



Rural Municipality of Willow Bunch No. 42

2013 Zoning Bylaw



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Section 1 - Introduction

1.1 Title

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Willow Bunch No. 42”

1.2 Purpose

The purpose of this Bylaw is to regulate development in the Rural Municipality of Willow Bunch No. 42 so as to provide for the amenity of the area and for the health, safety, and general welfare of the inhabitants of the Rural Municipality.

1.3 Scope

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

1.4 Severability

If any part of this Bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, the validity of the Bylaw as a whole, or any other part, section or provision of this Bylaw will not be affected.

Section 2 - DEFINITIONS

In this Bylaw when the following words or terms are used, they have the following meaning, unless the context provides otherwise:

Accessory Use – a use customarily incidental, subordinate, and exclusively devoted to the principal use or building and is located on the same site with such principal use or building.

Act – *The Planning and Development Act, 2007.*

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

Alteration – any structural change or addition made to any building or structure.

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

Animal Type	# of Animals = 1 Animal Unit
Poultry	
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
Hogs	
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
Sheep	
Rams or ewes	7
Lambs	14
Goats etc.	
All (including llamas, alpacas, etc.)	7
Cattle	
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
Horses	
Colts and ponies	2
Other horses	1
Other	
Domesticated native ungulates (deer, elk, bison, etc.)	1

Ancillary Use – a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

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

Bed-and-Breakfast Operation – a residence, licensed as a tourist home under *The Public Accommodation Regulations*, in which overnight accommodation within the unit, along with one meal served before noon, is provided to the travelling public for a charge.

Building – a structure used for the shelter or accommodation of persons, animals, or goods or chattels.

Building, Accessory – a subordinate detached building appurtenant to a main building or main use and located in the same site, which provides better and more convenient function of the main building or main use.

Building Permit – a permit issued under a building Bylaw of the Municipality authorizing the construction of all or part of any building.

Campground – the seasonal operation of an area of land managed as a unit, providing temporary short-term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, used by travellers and tourists.

Council – the Council of the Rural Municipality of Willow Bunch No. 42.

Communal Dwelling – the dwelling unit(s) on land owned by Hutterite, Mennonite or any other type of colony who use the land for

agricultural, educational and other shared purposes.

Domestic Game Farm – Define as per *The Domestic Game Farm Animal Regulations*.

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

Dwelling, Multi –unit - a building divided into two or more dwelling units as herein defined and shall include duplexes, town or row houses and apartment houses but not hotels, or motels.

Dwelling, Single Detached – a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home, modular home, or trailer coach as defined here.

Dwelling Unit – one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

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

Development Permit – a permit, issued by the Rural Municipality of Willow Bunch NO.42 that authorizes development, but does not include a building permit.

Discretionary Use – means a use of land or buildings or form of development that:

- (a) is prescribed as a discretionary use in this Bylaw; and
- (b) requires the approval of Council pursuant to Section 56 of the Act and this Bylaw.

Farmstead – a farm or the part of a farm comprising its main buildings together with adjacent lands.

Fence - an artificially constructed barrier erected to enclose or screen areas of land.

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

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

Flood Way – means the portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

Floor Area – the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, verandah, sunroom, unfinished attic or unfinished basement.

Frontage - the full length of a site measured alongside the road onto which the site fronts.

Hazard Land – land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within the flood plain of a river, stream or lake.

Home Based Business – an occupation carried on by the occupants of a residence or agricultural operation and is a use secondary to the permitted use.

Hotel – a building or structure or part of a building or structure used or advertised as a place where sleeping accommodation, with or without meals, is provided for transient lodgers, but does not include a motel, bed and breakfast or vacation farm.

Highway Sign Corridor – a strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise

goods and services of local area businesses and attractions, as provided by regulations of the Ministry of Saskatchewan Highways and Infrastructure entitled *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*, as may be amended or replaced from time to time.

Intensive Agricultural Operation – a principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.

Intensive Livestock Operation (ILO) – the operation or facilities for the permanent or temporary rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in such numbers that the facility and portion of a parcel or site used for the operation does any of the following conditions:

- (a) will contain 100 or more animal units
- (b) provides less than 370 m² of space for each animal unit
- (c) will contain more than 20 animal units for 10 or more days of the month within 300 m of water body not controlled by the operator
- (d) will contain more than 20 animal units for 10 or more days of the month within 30 m of a domestic well not controlled by the operator.

Junked Vehicles – any automobile, tractor, truck, trailer or other vehicle that:

- (a) has no valid license plate
- (b) is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition
- (c) is not contained within a permitted building
- (d) does not form part of a permitted business

Kennel - development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.

Mobile Home – a trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof):

- (a) that is used as a dwelling
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system
- (c) that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.

Modular Home – a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

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

Municipality – the Rural Municipality of Willow Bunch No. 42

Natural Resource Extraction - the quarrying, processing, removal and sale of natural resources, including sand, gravel, oil and gas, peat, metallic minerals, and other non-metallic minerals.

Non-Conforming Building – a building:

- (a) that is lawfully constructed or lawfully under construction, or with respect to

which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective

- (b) that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

Non-Conforming Site – a site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use – a lawful specific use:

- (a) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective
- (b) that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

Outside Storage – the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.

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

Permitted Use – a use or form of development rightfully allowed in a zoning district, subject to the regulations contained in this Bylaw.

Personal Service Shops – a facility for providing a service to individuals, including but not limited to barbershops, professional services, medical clinics, drycleaners, etc.

Principal Use – the main activities conducted on a site.

Principal Building – the main building in which the principal use of the site is conducted.

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

Public Utility – excluding wind energy, a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Quarter Section – a quarter Section as defined by the Township Plan of Survey in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter Section defined on the Township Plan of Survey.

Reeve – the Reeve of the Rural Municipality of Willow Bunch No. 42

Residence – a dwelling unit used for residency for the majority of the year.

School – a site, building or other premises and improvements that is utilized for the purposes of educating students with a faculty.

Sign – any writing (including letter or word), pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building
- (b) is used to announce or direct attention to, or advertise

(c) is visible from outside the building.

Site – an area of land with fixed boundaries that has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

Site Line, Front or Site Frontage – the boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

Site Line, Rear – the boundary at the rear of the site and opposite the front site line.

Site Line, Side – a site boundary other than a front or rear site line.

Street – a public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property, but shall not include an easement or lane.

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

Subdivision – a division of land, and includes a division of a quarter Section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Titles Act, 2000*.

