchewan.

- 7.18.1 All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- 7.18.2 All business shall be conducted, and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- 7.18.3 The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.

### 7.19 Cannabis Production Facilities & Retail Stores

7.19.1 Cannabis Production Facilities is a facility, approved under federal and provincial regulations, that is used in whole or in part for the planting, cultivation, testing, harvesting, processing and distribution of the cannabis plant and any of its derivatives.

- a.) The location of cannabis production facilities and other intensive agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Town. Consideration may be given, but is not limited to, the following effects:
  - i. municipal servicing capacity;
  - ii. anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
  - iii. anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and
  - iv. utilization of hazardous substances.”
- b.) Applications for cannabis grow operations shall include information regarding the type of air filtration system proposed to be used

7.19.2 Cannabis Retail Store is a retail store, approved under federal and provincial regulations that sells cannabis and any of its derivatives.

- a.) Cannabis retail stores must maintain a minimum setback of 150 metres from schools, playgrounds, parks, licensed daycares, and places of worship.
- 7.19.3 Signs for Cannabis Grow Operations and Cannabis Retail Stores shall not contain any imagery or wording that is intended to encourage persons under the age of 19 years to consume cannabis and its derivatives.

### 7.20 Prohibited And Noxious Uses

7.20.1 The keeping of livestock shall not be allowed except for permitted agricultural uses in the FUD - Future Urban Development District.

7.20.2 Any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacture.

- 7.20.3** Notwithstanding any noxious use contained within a building, no land shall be used, and no building or structure shall be erected, altered, or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
- 7.20.3.1 By the creation of noise or vibration.
  - 7.20.3.2 By the emission of light and glare.
  - 7.20.3.3 By reason of the emission of gas, fumes, smoke, dust, or objectionable odor.
  - 7.20.3.4 By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material.
  - 7.20.3.5 By any combination of things in this subsection.

### **7.21 Satellite Dishes, Solar Collectors, Wind Chargers**

The installation and operation of a free-standing satellite dish, solar collector, wind charger, and their supporting structures shall be permitted in all zoning districts subject to the following:

- 7.21.1** In any **C** or **R** district, such structures shall not be in any required front yard or side yard, and in the case of a corner site, in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer.
- 7.21.2** In any **C** or **R** district such structures, if freestanding, shall not exceed a height of 5.0 metres above grade level.
- 7.21.3** In any **C** or **R** district such structures if attached to a principal building, shall not exceed a height of 5.0 metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip, or gambrel roof.
- 7.21.4** In any **C** or **R** such structures, if attached to or erected upon an accessory building, shall not exceed the maximum permitted height of the accessory building upon which such structure is attached or erected.

### **7.22 Wind Power Turbines and Towers**

- 7.22.1** Mechanical Wind generation units shall only be considered as a Discretionary Use within an Industrial (M1, M2), Railway (RW) and Residential Acreage District (RA).
- 7.22.2** Minimum setback of 400 metres (1312 feet) for potential fall zone below the turbine.
- 7.22.3** Maximum noise standard of 40 decibels.
- 7.22.4** Wind Turbines and Towers are prohibited in all other Districts.

### **7.23 Communication Towers**

The erection of cellular telephone transmission towers shall not be permitted in, or closer than 91.44 metres (100 feet) of, any Residential District. Public Utility sites are exempt.



## 7.24 Disposal of Wastes

- 7.24.1** Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.
- 7.24.2** Disposal of any liquid, solid, or gaseous waste shall be governed by Acts administered by the relevant regulating provincial agency. No development or use of land which requires said disposal shall be permitted unless those facilities are approved by the relevant regulating Provincial agency.

## 7.25 Solid And Liquid Waste Disposal Facilities

Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions:

- 7.25.1** The facility will be located as near as practical to the source of waste.
- 7.25.2** The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design.
- 7.25.3** The facilities will be located at least 300 meters for liquid waste, and 457 meters for solid waste from any residence or recreational use.
- 7.25.4** The development of any new disposal sites shall take into consideration seasonal winds.
- 7.25.5** Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 7.25.6** Solid waste disposal facilities shall be in proximity to an all- weather road.
- 7.25.7** Council may apply special standards for screening, fencing and reclamation of the site.

## 8. ZONING DISTRICTS AND ZONING MAPS

### 8.1. Zoning Districts

For the purpose of this Bylaw, the Town of Kindersley is divided into several Zoning Districts that maybe referred to by the following.

<b>FUD</b>	Future Urban Development	<b>C1</b>	Downtown Commercial
<b>R1</b>	Low Density Residential	<b>C2</b>	Core Area Commercial
<b>R2</b>	Medium Density Residential	<b>C3</b>	Highway Commercial
<b>R2A</b>	Small Lot Residential	<b>C4</b>	Shopping Centre Commercial
<b>R3</b>	Multiple Unit Residential	<b>C5</b>	Neighbourhood Commercial
<b>R3A</b>	Low Density Multiple Unit Residential	<b>M1</b>	Light Industrial
<b>R4</b>	Mobile Home Residential	<b>M2</b>	Heavy Industrial
<b>RA</b>	Acreage Residential	<b>RW</b>	Railway Industrial

### 8.2. The Zoning District Map

The Zoning District map adopted by the Town of Kindersley, as attached as “Schedule A”, shall be known as the “Land Use” map, and such map is hereby declared to be an integral part of this Bylaw.

### 8.3. Boundaries of Zoning Districts

**8.3.1** Unless otherwise shown, the boundaries of Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.

**8.3.2** Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw

**8.4. Future Urban Development – FUD**

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

**8.4.1 Purpose**

To provide for interim limited development on lands which have potential for future development.

**8.4.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Agricultural	Kennel Boarding
Commercial Greenhouses, Market Gardens, Sod Farms	Livestock
Campgrounds	Large Accessory Buildings
Livestock Holding Pens	
Municipal Facility or Protective Services	
Parks & Playgrounds	
Uses in existence when this Bylaw comes into force.	

**8.4.3 Site Development Regulations**

<b>Site Area (Minimum)</b>	Existing sites are permitted.
<b>Site Frontage (Minimum)</b>	Existing site frontages permitted
<b>Site Coverage (Maximum)</b>	N/A
<b>Front Yard Setback</b>	15 metres
<b>Side Yard Setback</b>	3 metres
<b>Rear Yard Setback</b>	3 metres

**8.4.4 Signage**

- a) One permanent sign is permitted per site.
- b) The facial area of a sign shall not exceed 0.47 m<sup>2</sup> (5.0 ft<sup>2</sup>).
- c) Temporary signs not exceeding 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) advertising the sale, lease, or other information regarding the property are permitted.
- d) No roof signs shall be permitted
- e) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign

**8.4.5 Single Detached Dwellings**

To recognize existing uses, Council will consider building or expansion of single-detached dwelling in a Future Urban District on a site that holds an existing single-detached dwelling.

**8.4.6 Accessory Buildings**

No accessory building shall be located within 3.0 metres of a side and 1.5 metres of a rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 6.0 metres.

