

Moose Range No. 486

Zoning Bylaw

May 2014



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1 Introduction

1.1 AUTHORITY

Under the Authority of The Planning and Development Act, 2007, the Council of the Rural Municipality of Moose Range No. 486 in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 TITLE

The Bylaw shall be known and may be cited as the “Zoning Bylaw of the Rural Municipality of Moose Range No. 486 ”.

1.3 PURPOSE

The purpose of this Bylaw is to regulate development in the Rural Municipality of Moose Range No. 486 so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

1.4 SCOPE

Development shall hereafter be permitted within the limits of the Rural Municipality of Moose Range No. 486 only when in conformity with the provisions of this Bylaw.

1.5 SEVERABILITY

If any provision of this Bylaw, whole or in part is declared invalid by a Court, the same shall not affect the validity of the Bylaw as a whole or any other provision thereof.

2 Administration

2.1 DEVELOPMENT OFFICER

The Administrator of the Rural Municipality of Moose Range No. 486 shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Administrator, in consultation with Council, designates in writing to be the Development Officer.

2.1.1 The Development Officer shall:

- a. Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving, rezoning, discretionary uses, and zoning bylaw matters;
- 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. Ensure accessibility of bylaws and amendments;
- d. Make available for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- e. Collect application fees; and
- f. Perform other duties under this Zoning Bylaw as determined by Council.

2.1.2 For the purposes of enforcing the bylaw, the development officer may designate responsibilities related to Section 242 of The Planning and Development Act, 2007 to a bylaw enforcement officer appointed by Council. (Bylaw 02-2016)

2.2 COUNCIL

2.2.1 Council shall make all decisions regarding discretionary uses, contract zoning and zoning bylaw amendments.

2.2.2 Council shall act in accordance with the procedures in The Planning and Development Act, 2007 (the Act) and the District Plan.

2.3 REFERRAL TO COUNCIL

The Development Officer may submit any application to Council for a decision on the interpretation of the Zoning Bylaw, or upon special conditions provided for in this 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.

2.4 DEVELOPMENT PERMIT APPLICATION

2.4.1 Prior to any development commencing every person shall complete and submit an application for a development permit, except if exempt in Section 2.5.

2.4.2 A Development Permit shall not be issued if it is in contravention with any part of this Bylaw or the District Plan.

- 2.4.3 **Farm Residences shall require a development permit. An operation housing 300 or more animal units at a concentration equal to 370 square metres or less per animal unit shall be considered intensive livestock operations. (Bylaw 02-2016)** ~~Farm residences shall require a development permit. Livestock and poultry operations exceeding 300 animal units shall be considered intensive livestock operations under this Bylaw and shall require a development permit.~~
- 2.4.4 A building permit shall not be issued unless a development permit, where required, has also been issued.

2.5 DEVELOPMENTS NOT REQUIRING A PERMIT

The following developments shall be exempt from development permit requirements, but shall conform to all other bylaw requirements:

- a. Agricultural operations excluding intensive agriculture, intensive horticulture and intensive livestock;
- b. The construction placement of 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;
- c. The erection of any fence, wall or gate;
- d. Accessory buildings and structures less than 9.3 m² in area
- e. The erection of a single residence wind turbine, satellite dish, television antennae or radio antennae; and
- f. Internal alterations and maintenance to a residential building, provided that the use, building footprint or intensity of use of the building including the number of dwelling units within the building or on the site does not change.

2.6 DEVELOPMENT PERMIT PROCEDURES

- 2.6.1 Unless otherwise specified in this Bylaw, with every application for a development permit, a copy of a layout, or site plan, showing the dimensions of the site, the site size, the location on the site of any existing and all proposed development and the method and location of on-site sewage disposal facilities, shall be submitted for approval to the Development Officer together with such other information as may be required in support of the application.
- 2.6.2 When an application for a development permit is made for a permitted or accessory use in conformity with this Bylaw, the Act and all other municipal bylaws the Development Officer shall issue a development permit.
- 2.6.3 When an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government departments or agencies considered appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant.
- 2.6.4 A development permit shall be issued for the use at the location and under such terms and development standards specified by the District Plan and this Bylaw.
- 2.6.5 A permit to initiate development shall be valid for one (1) year from the date of issue.

- 2.6.6 Where the Development Officer determines that a development is being carried out in contravention of any condition of approval or any provisions of the District Plan or this Bylaw, the Development Officer may issue an order subject to the provisions of Section 242 of the Act to suspend or revoke the development permit and notify the permit holder that the permit is no longer in force.
- 2.6.7 The applicant shall be notified in writing of the decision regarding the application.
- 2.6.8 If the proposal conforms to the provisions of this Bylaw, a development permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required. The applicant shall be advised of their right to appeal any terms and conditions to the Development Appeals Board. Such permit shall be valid for one year from the date of issuance.
- 2.6.9 If the proposal is denied, the reasons for the refusal shall be stated and the applicant shall be advised of the right to appeal the decision to the Development Appeals Board, subject to the provisions of the Act.
- 2.7.0 A new development permit approval is required when:
 - a. The approval use ceases and is replaced with another use;
 - b. The approved use ceases for a 12 month period; and
 - c. The intensity of use increases

(Bylaw 05-2016)

2.7 DISCRETIONARY USE APPLICATIONS

- 2.7.1 Applicants must file with the Development Officer a development permit application in accordance with Section 2.6.
- 2.7.2 The application will be examined by the Development Officer for conformance with the District Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
- 2.7.3 The Development Officer may refer the application to whichever government departments or agencies that may be considered appropriate.
- ~~2.7.4 The Development Officer will set a date for the meeting at which time the application will be considered by Council. (Bylaw 02-2016)~~
- 2.7.5 The Development Officer will provide written notice by regular mail to all assessed landowners within a 75 m radius of the boundary of the subject application, which notice shall be a minimum of 7 ~~21~~ days from the date of mailing for public comment prior to formal consideration of the application by the Council. **(Bylaw 02-2016)**
- 2.7.6 Where an adjacent rural or urban municipality is within the 5 km radius of the boundary of the subject application, the Development Officer will provide written notice to the adjacent municipal administration for comment.

- 2.7.7 The Development Officer will prepare a report for Council concerning the application including recommendations of conditions that may be applied to an approval.
- 2.7.8 Council shall consider the application along with the recommendations of the Development Officer and any other written or verbal submissions received by Council.
- 2.7.9 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards specified by Council.
- 2.7.10 The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form and the applicant shall be advised of their right to appeal any terms and conditions attached to the approval of a discretionary use application to the Development Appeals Board.
- 2.7.11 The Development Officer shall issue a notice of refusal of the development permit to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that he/she may have.
- 2.7.12 The Development Officer shall provide a written copy of the decision of Council on the application to the District Planning Commission.
- 2.7.13 Council may approve a discretionary use for a limited time where prescribed within this Bylaw.
- 2.7.14 Where Council has approved a discretionary use for a limited time has expired, that use of land or buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

2.8 VALIDITY OF A DEVELOPMENT PERMIT

- 2.8.1 If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the development permit ceases to be valid.
- 2.8.2 A development permit is invalid if the proposed development is legally suspended or discontinued for a period of six (6) or more months.
- 2.8.3 A development permit may be extended for an additional twelve (12) months by the Development Officer for a permitted use and by Council for a discretionary use.

2.9 MINOR VARIANCES

- 2.9.1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
 - a. A minor variance may be granted for the relaxation of the minimum required distance of a building from a lot line
 - b. The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw
 - c. The development must conform to all other requirements of this Bylaw

- d. The relaxation of the bylaw requirement must not injuriously affect a neighbouring property
- e. **No Minor Variance shall be granted if it would be inconsistent with any provincial land use policies or statement of provincial interest and a form of development in connection with an agreement to rezone pursuant to the Act. (Bylaw 02-2016)**

~~No minor variance shall be granted for a discretionary use or form of development in connection with an agreement to rezone pursuant to the Act. (Bylaw 02-2016)~~

- 2.9.2 Upon receipt of a written request for a variance the Development Officer may:
 - a. Approve the minor variance;
 - b. Approve the minor variance and impose terms and conditions on the approval; or
 - c. Refuse the minor variance
- 2.9.3 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal
- 2.9.4 Where a minor variance is approved, with or without terms and conditions, 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. The 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 from the date of the decision to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
 - d. Where there is an objection and the approval is revoked, the applicant shall be notified in writing of the revocation and of the right to appeal to the Development Appeals Board within 30 days.
- 2.9.5 A decision to approve a minor variance, with or without terms and conditions, does not take effect until 30 days from the date the notice was mailed.
- 2.9.6 If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

2.10 DEVELOPMENT APPEALS BOARD

- 2.10.1 Council shall appoint a Development Appeals Board in conformity with the provisions of the Act.
- 2.10.2 In addition to any other right to appeal provided by the Act, a person affected thereby may appeal to the board where a Development Officer:
 - a. Is alleged to have misapplied the bylaw in issuing a development permit; or
 - b. Refuses to issue a development permit because it would contravene this bylaw.

- 2.10.3 Appellants also may appeal where they are of the opinion that development standards prescribed by the Municipality with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the District Plan. This right of appeal extends 30 days after the issuance or refusal of a development permit or order.
- 2.10.4 The Development Appeals Board may confirm, revoke, or vary the decision or development permit or any condition attached to any of these, or substitute a decision or permit that it considers advisable.
- 2.10.5 Where a person wishes to appeal to the board, they shall file a written notice of their intention to appeal with the secretary of the board, together with any sum of not more than \$50 that the board may specify, to be applied to the expenses of the appeal.
- 2.10.6 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of the Act shall apply.