Tower: Shall mean any structure used for the transmission or reception of radio, television, telecommunications, mechanical or electrical energy for industrial, commercial, private or public uses, or for the storage of any substance or liquid.

Tower Height: Shall mean the height above-ground of the fixed portion of the tower, excluding any wind turbine and rotors.

Total Wind System Height: Shall mean the height from ground level to the tip of the rotor at its highest point.

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

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

m	- metre(s)
m ²	- square metre(s)
km	- kilometre(s)
ha	- hectare(s)
ac	- acre(s)
ft	- foot (feet)

Use – the purpose or activity for which a piece of land or its buildings are designed, arranged or intended, occupied or maintained.

Vacation Farm – an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:

- (a) rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished to enable the preparation of meals if full board is not provided
- (b) a tract of land on which one or more camping, tenting or parking sites is located, where electricity, potable water and toilet facilities are provided to the persons, families, or groups occupying any of the sites.

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

Waste Disposal Facility, Solid – a facility, not including a waste transfer station or a temporary storage facility, to accommodate

discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

Wind Energy System: a structure that converts wind energy to electrical energy, including but not limited to a wind charger or wind turbine.

Yard – the open, unoccupied space on a lot between the property line and the nearest wall of a building.

Yard, Front – that part of a site that extends across the full width of a site between the front

site line and the nearest main wall of a building or structure.

Yard, Rear – that part of a site which extends across the full width of a site between the rear site line and the nearest main wall of a building or structure.

Yard, Required – the minimum yard required by a provision of this Bylaw.

Yard, Side – the part of a site that extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

Section 3 – Administration

3.1 Development Officer

The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw.

3.2 Application for a Development Permit

a) Every person shall obtain a development permit before commencing any development within the Municipality, except those developments that are listed as exempt in each district.

b) The completed development permit application shall include, if applicable:

- A description of the intended use or proposed development including any change in building use or land use change
- Legal land description
- The signature of the applicant and the registered landowner(s)
- A copy of the Certificate of Title
- Estimated commencement and completion dates
- Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference)
- any other information needed to assess the application.
- An attached site plan may be required to include:
 - All adjacent roads, highways, service roads and access to the site (label on site plan)
 - Rights-of-ways and easements (gas, oil, power, drainage easements, etc.)
 - All drainage courses
 - Location of proposed development
 - Existing development on the site
 - Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc)
 - Setbacks to property line, road and services
 - Top of bank and water
 - Existing and proposed services:
 - Location of well or cistern
 - Method and location of sewage disposal
 - Sign location and details like artwork, colors, size, lights, etc
 - Parking and loading facilities
 - Sidewalks, patios, playgrounds

- North arrow
- Any additional information deemed necessary by Council or the Development Officer

3.3 Referral of Application

- a) The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- b) The Development Officer may refer the application to any internal or external departments or organizations for review or comment before issuing a permit. Any recommendations received may be applied as conditions to a development permit.

3.4 Issuing Permits

Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is either:

3.4.1 Permitted Use:

- a) The Development Officer will issue a development permit when the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw
- b) The Development Officer will issue a refusal, when the application does not comply with a provision or regulation of this Bylaw and write a letter to the applicant stating the reason for refusal.

3.4.2 Discretionary Use:

- a) The Development Officer will prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application to Council for a decision.
- b) At least 7 days before the application is to be considered by Council, the Development officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
 - i. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
 - ii. Any other owners the Development Officer feels should be notified or who may have an interest in the lands.

- c) Council shall make a decision on a discretionary use, by resolution, that approves, approves with development standards or conditions, or refuses the discretionary use on that site and that instructs the Development Officer to:
 - i. Issue a development permit incorporating any specific development standards set by Council, where the development complies with the standards of this Bylaw
 - ii. Issue a notice of refusal to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet
 - iii. All applicants shall be provided the effective date of the decision and information on their right of appeal.

3.4.3. Prohibited Use

- a) If the proposed development is not listed as a Permitted or Discretionary Use, it is considered a prohibited use.

3.4.4 A new development permit approval is required when:

- i. The approved use ceases and is replaced by another use
- ii. The approved use ceases for a 12 month period
- iii. The development or use is not started within 12 months
- iv. The intensity of use increases

3.4.5 Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary on a site as a result of the adoption or amendment of this Bylaw, as of the date that this Bylaw or amendment comes into effect.

3.5 Building Permits, Licenses, and Compliance with Other Bylaws

- a) Nothing in this Bylaw shall exempt any person from: complying with a Building Bylaw or any other Bylaw in force within the Municipality; or from obtaining any permission required by this or any other Bylaw of the Municipality, the province or the federal government.
- b) A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.

- c) Where applicable, the Development Officer may apply other bylaws as conditions to a development permit.

3.6 Appeals

- a) Council shall appoint a Development Appeals Board (The Board) in accordance with Section 49 and 214 to 218 of *The Planning and Development Act, 2007* (the Act).
- b) The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's policy which shall be adopted by resolution.
- c) The Development Appeals Board has the authority to hear an appeal based on:
 - i. The approval of development permit where it is alleged the Development Officer misapplied the zoning bylaw in approving the proposal
 - ii. The refusal of the Development Officer to issue a development permit because the proposal contravenes the zoning bylaw
 - iii. Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed)
 - iv. An order to repair or correct contraventions under a Nuisance Bylaw, Property Maintenance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365) or *The Planning and Development Act, 2007* (Section 242)
- d) The Development Appeals Board does not have the authority to hear an appeal based on:
 - i. A discretionary use application is refused
 - ii. Council refuses to amend a zoning bylaw or rezone land
 - iii. A decision concerns a subdivision application
- e) Anyone starting an appeal must send written notice of appeal to the Secretary of the Development Appeals Board within:
 - i. 30 days of a Development Officer's decision being issued;
 - ii. 30 days of the failure of a Council to make a decision;
 - iii. 30 days of receiving a permit with terms and conditions; or

- iv. 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- f) The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal
- g) At least ten days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- h) In making an appeal to the District Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

3.7 Amending the Zoning Bylaw and Official Community Plan

- a) Any person who seeks to amend this Zoning Bylaw and the Official Community Plan must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
- b) The amendment application is subject to a fee as per the Municipal Fees Bylaw.
- c) Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (ie. provincial departments, interested stakeholders, etc).
- d) The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
- e) Premature rezoning of land for development shall not be practiced.
- f) Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

3.8 Servicing Agreements and Development Levies

- a) Council may require a subdivision applicant to enter into a Servicing Agreement or development permit applicant to enter into a Development Levy agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.