**8.4.7 Supplementary Regulations**

Council will consider the applications for discretionary use with respect to the following criteria:

- a) Roads, sewer, water, and utility servicing capacity to service the proposed development will not have excessive impact on other uses in the area.
- b) Where the standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities acceptable to Council and all other regulating bodies.
- c) The development of new streets and utility lines will be provided at the expense of the developer.
- d) The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan.
- e) Any structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.20 metres (250 feet) from an occupied dwelling situated on an adjoining site.

**8.5. Low Density Residential District - R1**

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

**8.5.1 Purpose**

To provide for residential development in the form of single-detached dwellings as well as other community uses.

**8.5.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Dwellings, Semi-Detached, Townhouse, Duplex
Educational Facility	Dwelling, Multiple Unit
Municipal Facility or Protective Services	Bed & Breakfast
Parks & Playgrounds	Community Facilities & Clubs
Residential Care Home	Cultural Institutions & Museums
	Daycare Centres
	Places of Worship
	Secondary Suite
	Homebased Business

**8.5.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	300 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Dwellings, Semi-Detached Townhouse, Duplex	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Other Uses	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.6. Medium Density Residential District – R2**

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

**8.6.1 Purpose**

To provide for residential development in the form of single-detached, semi-detached, duplex or multi-unit dwellings as well as community related uses.

**8.6.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Bed & Breakfast
Dwellings, Semi-Detached, Townhouse, Duplex	Community Facilities & Clubs
Municipal Facility or Protective Services	Cultural Institutions & Museums
Parks & Playgrounds	Health Service Facility & Hospitals
Educational Facility	Homebased Business
Residential Care Home	Medical, Dental, Optical Clinics & Labs
Daycare Centres	Rooming House
	Secondary Suite
	Places of Worship
	Parking Lot

**8.6.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Dwellings, Semi-Detached Townhouse, Duplex	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	500 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Other Uses	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.7. Small Lot Residential District – R2A**

No person shall within any R2A – Small Lot Residential District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

**8.7.1 Purpose**

To provide for small lot residential development in the form of single-detached and semi-detached dwellings as well as community related uses.

**8.7.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Bed & Breakfast
Dwellings, Semi-Detached, Townhouse, Duplex	Homebased Business
Residential Care Home	Daycare Centres
Municipal Facility or Protective Services	Rooming House
Parks & Playgrounds	Secondary Suite
	Parking Lot

**8.7.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	300 m <sup>2</sup>	75 m <sup>2</sup>	50%	9.0 m
Dwellings, Semi-Detached Townhouse, Duplex	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	600 m <sup>2</sup>	60 m <sup>2</sup> (per unit)	50%	9.0 m
Other Uses	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	400 m <sup>2</sup>	75 m <sup>2</sup>	50%	9.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.8. Multiple Unit Residential District – R3**

No person shall within any R3 – Multiple Unit Residential District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

**8.8.1 Purpose**

To provide for a variety of residential developments in a medium to high density form as well as community related uses.

**8.8.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Bed & Breakfast
Dwellings, Semi-Detached, Townhouse, Duplex	Homebased Business
Dwellings, Multiple Unit	Daycare Centres
Municipal Facility or Protective Services	Rooming House
Parks & Playgrounds	Secondary Suite
Residential Care Home	Parking Lot
Educational Facility	Communities & Clubs
	Cultural Institutions & Museums
	Health Service Facility & Hospitals
	Medical, Dental, Optical Clinics & Labs
	Special Care Home
	Places of Worship

**8.8.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	75 m <sup>2</sup>	50%	10.0 m
Dwellings, Semi-Detached Townhouse, Duplex	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	630 m <sup>2</sup>	50 m <sup>2</sup> (per unit)	50%	10.0 m
Dwellings, Multi-Unit	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	680 m <sup>2</sup>	60 m <sup>2</sup> (per unit)	50%	15.0 m
Other Uses	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	400 m <sup>2</sup>	75 m <sup>2</sup>	50%	10.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--



**8.9. Low Density Multiple Unit Residential District – R3A**

No person shall within any R3A – Low Density Residential District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

**8.9.1 Purpose**

To provide for a variety of multiple-unit residential development in a low-density form as well as community related uses.

**8.9.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Homebased Business
Dwellings, Semi-Detached, Townhouse, Duplex	Rooming House
Dwellings, Multiple Unit	Secondary Suite
Municipal Facility or Protective Services	
Parks & Playgrounds	
Residential Care Home	
Daycare Centres	

**8.9.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	460 m <sup>2</sup>	75 m <sup>2</sup>	50%	10.0 m
Dwellings, Semi-Detached Townhouse, Duplex	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	630 m <sup>2</sup>	50 m <sup>2</sup> (per unit)	50%	10.0 m
Dwellings, Multi-Unit	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	680 m <sup>2</sup>	60 m <sup>2</sup> (per unit)	50%	15.0 m
Other Uses	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	580 m <sup>2</sup>	90 m <sup>2</sup>	50%	10.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.10. Mobile Home Residential District – R4**

No person shall within any R4 – Mobile Home Residential District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

**8.10.1 Purpose**

To accommodate mobile homes and associated uses on subdivided lots or in courts.

**8.10.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Mobile Home	Homebased Business
Dwellings, Mobile Home Parks	Campground
Municipal Facility or Protective Services	
Parks & Playgrounds	

**8.10.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwellings, Mobile Homes	4.5 m	1.2 m (Corner Sites 3.0 m) (Side Entrance 3.0 m)	3.0 m	372 m <sup>2</sup>	75 m <sup>2</sup>	50%	6.0 m
Mobile Home Courts	7.5 m	7.5 m	7.5 m	20,000 m <sup>2</sup>	75 m <sup>2</sup>	50%	6.0 m
Other Uses	4.5 m	1.2 m (Corner Sites 3.0 m)	3.0 m	372 m <sup>2</sup>	75 m <sup>2</sup>	50%	6.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Mobile Home Development Standards</b>	<ul style="list-style-type: none"> <li>Mobile home at time of placement shall not be older than 15 years</li> <li>All mobile homes must meet the standards set out in CSA A277 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification indicating that compliance with the National Building Codes has been certified using the A277 procedure</li> <li>Must be placed on a permanent foundation</li> <li>All attached or accessory structures such as porches, sunroom additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.</li> <li>To protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival and must be skirted from the floor level to ground level in such a manner as to compensate for vertical movements and to prevent the entrance of rodents.</li> <li>Shall be connected to water and sewer services and connected as available to other public works.</li> </ul>
<b>Mobile Home Park/Court Development Standards</b>	<ul style="list-style-type: none"> <li>All mobile home parks shall conform to The Public Health Act and its Regulations</li> <li>All roadways in the mobile home park shall have a minimum 15.0 metres right-of-way, be hard-surfaced and self-draining</li> <li>A minimum of ten (10%) percent of the gross area of the mobile home park shall be devoted to communal open space or recreational facilities</li> <li>If the applicant is not the land title owner, written approval must be obtained within 60 days of the application of the building permit from the land title owner</li> <li>All foundations and construction must conform to the National Building Code of Canada (NBC) 2005 as amended from time to time</li> <li>All construction of habitable living quarters must be above grade, basements are prohibited</li> </ul>
<b>Accessory Buildings</b>	<ul style="list-style-type: none"> <li>All attached and accessory structures shall require a building permit and shall comply with the requirements of the National Building Code of Canada and the Building Bylaw of the Town</li> <li>All accessory buildings shall not exceed 75 m<sup>2</sup> (800 ft<sup>2</sup>) in area</li> <li>Setbacks (Side Yard 0.75 m, Rear Yard 1.2 m) and Maximum Height Not to Exceed Principle Building</li> </ul>

**8.11. Acreage Residential District - RA**

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

**8.11.1 Purpose**

To provide for large lot residential development in the form of single detached dwellings as well as community related uses.

