ZONING BYLAW NO. 5-92 OF THE

RURAL MUNICIPALITY OF NORTH BATTLEFORD NO. 437

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PART I - INTRODUCTION

1. **Title**

This bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of North Battleford No. 437."

2. **Authority**

Pursuant to Section 67 of The Planning and Development Act, 1983, the Council of the Rural Municipality of North Battleford No. 437 hereby adopts Zoning Bylaw No. 5-92 of the Rural Municipality of North battleford No. 437.

3. **Scope**

All development within the limits of the municipality shall be in conformity with the provisions of this bylaw.

4. **Purpose**

This is a bylaw to control the use and development of land in the municipality and to assist in implementing the basic planning statement.

5. **Severability**

If any part of this bylaw, including anything shown on the zoning district map, is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this bylaw.

PART II - ADMINISTRATION

1. **Development Officer**

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

2. **Application for a Development Permit**

Every person shall complete an application for a development permit before commencing any development within the municipality. Farm residences will require a development permit. Livestock operations over 100 animal units shall be considered intensive livestock operations under this bylaw and will also require a development permit.

Developments which do not require a development permit include:

(a) Accessory Farm Uses: Farm buildings where applied to a principle agricultural use within the Zoning Districts established by this bylaw.

(b) Public Utilities: Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility.

3. **Application Requirements**

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 as prescribed in No. 2 above, for approval to the Development Officer together with such other information as may be required in support of the application.

4. **Notification to Applicant**

(a) Written Notification

The applicant shall be notified in writing of the decision regarding the application.

(b) Approval

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. Such permit shall be effective for one year from the date of its issuance.

(c) Refusal - Right to Appeal

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 Planning and Development Act, 1983.

5. **Referral to Department of Health**

A copy of all approved development permit applications, involving the installation of water and sanitary services, shall be sent to the local office of the Department of Health.

6. **Building Permit**

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

7. **Development Appeals Board**

(a) Council shall appoint a Development Appeals Board in conformity with the provisions of The Planning and Development Act, 1983, within three months from the date of the coming into force of the bylaw.

(b) In addition to any other right of appeal provided by The Planning and Development Act, 1983, a person affected thereby, may appeal to the board where a Development Officer:

(i) is alleged to have misapplied the bylaw in issuing a development permit; or

(ii) refuses to issue a development permit because it would contravene this bylaw.

(c) An appellant shall make the appeal pursuant to subsection (b) within 30 days of the date of the issuance of, or refusal to issue, a development permit.

(d) In determining an appeal under subsection (b), the board:

(i) is bound by the R.M. of North Battleford No. 437 Basic Planning Statement;

(ii) may confirm, revoke or vary a decision or development permit, or any attached condition, or may substitute a decision, or permit, that it considers advisable;

(iii) may make a decision ordering or confirming the issuance of a development permit notwithstanding that the proposed development does not comply with this bylaw where, in its opinion, such action would not:

- grant to the applicant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zoning district; or

- amount to a relaxation of the provisions of this bylaw that would be contrary to its purposes and intent and would injuriously affect the neighbouring properties.

(e) Nothing in this section authorizes a person to appeal a decision of the council:

(i) refusing to rezone their land;

(ii) rejecting an application for approval of a discretionary use; however, a condition required by council on a development permit, may be appealed.

(f) 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.

(g) In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of The Planning and Development Act, 1983, shall apply.

8. **Amendment of Zoning Bylaw**

(a) Council may amend this bylaw at any time, upon its own initiative or upon request, provided that the amendments are in keeping with the intent of this basic planning statement.

(b) Council shall require applicants requesting an amendment to this bylaw, or approval of a discretionary use that council wishes to advertise prior to issuance of a development permit, to pay council all or part of the cost associated with public advertisement of the application.

9. **Offenses 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 provided by Section 203 of the Act; namely, a fine of not more than $1,000.00 and, in the case of a continuing offence, to a further fine not exceeding $250.00 for each day during which the offence continues. In addition, a person convicted in respect of a development carried out in contravention of the Act or any order, regulation, bylaw, municipal development plan or scheme in force pursuant to the Act may be ordered to remove such development.