- b) Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

3.9 Fees and Advertising

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

3.10 Offences and Penalties

- a) Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- b) Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

3.11 Minor Variance

- a. Council is authorized to provide for minor variances as per the conditions and procedures outlined in *the Act*:
 - i. a 10% variance for the minimum required distance of a building from the lot line
 - ii. a 10% variance for the minimum required distance of a building to any other building on the lot.
- b. Applications for a minor variance may be made on the Development Permit Application Form, giving specifics as to the request, and that application shall be brought to the next regular meeting of The Rural Municipality of Willow Bunch No. 42 Council can:
 - i. approve the minor variance;
 - ii. approve the minor variance and impose terms and conditions on the approval; or
 - iii. refuse the minor variance.
- c. Written notice shall be provided to the application and adjacent properties as outlined in Section 60 of *the Act*.

- d. A record shall be maintained by the Rural Municipality of Willow Bunch No. 42 of all minor variance applications in accordance with *the Act*.

Section 4 – General Regulations

The following regulations shall apply to all lands within the Rural Municipality of Willow Bunch No. 42:

4.1 Environmental Management and Hazard Lands

- a. The Environment policies in Section 2.1.3 of the Official Community Plan shall be applied to all development on hazard lands.
- b. Identified actions for hazard avoidance, prevention, mitigation or remedy may be incorporated as conditions to issuance of a development permit. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects, or will result in excessive municipal costs.

4.2 One Principal Building or Use Permitted on a Parcel

Not more than one principal building or use shall be permitted on any one parcel, except that: a principal agricultural or industrial use, wind energy facilities, mineral resource extraction and processing and related uses, public use, private institution or grouped residence/communal dwellings that may be conducted in more than one principal building or structure on the same parcel.

4.3 Mobile and Modular Homes

- a) A mobile or modular home is considered a single detached dwelling for the purpose of this bylaw.
- b) All residences, including mobile and modular homes, shall be attached to a permanent foundation or securely anchored to the ground and skirted prior to occupancy.
- c) Every mobile home shall bear CSAZ240 certification (or replacement thereof) and every modular home shall bear CSA A277 certification (or replacement thereof).
- d) An accessory building or structure which specifically includes but is not limited to a porch, a canopy, and addition will be permitted provided they are designed and clad in keeping with the original mobile home.

4.4 Non-conforming Uses, Sites and Buildings

- a) The adoption or amendment of this Bylaw does not affect non-conforming buildings, non-conforming uses or non-conforming sites.

- b) An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.
- c) Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- d) All non-conforming uses, sites and buildings shall follow the provisions of the Planning and Development Act, 2007.
- e) Any lands which do not conform to the site requirements as set out in this Bylaw shall be deemed to be conforming with regards to site size, provided that a registered title for the site existing prior to the coming into force of this Bylaw.

4.5 Signs and Billboards

4.5.1 Highway Sign Corridor

- a) Signs located in a Highway Sign Corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" or amendments thereto, and do not require a development permit from the RM of Willow Bunch.

4.5.2 Signs not in Highway Sign Corridor

a) Commercial Use:

- i. No more than two (2) signs are permitted per site;
- ii. No sign shall have a facial area in excess of 3.5 square metres (36 square feet). Each sign may be double-faced;
- iii. The maximum height of any sign shall be 6.09 metres (20 feet) above ground surface;
- iv. All signs shall meet the Canadian standards Association requirements.

b) Other Uses:

- i. No more than one sign is permitted per site. Additional signs are permitted only at the discretion of Council.
- ii. Only signs bearing names of occupants, notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the premises are permitted.

- iii. No sign shall have a facial area exceeding 0.4 square meters (4 square feet). Larger signs are permitted only at the discretion of Council.
- iv. No sign shall be located in any manner that may, in the opinion of Council, visually obstruct or jeopardize the safety of others.

4.6 Storage of Vehicles

- a) Notwithstanding anything contained in this Bylaw, no site shall be used for the parking or outside storage of junked vehicles, which includes any automobile, tractor, truck, trailer or other vehicle that is not in running order except that not more than four such vehicles may be stored on any site in a Country Residential District, not more than twelve such vehicles shall be stored on any site in an Agricultural District and not more than one junked vehicle on any site in the Hamlet District.
- b) Section 4.6 a) shall not apply to lands that have received a development permit for a salvage yard or similar type development.
- c) All storage of vehicles including permitted salvage yards may be required to be screened from roadways or neighbouring properties with landscaping, fences or a combination of both.
- d) The use of an abandoned vehicle, or unlicensed vehicle or truck trailer unit for the purpose of a sign is prohibited.

4.7 Public Utilities, Pipelines, and Facilities of the Municipality

- a) The carrying out of any operations for the purpose of inspecting, repairing or renewing sewers, mains, cables, pipelines, wires, tracks or other similar apparatus required by a public utility for any lawful use of buildings or land shall not require a development permit application.
- b) Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be allowed in all districts unless otherwise specified by this Bylaw and no minimum site area or yard requirements shall apply.
- c) Where a pipeline, other utility or transportation facility, crosses a municipal road Council may apply special design standards as considered necessary to protect the municipal interest in the road, including but not limited to requiring the pipeline to be punched under the road.

4.9 Manure Application

The minimum separation distance between occupied residences, other than the residence of the applicator, and the location where manure is to be spread is listed within Table 4.9.

Table 4.9: Location Separation Criteria for Manure Spreading to Dwellings (in metres)

Distance between manure application and the nearest residence	Method of Manure Application		
	Injected	Incorporated within 24 hours	No incorporation
Communities of 1-1000 people	200	400	800
Communities of 42-5000 people	400	800	1200
Communities of >5001 people	400	800	1600

4.10 Home Based Businesses

- a) A home based businesses shall be a secondary use on the property.
- b) The agricultural use or residential use shall be established on the property prior to the establishment of the home based business.
- c) A home based businesses shall cause no variation in the residential or agricultural character or the appearance of the residence, accessory residential building, or land, except for permitted signs.
- d) All permits issued for a home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.

4.11 Kennel

- a) A Kennel shall not be located within or adjacent to a multi-parcel residential subdivision or closer than 304.8 m (1,000.0 ft) from the boundary of a multi-parcel residential subdivision. Exceptions may be made when a highway, arterial road or secondary road bisects the 304.8 m (1,000.0 ft) separation distance.
- b) All facilities shall meet provincial regulations, when necessary.