**8.11.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Dwelling, Single-Detached, RTM, Manufactured, Modular	Homebased Business
Municipal Facility or Protective Services	Kennels
Parks & Playgrounds	Secondary Suite
Residential Care Home	Rooming House
	Daycare Centres
	Places of Worship
	Livestock

**8.11.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	10.0 m	3.0 m (Corner Sites 5.0 m)	9.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	40%	10.0 m
Other Uses	10.0 m	3.0 m (Corner Sites 5.0 m)	9.0 m	460 m <sup>2</sup>	90 m <sup>2</sup>	40%	10.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 1.5 metre Rear Yard 1.0 metre (No Vehicle Access) Rear Yard 3.0 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed 12.0 metres
----------------------------	--

**8.11.4 Supplementary Regulations**

- a) Off-street parking for day cares, kennels, places of worship and residential care homes shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

**8.12. Downtown Commercial District – C1**

No person shall within any C1-Downtown Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.12.1 Purpose**

To provide for a range of commercial, institutional, and residential uses in the downtown area.

**8.12.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Cannabis Retail Store	Daycare Centres
Community Facilities & Clubs	Gun & Gun Supply Store
Convenience Store	Night Club, Tavern & Bars
Cultural Institutions & Museums	Parking Lot
Distilleries, Wineries & Breweries	Places of Worship
Dwelling, Multiple Unit (In conjunction with another Permitted Use)	Dwelling, Single-Detached, RTM,
Educational Facility	Dwelling, Manufactured, Modular
Financial Institutions	
Fitness Centre	
Greenhouse, Commercial	
Hotels & Motels	
Medical, Dental, Optical Clinics & Labs	
Municipal Facility & Protective Services	
Office or Office Complex	
Outdoor Markets & Concessions	
Parks & Playgrounds	
Personal Service Trades	
Recycling Collection Depot	
Restaurant & Lounges	
Retail Stores & Bakeries	
Shopping Centre Type I	
Theatres	

**8.12.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Floor Area (Minimum)	Site Coverage (Maximum)	Height
Dwelling, Single-Detached, RTM, Manufactured, Modular	6.0 m	1.2 m (Corner Sites 3.0 m)	6.0 m	306 m <sup>2</sup>	75 m <sup>2</sup>	50%	10.0 m
Other Uses	No Minimum	No Minimum	6.0 m	290 m <sup>2</sup>	No Minimum	No Maximum	25.0 m
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums						

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 40% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.12.4 Landscaping**

Where a site abuts any Residential District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.53 metres (5 feet) through which shall not be used for any purpose except landscaping.

**8.12.5 Supplementary Regulations**

- a.) Dwelling, Multiple Units are a permitted use on the terms that they are in conjunction with another Permitted Use. For example, multiple unit housing is permitted if it is located above a retail store.
- b.) Single-Detached, RTM, Manufactured and Modular homes are a discretionary use and will only be considered for approval on a site that has previously had this land use allowed.

**8.13. Core Area Commercial District – C2**

No person shall within any C2-Core Area Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.13.1 Purpose**

To provide for a range of commercial uses in proximity to the downtown area which require medium sized lots.

**8.13.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Agricultural Implement Dealerships	Daycare Centres
Auto Sales	Gun & Gun Supply Store
Bus Terminals	Night Club, Tavern & Bars
Car Wash	Oilfield Supply & Services
Community Facilities & Clubs	Rental Stores
Construction Trades	Parking Lot
Convenience Store	Recycling Collection Depot
Cultural Institutions & Museums	
Distilleries, Wineries & Breweries	
Dwelling, Multiple Unit (In conjunction with another Permitted Use)	
Financial Institutions	
Fitness Centre	
Funeral Homes	
Gas Bar	
Greenhouse, Commercial	
Medical, Dental, Optical Clinics & Labs	
Municipal Facility & Protective Services	
Office or Office Complex	
Outdoor Markets & Concessions	
Parks & Playgrounds	
Personal Service Trades	
Places of Worship	
Restaurant & Lounges	
Retail Stores & Bakeries	
Service Station	
Shopping Centre Type I	
Theatres	
Vehicle Repair & Maintenance Services, Indoor	

**8.13.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
Agricultural Implement Dealerships Vehicle Repair & Maintenance Services, Indoor	15.0 m	3.0 m	6.0 m	1100 m <sup>2</sup>	50%	15.0 m
Other Uses	No Minimum	No Minimum	6.0 m	555 m <sup>2</sup>	No Maximum	15.0 m
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums					

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Distance From Principle Building 1.0 metre Maximum Rear Yard Coverage: 40% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.13.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.13.5 Landscaping**

- a) A landscaped strip of not less than 3.05 metres (10 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.53 metres (5 feet) through which shall not be used for any purpose except landscaping.

**8.14. Highway Commercial District – C3**

No person shall within any C3 - Highway Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.14.1 Purpose**

To provide a wide range of commercial and related uses serving motor vehicle-oriented consumers.

**8.14.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Agricultural Implement Dealerships	Bulk Fuel Sales & Storage
Auto Sales	Cardlock Operation
Cannabis Retail Stores	Funeral Homes
Car Wash	Gun & Gun Supply Store
Community Facilities & Clubs	Livestock Holding Pens
Construction Trades	Office or Office Complex
Convenience Store	Oilfield Supply & Services
Cultural Institutions & Museums	Outdoor Markets & Concessions
Distilleries, Wineries & Breweries	Recycling Collection Depot
Fitness Centre	Rental Stores
Gas Bar	Shopping Centre Type II
Hotels & Motels	Shopping Centre Type III
Lumber & Building Establishments	Warehouse
Medical, Dental, Optical Clinics & Labs	Workcamp
Municipal Facility & Protective Services	
Night Club, Tavern & Bars	
Parking Lot	
Parks & Playgrounds	
Personal Service Trades	
Places of Worship	
Recycling Collection Facility	
Restaurant & Lounges	
Retail Stores & Bakeries	
Self-Storage & Mini Storage Facilities	
Service Station	
Shopping Centre Type I	
Trucking Establishment	
Vehicle Repair & Maintenance Services, Indoor	

**8.14.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
Agricultural Implement Dealerships Bulk Fuel Sales & Storage Lumber & Building Establishments	7.5 m	1.2 m	3.0 m	2500 m <sup>2</sup>	40%	15.0 m
Auto Sales Car Washes Gas Bars & Service Stations Trucking Operations Vehicle Repair & Maintenance Services, Indoor	7.5 m	1.2 m	3.0 m	730 m <sup>2</sup>	40%	15.0 m
Shopping Centre Type II	7.5 m	1.2 m	3.0 m	2000 m <sup>2</sup>	40%	15.0 m
Shopping Centre Type III	7.5 m	1.2 m	3.0 m	16,700 m <sup>2</sup>	40%	15.0 m
Other Uses	7.5 m	1.2 m	3.0 m	465 m <sup>2</sup>	40%	20.0 m
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums					



<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 40% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.14.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.14.5 Landscaping**

- d) A landscaped strip of not less than 3.05 metres (10 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- e) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- f) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.53 metres (5 feet) through which shall not be used for any purpose except landscaping.