PART III - GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this bylaw:

1. **Licences, Permits and Compliance with Other Bylaws**

Nothing in this bylaw shall exempt any person from complying with the requirements of a building bylaw, or any other bylaw in force within the municipality, or from obtaining any permission required by this, or any other bylaw of the municipality, the province or the federal government.

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. **Frontage on 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 a graded all-weather registered road, or unless satisfactory arrangements have been made with council for the improvement or building of a road, where required.

A subdivision shall not be approved unless the proposed severance and the remainder of the parcel abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with council for the improvement or building of a road, where required.

3. **Building to be Moved**

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

4. **Waste Disposal**

No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by the Department of Health and/or the Saskatchewan Water Corporation. Disposal of liquid, solid, or gaseous waste shall be governed by acts administered by the Departments of Agriculture and Food, Environment and Public Safety, Health and the Saskatchewan Water Corporation.

5. **Water**

No development or use of and shall be permitted where the proposal will adversely affect domestic land municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Department of Health and/or the Saskatchewan Water Corporation.

6. **Storage of Chemicals, Fertilizers, and Combustible Materials:**

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 must be met and obtained prior to issuance of a development permit.

7. **Areas Prohibited for Development**

(a) A development permit shall not be issued for development of a site or a road located on land that, in the opinion of council, is hazard land.

Where hazard conditions exist, council may require the applicant to pay for a geotechnical or hydrological inspection of the site by a qualified professional consultant.

(b) A development permit for residential, commercial, or industrial buildings shall not be permitted except in accordance with the recommended separation distances of the "Regulations respecting Anhydrous Ammonia - Saskatchewan Regulations 361/77" which may be amended from time to time. Residences and buildings which are an integral part of the fertilizer operation, are not subject to the foregoing buffer requirement.

8. **One Principal Building or Use Permitted on a Site**

Not more than one principal building or use shall be permitted on any one site except for:

(a) Public utility uses;
(b) Institutional uses;
(c) Agricultural uses.

9. **Non-conforming Uses**

The provisions of The Planning and Development Act, 1983, Sections 113 and 118 inclusive, shall apply to all non-conforming buildings and uses.

10. **Regulations for Signs and Billboards**

(a) Permit Requirements

The sign regulations of this bylaw will be administered by issuance of a development permit by the development officer. In addition, all signs situated along a highway, including those located in a highway sign corridor, are required to comply with "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" as may be amended from time to time.

(b) Signs Requiring a Permit Under This Bylaw

(i) Hamlets and Country Residential Districts

Signs and billboards will be prohibited in any hamlet or country residential district in the municipality except for signs advertising the principal use of a premises or the principal products offered for sale on a premises. Permitted signs shall be subject to the following requirements.

- no more than two (2) signs shall be permitted on the premises;
- no sign shall be in the excess of three (3) square meters (36 sq ft) in area, but the two permitted signs may be combined and the total facial area shall not exceed 6 sq m (64 sq ft). Each sign may be double faced;
- no sign shall be illuminated unless the source of light is steady and suitably shielded; and,
- the maximum height of any sign shall be 3 m (11.5 ft);

(ii) Other

Signs and billboards that are not located in a highway sign corridor, a hamlet, or a country residential district and that advertise agricultural commercial uses, home occupations, the principal use of a premises or the principal products offered for sale on a premises located within the municipality will require a permit and are subject to the following requirements:

- no more than 2 signs shall be permitted on the premises;
- no sign shall be in the excess of 6 square meters (64.5 sq ft) in area, but the two permitted signs may be combined and the total facial area shall not exceed 12 sq m (129 sq ft). Each sign may be double faced;

(continued on page 5)

- no sign shall be illuminated unless the source of light is steady and suitably shielded; and,
- the maximum height of any sign shall be 6 m (20 ft);
- any other conditions as may be required by the Department of Highways "The Erection of Signs Adjacent to a Provincial Highway Regulations, 1986" that may be amended from time to time.