- c) No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m (82.0 ft) of any property line of the parcel on which the facility is to be sited;
- d) All exterior exercise areas (runs) shall be enclosed with a fence with a minimum height of 1.8 m (6.0 ft);
- e) All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the residence
- f) All facilities shall be visually screened from existing dwellings on adjoining parcels.

4.12 Bed-and-Breakfast and Vacation Farm Operations

- a) A bed and breakfast or vacation farm operation shall be a secondary use on the property.
- b) The agricultural use or residential use shall be established on the property prior to the establishment of the operation.
- c) The operation may include rooms, cabins, and overnight camping areas.
- d) The maximum number of rooms, cabins or overnight camping areas permitted will be specified as a condition of the development permit.
- e) On-site signs will be permitted in accordance with Section 4.5.
- f) All operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval and obtaining this license will be a condition of approval.
- g) Bed-and-breakfast operations shall be located in a residence used as the operator's principal residence, or located in a dwelling accessory to and established on the same site as the operator's principal residence.

4.13 Campground

- a) The operator of a campground shall provide the Development Officer with a plan of the development, identifying any buildings; uses of land; changes to the land, grading/drainage, stormwater management; location of garbage collection; location of washroom facilities and utilities; emergency evacuation plan; location of all roadways; campsites with dimensions.
- b) The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit, for approval, an amended plan incorporating the changes.

- c) There shall be a buffer area abutting the boundary of not less than 4.5 m, which shall contain no buildings and shall be left in its natural state.
- d) No portion of any campsite shall be located within a roadway or required buffer area.
- e) Each campsite shall have direct and convenient access to the internal developed roadway.
- f) The space provided for roadways within a campground shall be at least 7.5 m in width.
- g) The development may include uses such as laundry facilities or a confectionery designed to meet the needs of the occupants of the campsites, and one residence for the accommodation of the operator.
- h) All provincial regulations, including *The Public Health Act*, shall be complied with in respect to all operations and development of the campground.

4.14 Intensive Livestock Operations (ILOs)

4.14.1 Application Process

- a) Applications for ILO's are received by Saskatchewan Agriculture. As part of the review process, a referral will be sent to the RM as well as to Community Planning. Community Planning will review the application for compliance with the municipal bylaws. The RM will also have a chance to respond to the application.
- b) The RM of Willow Bunch will also require the developer to apply for a municipal development permit.
- c) In order to manage the development of ILOs and surrounding land use interests, Council will consider applications for development of an ILO, including any rendering facility or abattoir.

4.14.2 Location Separation Criteria

- a) In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 4.14.

**Table 4.14
Maximum Separation Criteria for ILO to Specific Uses (in metres)**

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	915	915	915	1200	1600
Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population	400	800	1200	1600	2000
Urban municipality 100-500 population	800	1200	1600	2400	2400
Urban municipality 501-5000	1200	1600	2400	3200	3200
Urban municipality >5000	1600	2400	3200	3200	3200

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

b) Council, at its discretion, may consider lesser separation distances than given in Table 4.14, subject to the following:

- i. Where a lesser separation distance than described, in Table 4.14 will not negatively impact the specific use or surrounding development, Council may grant a reduction of the location separation criteria. Prior to granting a reduction, Council will consult with appropriate agencies.
- ii. The developer shall provide written notice, approved by Council, to the owners of all residences within the distance provided in Table 4.14, and to the hamlet board of a hamlet or Council of urban municipality within the specified distance
- iii. Where the separation distances is significantly, in Council’s opinion, less than the criteria of Table 4.14, Council will require the developer of a proposed ILO to enter into an agreement with the owner of a residence and/or the Municipality consenting to the proposed development up to a specified size, as a condition of the approval. Council will require that an interest protecting the parties to the agreement, be registered against the residence and the ILO parcel titles at the cost of the developer.

4.14.3 Public Consultation

- a) Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, in the local newspaper and will provide an opportunity for public comment for a minimum of 21 days prior to making a decision. All costs associated with advertising will be the responsibility of the developer.
- b) Council will encourage developers to hold a separate public open house prior to development permit consideration to provide information to affected landowners.
- c) If the developer does not hold a public open house, Council will hold a separate public meeting prior to development permit consideration to ensure community interests are considered before a decision is made by the Council, at the cost of the developer.
- d) Council will make a decision on a proposed livestock operation within 45 days of receiving all information necessary to make a decision. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

4.14.4 Water Supply and Protection

- a) There shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply source. Prior to approval, Council may:
 - i. Require the applicant to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources
 - ii. Require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

4.14.5 Additional Information

- a) Council may require the applicant to obtain recommendations from appropriate agencies and address issues regarding water supply, quality and quantity considerations and manure management plans to evaluate the suitability of the site
- b) The Agricultural Operations Act and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may wish to refer a development permit application to the appropriate agencies for advice and recommendations.
- c) Application of manure will be carried out in accordance with Section 4.

- d) Development permits are required for any proposed new ILO; expansion of an existing ILO; any temporary facility or part of a site; change of animal species or type of operation.
- e) ILOs existing at the time of the adoption of this Bylaw may continue, however if there is any expansion of the operation or change of animal species or type of operation the developer will be required to obtain approval from Council in accordance with the requirements and conditions of this Bylaw.

4.14.6 Permit Conditions

- a) As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made to reduce the potential for land use conflicts with neighbouring uses.
- b) Council may impose development standards which specify the location of holding areas, buildings or manure storage facilities on the site, the locations may vary from the separation criteria in Table 4.14

4.15 Gravel Pits and Gravel Crushing Operations

- a) All gravel operations shall meet provincial requirements and guidelines as well as municipal requirements
- b) Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.
- c) All operations shall have efficient servicing, haul routes and have a high consideration for public safety
- d) Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from qualified person regarding site development, services, modifications to application and location of operation;
- e) Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.
- f) Minimum excavation setbacks are as follows:
 - i. 805 metres (0.5 miles) from any dwelling,
 - ii. 15 metres (50 feet) from the limit of a developed road allowance
 - iii. 805 metres (0.5 miles) from any recreational or heritage lands which should not be disturbed

- iv. 30 metres (100 feet) from any hazard lands
- g) All gravel operations shall have direct access to a developed road.
- h) Applicants will be required to provide:
 - i. a plan showing the location of the proposed area of operation, site boundaries, the depth of excavation and the quantity of topsoil to be removed;
 - ii. a description of the excavation, stripping or grading operation, which includes a decommissioning plan;
 - iii. a detailed timing and phasing of the project including the length of the proposed operation;
 - iv. a plan showing the final site conditions and post-development land use plan following the completion of the operation;
 - v. a description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
 - vi. information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public.