**8.14.6 Supplementary Regulations**

- a) Open air operations, storage and display of goods or material are prohibited in any front yard.
- b) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- c) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- d) All automobile parts, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.
- e) Access to lots shall be located to ensure that heavy truck traffic is directed to designated truck routes.

**8.15. Shopping Centre Commercial District – C4**

No person shall within any C4 – Shopping Centre Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.15.1 Purpose**

To provide areas for shopping centre developments.

**8.15.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Animal Hospitals	Community Facilities & Clubs
Car Wash	Educational Facility
Convenience Store	Gun & Gun Supply Store
Cultural Institutions & Museums	Lumber & Building Establishments
Financial Institutions	Office or Office Complex
Fitness Centre	Shopping Centre Type III
Gas Bar	
Medical, Dental, Optical Clinics & Labs	
Municipal Facility & Protective Services	
Night Club, Tavern & Bars	
Outdoor Markets & Concessions	
Parks & Playgrounds	
Personal Service Trades	
Recycling Collection Depot	
Restaurant & Lounges	
Retail Stores & Bakeries	
Service Station	
Shopping Centre Type I	
Shopping Centre Type II	
Theatres	

**8.15.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
Shopping Centre Type III	5.0 m	1.2 m	3.0 m	16,700 m <sup>2</sup>	50%	15.0 m
Other Uses	5.0 m	1.2 m	3.0 m	2,000 m <sup>2</sup>	50%	15.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums					

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.15.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.15.5 Landscaping**

- g) A landscaped strip of not less than 3.05 metres (10 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- h) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- i) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.53 metres (5 feet) through which shall not be used for any purpose except landscaping.

**8.15.6 Supplementary Regulations**

- a) Open air operations, storage and display of goods or material are prohibited in any front yard.
- b) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- c) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- d) All automobile parts, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

**8.16. Neighbourhood Commercial District – C5**

No person shall within any C5 –Neighbourhood Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.16.1 Purpose**

To provide for commercial uses which serve the daily convenience needs of residents of the area.

**8.16.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Animal Hospitals	Day Care Centres
Convenience Store	
Dwelling, Multiple Unit (In conjunction with another Permitted Use)	
Financial Institutions	
Fitness Centre	
Gas Bar	
Medical, Dental, Optical Clinics & Labs	
Municipal Facility & Protective Services	
Office or Office Complex	
Parks & Playgrounds	
Personal Service Trades	
Places of Worship	
Recycling Collection Depot	
Restaurant & Lounges	
Retail Stores & Bakeries	
Shopping Centre Type I	

**8.16.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
All Uses	No Minimum	1.2 m	3.0 m	350 m <sup>2</sup>	50%	15.0 m
Municipal Facility or Protective Services Parks & Playgrounds	No Minimums or Maximums					

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.16.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.16.5 Landscaping**

- j) A landscaped strip of not less than 3.05 metres (10 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- k) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

- l) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.53 metres (5 feet) through which shall not be used for any purpose except landscaping.

**8.16.6 Supplementary Regulations**

- a) Open air operations, storage and display of goods or material are prohibited in any front yard.
- b) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- c) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- d) All automobile parts, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

**8.17. Light Industrial District – M1**

No person shall within any M1 – Light Industrial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.17.1 Purpose**

To provide for a range of light industrial uses that do not create land use conflicts or nuisance conditions during the normal course of operations.

**8.17.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Agricultural Implement Dealerships	Auto Wrecker, Junk and Salvage Yards
Animal Hospital	Bulk Fertilizer Plants
Auction Markets & Facilities	Seed Cleaning Plants
Auto Sales	Agrichemical Sales & Storage
Cardlock Operation	Bulk Fuel Sales & Storage
Car Wash	Cannabis Production Facility
Construction Trades	Concrete & Asphalt Plants
Convenience Store	Distilleries, Wineries & Breweries
Fuel Storage, Above Ground	Gun & Gun Supply Store
Gas Bar	Manufacturing, Heavy
Greenhouse, Commercial	Meat Processing, Abattoir
Industrial Complexes	Dairy Processing
Manufacturing, Light	Waste Disposal Facility, Liquid & Solid
Lumber & Building Establishments	
Municipal Facility & Protective Services	
Office & Office Complexes	
Oilfield Supply & Service, Rental Stores	
Parking Lot	
Parks & Playgrounds	
Recycling Collection Depot	
Recycling Collection Facility	
Self-Storage & Mini Storage Facilities	
Service Station	
Trucking Establishment	
Vehicle Repair & Maintenance, Indoor	
Vehicle Repair & Maintenance, Outdoor	
Warehouse	
Workcamp	

**8.17.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
All Uses	7.5 m	4.5 m	7.5 m	1000 m <sup>2</sup>	No Maximum	15.0 m
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums					

<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.17.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.17.5 Supplementary Regulations**

- a) Open air operations, storage and display of goods or material are prohibited in any front yard.
- b) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- c) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- d) Access to lots shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes
- e) Discretionary Uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
  - municipal servicing capacity
  - anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, or other emissions emanating from the operation
  - anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians
  - utilization of hazardous substances
  - bulk petroleum or fertilizer storage tanks are to be in accordance with the National Fire Code of Canada, 1990, including any appendices and errata, as amended from time to time
  - agrichemical sales and storage facilities are to be constructed and operated in compliance with the Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time
  - all operations shall comply with all regulations of the Ministry of Environment and Public Safety governing their development and operation

**8.18. Heavy Industrial District – M2**

No person shall within any M2 – Heavy Industrial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

**8.18.1 Purpose**

To provide for a range of industrial uses that may have the potential for creating nuisance conditions during the normal course of operations.

**8.18.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Animal Hospital	Bulk Fertilizer Plants
Auction Markets & Facilities	Seed Cleaning Plants
Auto Sales	Agrichemical Sales & Storage
Auto Wrecker, Junk and Salvage Yards	Bulk Fuel Sales & Storage
Cardlock Operation	Cannabis Production Facility
Car Wash	Concrete & Asphalt Plants
Construction Trades	Gun & Gun Supply Store
Convenience Store	
Distilleries, Wineries & Breweries	
Fuel Storage, Above Ground	
Gas Bar	
Greenhouse, Commercial	
Industrial Complexes	
Manufacturing, Light	
Manufacturing, Heavy	
Livestock Holding Pens	
Lumber & Building Establishments	
Meat Processing, Abattoir	
Dairy Processing	
Municipal Facility & Protective Services	
Office & Office Complexes	
Oilfield Supply & Service, Rental Stores	
Parking Lot	
Parks & Playgrounds	
Recycling Collection Depot	
Recycling Collection Facility	
Self-Storage & Mini Storage Facilities	
Service Station	
Trucking Establishment	
Vehicle Repair & Maintenance, Indoor	
Vehicle Repair & Maintenance, Outdoor	
Warehouse	
Workcamp	
Waste Disposal Facility, Liquid & Solid	