2.11 AMENDMENT OF THE ZONING BYLAW

Council may amend this Bylaw at any time in consultation with the affected municipalities and the Twin Lakes District Planning Commission, upon its own initiative or upon request, provided that the amendments are in keeping with the intent of the District Plan.

- 2.11.1 Applicants must file with the Development Officer a development permit application in accordance with Section 2.6.
- 2.11.2 The application will be examined by the Development Officer for conformance with the District Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
- 2.11.3 The Development Officer may refer the application to whichever government departments or agencies that may be considered appropriate.
- 2.11.4 The Development Officer will refer the application to the District Planning Commission for consideration at least 10 days prior to a regular scheduled meeting of the District Planning Commission.
- 2.11.5 The Development Officer will set a date for the meeting at which time the application will be considered by Council.

2.12 FEES FOR APPLICATIONS

- 2.12.1 Where a person requests Council to amend the District Plan or Zoning Bylaw, that person shall pay to the Municipality a fee equal to the costs associated with the public advertisement of the proposed amendment pursuant to the requirements of Part X of the Act and, in addition, any required application fee as per the municipality's fee bylaw.
- 2.12.2 Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to the District Plan or Zoning Bylaw, at its own cost.
- 2.12.3 Where a person applies for a development permit for a discretionary use or minor variance, they shall pay to the Municipality any required application fee as per the Municipality's fee bylaw.

2.13 BUILDING PERMIT

2.13.1 A building permit, where required, shall not be issued unless a development permit, where required, has been issued.

2.13.2 Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher or more stringent standards shall prevail.

2.14 OFFENCES AND PENALTIES

Any person who contravenes any of the provisions of this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties in the Act.

2.15 BYLAW COMPLIANCE

Errors 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.

2.16 PUBLIC WORKS AND INFRASTRUCTURE SERVICES

Installation of all public works and infrastructure services including but not limited to water, sewer, road grade, pavement, sidewalks, street lighting, signs, landscaping, drainage and any other items that Council may consider services may form part of any development permit issued according to the Bylaw and shall require a development permit if the installation is not part of another development permit issued according to this Bylaw.

2.17 FINANCIAL ASSURANCES

Council may require that a letter of credit, performance bond or real property report or other type of assurance that Council considers necessary, including the registration of an interest on the title of the affected lands, is in order to ensure that the development is constructed and completed in accordance with the time frame and in accordance with the development standards provided for in the development permit.

2.18 LIABILITY INSURANCE

Council may require a developer to provide and maintain liability insurance to protect the Municipality and the general public.

3 General Regulations

3.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS

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 Rural Municipality of Moose Range No. 486 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 Rural Municipality of Moose Range No. 486 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.

3.2 NUMBER OF PRINCIPLE BUILDINGS OR USES PER SITE

Unless otherwise permitted within this Bylaw, no person shall construct or cause to be constructed, more than one principal building or use per site.

3.3 ACCESSORY BUILDINGS, USES AND STRUCTURES

- 3.3.1 Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is a permitted or discretionary use in that same district, and for which a development permit has been issued.
- 3.3.2 No accessory building or structure may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory unless the accessory building is essential for the completion of the construction of the principal building and where a building and development permit for the principal use has been issued.
- 3.3.3 Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.
- 3.3.4 Accessory structures shall not be used as a residential dwelling unit unless otherwise provided for in this Bylaw.

3.4 NON-CONFORMING BUILDINGS, USES AND STRUCTURES

- 3.4.1 Any use of land or any building or structure lawfully existing at the time of passing of this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred or sold.
- 3.4.2 An existing non-conforming use or intensity of use may be continued if the use conformed to this Bylaw that was in effect at the time of the development and has not been discontinued for twelve (12) consecutive months.

- 3.4.3 Non-conforming buildings or site may continue to be used, maintained, and repaired in their present form.
- 3.4.4 No enlargement, additions, or reconstruction of a non-conforming use, building, or structure shall be undertaken, except in conformance with the Act.

3.5 FRONTAGE ON THE ROAD

A development permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on an existing municipally maintained all-weather public road, or unless arrangements have been made with Council for the improvement or building of a road.

3.6 DEVELOPMENT ALONG RIVERBANKS AND HAZARD LANDS

- 3.6.1 Development proposed on or within 30 m of the crest of a slope greater than 20% shall require supporting evidence of slope stability by a Professional Engineer licensed to practice in the Province of Saskatchewan.
- 3.6.2 The Development Officer in consultation with a geotechnical engineer may impose special conditions on a development permit, including but not limited to, engineered footings or specialized drainage and or septic systems in an effort to protect against erosion and or stability of the bank.
- 3.6.3 Trees or vegetation shall not be cleared from any land within 20 m of any watercourse, water body, escarpment, or of the crest of a slope greater than 20% where the removal could have a negative impact on the water body or bank stability.
- 3.6.4 Where a site borders on or contains a water body the setback from the bank of the water body shall not be less than 30 m from a water body of 8 hectares or more.
- 3.6.5 All non-agricultural development proposed on flood prone lands outside of a defined floodway shall be constructed at or above the 1:500 flood levels as defined by the Water Security Agency.
- 3.6.6 Appropriate Federal and Provincial approvals shall be acquired prior to alteration or development adjacent to any waterbody. (Bylaw 05-2016)

3.7 DEVELOPMENT ALONG ROADWAYS

- 3.7.1 All buildings, including dwellings, shall be setback 45 m from the centre line of a municipal road allowance, grid road, or main farm access road on all sites. Setbacks from provincial highways shall be determined by the regulations of the Saskatchewan Ministry of Highways and Infrastructure.
- 3.7.2 Trees, shrubs and dugouts shall be set back 35m from the centre line of a municipal road allowance, grid road, or main farm access road on all sites. Setbacks from provincial highways shall be determined by the regulations of the Saskatchewan Ministry of Highways and Infrastructure.

3.8 DISPOSAL OF WASTES

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 as per all Acts and Regulations related to the storage, handling, and disposal of any waste material.

3.9 WATER

Development of land shall be permitted where a suitable, potable water supply can be furnished to the requirement of the Regional Health Authority or the Water Security Agency.

3.10 STORAGE OF CHEMICALS, FERTILIZERS AND COMBUSTIBLE MATERIAL

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

3.11 BUILDINGS TO BE MOVED

No building shall be moved within, into or out of the Municipality without first obtaining a development permit from the Development Officer.

3.12 PERMITTED YARD ENCROACHMENTS

- 3.12.1 Where minimum front, side or rear yard setbacks are required in any zoning district, the following shall not be considered in the determination of yard dimensions or site coverage in any yard:
- a. Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 m into any required front or rear yard.
 - b. Window sills, roof overhangs, eaves, gutters, bay windows, and chimney cases to a maximum of 0.6 m into any required yard.
- 3.12.2 For semi-detached or multiple unit dwellings, no side yard shall be required where dwelling units share a common party wall.

3.13 OUTDOOR STORAGE

Where permitted in association with any approved industrial, commercial or residential land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:

- a. No outside storage shall be located in the front yard, except for the display of items for sale.
- b. Outside storage in a side or rear yard shall be screened from adjacent sites by a fence or landscaping.
- c. No residential site shall be used for the parking or storage of more than three (3) unlicensed vehicles outside of an enclosed building and not within the front yard of the site.

3.14 GRADING AND LEVELLING OF SITES

- 3.14.1 Every development shall be graded and levelled at the owner's expense to provide adequate surface drainage that does not adversely affect adjacent property or the stability of the land.
- 3.14.2 All excavation or filling shall be re-vegetated immediately after construction concludes with a suitable ground cover as may be necessary to prevent erosion.
- 3.14.3 All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area or relocated to a site approved by the Development Officer.

3.15 LIGHTING

All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties; interfere with the use and enjoyment of neighbouring lands; or interfere with the effectiveness of any traffic control devices or the vision or safety of motorists.

3.16 SIGNAGE

3.16.1 Signs located in a Highway Sign Corridor

Signs located in a highway sign corridor shall comply with The Erection of Signs Adjacent to Provincial Highway Regulations, 1986 as may be amended from time to time.

3.16.2 Signs not located in a Highway Sign Corridor

- a. Temporary signs and real estate signs are permitted only as long as the temporary condition exists.
- b. Signs shall not be located in a manner that will impede the view of any pedestrian or vehicular right of way or railway crossing.
- c. No intermittent flashing signs shall be permitted in any Zoning District and all illuminated signs shall cast light downwards and located appropriately to prevent creation of a hazardous situation related to pedestrian and vehicular traffic.
- d. All private signs shall be located so that no part of the sign is over a public right of way.
- e. Signs shall be mounted and maintained in a condition that is safe and clean.

3.16.3 Hamlets and Country Residential Districts

- a. Signs and billboards that are not located in a highway sign corridor will be prohibited in any hamlet or country residential district in the municipality excepting signs advertising products and services associated with any permitted or discretionary use.
- b. Permitted signs shall require a development permit subject to the following requirements:
 - i. No more than one (1) sign shall be permitted on the premises.
 - ii. No sign shall be in excess of 3.0 m².

- iii. The sign may be double sided.
- iv. No sign shall be illuminated unless the source of light is steady and suitably shielded.
- v. The maximum height of any sign shall be 3.5 metres.