4.16 Dwelling Groups

- a) Access to sites shall be from a road internal to the dwelling group parcel
- b) No dwelling shall be closer than 6 m to any other dwelling
- c) All buildings on a dwelling group parcel shall maintain the required meters to the property lines of the parcel provided for the District and the required set back to the centre line of a road.

4.17 Access

- a) All development will require access to a developed road
- b) For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council

- c) A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- d) Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, Council shall not be required to issue a development Permit for any residential, commercial or industrial building, unless the proponent agrees to pay to the Municipality the full or such portion of the costs as Council may determine for the construction of such access road in accordance the Municipality's Act.
- e) As a condition of development, Council may make satisfactory arrangements with the applicant for improvements or building of a road, where required.

4.18 Buildings to be moved

No building or structure shall be moved within, or into, the municipality, without first obtaining a Development Permit from the Development Officer. When reviewing a Development Permit for a building to be moved, the aesthetic appeal of the building and its fit with the adjacent properties will be considered. This shall not apply to non-residential buildings accessory to agricultural operations with the exception of intensive livestock operations, feed lots and hog operations and any other buildings that are listed as exempt within this Zoning Bylaw.

4.19 Wind Energy Systems

- a) Where a number of Wind Energy Systems are proposed to operate in close proximity to each other as a Wind Farm and the electrical power that is generated will be sold to a Public or private utility, the proposed development shall be deemed a Discretionary Use in the Agricultural District.
- b) All roads and accesses required to facilitate the development shall be proposed by the developer as part of the development permit application. As a condition of development the Developer shall enter into an agreement with the municipality to ensure all roads and accesses are constructed to municipal standards.
- c) The developer may be required to enter into a road maintenance agreement, in accordance with the regulations of The Municipalities Act.
- d) Site Suitability:
 - i. The minimum site size for the allowance of any wind energy system shall be 2.0 hectares (5.08) acres.
 - ii. The wind energy system shall not be located on environmentally sensitive lands.

- iii. For residential applications, wind energy components and towers shall be erected in rear-yards only.
 - iv. All wind energy systems and towers shall be enclosed within a locked protective fencing of a minimum height of 1.85 metres (6.0 feet).
 - v. Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.
- e) The minimum distance from a residence shall be a minimum distance of:
- i. 500 m (1604 feet) for up to two towers, where the resident owner is hosting the tower(s)
 - ii. 1500 m (4921 feet) for up to two towers, where the resident owner is not hosting the tower(s) and from any neighbouring residences.
 - iii. 2000 m (6561 feet) for all residences, where three or more towers are combined in a quarter section. This applies to residences on the subject lands and on neighbouring properties.
 - iv. Upon request, where Council considers that a lesser separation distance than described above will not negatively impact the specific use or surrounding development, Council may consider a reduction of the required separation distance. Prior to granting a reduction, Council may consult with appropriate agencies.
 - v. Where Council considers a lesser separation distance than required above, the developer of the wind energy system may be required to enter into an agreement with the owner of any residence that does not meet the required distance and the Municipality consenting to the proposed development, as a condition of the approval. Council may require that an interest protecting the parties to the agreement be registered against the title of the residence and the titles of any other affected parcels.
- f) Other Specifications:
- i. Development Permit Applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer.
 - ii. Installation plans (concrete specifications, anchoring specifications) shall be certified by a Saskatchewan Professional Engineer.
 - iii. An approved Electrical Permit shall be obtained and provided to the municipality for all wind energy systems.

- iv. Maximum total wind tower height or total system height shall be at the discretion of Council.
- g) Maximum noise levels: Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance to the surrounding lands.

4.20 Mineral Resource Exploration, Development and Processing

- a. To provide appropriate access/egress, sewage, water, stormwater and/or drainage works the construction of or upgrades to municipal infrastructure may be required at the developer's expense.
- b. Land use incompatibility, nuisance and pollution including odour and dust shall be minimized by considering appropriate routes, buffers, screening, etc.
- c. Signage, fencing, lighting restrictions or other safety measures may be required at the developer's expense.
- d. The developer may be required to submit to the RM a copy of the proposed reclamation or rehabilitation plan.

4.21 Water

- a. No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to meet provincial requirements.

4.22 Storage of Chemicals, Fertilizers and Combustible Materials

- a. The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit.

4.23 Waste Disposal

- a) All methods of waste disposal (solid, liquid and landfill facilities) shall be in accordance with the appropriate Provincial and/or Federal Acts.
- b) Development of a new solid or liquid waste disposal facility or expansion of an existing facility will be subject to the following, as specified by Council upon issuing a permit:
 - i. a buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area
 - ii. a lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard area

iii. any solid or liquid waste disposal facility shall be fenced to provincial standards

c) Criteria for approving a lagoon or sanitary landfill disposal area:

- i. a municipal or regional landfill or lagoon project must undergo a provincial environmental impact assessment and a public hearing process to determine if the proposal is considered suitable for the area.
- ii. any necessary mitigation measures will be specified as conditions of the permit approval
- iii. private landfills and lagoons will be considered, provided they meet provincial requirements, and are located so they will not interfere with existing or future residential, recreational, or tourism development
- iv. sanitary landfills and lagoons shall not be located on hazard lands as defined by this bylaw.

Section 5 – Zoning Districts

5.1 Districts

- a) For the purpose of applying this Bylaw, the Municipality is divided into Zoning Districts.
- b) All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another District, attached to and forming part of this bylaw.

5.2 Boundaries

The boundaries of all Zoning Districts are shown on the map entitled, "Zoning District Map" which is attached to, and forms a part of this Bylaw. Unless otherwise shown on the Map, the boundaries of the Districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. Unless otherwise shown on a Zoning Amendment Map, the Zoning District boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.

5.3 Regulations

Regulations for the Zoning Districts are outlined in the following Sections:

- a) Agricultural District
- b) Country Residential District
- c) Hamlet District
- d) Mineral Resource Direct Control District

Section 6 - AGRICULTURAL DISTRICT (A)

The intent of the A – Agricultural District is to support the use of land in the Rural Municipality of Willow Bunch No. 42 for agricultural purposes as well as related and compatible activities. The fragmentation of agricultural land in this District generally will be avoided.