(c) Signs Not Requiring a Permit Under This Bylaw

- signs in a highway sign corridor.
- government signs - all signs erected by any level of government.
- real estate signs - only on property which is being advertised.
- directional signs - signs such as traffic warning signs, parking or no trespassing signs.
- address signs - one address designation per use which denotes the numerical address and/or name of occupant.
- election signs - any level of government election signs.
- memorial signs - such as plagues, tablets and headstones.
- construction signs - signs that indicate the impending development of a site are permitted on a temporary basis.
- agricultural related signs are permitted on a temporary basis, such as herbicide or insecticide or seed advertising promotional signs.

11. Public Utilities

Public utilities, excluding solid and liquid waste disposal sites, shall be permitted in every zoning district, and unless otherwise specified by this bylaw, no minimum site area yard requirements shall apply.

12. Home Occupation Standards

Home occupations are permitted subject to discretion of council in accordance with the following conditions:

(a) The use should not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.

(b) No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.

(c) Advertising signs shall be limited in size and number in accordance with this bylaw.

(d) The use shall not generate substantially more vehicular and/or pedestrian and vehicular parking than normal within the district.

(e) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

(f) No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation substantially exceeds the average for residences in the area.

(g) No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.

(h) The permitted use shall be valid only for the period of time the property is occupied by the applicant for such permitted use.

(i) All permits issued for home occupations shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the council, the use is or has become detrimental to the residential character and amenities of the neighbourhood.

PART IV - ZONING DISTRICTS

For the purpose of applying this bylaw, the municipality is divided into zoning districts.

The boundaries of the zoning districts are shown on the map entitled, "Zoning District Map" which is attached to, and forms a part of this bylaw. Unless otherwise shown on the map, the boundaries of the said districts are site lines, centre lines of streets, lands, roads or such lines extended and the boundaries of the municipality.

Regulations for the zoning districts are outlined in the schedules which are attached and form part of this bylaw.

SCHEDULE A: AR - AGRICULTURAL RESOURCE DISTRICT

A. Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined in this bylaw as an AR - Agricultural Resource District, only the following uses and their respective accessory uses shall be permitted.

1. Principal Uses

(a) Agricultural:

Field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding, but not including intensive agriculture or agricultural related commercial operations.

(b) Other:

Grain elevators, radio, television and microwave towers and accessory buildings.

(c) Natural resource developments including gas and oil wells and related drilling operations, pipelines, storage, and processing facilities;

2. Uses Permitted at Council's Discretion

The following principal uses and their respective accessory uses may be permitted, but only by resolution of council and only in locations and with development standards specified by council in accordance with the basic planning statement and this bylaw:

(a) Agricultural related commercial and other similar uses;
(b) Places of worship, cemeteries, institutional uses and facilities;
(c) Gravel pits, gravel crushing operations, and asphalt plants;
(d) Recreational - including sports fields, golf courses, tourist campsites, parks, riding academies, race courses, and other similar uses;
(e) Intensive agricultural uses;
(f) Farmstead residential;
(g) Single parcel country residential including a single detached residential or mobile home;
(h) Petroleum related commercial;
(i) Machine shops and accessory structures;
(j) Home occupations;
(k) Solid and liquid waste disposal facilities;
(l) Historical and archaeological sites, and wildlife and conservation management areas;
(m) Airports and private airstrips;
(n) Drive in theatres;
(o) Automotive and machinery wrecking yards.

Only items a, b, e, f, i and m only, may include residential dwellings as a permitted accessory use.

3. Accessory Uses

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

(a) One single detached dwelling or mobile home on a permanent foundation is permitted as an accessory use to a principal agricultural use. Additional single detached dwellings or mobile homes required to accommodate full-time workers engaged in a principal agricultural use of the land will be permitted, subject to a resolution of council.

(b) Dormitory dwelling(s) will be permitted as required to accommodate full-time workers engaged in a principal agricultural use of the land.

B. **Regulations**

1. **Site Area Requirements**

(a) **Agricultural Use:**

(i) One quarter section or equivalent shall be the minimum site area required to constitute a farm land holding. Equivalent shall mean 64 hectares (158 acres) 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. 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.

(ii) Reduced Site Areas

A site with an area less than that required under (i) may be subdivided for agricultural purposes on the basis of a recommendation of council provided for in Section 2.3 of the basic planning statement.

Development of such sites shall be permitted:

- 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; and,
- if the site meets all other requirements of this bylaw.

(iii) Land holdings in adjoining rural municipalities.