3.16.4 Non-Residential Districts

- a. Signs and billboards that are not located in a highway sign corridor, a hamlet, or a country residential district that advertise products and services associated with any permitted or discretionary use shall require a development permit subject to the following requirements:
- b. No more than two (2) signs shall be permitted on the premises
- c. No sign shall be in excess of 6 m² in area, but the two permitted signs may be combined and the total facial area shall not exceed 12 m². Each sign may be double faced.
- d. No sign shall be illuminated unless the source of light is steady and suitably shielded
- e. The maximum height of any sign shall be 6 m

3.16.5 Signs not requiring a permit:

- a. Government signs
- b. Traffic control signs
- c. Signage intended to regulate hunting or trespassing on private property
- d. Real estate signs
- e. Signs containing traffic or pedestrian controls
- f. Address signs
- g. Election signs
- h. Memorial signs
- i. Construction signs – permitted on a temporary basis
- j. Agricultural related sign - permitted on a temporary basis such as herbicide or insecticide or seed advertising promotional signs

3.17 PUBLIC UTILITIES AND MUNICIPAL FACILITIES

- 3.17.1 Public utilities and municipal facilities, excepting solid and liquid waste disposal, shall be a permitted use in every zoning district and exempt from the site area, frontage, and setback regulations of every zoning district.
- 3.17.2 Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply special design standards to protect the municipal interest in the existing and future improvements to the road.

3.18 OFF-STREET PARKING

- 3.18.1 Off-street parking shall be provided in accordance with Table 3-1 below, and associated regulations.

- 3.18.2 All off-street parking and loading facilities are intended for the vehicles of residents, members, employees or customers of the principal building or use for which the parking and loading facilities are intended.
- 3.18.3 Required off-street parking spaces may be located on a separate site that is within a convenient walking distance to a maximum of 150 m of the principal building or use.
- 3.18.4 Each parking space shall be 2.5 m and 6 m long, except parallel parking spaces shall be 6.5 m long.
- 3.18.5 Every parking area shall be provided with direct, unobstructed access to and from a public street.
- 3.18.6 The design of a parking lot shall be such that all grades and drainage shall dispose of surface water and shall have no detrimental effect to adjoining properties from such water disposal.

**Table 3-1
Off-Street Parking Requirements**

LAND USE	PARKING SPACES REQUIRED (minimum)
Dwelling unit, mobile home	1 space / unit
Dwelling Group/Multi-unit	2 spaces / unit
Secondary suite	1 space / unit
Bed and breakfast homes/Vacation Farms	1 space / guest room
Elementary school	1 space / classroom
High school, collegiate	4 spaces/classroom
Places of Worship, Community Halls	3 spaces / 10 fixed seats or 1 space / 20 m ² of floor area, whichever is the greater
Restaurants	1 space / 4 seats
Commercial Use	1 space / 28 m ² of gross floor area
Motel or Hotel	1 space / unit
Industrial Use	1 space / 46.5 m ² of gross floor area
Retail	1 space / 28 m ² of gross floor area
All Other Commercial Uses	1 space / 28 m ² of gross floor area

3.19 OFF-STREET LOADING FACILITIES

- 3.19.1 In any Commercial, Agriculture or Industrial District, where the use of a building involves the receipt, distribution or dispatch of materials, goods or merchandise from vehicles, adequate space for such vehicles to stand for loading or unloading facility shall be provided on the site in accordance with Table 3-2.

**Table 3-2
Loading Areas**

GROSS FLOOR AREA	LOADING SPACES REQUIRED
100 m ² to 1,500 m ²	1 loading space
1,501 m ² to 3,000 m ²	2 loading spaces
Over 3,000 m ²	2 loading spaces plus 1 for each 6,000 m ² (or part thereof over 3,000 m ²)

3.19.2 Loading spaces shall be located within or abutting the building containing the use.

3.19.3 The loading space shall be of adequate size so that materials and commodities can be easily loaded or unloaded.

4 Development Standards

4.1 DISCRETIONARY USES

- 4.1.1 The following evaluation criteria shall be considered by Council in the review of a discretionary use application:
- a. the capacity of the existing roadway infrastructure to accommodate the proposed use;
 - b. the potential effects of the proposed use on air resources, soil resources, water resources, and natural and heritage resources;
 - c. the waste generated from the proposed use and the capacity of existing waste management resources; and
 - d. how the proposed use contributes to the social, economic, and physical sustainability of the Municipality.
- 4.1.2 Discretionary uses and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. 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. the access to, number, surface treatment and location of parking and loading facilities including adequate access for pedestrian and vehicle traffic
 - d. vehicle access and egress points shall be provided in suitable locations so as to minimize traffic congestion and hazards
 - e. appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
 - f. the control of noise, glare, dust, refuse litter and odour
 - g. the screening of parking, storage and other non-landscaped areas from adjacent properties and streets
 - h. landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties and to maintain the character and amenity of the neighbourhood.

4.2 HOME BASED BUSINESS

The following conditions apply to any home based business:

- 4.2.1 A home based business may be located in a dwelling used as the owner`s residence and shall be conducted entirely within the dwelling or an accessory building to the principal dwelling unit.
- 4.2.2 No more than four (4) home based businesses shall be allowed per dwelling unit.
- 4.2.3 External advertising shall be in accordance with signage requirements provided in Section 3.16.

- 4.2.4 A home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signage.
- 4.2.5 A home based business shall not create any conflict with the residential area in terms of noise, glare, dust, odour, radio interference, or disturbance that would be disruptive to the surrounding land uses.
- 4.2.6 No more than 25% of the gross floor area of the principal building shall be used for a home based business.
- 4.2.7 A permit 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 Development Officer, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- 4.2.8 A development permit for a home based business shall only be valid during the time the property is occupied by the applicant for such use.

4.3 BED AND BREAKFAST HOME AND VACATION FARMS

- 4.3.1 Vacation farms shall be accessory to an agricultural farm operation or non-farm residence and may include bed and breakfast, cabins and overnight camping areas (Bylaw 05-2016) ~~Vacation farms shall be accessory to an agricultural farm operation or country residence and may include bed and breakfast, cabins and overnight camping areas.~~
- 4.3.2 Vacation farms and bed and breakfast operations shall be licensed by the Ministry of Health and shall have a fire safety inspection report prior to occupancy as a vacation farm or bed and breakfast home.
- 4.3.3 The maximum number of cabins permitted as part of a vacation farm or bed and breakfast operation shall be limited to 5(five) per quarter section.
- 4.3.4 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner occupied residence; or the cabins shall be accessory to and established on the same site as the host principal residence.
- 4.3.5 External advertising shall be in accordance with signage requirements provided in Section 3.16.
- 4.3.6 The granting of a development permit for vacation farms and bed and breakfast operations by Council shall not be construed in any way as a consent or approval for future subdivision.

4.4 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

Development and maintenance of a solid or liquid waste disposal facility will be subject to the following standards:

- 4.4.1 Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- 4.4.2 **Any solid or liquid waste disposal facility shall be located 915 m from any residence unless relaxation of this requirement is agreed to by affected parties. (Bylaw 02-2016)**
~~Any solid waste disposal facility shall be located 915 m from any residence unless relaxation of this requirement is agreed to by affected parties. (Bylaw 02-2016)~~
- 4.4.3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- 4.4.4 Any solid or liquid waste disposal facility shall be fenced.
- 4.4.5 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 4.4.6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- 4.4.7 The development of any new disposal sites shall take into consideration direction of prevailing winds.

4.5 OUTFITTER AND TOURISM BASE CAMPS

- 4.5.1 All outfitter base camps shall be located at least 305 m from a dwelling unit that is not part of the operation.
- 4.5.2 All accommodations provided in conjunction with outfitter base camps or tourism base camps shall comply with The Public Health Act, and Regulations passed thereunder.
- 4.5.3 External advertising shall be in accordance with signage requirements provided in Section 3.16.
- 4.5.4 **Outfitter base camps and tourism base camps may be ancillary to an agricultural operation for which a permit has been issued and located on the same site, or exist as a separated site as a discretionary use in an appropriate zone. (Bylaw 02-2016)** ~~Outfitter base camps and tourism base camps are secondary to a permitted agricultural operation and located on the same site. (Bylaw 02-2016)~~
- 4.5.5 **A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be a resident on site. (Bylaw 02-2016)** ~~A use that is established as a secondary use to an agricultural operation shall cease to be permitted when the operator ceases to be resident on the same site. (Bylaw 02-2016)~~

- 4.5.6 Council may establish standards limiting the total number of guests and guest rooms or cabins, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps and tourism base camps. Any increase in the number of guests or guest rooms or cabins shall require a new discretionary use approval. (Bylaw 02-2016)
- 4.5.7 All outfitter and tourism base camps applications shall be accompanied by approved outfitter licenses issued under *The Natural Resources Act* and regulations passed there under. (Bylaw 02-2016)

4.6 ANIMAL KENNEL

- 4.6.1 The operation of an animal kennel shall be subordinate and incidental to the principal use of the site.
- 4.6.2 Outdoor animal enclosures are not permitted in any front yard.
- 4.6.3 No animals shall be allowed outdoors between the hours of 9:00 pm to 7:00 am daily.
- 4.6.4 No building, structure or exterior exercise areas, to be used to accommodate the animals shall be allowed within 300 m of any residential dwelling unit located on adjacent sites.
- 4.6.5 All permits issued for an animal kennel shall be subject to the condition that the development permit may be revoked at any time, if in the opinion of Development Officer; the conditions under which the permit was originally issued are no longer met.

4.7 MINERAL RESOURCE EXTRACTION INDUSTRY

- 4.7.1 The environmental implications of the operation including site restoration shall be considered in reviewing an application.
- 4.7.2 In addition to the public notification provisions for discretionary uses contained in this Bylaw, the application shall be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site.
- 4.7.3 The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring land owners.
- 4.7.4 The applicant shall apply appropriate noise control methods through proper location and property screening including locating stock piles to act as a noise barrier.
- 4.7.5 The applicant shall keep the site in a clean condition free from rubbish and non-aggregate debris.
- 4.7.6 Access to the site shall be located away from existing residential dwelling units.