6.1 Exempt Permitted Uses

The following uses are exempt from development permit approval provided the use meets the requirements of this Zoning Bylaw, including setback regulations if applicable:

- a) General agricultural uses including: field crops, dairy farming, animal and poultry raising, beekeeping, ranching, grazing, tree nurseries and other similar uses customarily to general agriculture including facilities for the direct sale of field crops and animals grown or raised on the lands (this does not apply to intensive operations).
- b) Non-residential buildings accessory to an established agricultural operation or an established residential use on the lands.
- c) Orchards and vegetable, horticultural or fruit gardens
- d) Development, expansion, installation and repair of public and private utilities and municipal facilities.
- e) Signs, subject to Section 4.5
- f) Fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- g) Landscaping
- h) Sidewalks, steps, patios, decks
- i) Towers to a maximum height of 15.24m (50 ft)
- j) Rail lines, trans load sites and related facilities

6.2 Permitted Uses

The following uses are considered permitted uses in the A – Agricultural District and will require development permit approval:

- a) Agriculture related commercial uses: Agricultural service and contracting services, implement and machinery sales and service, small scale processing and sale of grain

and seed, storage and mixing of agricultural chemicals and fertilizers, and other value added processing of agricultural by-products.

- b) Residential uses including accessory buildings and uses: dwelling (one on a parcel of land 80 acres or less and up to two on a parcel of land including 81 acres or more), garages, sheds, storage.
- c) Recreational uses: sports fields, golf courses, parks, tourist campgrounds and other similar uses.
- d) Other uses: places of worship, cemeteries, public utility uses, public halls and buildings, and existing grain elevators.
- e) Mineral Resource Exploration: limited to Oil and Gas Development and related uses and buildings

6.3 Discretionary Uses

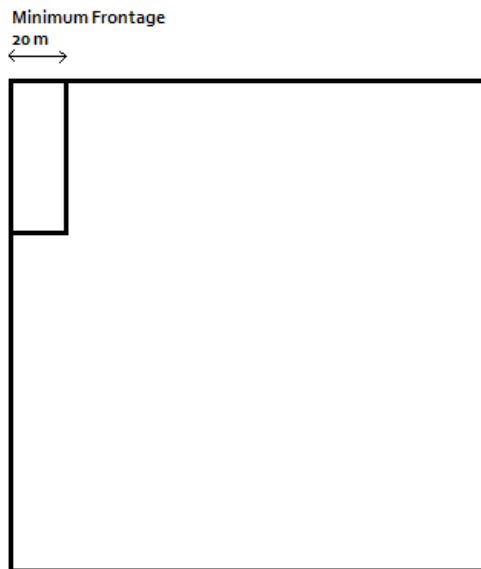
The following uses are considered discretionary uses in the A – Agricultural District and will require development permit approval through a resolution of Council and will be subject to the criteria and conditions contained in this Bylaw:

- a) Agricultural uses: abattoirs, auction marts, new or expanding intensive livestock operations and new or expanding intensive agricultural operations.
- b) Commercial and industrial uses: sand and gravel development, temporary construction/ work camps, non- agricultural commercial uses, salvage and storage yards and commercial businesses related to the oil and gas industry.
- c) Residential uses: bed and breakfast, vacation farm, home based business, more than 2 dwellings on a parcel of 81 acres or more.
- d) Other uses: towers with a height greater than 15.24m (50 ft), wind energy systems – as per Section 4.19 of this Bylaw, solid and liquid waste disposal facilities, historical sites, archaeological sites, wildlife and conservation management areas.
- e) Domestic Game Farms
- f) Communal Dwellings

6.4 Subdivision Regulations

- a) The subdivision of land is subject to the policies contained in the Official Community Plan.
- b) Four subdivisions per quarter section will be allowed in this district.

- c) Where a part of a section of land is physically separated from the remainder of the quarter section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, the separated land may be subdivided from the quarter-section in addition to the one subdivision allowed in accordance with the policies in the Official Community Plan.
- d) The minimum subdivision site size shall be 10 acres and the maximum subdivision site size shall be 80 acres. The maximum site area may be a greater area depending on existing physical circumstances i.e. limitations or demarcations peculiar to a proposed residential site such as shelterbelt, topographical restraints or irregular (cutoff) shaped parcels cause by road cut –off, railways or other similar features.
- e) Minimum site frontage shall be 20 m for all parcels



- f) All subdivided sites, including the remnant of the quarter section shall have access to an all-weather access road that meets the rural municipality’s standards.
- g) Where a subdivision of land will require the installation or improvement of municipal services, the developer will be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.

6.5 Setback Requirements

- a) A minimum separation for intensive livestock operations shall be as per table 4.14 in this Bylaw.

- b) The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
- c) The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft).
- d) Notwithstanding the minimum setback requirements in Section 6.5 (b) and (c), the setback distance requirements may be decreased at Councils discretion if there is a need for the decrease, such as natural features.
- e) Trees, shrubs, stone piles, portable structures, machinery or other objects, such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in this Section.

6.6 Criteria and Conditions for Discretionary Use Applications

- a) Council shall consider how to mitigate issues, such as odour, dust, smoke, background noise, traffic and other issues incidental to discretionary use.
- b) Non- agricultural commercial uses shall be minor in nature and shall not involve the construction of a separate building for the use.
- c) Where more than 2 dwellings on a parcel of 80 acres or more is requested, Council shall ensure the dwellings will be used to accommodate workers or family members engaged in the agricultural operation carried out on the lands.
- d) Commercial uses, including commercial agricultural uses and petroleum uses:
 - i. Any proposed commercial development or commercial agricultural development must have access to provincial highway within 3 miles of driving distance, unless the development is tied to the particular location by a natural resource or rail infrastructure and unless Council approves otherwise.
 - ii. Any unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.
 - iii. A road of a standard that meets the demands of the operation shall provide access to the site. If required, the operator will enter into a heavy haul agreement with the RM.
 - iv. In the application for an intensive operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, showing that the supply shall be sufficient to meet the needs of

that operation without adverse effects on the supply of water used by neighbouring properties

e) Home Based Business:

- i. No heavy construction or industrial equipment or supplies shall be on any site for a home based business if it will cause excessive damage to the RM roads or cause issues with the adjacent land uses.
- ii. Any increase in the operation as applied for or approved shall require a new discretionary use approval

f) Bed-and-breakfast and Vacation Farm:

- i. The proposed structures shall be suitable and comfortable for the proposed development
- ii. There shall be a water source suitable for public consumption at the facility
- iii. There shall be suitable utilities and sewage disposal system for the facility
- iv. There shall be appropriate levels of access to the site and off-street parking for the users of the facility
- v. The development shall not be in conflict with adjacent uses or uses currently on site.

g) Domestic Game Farms

- i. Game farms shall be located a minimum of 2 km (1.24 miles) from any residential building.
- ii. Shall be ancillary to an established farm operation or rural residence.
- iii. Shall comply with all federal and provincial regulations and legislation.
- iv. Council may apply special standards as a condition to the development permit limiting the size of the operation, buildings used for the operation, or any other measure deemed necessary.

h) Communal Dwellings

- i. All dwelling(s) are to be located on a parcel conforming to all requirements of the zoning bylaw, including area, setbacks/ frontage, and access.
- ii. All development shall comply with Section 3.1 of the Zoning Bylaw.

- iii. Utilities, including sewage disposal system(s) must meet provincial standards.
- i) Other requirements of this bylaw specific to the proposed shall be met.

Section 7 - COUNTRY RESIDENTIAL DISTRICT (CR)

The intent of the CR – Country Residential District is to support the use of land in the Rural Municipality of Willow Bunch No. 42 for multi-parcel residential purposes as well as related and compatible activities. This district will accommodate residential development where there are more sites proposed on a quarter section than are allowed in the A- Agricultural District.

7.1 Exempt Permitted Uses

The following uses are exempt from development permit approval provided the use meets the requirements of this Zoning Bylaw, including setback regulations if applicable:

- a) Development, expansion, installation and repair of public utilities and municipal facilities.
- b) Signs, subject to Section 4.5
- c) Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- d) Landscaping on private lands (this does not apply to major excavation and filling of sites).
- e) Sidewalks, steps, patios, decks
- f) Keeping of Animals (limited to domestic pets of the residents of the site)

7.2 Permitted Uses

The following uses are considered permitted uses in the CR – Country Residential District and will require development permit approval:

- a) Residence
- b) Dwelling groups
- c) Accessory buildings and uses: private garages, private garden sheds, private greenhouses, orchards, vegetable, horticultural or fruit gardens and accessory uses and buildings related to an approved discretionary use.
- d) Recreational uses: public sports fields and parks, other public or non-profit recreational facilities

7.3 Discretionary Uses:

The following uses are considered discretionary uses in the CR – Country Residential District and will require development permit approval through a resolution of Council and will be subject to the criteria and conditions contained in this Bylaw:

- a) Solid and liquid waste disposal facilities.
- b) Bed-and-breakfast Operations
- c) Home Based Businesses
- d) Keeping of animals on the same site as an established residence

7.4 Subdivision Regulations

- a) The subdivision of land is subject to the policies contained in the Official Community Plan.
- b) The minimum site size shall be 2 acres and the maximum site size shall be 10 acres.
- c) Minimum site frontage shall be 20 m for all parcels.
- d) Lands may only be subdivided for residential uses.
- e) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- f) The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.
- g) Where a subdivision of land will require the installation or improvement of municipal services, the developer will be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.

7.5 Setback Requirements

- a) The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
- b) The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft).

- c) The minimum setback for buildings or other objects on private property from an internal subdivision road shall be 7.6 m (25 ft).
- d) The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft).
- e) Trees, shrubs, stone piles, portable structures, machinery or other objects on private property shall also adhere to the regulations in this Section.

7.6 Criteria for Discretionary Use Applications

- a) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- b) Home based businesses:
 - i. No home based business in this District shall include auto body repair or repainting operations
 - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
 - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
 - iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval
- c) Bed and breakfast operation
 - i. The proposed structures are suitable and comfortable for the proposed development
 - ii. There shall be a water source suitable for public consumption at the facility
 - iii. There shall be suitable utilities and sewage disposal system for the facility
 - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
 - v. The development shall not be in conflict with adjacent uses or uses currently on site.
- d) Solid and liquid waste disposal facilities will only be permitted in the Residential District if there are no suitable sites within the Agricultural District.
- e) Other requirements of this bylaw specific to the proposed use shall be met.

f) Keeping of animals

- i. Two (2) animal units will be permitted on a site of at least 2 hectares (5 acres). Four (4) animal units will be permitted on a site of at least 4 hectares (10 acres) site. For each 1.2 hectares (3 acres), one (1) additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- ii. Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.

Section 8 - HAMLET DISTRICT (H)

The intent of the H- Hamlet District is to encourage orderly growth in the Organized Hamlets of Lisieux and Scout Lake to promote these Hamlets as a location for non-farm residential developments and to provide a service centre for the rural area.

8.1 Exempt Permitted Uses

The following uses are exempt from development permit approval provided the use meets the requirements of this Zoning Bylaw, including setback regulations if applicable:

- a) Development, expansion, installation and repair of public utilities and municipal facilities.
- b) Signs, subject to Section 4.5
- c) Landscaping on private lands (this does not apply to major excavation and filling of sites)
- d) Sidewalks, steps, patios, decks
- e) Keeping of Animals (limited to domestic pets of the residents of the site).

8.2 Permitted Uses:

The following uses are considered permitted uses in the H – Hamlet District and will require development permit approval:

- a) Residential uses: single detached dwelling, dwelling groups, multi – unit dwelling and residential accessory uses and buildings
- b) Commercial uses: retail stores, restaurants, confectionaries, vehicle and farm machinery sales and service, hotels and motels, grain elevators, personal service shops
- c) Institutional uses: schools, educational facilities, places of worship, religious institutions, cultural uses, public halls and government buildings
- d) Recreational uses: sports fields, rinks, parks, golf courses and other similar uses
- e) Other uses: community gardens, parking lots

8.3 Discretionary Uses

The following uses are considered discretionary uses in the H – Hamlet District and will require development permit approval through a resolution of Council and will be subject to the criteria and conditions contained in this Bylaw:

- a) Day care centres
- b) Home based business
- c) Bed and breakfast
- d) Service Stations
- e) Truck to rail trans load sites
- f) Keeping of animals other than domestic pets (subject to section 8.7)

8.4 Subdivision Regulations

- a) The subdivision of land is subject to the policies contained in the Official Community Plan.
- b) Site size and frontage requirements:

Use	Site Minimum	Site Maximum	Frontage
Service Station	900 m ² (9687.5 ft ²)	1800m ² (19375 ft ²)	30.4 m (100 ft)
Hotels and motels	900 m ² (9687.5 ft ²)	1800m ² (19375 ft ²)	30.4 m (100 ft)
Other commercial uses	225 m ² (2422 ft ²)	450m ² (4844 ft ²)	7.5 m (25 ft)
Single detached dwelling	360m ² (3875ft ²) with lane 450m ² (4843ft ²) without lane	720m ² (7750 ft ²) with lane 900m ² (9686 ft ²)without lane	12m (40ft) with lane 15 m (50 ft) without lane
Multi – unit dwelling	255m ² (2744 ft ²) with lane 315m ² (3390ft ²) without lane	510m ² (5488ft ²) with lane 630m ² (6780ft ²)without lane	8.5m (27.88ft) with lane 10.5m(34.45ft) without lane
All other uses	450m ² (4843ft ²)	900m ² (9686 ft ²)	15 m (50 ft)

- c) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- d) All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.

8.5 Requirements:

Requirements for specific uses:

Use	Front Yard Setback from hamlet road	Rear Yard Setback	Side Yard Setback	Floor Area
Service stations	7.5m (25ft)	6m (20 ft)	1.5 m (5ft)	
Hotels and motels	7.5m (25ft)	6m (20 ft)	1.5 m (5ft)	
Other commercial uses	None	6m (20 ft)	1.5 m (5ft)	
Single detached dwelling	7.5m (25ft)	7.5m (25ft)*	1.5 m (5ft)	
Multi – unit dwelling	7.5m (25ft)	7.5m (25ft)*	1.5 m (5ft)	55m ² (592 ft ²)
All other uses	7.5m (25ft)	7.5m (25ft)*	1.5 m (5ft)	55m ² (592 ft ²)

*or 25% of the depth of the site, whichever is the greater

- a) The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
- b) The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft).
- c) No outside storage shall be permitted in the front yard and when located in a side or rear yard it shall be screen by landscaping or vegetation so as not to be visible from a road.
- d) Trees, shrubs, stone piles, portable structures, machinery or other objects on private property shall also adhere to the regulations in this Section.
- e) The consolidation/parcel tie of smaller lots may be required where a proposed development will not meet the requirements.

8.6 Criteria for Discretionary Use Applications

- a) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- b) Day cares centres and pre-schools shall be subject to provincial regulations.
- c) Pumps and other devices associated with service stations shall be located at least 6m (20 ft) from any street, lot line or road and all automobile parts, dismantled vehicles an similar articles shall be stored within a building.
- d) Home Based Businesses:

- i. No home based business in this District shall include auto body repair or repainting operations
 - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
 - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
 - iv. Any increase in the operation as applied for or approved shall require a new discretionary approval
- e) Bed-and-breakfast Operation
- i. The proposed structures are suitable and comfortable for the proposed development
 - ii. There shall be a water source suitable for public consumption at the facility
 - iii. There shall be suitable utilities and sewage disposal system for the facility
 - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
 - v. The development shall not be in conflict with adjacent uses or uses currently on site.

8.7 Keeping of Animals other than Domestic Pets

- a) No person shall herd, graze or keep animals or poultry within the Hamlet District except Lot 1 and Lot 3 Block D, Plan BW4274 and Parcel A Plan BW4274 within the Hamlet of Scout Lake and Parcel A and B within the Hamlet of Lisieux.
- b) The keeping of animals will be subject to Municipal Bylaw 4-2002 A Bylaw Respecting Animals in the Organized Hamlet of Scout Lake and Bylaw 3-2008 A Bylaw with Respect to Animals and Poultry in Block 1,2 and 3 and Parcels A & B and Public Reserve R in the Hamlet of Lisieux. The Development Officer will apply these Bylaws as conditions to a development permit.

Section 9 – Mineral Resource Direct Control District (M)

The intent of the M – Mineral Resource and Extraction Direct Control District is to provide for natural resource development in areas where it is deemed appropriate. Rezoning to the natural resource direct control district will provide the public an opportunity to provide input and comment on the proposals. Council shall encourage and permit natural resource development on appropriate sites, if the uses will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service.

9.1 Exempt Uses

The following uses are exempt from development permit approval provided the use meets the requirements of this Zoning Bylaw, including setback regulations if applicable:

- a) Agricultural uses: field crops; pastures (excluding intensive livestock operations); facilities for the preparation of crops grown or animals raised on the lands; accessory buildings, structures and uses related to an established agricultural use.
- b) Fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- c) Development, expansion, installation and repair of public and private utilities and municipal facilities.

9.2 Permitted Uses

The following uses are considered permitted uses in the M – Mineral Resource District and will require development permit approval through a resolution of Council and will be subject to the criteria and conditions contained in this Bylaw:

- a) Natural resource extraction: gravel pits, storage area and contractors yards; metallic or non-metallic mineral mines or extraction facilities and processing and transportation facilities and pipelines related thereto; petroleum and natural gas exploration and extraction and related facilities including processing; oil, natural gas and carbon dioxide gas pipelines and related facilities; water and solution/emulsion pipelines and related facilities for the production, collection, transmission and development of natural resources.
- b) Accessory buildings or uses: buildings, structures and uses related to an established natural resource extraction use.

9.3 Discretionary Uses

The following uses are considered discretionary uses in the M– Mineral Resource District and will require development permit approval through a resolution of Council and will be subject to the criteria and conditions contained in this Bylaw:

- a) Single detached dwelling
- b) Work camp
- c) Concrete plant
- d) Accessory commercial uses related to the permitted use
- e) Solid and liquid waste disposal facilities

9.4 Subdivision Regulations

- a) The subdivision of any land within this district will be discouraged; however, Council may consider subdivision within the district if the developer demonstrates the need for the subdivision to the satisfaction of Council.
- b) The minimum site frontage for all subdivided sites shall be 30m.

9.5 Criteria for Discretionary Use Applications

- a) The minimum setback for any building related to a discretionary use shall be setback from the centreline of a developed road, municipal road allowance, or provincial highway by at least 46 m (150 ft).
- b) The proposed discretionary use shall not negatively change the character of the immediate area or the ability of the mineral resource use to operate.

9.6 Criteria specific to the Direct Control District

- a) In accordance with the policies in the Official Community Plan, Council may enter into an agreement with the developer.
- b) All development permit applications shall be reviewed and a decision is to be made through a resolution of Council.