A person not meeting the minimum agricultural area requirement of 64 hectares (158 acres) 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 the land;
- the total farm land holding of this person within both the R.M.'s is a minimum of 64 hectares (158 acres) or equivalent.

(iv) Intensive agricultural use and farmstead-residential.

Minimum: .8 hectares (2 acres).
Maximum: as determined by demonstrated space needs necessary for a viable principal agricultural use.

(b) **Country Residential:**

Minimum: 0.5 hectares (1.2 acres)
Maximum: 4.05 hectares (10.0 acres), except that the maximum site area may be a greater area depending on existing physical circumstances, i.e., limitations or demarcations, peculiar to a proposed country residential site, such as a shelter belt, topographical restraints, and man made obstacles such as fence lines and buildings.

(c) **Agricultural Related Commercial:**

Minimum: 0.4 hectares (1 acre).

(d) **Other:**

Grain elevators and accessory buildings, places of worship, cemeteries, institutional, historical and archaeological sites, wildlife and conservation areas, gravel pits, private airstrips, recreational uses, solid and liquid waste disposal sites, public utilities, and radio, television and microwaves towers and accessory buildings - no minimum.

2. Building Setback Requirements

(a) All buildings and dwellings shall be set back a minimum of 45 metres (150 feet) from the centre line of any municipal road allowance, or provincial highway, or such greater distance as required by the Department of Highways.

(b) No dwelling shall be located within 305 m of an intensive livestock operation as defined herein. These requirements may be relaxed by council in consultation with the Department of Agriculture and Food and subject to a written agreement between adjoining land owners.

(c) No dwelling shall be located within 305 metres (1,000 feet) of a non-refrigerated anhydrous ammonia facility or 600 meters (1,967 feet) from a refrigerated anhydrous ammonia facility licensed by the Department of Environment and Public Safety. Residences which are integral part of the fertilizer operation are not subject to the foregoing requirements.

(d) No development shall occur on sites which in the opinion of the Department of Environment and Public Safety and/or the Department of Health would affect the operation of existing or approved sanitary landfills, sewage facilities, domestic and municipal water supplies.

3. Development Standards for Discretionary Uses

(a) Solid and Liquid Waste Disposal Facilities

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

(i) development and site maintenance shall be in accordance with provincial environmental and health regulations;

(ii) any solid waste disposal facility shall be located 3000 ft from any residence unless relaxation of this requirement is agreed to by affected parties;

(iii) a buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area;

(iv) any solid or liquid waste disposal facility shall be fenced;

(v) adequate precautions shall be taken to prevent pollution of ground water by disposal operations;

(vi) solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all weather road;

(vii) the development of any new disposal sites shall take into consideration direction of prevailing winds; and,

(viii) further regulation of solid waste disposal sites may be achieved by adoption and administration of a Waste Management Bylaw.

(b) Intensive Livestock Operations (ILO's)

(i) Development of ILO's will be required under this bylaw to have the minimum separation distance from residential uses as listed below. These requirements may be relaxed by council in consultation with the Department of Agriculture and Food and subject to a written agreement between adjoining land owners.

POPULATION	*ANIMAL UNITS			
	100-300	300-500	500-2000	>2000
Single family dwelling not owned by the ILO	305 m	400 m	800 m	1200 m
<100	400	800	1200	1600
100-500	800	1200	1600	2400
500-5000	1200	1600	2400	3200
>5000	1600	2400	3200	4800

* The term 'animal Unit' is defined in The Pollution (By Livestock) Control Act and associated regulations. The setback distance shall be measured from the nearest edge of the livestock enclosure, as well the setback requirement shall also apply to the manure storage area.

3. <u>Uses Permitted for a Limited Time</u>

Notwithstanding the provisions of the basic planning statement and this bylaw a mobile home or trailer coach may be permitted for a period of one year on a site in the AR - Agricultural Resource District subject to a resolution of council and the following conditions:

(a) Adherence to a trailer bylaw (where applicable), securing a license on an annual basis.

(b) Connection to sewer and water systems in accordance with the Department of Health.

(c) Issuance of a development permit to the land owner on behalf of the occupant, issued on an annual basis.