- 4.7.7 The disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (example, agriculture land) or a post-disturbance condition and land use (example, conversion to wetland) which are satisfactory to the Development Officer. These conservation and reclamation procedures shall be in accordance with applicable provincial guidelines.
- 4.7.8 Any person who hauls the mineral resource may be required to enter into a road maintenance agreement.
- 4.7.9 Any approval of a privately operated mineral resource extraction industry shall be for a maximum period of five (5) years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.

4.8 RESIDENTIAL CARE HOMES

- 4.8.1 Where allowed as a discretionary use a residential care home may be developed in a single detached dwelling unit, subject to obtaining a provincial license, pursuant to the applicable act under which the home is proposed to operate.
- 4.8.2 The residential care home shall maintain the single detached character of the property consistent with the neighbourhood.
- 4.8.3 A residential care home shall meet all the regulations for a single detached dwelling unit as prescribed by the Zoning Bylaw.
- 4.8.4 The operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home.
- 4.8.5 The operator shall ensure that adequate supervision and care is available at the home at all times.

4.9 FAMILY CHILD CARE HOMES

- 4.9.1 Where allowed a family child care home may be developed in a single detached dwelling unit, subject to *The Child Care Act*.
- 4.9.2 The family child care home shall be in compliance with *The Child Care Act*.
- 4.9.3 The family child care home shall maintain the single detached character of the property consistent with the neighbourhood.
- 4.9.4 The family child care home shall meet all the regulations for a single detached dwelling unit as prescribed by the Zoning Bylaw.

4.10 SECONDARY SUITES

- 4.10.1 Secondary suites may be constructed within a single detached dwelling unit.
- 4.10.2 There shall only be one secondary suite permitted in a single detached dwelling unit.

- 4.10.3 Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.
- 4.10.4 Secondary suites must contain cooking, eating, living, sleeping and private toilet facilities.
- 4.10.5 Secondary suites shall not exceed 35% of the total floor space area, including basements of the dwelling unit.

4.11 MOBILE HOMES

- 4.11.1 All mobile homes shall be certified by the manufacturer to comply with CSA-Z240.
- 4.11.2 All mobile homes shall be equipped with a skirting complementary to the exterior of the mobile home within 30 days of the mobile home being placed on the site. An accessible removable panel shall be incorporated into the skirting as a service panel.
- 4.11.3 An accessory building or structure which specifically includes but is not limited to a porch, a canopy, an addition, or an oil tank covering will be permitted provided that they are designed and clad in keeping with the original mobile home.

4.12 INTENSIVE LIVESTOCK OPERATIONS (ILO)

- 4.12.1 All applications for an ILO shall conform to the regulations provided within the Agricultural Operations Act, 1995.
- 4.12.2 The applicant shall be responsible for submitting a site plan and description including the following:
 - a. The size and type of facility
 - b. A plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km.
 - c. **The number and type of animals. (Bylaw 02-2016) including identification of any risks of disease; (Bylaw 02-2016)**
 - d. Manure storage and disposal strategies including identification of all parcels including their acreage intended to host the disposal;
 - e. Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
 - f. Provide a copy of written agreements with land owners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
 - g. Identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses
 - h. Identification of the reason for this site being selected including what characteristics exist that makes it suitable for hosting the operation. The Development Officer may require the submission of a soils and water test conducted by a qualified agricultural engineer to confirm that the site selected is capable to accommodate the activities proposed.

- i. ~~Identification of socioeconomic benefits of the operation to the area as well as a brief discussion of the potential conflicts associated with the operation in addition to any mitigative actions to be taken to minimize these effects on adjacent land uses. (Bylaw 02-2016)~~
 - j. Servicing requirements associated with the operation including but not limited to road upgrades and availability of adequate water sources.
- 4.12.3 A reduction of the separation distance criteria may be approved ~~where it can be proven that a proposal will not negatively impact adjacent land uses. (Bylaw 02-2016)~~ Prior to granting a reduction, the Development Officer will consult with all agencies deemed appropriate and will require registered written agreement from all land owners directly affected by the reduction.
- 4.12.4 **In determining proximity to a multi-parcel residential subdivision, village, town, hamlet, or recreational use, separation distances shall be measured from the area of confinement or manure storage area, whichever is closer. (Bylaw 02-2016)** ~~In determining proximity to a multi-parcel residential subdivision, village, town, hamlet, or recreational use, separation distances shall be measured from the area of confinement of the animals to the property boundary of the closest developable parcel. (Bylaw 02-2016)~~
- 4.12.5 **In determining proximity to a dwelling located on agricultural property or within a single parcel country residential subdivision not owned by the intensive agricultural operator, separation distances shall be measured from the area of confinement or manure storage area, whichever is closer. (Bylaw 02-2016)** ~~In determining proximity to a dwelling located on agricultural property or within a single parcel country residential subdivision not owned by the Intensive Agricultural Operator, separation distances shall be measured from the area of confinement of the animals to the dwelling. (Bylaw 02-2016)~~
- 4.12.6 The operator may be required to enter into a road maintenance agreement to pay for the maintenance of roads required to provide access to the development.
- 4.12.7 Any expansion into a higher category or change in an operation which alters the species of animal shall require a new discretionary approval.
- 4.12.8 ILO's shall refer to the following ~~recommended~~ **(Bylaw 02-2016)** minimum distance separations:

**Table 4-1
Intensive Livestock Operations Separation Distances**

Development	ANIMAL UNITS		
	300-500	501-2000	>2000
Residence, Tourist Accommodation and Campground	305 m	800 m	1200 m
Residential Subdivision or Hamlet	800 m	1200 m	1600 m

Urban Centre < 100 population	800 m	1200 m	1600 m
Urban Centre 100-500 population	1200 m	1600 m	2400 m
Urban Centre 501-5000 population	1600 m	2400 m	3200 m
Urban Centre > 5000 population	2400 m	3200 m	4800 m

4.13 MANURE DISPOSAL

The use of agricultural land for the disposal and recycling of manure from an approved ILO is permitted subject to the intensive agriculture operator complying with the Agricultural Operations Act and its Regulations. (Bylaw 02-2016)

~~The use of agricultural land for the disposal and recycling of manure from an approved ILO is permitted subject to the following requirements:~~

- ~~a. Liquid manure shall be spread by direct injection~~
- ~~b. Solid manure shall be incorporated into the soil within 24 hours~~
- ~~e. Manure shall not be spread on ground that is frozen or covered in frost or snow.~~

(Bylaw 02-2016)

4.14 CAMPGROUND (LONG AND SHORT TERM)

4.14.1 The operator of a camping facility shall provide the development officer with a plan of development identifying:

- a. any buildings;
- b. uses of land;
- c. changes to the land, grading/drainage, storm water management;
- d. location of garbage collection;
- e. location of washroom facilities and utilities;
- f. emergency evacuation plan;
- g. location of all roadways;
- h. campsites with dimensions;
- i. areas for additional future campsites; and
- j. any sewage disposal tanks, mounds or lines.

- 4.14.2 The addition or rearrangement of campsites, the construction or moving of buildings, the material change in the use of the portions of land or the filling or clearing of land shall require a development permit and the Operator shall submit for approval an amended plan incorporating the development.
- 4.14.3 A Campground shall have within its boundaries, a buffer area abutting the boundary which shall have a minimum width of not less than 2m in width, which shall contain no buildings or structures, except for a fence.
- 4.14.4 Each site that is permitted within the Campground shall be designated and its corners clearly marked on the ground and shall have a minimum site area of not less than 150m² (1614.6ft²), unless the site is restricted to tents only, in this case the minimum shall be 60m² (645.8ft²).
- 4.14.5 Each campsite shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- 4.14.6 Within each campsite, the location or placement of a trailer coach shall be designated by area or equal grade and increased elevation to ensure appropriate distances between trailer coaches. All other Public Health and insurance regulations shall apply to the locations of trailer coaches relative to other trailer coaches.
- 4.14.7 The space provided for roadways within a seasonal Campground shall be at least 7.5 m (24.6ft) in width where the roadway is located between trailer coach sites. No portion of any site, other use or structure shall be located in any roadway within the seasonal Campground.
- 4.14.8 The Development Officer shall be notified by the Operator respecting compliance with The Public Health Act and the Regulations passed thereunder for all operations and development of a Campground.
- 4.14.9 Upon receipt of Notice of Decision, the Campground is subject to site inspections by the Development Officer and/or any professional he or she deems necessary.
- 4.14.10 The Campground Operator has 24 months from the date on the approved development permit to have substantial completion of the Campground as deemed by the appointed Building Official. Extensions of the 24-month deadline may be granted by resolution of Council.
- 4.14.11 There shall be a minimum of one (1) parking spot within the boundaries of each campsite.
- 4.14.12 There shall be a maximum of one (1) principal trailer coach and one (1) accessory use within the boundaries of each campsite.
- 4.14.13 All streets shall have street signs, where applicable, and site numbers shall be displayed and correspond with the site plan provided to Rural Municipality of Moose Range No. 486