**8.18.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
All Uses	7.5 m	4.5 m	7.5 m	1000 m <sup>2</sup>	No Maximum	15.0 m
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums					



<b>Accessory Buildings</b>	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building
----------------------------	--

**8.18.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.18.5 Supplementary Regulations**

- a) Open air operations, storage and display of goods or material are prohibited in any front yard.
- b) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- c) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- d) Access to lots shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes
- e) Discretionary Uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
  - municipal servicing capacity
  - anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, or other emissions emanating from the operation
  - anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians
  - utilization of hazardous substances
  - bulk petroleum or fertilizer storage tanks are to be in accordance with the National Fire Code of Canada, 1990, including any appendices and errata, as amended from time to time
  - agrichemical sales and storage facilities are to be constructed and operated in compliance with the Agrichemical Warehouse Standards Association’s Warehousing Audit Protocols and User Guide, as amended from time to time
  - all operations shall comply with all regulations of the Ministry of Environment and Public Safety governing their development and operation

**8.19. Railway Industrial District – RW**

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

**8.19.1 Purpose**

To provide for the operation of the railway and industrial uses requiring railway access.

**8.19.2 Land Uses Allowed in Zone**

Permitted Uses	Discretionary Uses
Grain Elevators	Bulk Fertilizer Plants
Municipal Facility & Protective Services	Seed Cleaning Plants
Parks & Playgrounds	Agrichemical Sales & Storage
Railway & Ancillary Railway Functions	Gas Bar
Recycling Collection Depot	Parking Lot

**8.19.3 Site Development Regulations**

	Front Yard (Setback)	Side Yard (Setback)	Rear Yard (Setback)	Site Area (Minimum)	Site Coverage (Maximum)	Height
All Uses	7.5 m	3.0 m	7.5 m	1000 m <sup>2</sup>	No Maximum	No Maximum
Municipal Facility or Protective Services Parks & Playgrounds Parking Lots	No Minimums or Maximums					

Accessory Buildings	
	Side Yard 0.75 metre Rear Yard 0.6 metre (No Vehicle Access) Rear Yard 1.2 metre (With Vehicle Access) Maximum Rear Yard Coverage: 50% Maximum Height Not to Exceed Principle Building

**8.19.4 Loading Requirements**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**8.19.5 Supplementary Regulations**

- a) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or site line.
- b) Access to lots shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes
- c) Discretionary Uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
  - anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, or other emissions emanating from the operation
  - anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians

- utilization of hazardous substances
- bulk petroleum or fertilizer storage tanks are to be in accordance with the National Fire Code of Canada, 1990, including any appendices and errata, as amended from time to time
- agrichemical sales and storage facilities are to be constructed and operated in compliance with the Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time
- all operations shall comply with all regulations of the Ministry of Environment and Public Safety governing their development and operation

9 REPEAL AND ADOPTION

Bylaw No. 02-22

A Bylaw to Adopt a Zoning Bylaw.

The Council of the Town of Kindersley, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Town of Kindersley hereby adopts the Town of Kindersley Bylaw 02-22 as the Zoning Bylaw.
- (2) The Mayor and Town Chief Administrative Officer are hereby authorized to sign and seal this Bylaw.
- (3) Bylaw No. 04-14, A Bylaw to Regulate Zoning and Development, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 28<sup>th</sup> day of February, 2022

Read a Second Time the 28<sup>th</sup> day of March, 2022

Read a Third Time and Adopted 28<sup>th</sup> day of March, 2022

Signed – Rod Perkins  
\_\_\_\_\_  
(Mayor)

SEAL

Signed – Audrey Hebert  
\_\_\_\_\_  
(Chief Administrative Officer)

Certified a True Copy of the Bylaw 02-22 adopted by Resolution of Council on the 28<sup>th</sup> day of March of the year 2022

Ministerial Approval  
\_\_\_\_\_

Ministerial Approval Date  
\_\_\_\_\_

SEAL

## APPENDIX "A" DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

### **Every Development Permit Application shall include:**

1. Application Form  
A completed Development Permit application form.
2. Site Plan  
Two copies of a proposed of site plan.
3. Building Plan  
A plan showing, with labels, the dimensions and locations of existing and proposed buildings and structures as well as site lines.  
*\*If the application is for a Discretionary Use, submit a Discretionary Use Permit it the Development Permit describing the intended use and operations, structures to be located on site, required municipal services, and any other information that may be required to review the application.*
4. Landscape Plan  
A landscape plan showing, with labels, the following:
  - a) the existing topography
  - b) the vegetation to be retained and/or removed
  - c) the type and layout of:
    - hard (e.g., structures) and soft (e.g.,vegetation) landscaping
    - the open space system, screening, berms, slopes
    - other, as required, to effectively administer this Bylaw
  - d) the types, sizes and numbers of vegetation materials
  - e) areas to be damaged or altered by construction activities and proposed methods of restoration
  - f) a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means



# TOWN OF KINDERSLEY DEVELOPMENT PERMIT APPLICATION

You are advised to check the regulations in the Town's Zoning Bylaw which govern the type of development being proposed prior to completing this application. Attach additional sheets if necessary.

FOR TOWN OFFICE USE ONLY		
<b>DEVELOPMENT PERMIT (DP) #</b>	<b>BUILDING PERMIT (BP) #</b>	<b>ROLL #</b>

## 1. APPLICANT

The applicant will receive all communications regarding the application and will be responsible for forwarding information appropriately.

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Address	City	Province	Postal Code
Phone #: Res: _____	Cell: _____	Work: _____	Fax: _____

PROPERTY OWNER (If different from APPLICANT)

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Address	City	Province	Postal Code
Phone #: Res: _____	Cell: _____	Work: _____	Fax: _____

### DEVELOPMENT SITE

Civic Address: \_\_\_\_\_

Legal Description: Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Registered Plan No: \_\_\_\_\_ Certificate of Title No: \_\_\_\_\_

Zoning \_\_\_\_\_ Proposed Use: \_\_\_\_\_

## 2. PROPOSED DEVELOPMENT

Proposed Work	Proposed Use	Form of Development
<input type="checkbox"/> New Construction <input type="checkbox"/> Renovation <input type="checkbox"/> Addition <input type="checkbox"/> Relocation on lot <input type="checkbox"/> Change of use <input type="checkbox"/> Other	<input type="checkbox"/> Principal Building <input type="checkbox"/> Accessory Building <input type="checkbox"/> Deck <input type="checkbox"/> Other	<input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial

Proposed Date of Commencement: \_\_\_\_\_ Proposed Date of Completion: \_\_\_\_\_