(d) Any other conditions which council may specify that ensure the adherence to the bylaw.

Schedule B: CR - Country Residential District

A. **Permitted Uses**

Subject to all other provisions of this bylaw, on any site in any district defined in this bylaw as a CR - Country Residential District, only the following uses and their respective accessory uses shall be permitted:

1. **Principal Permitted Uses**

a) Residential:

One single detached dwelling per site including a mobile home.

b) Accessory Uses:

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

i) Private garages, whether detached or attached to the dwelling unit.
ii) Garden sheds used for the storage of non-industrial yard maintenance equipment.
iii) Non-commercial greenhouses.
iv) Barns and stables.
v) Home Occupations.

2. **Discretionary Uses**

The following uses may be permitted only by resolution of council and only in locations and with development standards specified by council in accordance with the basic planning statement and this bylaw.

a) Institutional Uses:

i) Schools and Educational Institutions.
ii) Churches and Religious Institutions.
iii) Libraries, Public Cultural Facilities and Community Halls.

b) Recreational uses which are related to country residential development, including: Sports fields, rinks, parks, golf courses and other similar uses.

c) Accessory Uses:

Buildings, structures or uses accessory to and located on the same site with the main building or use, only if the said discretionary use has been legally established.

The keeping and raising of animals and birds, except for pigs and mink will be considered accessory to the main residential use.

B. **REGULATIONS:**

1.	Site Area:	Minimum -	1 hectares (2.5 acres)
2.	Site Frontage:	Minimum -	120 metres (393.7 feet)
3.	Front Yard:	Minimum -	10 metres (32.8 feet)
4.	Side Yard:	Minimum -	3 metres (10 feet)

5. Outside Storage:

a) No outside storage shall be permitted in the front yard.

b) Outside storage located in a side or rear yard shall be suitably screened to the satisfaction of council.

6. Animals shall not be pastured within 15.25 metres (50 ft) of any dwelling not owned by the owner of the animals.

Schedule C: M1 - Commercial and Light Industrial District

A. Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined in this bylaw as M1 - Commercial and Light Industrial District, only the following uses and their respective accessory uses shall be permitted.

1. Principal Uses

(a) Automotive service stations, gas bars, and car wash establishments;
(b) Drive-in theatres and restaurants;
(c) Automobile and agricultural implement sales and service;
(d) Motels and hotels;
(e) Tourist campgrounds and recreational establishments;
(f) Nurseries and greenhouses;
(g) Lumber and building supply establishments;
(h) Agricultural operations and residences existing prior to the passage of this bylaw.

2. Uses Permitted at Council's Discretion

The following principal uses and their respective accessory uses, may be permitted, but only through a resolution or bylaw of council and only in locations, and with development standards specified by council in accordance with the basic planning statement and this bylaw.

(a) Veterinary clinics;
(b) Auction marts;
(c) Storage facilities, warehousing, supply and distribution facilities;
(d) Agriculturally related commercial uses;
(e) Outdoor storage yards for construction materials and extractive industries;
(f) Agricultural implement and prefabricated building component manufacturing and assembly;
(g) Machine shops;
(h) Industrial service operations.

3. Accessory Uses

For the purpose of this bylaw, uses customarily incidental and subordinate to principal permitted and discretionary uses shall be considered an accessory use.

B. Regulations

1. Minimum Site Area Requirements (excluding public utilities):

(a)	Permitted uses:	1,114.8 sq. metres (12,000 sq. ft.).
(b)	Discretionary uses:	1,114.8 sq. metres (12,000 sq. ft).
(c)	Motels and Hotels:	1,337 sq. metres (18,000 sq. ft.).

2. Site Frontage (all uses): minimum 30.4 metres (100 feet).

3. Minium Yard Requirements:

(a)	Front:	Motels and Hotels:	15 meters (50 ft.)
		All other uses:	7.5 metres (25 feet).
(b)	Side (all uses):	3 metres (10 ft) on each side rear.	
(c)	Rear (all uses):	10 % of the depth of the site.	

4. Off-Street Parking and Loading

(a) All principal buildings or uses shall provide 1 parking space for each 46.4 sq m (500 sq ft) or gross floor area, or 1 space for each 5 employees, whichever is the greater. Motels and Hotels shall provide 1 parking space for each unit. Council, through resolution, may require additional parking spaces for uses permitted in the M1 - Commercial and Light Industrial District.