- 4.14.14 The Campground Operator shall enforce “no parking” on the roadways within the Campground.
- 4.14.15 The Campground Operator shall be responsible to have an on-site sewage dumping station, and are also responsible for collection and disposal of the Seasonal Campground’s solid and liquid waste, as approved by Public Health regulations and guidelines.
- 4.14.16 All streets shall have street lighting on every intersection that is the responsibility of the Campground Operator.
- 4.14.17 One accessory building less than 9.3m² (100ft²) in floor area shall be permitted on each campsite subject to Zoning Bylaw 3.3 Accessory Buildings, Uses and Structures.
- 4.14.18 A fence is permitted for each campsite to the maximum height of 2 m (6.56ft).
- 4.14.19 One (1) covered or uncovered deck shall be allowed for each campsite which may extend outward from the wall of the trailer coach that contains the main entrance, having a maximum length of 3.7m (12ft). No deck or roof covered shall be attached to the trailer coach.
- 4.14.20 No portion of any site shall be located within a roadway or required buffer area.
- 4.14.21 Uses prohibited within the campground shall include:
- a. dwelling units on permanent foundations;
 - b. all forms of mobile homes;
 - c. modular homes;
 - d. trailer coaches or trailer homes with axles and/or wheels removed;
 - e. converted buses;
 - f. outhouses; and
 - g. partially dismantled or inoperative vehicles.
- 4.14.22 Council shall consider the following for any development and/or uses on Municipal Reserve Lands:
- a. there must be appropriate public access to the use;
 - b. all stairs and boat docks must be and must appear to be open to the public;
 - c. Council shall determine the number of stairs and boat docks for certain areas.
 - d. all stairs must be approved by the Building Official;

- e. appropriate Federal and/or Provincial approvals shall be acquired prior to alteration of or development adjacent to shore lands;
- f. the maximum size for boat docks shall be no more than 2m (6.6ft) and must not extend more than 20m (66ft) from the shoreline;
- g. by the recommendation of the Building Official, any stairs and boat docks may be removed and the land restored at such time as they become abandoned, become a hazard or ownership changes hands;
- h. development will not occur if the shoreline area in front of a lakefront property has been deemed environmentally sensitive or restricted from development by either the municipality or other government agency; and
- i. private boat docks, excluding launching docks, will not be developed at the lakefront portion of municipal walkways, roads, or pedways. (Bylaw 05-2016)

5 Zoning Districts

For the purposes of this Bylaw, The Rural Municipality of Moose Range No. 486 is divided into the following Zoning Districts, the boundaries of which are shown on the map entitled, “Zoning District Map”. Such districts may be referred to by the appropriate symbols.

Table 5-1
Zoning District Map Symbols

Symbols	Districts
A	Agriculture
CR	Country Residential
HC	Highway Commercial
M	Industrial
H	Hamlet
RR	Resort
F	Provincial Forest

Unless otherwise shown on the map, the boundaries of the said districts are site lines, centre lines of streets, lands, roads or such lines extended and the boundaries of the municipality.

5.1 SCHEDULE A – AGRICULTURE DISTRICT (A)

The purpose of the Agricultural District is to support the use of land for agricultural purposes and related activities.

5.1.1 Permitted Uses

Only the following uses shall be permitted in the Agriculture District:

- a. Agricultural
 - i. Field crops, bee keeping, dairy farming, animal and poultry raising, ranching, grazing, **tree nurseries (Bylaw 02-2016)**, and other similar uses (excluding intensive livestock operations) customarily carried out in the field of general agriculture, including the sale, on the premises, of any produce grown or raised on the premises.
 - ii. Grain Elevators
- b. Resource Based Activities
 - i. Natural resource exploration and development
- c. Other
 - i. Radio, television and microwave towers
 - ii. Public utilities, excluding solid and liquid waste disposal sites
 - iii. Places of worship, cemeteries, institutional uses and facilities
 - iv. Historical and archeological sites and wildlife and conservation management areas.
 - v. Public halls and buildings
 - vi. Uses existing at the time of passage of this bylaw to which a development permit has been previously issued.
- d. Residential
 - i. **Single parcel non-farm residential sites. (Bylaw 02-2016)**

5.1.2 Discretionary Uses

The following uses are discretionary uses in the Agriculture District:

- a. Agricultural related commercial and other similar uses
- b. Mineral resource extraction, storage, and processing
- c. Natural resource extraction, storage and processing
- d. Recreational uses– including sports fields, golf courses, campgrounds (short term) ~~tourist campsites~~ (Bylaw 05-2016), parks and other similar uses
- e. Intensive agricultural uses
- f. Private airstrips and airports
- g. Recreational vehicle and vehicle storage as an accessory use
- h. Home based businesses, including a machine shop use
- i. Family child care homes

- ~~j. Single parcel country residential dwelling units (Bylaw 02-2016)~~
- j. Secondary farmstead dwellings
- k. Secondary suites
- l. Bed and breakfast homes
- m. Vacation farms
- n. Solid and liquid waste disposal facilities
- o. Temporary construction camps
- p. Outfitter base camps, tourism base camps
- q. More than one single detached dwelling, mobile home, or dormitory dwelling(s) required to accommodate full time workers engaged in a principal agricultural use of the land
- r. animal kennels
- s. float plane base
- t. **Seasonal use Dwellings (Bylaw 02-2016)**
- u. **Other Commercial (Bylaw 02-2016)**
- v. **Auction Marts (Bylaw 02-2016)**
- x. **New or expanding Intensive Livestock Operations (ILO) (Bylaw 05-2016)**

5.1.3 **Development Standards for Discretionary Uses**

Council will consider applications for discretionary use with respect to the applicable regulations and specific standards in Section 4.

5.1.4 **Accessory Uses**

The following accessory uses are permitted in the Agriculture District:

- a. Buildings, structures, or uses secondary to and located on the same site with a permitted use.
- b. An accessory dwelling unit pursuant to Section 5.1.2 a, b, and e.
- c. One single detached dwelling unit; a mobile home, modular home or ready to move home on a permanent foundation accessory to a principal agricultural use.

5.1.5 Site Regulations

Table 5-2
Agricultural District Site Regulations

Minimums	Agricultural Uses	Intensive Agricultural Uses and Secondary Farmstead Residences	Single Parcel Non-Farm Residential	Agricultural Related Commercial	All Other Uses
Site Area (ha)	64.0 (1)(2)(3)(4)	0.8 Maximum – as determined by demonstrated space needs necessary for a viable principal agricultural use	1.0 ⁽⁵⁾⁽⁶⁾ Maximum – 4.0 ⁽⁶⁾	0.4	None
Yard, Front (m)	45.0 ⁽⁷⁾	45.0 ⁽⁷⁾	45.0 ⁽⁷⁾	45.0 ⁽⁷⁾	45.0 ⁽⁷⁾
Yard, Rear (m)	15.0	15.0	15.0	15.0	15.0
Yard, Side (m)	15.0 ⁽⁷⁾	15.0 ⁽⁷⁾	15.0 ⁽⁷⁾	15.0 ⁽⁷⁾	15.0 ⁽⁷⁾

- (1) Or equivalent, which shall mean 64 ha or such lesser amount as remains in an agricultural holding because of the registration of road widening, road right-of-way or railway plans or pipeline development, or natural features such as streams or bodies of water, or as a result of subdivision, as permitted herein.
- (2) Any agricultural holding which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this bylaw.
- (3) A site with an area less than that required under (1) may be subdivided for agricultural purposes on the basis of a recommendation of Council.

Development of a residence on such sites shall be permitted: ~~Development of a country residence on such sites shall be permitted: (Bylaw 02-2016)~~

- If the site is part of a farm land holding of one quarter section or equivalent or
- If the site is determined to be a farmstead site as defined in this bylaw
- If the site meets all other requirements of this bylaw
- (4) A person not meeting the minimum agricultural area requirement of 64 ha or equivalent in the municipality, but who owns land in an adjoining Rural Municipality, shall qualify to meet the minimum area requirements of this bylaw, for development purposes only, provided that the following conditions are met:
 - The person is a farmer
 - The person is engaged in a principal agricultural use of land
 - The total farm land holding of this person within both RM's is a minimum of 64 ha or equivalent
- (5) Provided the proposed parcels and the remainder of the parcel being subdivided is adjacent or has frontage on a registered developed road, including road to be developed under a servicing agreement
- (6) Any site which does not conform to the minimum and/or maximum site area requirement, but existed in the Land Titles Registry prior to the coming into force of this bylaw shall be deemed conforming with regard to site area. Sites larger than 4.0 ha may be allowed by Council as determined where the site is cut off by railways, roads, watercourses, shelter belts, topographic constraints or other matters particular to the site. ~~and other natural causes. (Bylaw 05-2016)~~
- (7) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.

5.1.6 Parcel Density

A maximum of two (2) non-farm residential sites shall be allowed in a quarter section.

5.1.7 Siting of buildings

- a. No dwelling shall be located within 305 m of a non-refrigerated anhydrous ammonia facility or 600 m from a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan. Residences which are an integral part of the fertilizer operation are not subject to the foregoing requirements.
- b. No dwelling shall be located within 305 m of an intensive livestock operation, unless written approval has been received from the owner of the Intensive Livestock Operation and Council.

5.1.8 **Keeping of Animals – Non-farm Residential Sites**

~~Keeping of Animals – Country Residential Sites (Bylaw 02-2016)~~

- a. Two large animals (horses or cows) will be permitted per 2 ha site. Four (4) large animals will be permitted per 4 ha site. For each additional 1.2 ha one (1) large animal will be permitted.
- b. Birds and small animals shall be limited in numbers by the proportional equivalent per animal units as determined by the regulations contained in The Agricultural Operations Act, 1995.
- c. Animals shall not be pastured within 15 m of any dwelling not owned by the owner of the animals and no buildings or structures intended to contain birds or animals shall be located within 45 m of a dwelling or property line.

5.2 SCHEDULE B – COUNTRY RESIDENTIAL DISTRICT (CR)

The purpose of the Country Residential District is to accommodate non-farm residences and multi-lot country residential development in a rural environment where the land requirement is for a building site and space rather than for productive agricultural purposes.