Additional Information: \_\_\_\_\_

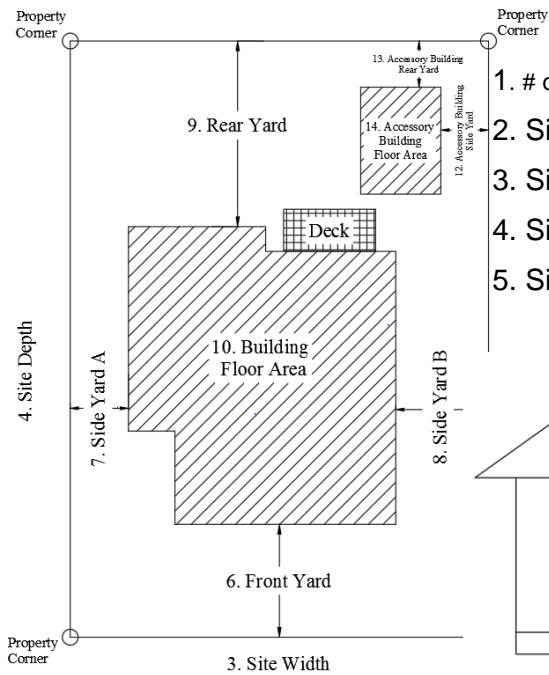
## 3. SITE PLAN REQUIREMENTS:

Two (2) copies of a Site Plan must be submitted for all applications, drawn to scale with appropriate dimensions, showing:

- all property boundaries, including dimensions and areas of each parcel in **metric** units;
- the location and dimensions of all existing and proposed buildings and structures;
- the front, side and rear setback dimensions from all buildings and structures to the property boundaries;
- north arrow; with scale of plan;
- streets and lanes adjacent to the site, and the location of existing and proposed access points to streets and lanes;
- the location of all existing and proposed parking stalls;
- The location and size of any utility lines (water, sewer, gas, telephone, power, etc.) or easements within the lot boundaries;
- Site topography including treed areas, water courses or bodies, landscaping and proposed lot grade information;
- It is the owner's responsibility to verify the sewer connection elevation and note it on the construction drawings.

### 4. SITE MEASUREMENTS

Please fill in the following measurements using metric units:



#### Site Dimensions

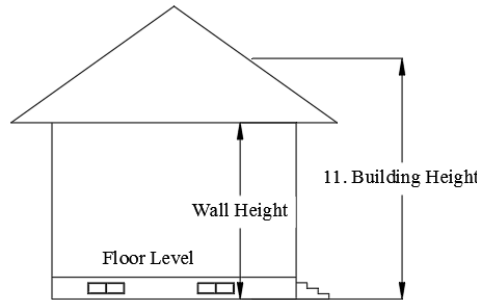
- 1. # of Parking Stalls \_\_\_\_\_
- 2. Site Area \_\_\_\_\_ m<sup>2</sup>
- 3. Site Width \_\_\_\_\_ m
- 4. Site Depth \_\_\_\_\_ m
- 5. Site Coverage \_\_\_\_\_ %

#### Principal Building

- 6. Front Yard \_\_\_\_\_ m
- 7. Side Yard A \_\_\_\_\_ m
- 8. Side Yard B \_\_\_\_\_ m
- 9. Rear Yard \_\_\_\_\_ m
- 10. Building Floor Area \_\_\_\_\_ m<sup>2</sup>
- 11. Building Height \_\_\_\_\_ m

#### Accessory Building (If Applicable)

- 12. Side Yard \_\_\_\_\_ m
- 13. Rear Yard \_\_\_\_\_ m
- 14. Building Floor Area \_\_\_\_\_ m<sup>2</sup>
- 15. Building Height \_\_\_\_\_ m
- 16. Rear Yard Coverage \_\_\_\_\_ %



$$\text{Site Coverage (\%)} = \frac{\text{Total Area of Structures}}{\text{Site Depth} \times \text{Site Width}} \times 100\%$$

$$\text{Rear Yard Coverage (\%)} = \frac{\text{Total Area of Structures in Rear Yard}}{\text{Rear Yard} \times \text{Site Width}} \times 100\%$$

#### DECLARATION OF THE APPLICANT:

I \_\_\_\_\_ of \_\_\_\_\_ in the Province of Saskatchewan (SK) solemnly declare that the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

#### Important:

This application does not permit you to commence any development until such time a Development Officer has issued a Development Permit. A Development Permit does not constitute a building permit and does not eliminate the need for submitting a Building Permit Application. A Development Permit is valid for a period of 12 months from the date of issue.

#### FOR TOWN OFFICE USE ONLY:

APPLICATION NUMBER: (DP #) \_\_\_\_\_

APPLICATION RECEIVED DATE: \_\_\_\_\_  
DD / MM / YYYY

APPLICATION FEE: \$ \_\_\_\_\_

FEE RECEIVED DATE: \_\_\_\_\_  
DD / MM / YYYY

#### 4. APPLICATION STATUS:

- Meets all provisions of the Zoning Bylaw No. 04-14 \_\_\_\_\_
- Does not meet the following provisions \_\_\_\_\_

Date: \_\_\_\_\_  
DD / MM / YYYY

\_\_\_\_\_  
Development Officer / Building Inspector



# TOWN OF KINDERSLEY NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

This is NOT a BUILDING PERMIT

Development Permit Application (DP #) \_\_\_\_\_

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_ Fax: \_\_\_\_\_

This is to advise you that your application for a DEVELOPMENT PERMIT for a PERMITTED / DISCRETIONARY development on the following property:  
CIVIC ADDRESS:

\_\_\_\_\_

LEGAL LAND DESCRIPTION: \_\_\_\_\_ ¼ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of the 3rd Meridian

Lot or Parcel \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Certificate of Title No \_\_\_\_\_

- 1. **APPROVED**, this Notice may be taken to be a DEVELOPMENT PERMIT as referred to Zoning Bylaw 02-22
- 2. **APPROVED**, subject to the following STANDARDS and CONDITIONS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and this Notice may be taken to be a DEVELOPMENT PERMIT as referred to in the Zoning Bylaw. However, you are advised that, in the case of a DISCRETIONARY USE you have the right to APPEAL any standards or conditions considered excessive, as noted above.

- 3. **REFUSED** for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

You are advised that, in the case of a PERMITTED USE, you have the right to APPEAL a refusal as noted below.

### APPEAL:

If you wish to appeal this decision, as provided above, you must notify the Secretary of the Town of Kindersley Development Appeals Board in writing within thirty (30) days of issue of this decision at:  
Western Municipal Consulting, Box 149, Meota, SK, S0M1X0 Email: ceo@westernmunicipal Phone: 306-481-3966