(b) Off-street loading and unloading space shall be provided where the use of a building or site involves the receipt, distribution or dispatch by vehicle of materials, good, or merchandise, so that adequate space for such vehicles to stand for loading and loading is provided on the site.

Schedule D: M2 - Industrial District

A. Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an M2 - Industrial District, only the following uses and their respective accessory uses shall be permitted.

1. Principal Uses

(a) Storage facilities, warehousing, supply and distribution facilities;
(b) Agriculturally related commercial;
(c) Establishments for the servicing, storage, and sale of motor vehicles, trailers, farm machinery, construction and recreation equipment, and service stations and car wash establishments;
(d) Agricultural implement and prefabricating building component manufacturing and assembly;
(f) Auto wreckers;
(g) Grain elevators.

2. Uses Permitted at Council's Discretion

The following principal uses and their respective accessory uses, may be permitted, but only through a resolution or bylaw of council and only in locations, and with development standards specified by council in accordance with the basic planning statement and this bylaw.

(a) Abattoirs, and hide defleshing and tanning facilities;
(b) Outdoor storage yards for construction materials and extractive industries;
(c) Machine and welding shops;
(d) Manufacturing and processing;
(e) Petroleum enterprises, storage yards, coal yards, and gravel yards.

3. Accessory Uses

For the purpose of this bylaw, uses customarily incidental and subordinate to principal permitted and discretionary uses shall be considered an accessory use.

B. Regulations (Excluding Public Utilities)

1.	Site Area:	Minimum - 930 sq. metres (.093 hectares)
2.	Site Frontage:	Minimum - 30 metres (98.4 feet)
3.	Minimum Yard Requirements:	Front - 7.5 metres (25 feet)
		Side - 3 metres (10 feet)
		Rear - 10% of the depth of the side, except where the rear yard abuts a railway track or railway yard, in which case, no rear yard is required.

4. Off-Street Parking and Loading

(a) All principal buildings or uses shall provide 1 parking space for each 46.4 sq m (500 sq ft) or gross floor area, or 1 space for each 5 employees, whichever is the greater. Council, through resolution, may require additional parking spaces for uses permitted in the M2 - Industrial district.

(b) Off-street loading and unloading space shall be provided where the use of a building or site involves the receipt, distribution or dispatch by vehicle of materials, good, or merchandise, so that adequate space for such vehicles to stand for loading and loading is provided on the site.

PART V - DEFINITIONS

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

Accessory Building: Shall mean a separate building or structure normally incidental to the principal building or structure on the same site.

Accessory Use: Shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use or building.

Act: Shall mean The Planning and Development Act, 1983, as amended from time to time.

Agricultural Holding: Shall mean the cumulation of all sites owned by an agricultural operator and does not include a hobby farm or country residence.

Agricultural Operator: Shall mean 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: Shall mean any structural change or addition made to any building or structure.

Animal Unit: Shall mean the kind and number of animals calculated in accordance with The Pollution (by Livestock) Control Regulations, 1991.

Applicant: Shall mean a developer or person applying for a development permit under this bylaw: or, a recommendation of council on a proposed plan of subdivision as per The Planning and Development Act, 1983.

Building: Shall mean a structure used for the shelter or accommodation of persons, animals, or chattels.

Building, Accessory: Shall mean a subordinate detached building appurtenant to a main building or main use and located in the same site, the purpose of which is to provide better and more convenient function of the main building or main use.

Building Permit: Shall mean a permit issued under a building bylaw of the municipality authorizing the construction of all or part of any building.

Building Residential: Shall mean a single detached, semi-detached, duplex or mobile home dwelling unit.

Building Site: Shall mean the specific site on which the principal building is to be erected.

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

Council: Shall mean the Council of the Rural Municipality of North Battleford No. 437.

Country Residence: Shall mean 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.

Developer: Shall mean the person or corporation, responsible for carrying out development.

Development: Shall mean 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 of any building or land.

Development Permit: Shall mean a document authorizing a development issued pursuant to this bylaw.