5.2.1 **Permitted Uses**

Only the following uses shall be permitted in the Country Residential District:

- a. Residential
 - i. Single detached dwelling units
 - ~~ii. Home based businesses (Bylaw 02-2016)~~
- b. Public utilities, except solid and liquid waste disposal facilities

5.2.2 **Discretionary Uses**

The following uses are discretionary uses in the Country Residential District:

- a. Residential
 - i. Family child care homes
 - ii. Residential care homes
 - iii. Secondary suites
 - iv. Bed and breakfast homes
 - v. **Home based business (Bylaw 02-2016)**
- b. Institutional
 - i. Schools and educational institutions
 - ii. Day care centres and pre-schools
 - iii. Churches, religious institutions
 - iv. Hospitals
 - v. Libraries, public cultural facilities and community halls
- ~~c. Recreational

 - i. Sports fields, parks, golf courses, rinks and other similar uses~~
- ~~d. Commercial

 - i. Convenience Stores (Bylaw 02-2016)~~
- e. Solid and liquid waste disposal facilities

5.2.3 **Accessory Uses**

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

5.2.4 **Development Standards for Discretionary Uses**

Council will consider applications for discretionary use with respect to the applicable regulations and specific standards in Section 4.

5.2.5 **Site Regulations**

Table 5-3
Country Residential District Site Regulations

Minimums	Residential	Commercial and Institutional	All Other Uses
Site Area (ha)	0.25 Maximum - 2.0	0.9	None
Site Frontage (m)	15.0	23.0	None
Yard, Front (m)	7.6 ⁽¹⁾	7.6 ⁽¹⁾	None
Yard, Rear (m)	7.6	7.6	None
Yard, Side (m)	3.0 ⁽²⁾	1.5 ⁽¹⁾	None
Floor Area (sq. m)	65.0	55.0	None

Site Coverage	No Maximum	Maximum 5%	None
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- (1) A minimum of 37.6 meters will apply to a front or side yard when abutting a municipal road.
- (2) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply

5.2.6 Keeping of Animals

- a. Two large animals (horses or cows) will be permitted per 2 ha site. Four (4) large animals will be permitted per 4 ha site. For each additional 1.2 ha one (1) large animal will be permitted.
- b. Birds and small animals shall be limited in numbers by the proportional equivalent per animal units as determined by the regulations contained in The Agricultural Operations Act, 1995.
- c. Animals shall not be pastured within 15 m of any dwelling not owned by the owner of the animals and no buildings or structures intended to contain birds or animals shall be located within 30.5 m of a dwelling or property line.

5.2.7 Restrictions

- a. Trailer coaches shall not be used for residential accommodation.
- b. Storage of trailer coaches, campers, and motorhomes shall be permitted provided they are for the sole purpose of storage for the owner of the property.

5.3 SCHEDULE C – HIGHWAY COMMERCIAL DISTRICT (HC)

The purpose of the Highway Commercial District is to facilitate a diverse range of commercial and light industrial activities serving the traveling public and the local populations, displaying a high standard of appearance and focused at points of intersection with primary municipal roadways and provincial highways.

5.3.1 Permitted Uses

Only the following uses shall be permitted in the Highway Commercial District:

- a. Restaurants, confectionaries, and other places for the sale and consumption of food and related items,
- b. Establishments for the servicing, storage, and sale of motor vehicles, marine and farm equipment and machinery, including car and truck washes
- c. Service stations
- d. Nurseries and greenhouses
- e. Commercial accommodations
- f. Amusement and entertainment services
- g. Agricultural operations and residences existing prior to the passage of this bylaw
- h. Public utilities, except solid and liquid waste disposal facilities
- i. Auction marts
- j. Veterinary clinics
- k. Commercial storage centres
- l. Public markets

- m. Retail stores

5.3.2 Discretionary Uses

The following uses are discretionary uses in the Highway Commercial District:

- a. Solid and liquid waste disposal facilities
- b. Abattoirs
- c. Taxidermy establishments
- d. Wood processing and product sales at specified locations
- e. Warehousing and Warehousing sales
- f. Accessory living quarters for caretakers
- g. Agricultural Related Opeartions
- h. Animal kennels
- i. Bulk fuel sales / storage

5.3.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted be considered an accessory uses.

5.3.4 Development Standards for Discretionary Uses

Council will consider applications for discretionary use with respect to the applicable regulations and specific standards in Section 4.

5.3.5 Site Regulations

**Table 5-4
Highway Commercial District Site Regulations**

Minimums	Principle or Discretionary Uses	Public Utilities
Site Area (ha)	1.0 (Byalw 02-2016)-1.2	None
Site Frontage (m)	30.0	None
Yard, Front (m)	7.6 ⁽¹⁾	None
Yard, Rear (m)	10% of the depth of the site	None
Yard, Side (m)	3.0 ⁽²⁾	None

- (1) A minimum of 37.6 meters will apply to a front or side yard when abutting a municipal road or provincial highway or such greater distance as required by the Saskatchewan Ministry of Highways and Infrastructure.
- (2) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.

5.3.6 Off-Street Parking and Loading Requirements

See section 3.18 and 3.19

5.4 SCHEDULE D – INDUSTRIAL DISTRICT (M)

The purpose of the Industrial District is to provide for medium and heavy industrial uses which may include manufacturing, processing, assembly, repair and end user production and distribution and some outdoor storage of raw and unfinished goods.

5.4.1 Permitted Uses

Only the following uses shall be permitted in the Industrial District:

- a. Warehousing and warehousing sales
- b. Agriculturally related commercial, and other similar uses
- c. Establishments for the servicing, storage, and sale of motor vehicles, trailers, farm machinery, construction and recreation equipment, and service stations and including car and truck washes
- d. Manufacturing establishments
- e. Auto Wrecker establishments
- f. Grain elevators, feed mills, and seed cleaning and drying plants
- g. Public utilities, excluding solid and liquid waste disposal sites
- h. Bulk oil and fuel storage yards
- i. Machine shops
- j. Railway and ancillary functions

5.4.2 Discretionary Uses

The following uses are discretionary uses in the Industrial District:

- a. Abattoirs, hatcheries, hide defleshing and tanning facilities and stockyards
- b. Taxidermy establishments
- c. Wood processing and product sales at specified locations
- d. Peat moss facilities and operations
- e. Outdoor storage yards for construction materials and extractive industries, and contract yards
- f. Petroleum products and storage yards, storage yards, coal yards, and gravel yards

5.4.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted be considered an accessory uses.

5.4.4 Development Standards for Discretionary Uses

Council will consider applications for discretionary use with respect to the applicable regulations and specific standards in Section 4.

5.4.5 Site Regulations

**Table 5-5
Industrial District Site Regulations**

Minimums	Principle or Discretionary Uses	Public Utilities
Site Area (ha)	2.0	None
Site Frontage (m)	30.0	None
Yard, Front (m)	7.6 ⁽¹⁾	None
Yard, Rear (m)	10% of the depth of the side, except where the rear yard abuts a railway yard, in which case, no rear yard is required If the rear of the site abuts a residential dwelling without an intervening street or lane 6.0, or 10% of the depth of the site, whichever is the greater	None
Yard, Side (m)	3.0 ⁽²⁾	None

- (1) A minimum of 37.6 meters will apply to a front or side yard when abutting a municipal road or provincial highway or such greater distance as required by the Saskatchewan Ministry of Highways and Infrastructure.
- (2) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.

5.4.6 Off-Street Parking and Loading Requirements

See Section 3.18 and 3.19

5.5 SCHEDULE E – HAMLET DISTRICT (H)

The purpose of the Hamlet District is to provide for a development area as well as a service area to provide for the rural area.

5.5.1 Permitted Uses

Only the following uses shall be permitted in the Hamlet District:

- a. Residential
 - i. Single detached dwelling units
 - ii. Semi-detached dwelling units
Mobile homes (Bylaw 02-2016)
 - iii. Secondary suites
Trailer Coaches (Bylaw 02-2016)
 - iv. Family child care homes
Seasonal Dwellings (Bylaw 02-2016)
 - v. Residential care homes
Storage Buildings (Bylaw 02-2016)
 - vi. Bed and breakfast homes
- b. Recreational
 - i. Rinks
 - ii. Parks, golf courses, sports fields and other similar uses

- c. Public utilities, excluding solid and liquid waste disposal facilities

5.5.2 Discretionary Uses

The following uses are discretionary uses in the Hamlet District

- a. Residential
 - i. Home based business
- b. Commercial
 - i. Retail stores
 - ii. Restaurants, confectionaries, and other places for the sale and consumption of food and related items
 - iii. Establishments for the sale of motor vehicles, farm machinery and equipment
 - iv. Service stations
 - v. Commercial accommodations
 - vi. Grain elevators
- c. Institutional
 - i. Schools, educational institutions, and heritage uses
 - ii. Day care centres and pre-schools
 - iii. Places of worship, religious institutions
 - iii. Community halls
 - iv. Government buildings
- d. Solid and liquid waste disposal facilities

5.5.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted be considered an accessory uses.

5.5.4 Development Standards for Discretionary Uses

Council will consider applications for discretionary use with respect to the applicable regulations and specific standards in Section 4.