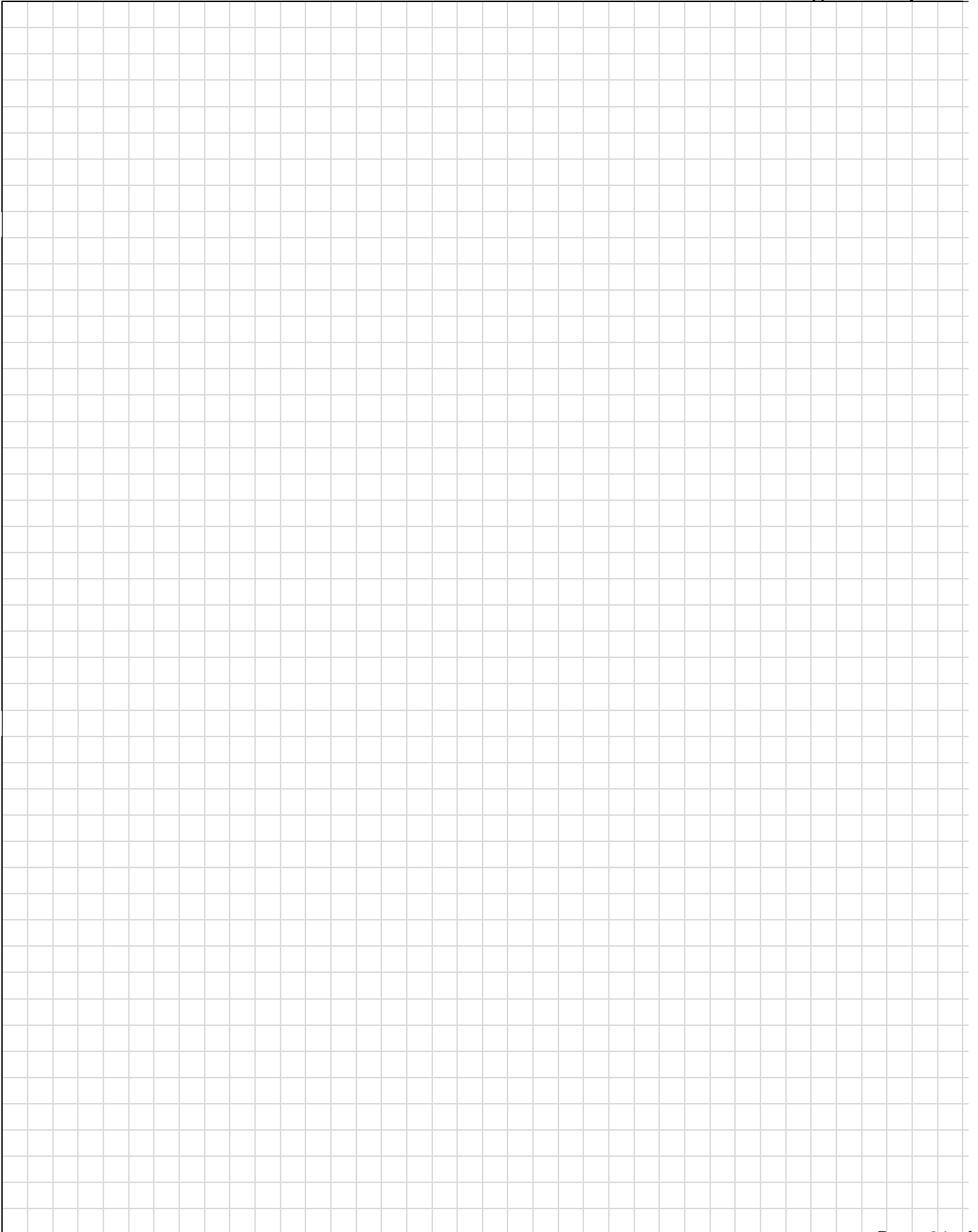
Date: \_\_\_\_\_  
DD / MM / YYYY

\_\_\_\_\_  
Development Officer/Building Inspector

- This permit is subject to the following legal limitations and qualifications:
- A. It does not constitute a building permit and does not eliminate the need for submitting a Building Permit Application
  - B. It does not constitute Council's approval for a subdivision application.
  - C. The developer may be required prior to the issuance of a building permit or approval of a sub-division to enter a development and/or servicing agreement with the Town of Kindersley

- D. It is valid for a period of 12 months from the date of issue.
- E. It does not eliminate the need to comply with the requirements of any other government department or authority, not with other requirements the Town may impose at a later date under the provision of the Planning and Development Act, 2007 or the Urban Municipality Act, 1984.







**APPENDIX "B" DISCRETIONARY USE APPLICATION**

**TOWN OF KINDERSLEY  
DISCRETIONARY USE APPLICATION**

*(This application is subject to Town of Kindersley Council approval)*

**1. PROPERTY OWNER (APPLICANT):**

Application No. (DU #) \_\_\_\_\_

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_ Fax: \_\_\_\_\_

LEGAL LAND DESCRIPTION: \_\_\_\_\_ ¼ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of the 3rd Meridian

Lot or Parcel \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Certificate of Title No \_\_\_\_\_

**2. ZONING DISTRICT:**

<input type="checkbox"/> FUD Future Urban Development <input type="checkbox"/> R1 Low Density Residential <input type="checkbox"/> R2 Medium Density Residential <input type="checkbox"/> R2A Small Lot Residential <input type="checkbox"/> R3 Multiple Unit Residential <input type="checkbox"/> R3A Low Density Multiple-Unit Residential <input type="checkbox"/> R4 Mobile Home Residential <input type="checkbox"/> RA Acreage Residential	<input type="checkbox"/> C1 Downtown Commercial <input type="checkbox"/> C2 Core Commercial <input type="checkbox"/> C3 Highway Commercial <input type="checkbox"/> C4 Shopping Centre Commercial <input type="checkbox"/> C5 Neighborhood Commercial <input type="checkbox"/> M1 Light Industrial <input type="checkbox"/> M2 Heavy Industrial <input type="checkbox"/> RW Railway Industrial
---	---

**3. PROPOSED DISCRETIONARY USE:**

**4. OTHER REQUIRED INFORMATION:**

- a) Will you require signage? \_\_\_\_\_ *If so, please complete and attach a sign permit application*
- b) What is the anticipated traffic flow for your intended use? \_\_\_\_\_
- c) Does your property have the appropriate parking requirements, that take into account the number of vehicles and loading requirements needed? \_\_\_\_\_
- d) What is the expected number of daily visitors/customers? \_\_\_\_\_
- e) Will your intended use create noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building?  Yes  No  
If yes, please provide details: \_\_\_\_\_
- f) Is this a Homebased business proposed use?  Yes  No  
If so, please answer the following:  
 Are there any other home businesses at this address? Yes  No   
 Will the home business use more than 20% of the gross floor area? Yes  No   
 Will there be any employees? \_\_\_\_\_ If yes, how many? \_\_\_\_\_

**5. DECLARATION OF THE APPLICANT:**

I \_\_\_\_\_ of the Town of Kindersley in the Province of Saskatchewan solemnly declare that the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Date \_\_\_\_\_ Signature \_\_\_\_\_

\*\*\*\*\* **FOR USE BY TOWN OFFICE ONLY** \*\*\*\*\*

DU APPLICATION NUMBER: (DU #) \_\_\_\_\_ APPLICATION RECEIVED DATE: \_\_\_\_\_  
 DU APPLICATION FEE: \$ \_\_\_\_\_ FEE RECEIVED DATE: \_\_\_\_\_



TOWN OF KINDERSLEY
NOTICE OF DECISION FOR DISCRETIONARY USE

Application No. (DU #) \_\_\_\_\_

To Applicant:

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_ Fax: \_\_\_\_\_

This is to advise you that your application for a DISCRETIONARY USE on the following property:

CIVIC ADDRESS:

\_\_\_\_\_

LEGAL LAND DESCRIPTION: \_\_\_\_\_ 1/4 Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of the 3rd Meridian

Lot or Parcel \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Certificate of Title No \_\_\_\_\_

[ ] 1. APPROVED, as per the Council resolution No. \_\_\_\_\_ dated \_\_\_\_\_ and subject to the provisions of section \_\_\_\_\_ of the Zoning Bylaw 02-22.