Discretionary Use: Shall mean a development which may be permitted in this bylaw only by resolution of council and pursuant to Section 74 of The Planning and Development Act, 1983.

Dwelling, Semi-Detached: Shall mean two dwelling units side by side in one building unit with a common party wall which separates, without opening throughout the entire structure, the two dwelling units.

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

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

Farmer: See Agricultural Operator.

Farmstead Site: Shall mean 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: Shall mean 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 basement, or attic.

Hazard Land: Shall mean land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within a flood plain or watercourse.

Household Unit: Shall mean one or more persons occupying a dwelling and living as a single housekeeping unit.

Home Occupation: Shall mean an accessory use carried on as an occupation conducted for gain in a dwelling by the resident or residents.

Highway Sign Corridor: Shall mean 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 Department of Highways entitled "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986", as may be amended from time to time.

Intensive Livestock Operation: Shall mean 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.

Mobile Home: Shall mean a trailer coach:

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

Mobile Home Court: Shall mean any tract or parcel of land on which two or more occupied mobile homes are harboured or are permitted, and includes any building or structure used or intended to be used as part of the equipment of such mobile home court.

Municipality: Shall mean the Rural Municipality of North Battleford No. 437.

Non-Conforming Building: Shall mean a building:

(a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date a zoning bylaw or any amendment to this bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and

(b) that on the date this bylaw or any amendment to this bylaw becomes effective does not, or when constructed will not, comply with this bylaw.

Non-Conforming Use: Shall mean 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 zone district in which it is located.

Permitted Uses: Shall mean those land uses permitted within a zoning district in conformity with the requirements specified in this bylaw.

Petroleum Related Commercial Use: See Use

Principal Use: Shall mean the main activities conducted on a site.

Principal Building: Shall mean the main building in which the principal use of the site is conducted.

Public Utility: Shall mean a government or private enterprise which provides a service to the general public.

Reeve: Shall mean the Reeve of the Rural Municipality of North Battleford No. 437.

Retail Store: Shall mean the use of a building or portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment, but does not include a confectionary or a retail food store.

Rural Municipal Administrator: Shall mean the official administrator for the municipality pursuant to The Rural Municipalities Act.

School: Shall mean 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 body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.

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

(a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building;
(b) is used to announce direct attention to, or advertised; and
(c) is visible from outside the building.

Site: Shall mean an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title.

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

Site Line, Rear: Shall mean the boundary at the rear of the site and opposite the front site line.

Site Line, Side: Shall mean a site boundary other than a front or rear site line.

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

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

Subdivision: Shall mean a division of land, and includes a division of a quarter section into legal subdivisions as described in the Land Titles Act.

Trailer Coach: Shall mean any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public roads or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as to permit occupancy as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked-up.

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

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

Use, Agricultural: Means 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: Shall mean a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, machinery sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales, stock yards, feed mills, oil seed processing plants, seed coating plants, and other similar uses.

Use, Intensive Agricultural: Means 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) greenhouses;
e) mushroom farms;
f) nurseries and other similar uses.

Use, Petroleum Related Commercial: Shall mean 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.

Warehouse: Shall mean a building or part of a building used 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.

Waste Disposal Facility; Liquid: Shall mean 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: Shall mean 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 including dangerous goods, hazardous waste or biomedical waste.

Yard: Shall mean the open, unoccupied space on a lot between the property line and the front, rear, or side wall of a building.

Yard, Front: Shall mean that part of a site which extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

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

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

PART VI - EFFECTIVE DATE OF THE BYLAW

(a) This bylaw shall come into force on the date of final approval by the Minister of Rural Development.

(b) **Council Readings:**

Read a First time this 14, day of September, 1992.

Read a Second time this 14, day of September, 1992.

Read a Third time this 18, day of November, 1992.

(c) This bylaw repeals Bylaw No. 2-84 and all subsequent amendments.

Reeve

S E A L

Rural Municipal Administrator

Certified a true copy of Bylaw No. 5-92 adopted by resolution of council on the 18 day of November, 1992.

Bruce W. Kosolofski
Administrator

SEAL

APPROVED
REGINA, SASK.
DEC 16 1992

Deputy Minister of
Saskatchewan Rural Development