5.5.5 Site Regulations

**Table 5-6
Hamlet District Site Regulations**

Minimums	Residential	Semi-detached	Service Stations, Hotels, Motels	Other Commercial Uses	Institutional
Site Area (sq. m)	Single detached – 360.0 with lane 450.0	Semi-detached – 255.0 with	900.0	225.0	450.0

Minimums	Residential	Semi-detached	Service Stations, Hotels, Motels	Other Commercial Uses	Institutional
Site Frontage (m)	Single detached – 12.0 with lane 15.0 without	Semi-detached – 8.5 with lane 10.5 without	30	7.5	15.0
Yard, Front (m)	6	6	7.5	7.5	7.5
Yard, Rear (m)	7.5 ⁽¹⁾	7.5 ⁽¹⁾	7.5 ⁽¹⁾	7.5 ⁽¹⁾	7.5 ⁽¹⁾
Yard, Side (m)	1.5	1.5	1.5	1.5	A width on each side of the main building of not less than one-half the height of the building but not less than 3 metres
Floor Area (m ²)	65.0				

⁽¹⁾ Where the minimum rear yard setback cannot be met a setback equal to 25% of the overall site depth shall apply.

⁽²⁾ Accessory uses – maximum 84m² and building height max 5 m

5.5.6 **Service Stations**

In the case of service stations, pumps and other devices shall be located at least 6 m from any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened..

5.6 **SCHEDULE F – RESORT DISTRICT (RR)**

The purpose of the Resort Hamlet is to encourage the orderly growth of seasonal resorts.

5.6.1 **Permitted Uses**

Only the following uses are permitted in the Resort District:

- a. Residential
 - i. Single detached dwelling units

- ii. Semi-detached dwelling units
- iii. **Seasonal Dwelling (Bylaw 02-2016)**
- b. Institutional
 - i. Places of worship
 - ii. Community Halls
 - iii. Government buildings
 - iv. Public utilities
- b. Historical and archaeological sites and uses
- c. Recreational
 - i. Sports fields, rinks, public beaches and parks, miniature golf courses ~~golf courses~~, hiking and cross country ski trails, campground (long and short term) ~~tourist campsites~~, institutional camps, picnic grounds, lodges, boat launches, riding stables, marinas and other similar uses usually associated with seasonal recreation residential areas. (Bylaw 05-2016)

5.6.2 **Discretionary Uses**

The following uses are discretionary uses in the Resort District:

- a. Commercial
 - i. Resort and tourist related commercial uses including golf courses, retail stores, bait and tackle shops, rental cabins, restaurants, confectionaries, places for the sale and consumption of food and related items, and automotive service stations (Bylaw 05-2016)
- b. Residential
 - i. Modular or ready to move homes on permanent foundations
 - ii. Multi-unit dwellings
- 5. Dwelling groups
 - vi. Home based businesses

5.6.3 **Accessory Uses**

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

5.6.4 **Site Regulations**

Table 5-7
Resort District Site Regulations

Minimums	Residential	Semi-Detached	Multi-unit	Commercial	Institutional	Recreational
Site Area (sq. m)	450.0	450.0	1000.0	450.0	900.0	None
Site Frontage (m)	15.0	18.0	30.0	7.5	15.0	15.0

RM of Moose Range

Yard, Front (m)	7.5 ⁽¹⁾	7.5 ⁽¹⁾	7.5 ⁽¹⁾	None	Not less than one half height of building, but not less than 3.0 m	7.5
Yard, Rear (m)	7.5 ⁽²⁾	7.5 ⁽²⁾	7.5 ⁽²⁾	6.0	7.5 ⁽¹⁾⁽²⁾	7.5 ⁽¹⁾⁽²⁾
Minimums	Residential	Semi-Detached	Multi-unit	Commercial	Institutional	Recreational
Yard, Side (m)	1.5	1.5	1.5	1.5	1.5	1.5
Floor Area (sq. m)	55.0 ⁽³⁾⁽⁴⁾	37.0 per unit	37.0 per unit			

⁽¹⁾ Lakeshore sites (those lots abutting the lake) where the minimum requirement shall be 1.5 m

⁽²⁾ Where the minimum rear yard setback cannot be met a setback equal to 25% of the overall site depth shall apply.

⁽³⁾ Rental cabins – minimum 37 m²

⁽⁴⁾ Accessory Uses – maximum 84 m² and Building Height – maximum 5m, rear yard min 1.5 m

⁽⁵⁾ All the site regulations prescribed in the table above shall apply to bare land units in a dwelling group developed as a bare land condominium.

5.6.5 Dwelling Groups and Multiple Unit Dwellings

Council will consider the following criteria in reviewing a development permit application for a dwelling group or multiple unit dwelling:

- a. The size and location of the proposal will be such that there is suitable access that has sufficient capacity to handle the added development and that the development will not cause excessive traffic through existing residential areas. Depending upon the location of the development, Council may require that a dwelling group have vehicular access to a public street from at least two points which are sufficiently separated to provide separate access and egress in case of fire or other emergencies.
- b. The adequacy of public access to the water
- c. The adequacy of sewage collection and disposal and potable water services
- d. The height of the buildings, which shall not exceed 7.5 m
- e. The location of and suitability of parking for the residents for the dwelling group or multiple unit dwelling. All parking areas, private garages, or vehicular access to units or sites within a dwelling group shall be from a roadway which is common property internal to the parcel. Two off-street parking spots shall be provided per dwelling unit
- f. Notwithstanding any other provisions, there shall be a minimum of 3 m provided between buildings in a dwelling group.

5.7 SCHEDULE G – PROVINCIAL FOREST DISTRICT (F)

The purpose of the Provincial Forest District is to preserve the RM's natural resources while providing limited residential and recreational development opportunities.

5.7.1 Permitted Uses

Only the following uses shall be permitted in the Provincial Forest District:

- a. Natural Resources
 - i. Forestry, including logging, processing of timber and associated forestry uses
 - ii. Mining, including drilling and exploration activities
- b. Game Resources
 - i. Trapping, hunting, angling
 - ii. Wildlife management areas
5. Conservation areas and natural areas
- c. Botanical Resources
 - i. Grazing, haying, wild rice harvest, berry picking
- d. Recreation
 - i. Nature interpretation and nature trails, cross-country skiing, snowmobile and hiking trails, and other similar uses
- e. Picnic and campsites, highway rest stops
 - i. Natural resource extraction
 - ii. Public utility

5.7.2 Discretionary Uses

The following uses are discretionary uses in the Provincial Forest District:

- a. Seasonal dwellings
- b. Commercial outfitting and hunting base camps

5.7.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

5.7.4 Site Regulations

The regulations which apply to land uses in this district are established by the Ministry of Environment.

6 Definitions

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

Accessory Use – a use customarily associated with, incidental to, and subordinate to, the principal use or building, and located on the same lot with such principal use or building.

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

Administrator – the Administrative Officer of the Rural Municipality of Moose Range No. 486 .

Agricultural Holding – the accumulation of all sites owned by an agricultural operator who does not include a hobby farm or country residence.

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

Agriculturally Related Commercial Use – see use

Alteration – any structural change or addition to a building or structure, and includes a change from one type of use to another.

Amusement and Entertainment Service – developments, having a room, area, or building used indoors or outdoors for purposes of providing entertainment and amusement to patrons on a commercial fee for admission or service basis. Typical uses and facilities would include theatres, go-cart tracks, miniature golf establishments, carnivals (variety of shows, games, and amusement rides), circuses, or amusement theme parks.

Ancillary Use – a secondary and subordinate use to the principal use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

Animal Unit – the kind and number of animals calculated in accordance with *The Agricultural Operations Act, 1995*.

Apartment – a building divided into three or more dwelling units, unless otherwise defined, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel, motel or rooming house.

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

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

Building, Accessory – a subordinate building detached from a principal building, located on the same lot, the purpose of which is to enclose a use accessory to or part of the principal use.

Building Bylaw – a Bylaw of the Rural Municipality of Mooser Range regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures.

Building Height – the vertical distance measured from grade level to:

- a. the highest point of a flat roof
- b. the mean level between the top of the highest exterior wall plate and the ridge of a pitched roof.

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 Permit – a permit issued under the Building Bylaw of the Rural Municipality of Moose Range, authorizing the construction of all or part of any building or structure.

Building, Principal – a building within which the principal use of the lot is housed or conducted.

Building Residential – a single detached, semi-detached, duplex or mobile home dwelling unit

Building Site – the specific site on which the principal building is to be erected

Campgrounds - Means a tract or parcel of land that is intended or permitted to be used by the traveling public for overnight stays that contains sites for tents or trailer coaches, whether or not a charge is made or paid for the use of the sites.

Campgrounds (short term) – includes a campground (see definition for campground) that is intended for overnight stays of no more than fourteen (14) successive days.

Campgrounds (long term) – includes a campground (see definition for campground) that is intended for overnight stays of more than fourteen (14) successive days.

Campground Operator – the owner or manager of a Seasonal Campground, as permitted to operate a Seasonal Campground within the RM of Moose Range No. 486

Campground, Tourist – 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 travelers and tourists – (Bylaw 05-2016)

Commercial Accommodation - an establishment primarily engaged in providing short term lodging and entertainment services for travelers, vacationers and others. In addition to lodging and entertainment, a range of other services may be provided as an accessory use including restaurants and recreational facilities. Such uses include but are not limited to hotels and motels, vacation farms, agricultural tourism uses and campgrounds.

Commercial Storage Centre – establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (rooms, compartments, lockers, shipping containers, or outdoor space) where clients can store and retrieve their goods.

Council - the Council of the Rural Municipality of Moose Range No.486.

Country Residence – a dwelling or site whose owner’s principle use is living in a rural setting. (Bylaw 02-2016) ~~a dwelling or site whose owner’s principal source of household income is derived from a source other than the principal agricultural use of that site (Bylaw 02-2016)~~

Day Care Centre – a facility providing for the care, supervision and protection of children (or adults) but does not include the provision of overnight supervision.