[ ] 2. APPROVED, subject to the following STANDARDS and CONDITIONS: \_\_\_\_\_

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

[ ] 3. REFUSED for the following reason(s): \_\_\_\_\_

\_\_\_\_\_
\_\_\_\_\_

Note: This permit is an approval for a discretionary use; it does not constitute a business license or eliminate the need to obtain a business license. If required, applicants are to purchase a business license from the Town office to operate a business. Applicants are also responsible for complying with any municipal, provincial, or federal requirements.

Date: \_\_\_\_\_

Development Office

**APPENDIX "C" MINOR VARIANCE APPLICATION**



**TOWN OF KINDERSLEY  
MINOR VARIANCE APPLICATION**

Application No. (MV# ) \_\_\_\_\_

I (we) \_\_\_\_\_,

hereby apply to the Town of Kindersley for a minor variance of Zoning Bylaw No. 02-22 for the following property:

**LEGAL DESCRIPTION:**

Lot or Parcel \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Certificate of Title No \_\_\_\_\_

Civic Address: \_\_\_\_\_

**APPLICANT: PLEASE PRINT**

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_ Fax: \_\_\_\_\_

**PROPERTY OWNER Same as APPLICANT:** Yes ; No

Property Owner NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_ Fax: \_\_\_\_\_

**Signature of Consent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Describe the nature and extent of relief applied for: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reason(s) for the minor variance to the Zoning Bylaw is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

(DD/MM/YYYY)

\_\_\_\_\_  
Signature of Applicant / Owner / Agent



**TOWN OF KINDERSLEY**  
**NOTICE OF DECISION FOR A MINOR VARIANCE APPLICATION**

Application No. (MV #) \_\_\_\_\_

To Applicant:

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

Civic Address: \_\_\_\_\_ P.O.Box # \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone #: Res: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

This is to advise you that your application for minor variance on the following property:

CIVIC ADDRESS:

\_\_\_\_\_

LEGAL LAND DESCRIPTION: \_\_\_\_\_ ¼ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of the 3rd Meridian

Lot or Parcel \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Certificate of Title No \_\_\_\_\_

**APPROVED** (see note below)

**APPROVED** SUBJECT TO TERMS AND CONDITIONS, as listed in the attached

**REFUSED** for the following reason(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Note:** Adjacent assessed owners of property are required to be provided with a notice of an approval with or without terms and conditions. This decision does not take effect:

- in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;
- in the case of a notice delivered by personal service, until 20 days from the date the notice was served.

If an assessed owner objects to the approval with or without conditions, the approval is **revoked** and you have the right of appeal to the Development Appeals Board within 30 days of receiving a notice revoking the approval.

**RIGHT OF APPEAL**

PLEASE BE ADVISED THAT YOU MAY APPEAL:

- The refusal of your application for a minor variance;
- The terms and conditions;

To the Development Appeals Board in writing at within thirty (30) days of issue of this decision to:

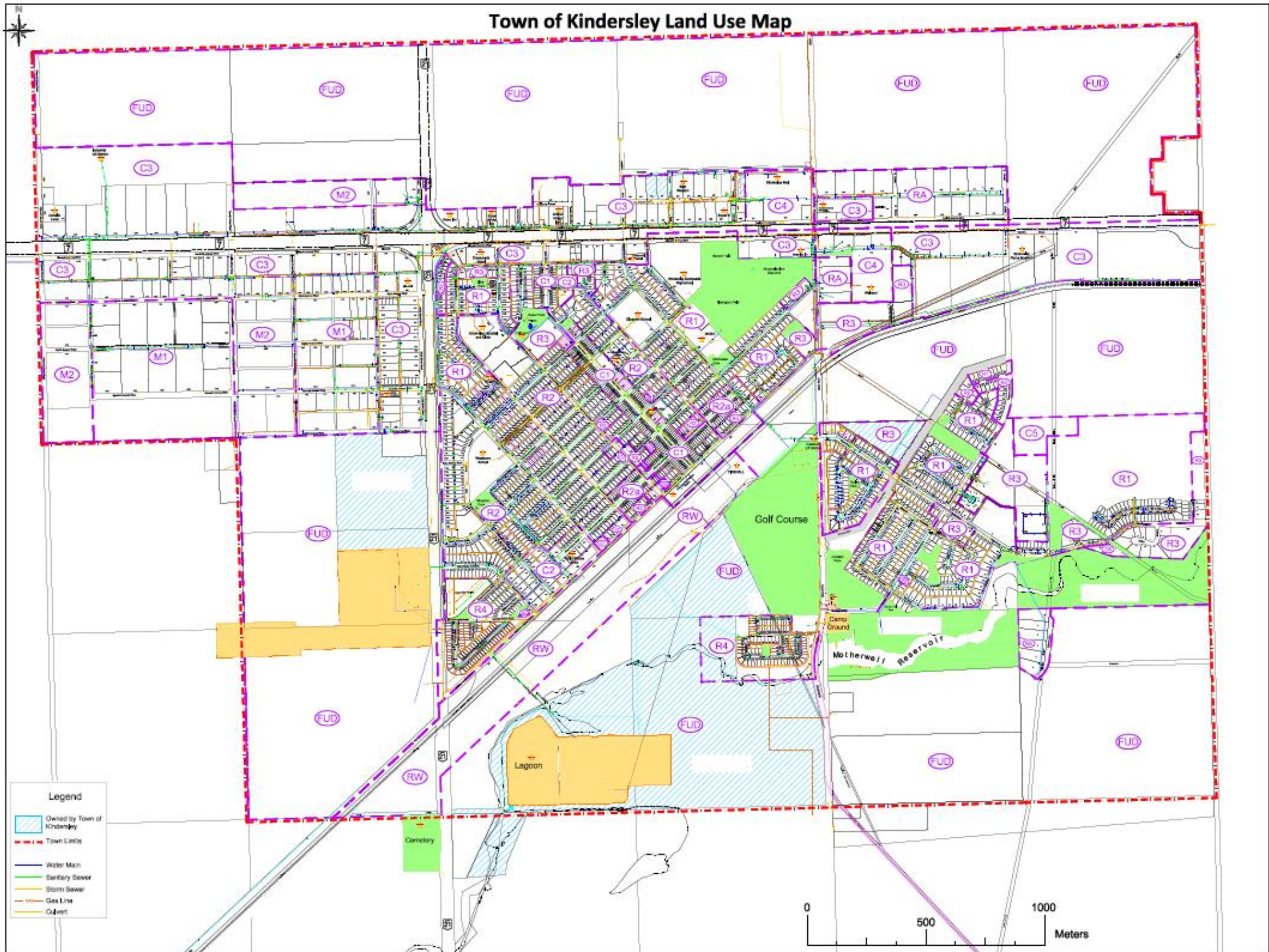
Western Municipal Consulting, Box 149, Meota, SK, S0M1X0 Email: ceo@westernmunicipal Phone: 306-481-3966

Date: \_\_\_\_\_  
 (DD/MM/YYYY)

\_\_\_\_\_  
 Development Officer



### Town of Kindersley Land Use Map



- Legend**
-  Owned by Town of Kindersley
  -  Town Limits
  -  Water Main
  -  Sanitary Sewer
  -  Storm Sewer
  -  Gas Line
  -  Oil Vent