Developer – the person or corporation, responsible for carrying out development

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

Development Permit - a document issued by the Development Officer of the Rural Municipality of Mosse Range that authorizes development pursuant to this Bylaw, but does not include a building permit.

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

District Plan – the Twin Lakes District Plan.

District Planning Commission – the Twin Lakes District Planning Commission established under the Twin Lakes Planning District Agreement.

Dwelling - a building or part of a building intended for residential occupancy.

Dwelling Unit - one or more rooms that may be used or intended to be used as a residence, each unit having sleeping, cooking and toilet facilities, excluding tents, tent trailers, recreational vehicles, campers and Yurts.

Dwelling, Duplex - a building that is divided horizontally into two dwelling units.

Dwelling Group – two or more single detached or semi-detached or multiple unit dwellings located on a single lot or parcel.

Dwelling, Multiple Unit - a building divided into three or more dwelling units as defined here and shall include, amongst others, town or row houses and apartments as distinct from a rooming house, hotel or motel.

Dwelling, Seasonal - a single detached dwelling unoccupied for three or more consecutive months during any one year period.

Dwelling, Semi-Detached - a building that is divided vertically with a common party wall with no openings which separates the entire structure into two dwelling units with separate exterior entrances for each unit.

Dwelling, Single Detached - a building containing one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including a modular home or ready to move (RTM) when attached to its foundation on the lot, but not including a mobile home as defined.

Dwelling, Townhouse - a building divided vertically into three or more attached dwelling units with common side walls under one roof, each having a separate exterior entrance.

Family Child Care Home - a child care facility located in a building where the principal use is a dwelling unit, and which is pursuant to *The Child Care Act*

Farmer – see Agricultural Operator

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

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, veranda, sunroom, unfinished attic or unfinished basement.

Foundation – as per the National Building Code of Canada 2010.

Frontage – the length of the front lot line.

Hazard Land – land which may be prone to flooding, slumping, subsidence, landslides, erosion, and other instability or is located within a flood plain or watercourse

Grade Level - the average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

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 Highways and Infrastructure entitled, *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*, as may be amended from time to time.

Home Based Business - a business, occupation, trade, profession, craft or a residential office for a business located off-site customarily for gain conducted entirely within a residential building or accessory building by the residents, and where the use is clearly ancillary and secondary to the residential use and does not change the character of the dwelling nor create a public nuisance as a result of noise, traffic, pollution or parking.

Hotel - building or structure or part of a building or structure where sleeping accommodations are provided for tourists and travelers, and where a guest register is kept, but does not include a motel or rooming house.

Intensive Agriculture 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. (Bylaw 05-2016)

Intensive Livestock Operation – the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle or horses, in such numbers or conditions that requires a permit under this Bylaw.

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

Lot (Site) - an area of land with fixed boundaries under the same ownership and which is on record with the Information Services Corporation (ISC) by Certificate of Title.

Lot Line, Front - the boundary that divides the lot from the street, in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot from the street.

Lot Line, Rear - the boundary at the rear of the lot and opposite the front lot line.

Lot Line, Side - a lot boundary other than a front or rear lot line.

Manufacturing Establishment – the manufacturing or assembly of goods, products or equipment and or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods and equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the principal use.

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

Mobile Home - a trailer coach that is used as a dwelling for a permanent or year round living; has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system; and which is certified by the manufacturer to comply with the Canadian Standards Association Code CSA-Z240.

Mobile Home Court – any tract or parcel of land on which two or more occupied mobile homes are located, not including a temporary construction camp.

Mobile Home Site – a site, parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

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.

Municipality - the Rural Municipality of Moose Range No. 486 .

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 the Zoning Bylaw or amendment to the Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective
- b. that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

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

Non-Conforming Use - any use of land, building or structure lawfully existing 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 district in which it is located.

Non-farm Residential - a subdivided property for residential living in an agriculture zoned area in which the occupant may or may not derive their principle source of income from agriculture. (Bylaw 02-2016)

Outfitter Base Camp - commercial recreation facility which provides outfitting services by a licensed outfitter and which may include accommodation licensed under *The Public Accommodation Regulations*, and the storage and provision of related outfitting equipment, or the dressing, butchering, cleaning or freezing of game or fish, as part of the service.

Outfitting Equipment - equipment and supplies includes boats, canoes and other water vessels, aircraft, vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:

- a. hunting, taking or catching wildlife; or
- b. angling, taking or catching fish; or
- c. eco-tourism, including the viewing and photographing of natural areas, flora and fauna.

Permitted Use - a use of land or buildings or form of development that is prescribed in the Zoning Bylaw as a use that is allowed on a parcel.

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 Market – means a facility engaged in renting or leasing space for the purpose of retailing new or used goods by more than 3 vendors renting tables and or space outdoors or in an enclosed building to a local residential population and the travelling public. The goods sold are generally handicrafts, household items, tools, electronic equipment, food products or concessions, plants, clothing, furniture. A public market shall be limited to a farmers market, flea market, or similar use and shall not include retail or shopping mall, secondhand stores or auctioneering establishments.

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

Public Utility - a government or private enterprise which provides a service to the general public.

Ready to Move (RTM) Home - a new single detached dwelling constructed off lot to National Building Code or CSA –A277 standards to be moved onto a new permanent residential lot building foundation

Reeve – the Reeve of the Rural Municipality of Moose Range No. 486

Residential Care Home - a facility licensed under provincial statute to provide, in a residential setting, 24 hour long term residential, social, physical or personal care, including accommodation, meals, supervision or assistance for persons who have limits on ability for self-care or self-supervision, and who are unrelated to the operator or owner

Retail Store – establishments primarily engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise serving the needs of local residential populations and the travelling public. They typically sell merchandise to the general public for personal or household consumption, but some also serve business and institutional clients. These include establishments such as office supplies stores, computer and software stores, gasoline stations, building material dealers, plumbing supplies stores and electrical supplies stores.

School – a body of pupils that is organized as a unit for educational purposes, that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such bodies of pupils, and includes the land, buildings, or other premises and permanent improvements used by and in connection with that body of pupils.

Secondary Suite – 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.

Secondary Farmstead Dwellings – an additional residential dwelling located on site intended to accommodate personnel whose major source of income is from agriculture, and who are actively engaged in agricultural operations on the land on which they are located.

Service Station - a building or part of a building used for the retail sale of lubricating oils and gasoline, and which may include the retail sale of motor vehicle accessories, the servicing and repair of motor vehicles, a restaurant, car wash, fast foods, dry goods, groceries or vehicle sales lot as accessory uses.

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

Street – a public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property.

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

Structural Alteration - the construction or reconstruction of the supporting elements of a building

Temporary Construction Camp – a facility designed and intended to be used for a temporary period of time to house a variety of field-related workers. Such facilities are not intended to accommodate families with children. Temporary construction camps may include the use of skid units, travel-trailers, recreational vehicles, campers, mobile homes or a combination of these.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy thereof as a dwelling or sleeping place for one or more person(s) notwithstanding that its running gear is removed or jacked up. ~~any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy thereof as a dwelling or sleeping place for one or more person notwithstanding that its running gear is removed or jacked up.~~ (Bylaw 05-2016)

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

Tourism Base Camp – commercial recreation facility which provides outfitting services for the viewing on natural areas and wildlife, but not including services for hunting, taking, catching or angling of wildlife or fish, and which may include accommodation licensed under *The Public Accommodation* and the storage and provision of related outfitting equipment.

Units of Measure - units of measure in this Zoning Bylaw are metric abbreviated as follows:

- m - metre
- m² - square metre(s)
- km - kilometres
- ha - hectare(s)

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

Use, Agricultural – a system of tillage and/or animal husbandry through which one may gain livelihood from large areas of land by the raising of crops and/or the rearing of livestock.

Use, Agricultural Related Commercial – a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales storage, stock yards, auction marts, feed mills, oil seed processing plants, and other similar uses.

Use, Intensive Agricultural – an intensive system of tillage and/or operations for the concentrated rearing or keeping of livestock or poultry. Without restricting the generality of the above, intensive agricultural use includes:

- a. intensive livestock operations
- b. sod farms
- c. market gardens
- d. greenhouse
- e. mushroom farms
- f. nurseries and similar uses

Use, Petroleum Related Commercial – a service to the petroleum and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.

Vacation Farm – an operating farm which may, on a daily 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 accommodations in the farm dwelling or adjacent private cabins comprising one or more rooms furnished in such a way as 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, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.

Warehouse – a building or part of a building use primarily for the operation of general merchandise warehousing, cold storage, and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial commercial or professional users; to other wholesalers.

Warehouse Sales – development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Typical uses include but are not limited to developments where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials. This use does not include developments used for the retail sale of food or a broad range of goods for personal or household use.

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 manure storage area for an intensive livestock operation.

Waste Disposal Facility: Solid – a 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 included dangerous goods, hazardous waste or biochemical waste.

Yard - any part of a lot unoccupied and unobstructed by any buildings or structures.

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest wall of the principal building or structure on the lot.

Yard, Rear - a yard extending across the full width of a lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Side - a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of the principal building or structure on the lot.

Yurt - a seasonal circular domed shelter supported by wood lattice on the side with a fabric covering.

7 Effective Date of the Bylaw

7.1 REPEAL

Bylaw No. 5/81 is hereby repealed.

7.2 COMING INTO FORCE

This Bylaw shall come into force on the date of final approval by the Minister.

Reeve

Seal of RM of Moose Range

RM Administrator

INTRODUCED AND READ a first time this day of , 2013.

READ A SECOND TIME this day of , 2013.

READ A THIRD TIME this day of , 2013.

A

Appendix A - Zoning Map