

TOWN OF BATTLEFORD

ZONING BYLAW

Prepared for:

THE TOWN OF BATTLEFORD

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THE TOWN OF BATTLEFORD

ZONING BYLAW

A Bylaw of the Town of Battleford to adopt a Zoning Bylaw.

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

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Town of Battleford hereby adopts the Town of Battleford Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Mayor and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 9-2005, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of the Bylaw this _____ day of _____, _____

(Mayor)

SEAL

(Chief Administrative Officer)

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

On the _____ day of _____, _____ of the year _____

THE TOWN OF BATTLEFORD
ZONING BYLAW

Being Schedule “A” to Bylaw No. _____
of the Town of Battleford

(Mayor)

SEAL

(Chief Administrative Officer)

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1 INTRODUCTION

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

1.1 TITLE

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

1.2 SCOPE

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

1.3 PURPOSE

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

1.4 SEVERABILITY

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

2 INTERPRETATION

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:

Abutting: touching and sharing a common site line or boundary.

Accessory Building or Use: a building or use which:

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

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

Administrator: the Chief Administrative Officer (CAO) of the Town of Battleford.

Adult Day Care: an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Day Care – Type I: an adult day care with up to five persons under supervision at any one time.

Adult Day Care – Type II: an adult day care with more than five persons under supervision at any one time.

Adult Entertainment Facility: whether as a principal, accessory or ancillary use, a venue which features live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions of adult entertainment including strip-tease, wet clothing contests or similar adult performances.

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

Ambulance Station: a facility for receiving requests for ambulance service and for the stationing of one or more ambulances until dispatched in response to calls for service, which is operated by a person or corporation having a valid and subsisting ambulance licence issued pursuant to *The Ambulance Act* and having a current contract with the Regional Health Authority.

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

Animal, Domestic: an animal kept for companionship and amusement rather than for practical or commercial purposes and does not include any ungulate, poultry, fowl, bees, peacocks, non-caged pigeons, or animals used for farm use purposes.

Animal, Exotic: an animal not indigenous to Canada and not commonly kept as a household pet in Canada.

Animal Hospital: a place used for the care and treatment of small and large animals involving out-patient

care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Balcony: a platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a railing.

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

Bare Land Unit: a bare land unit as defined within *The Condominium Property Act, 1993*.

Basement, Walkout: that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than 0.6 metres below grade or which has an entrance at finished floor level. This definition shall only apply to sites which have been designed to accommodate a walkout basement.

Bed and Breakfast Home: a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodations and one meal per day to members of the general public, for periods of two weeks or less, and in which:

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- (b) the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,
- (c) the meal which is provided is served before noon each day.

Block Face: one side of a street between two consecutive intersections. For example, a block face can be one side of a town block.

Boarder: a person who rents sleeping accommodations which have no individual cooking facilities, and who may be furnished with meals or other services as part of the consideration, but who is not a member of the household occupying the principal dwelling unit.

Boulevard: the strip of land between the curb and the property line, or in the absence of a curb, the strip of land between the road/pavement edge and the property line. The boulevard is located within the road right-of-way.

Building: a structure constructed or placed on, in, or over land, but does not include a public highway, and includes any structure covered by a roof and supported by walls or columns.

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

Building Front Line: the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which face the front site line.

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

Building Line, Established: a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

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

Building, Principal: the building in which is conducted the main or primary use of the site on which said building is situated.

Building Rear Line: the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which face the rear site line.

Building Side Line: the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which face the side site line.

Bulk Fertilizer Operation: a facility for the storage and distribution of fertilizer in bulk quantities, but not including retail sales or processing.

Bylaw, this: the *Zoning Bylaw of the Town of Battleford*.

Bylaw 3/2018 Cannabis Grow Operation: a facility, approved under federal and provincial regulations, that is used in whole or in part for the planting, cultivation, harvest, and management of the cannabis plant and any of its derivatives.

Bylaw 3/2018 Cannabis Retail Store: a retail store, approved under federal and provincial regulations that sells cannabis and any of its derivatives.

Carport: a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

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

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

Chief Administrative Officer: the Chief Administrative Officer for the Town of Battleford.

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

Club: a group of people organized for a common purpose, to pursue common goals, interests or activities, usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws; and shall include lodges and fraternal organizations.

Common Wall: a vertical wall without an opening, separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be common to both dwelling units over at least 40% of the length of each dwelling unit.

Communication Facility: an Industry Canada regulated communication facility, including radio television cellular telephone and microwave transmission towers and accessory buildings.

Community Centre: a building or facility used for recreational, social, educational or cultural activities

and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

Bylaw 7/2017 Consignment Centre: a retail establishment carrying on the business of purchasing, selling, collecting, exchanging, or otherwise dealing in second hand or used goods, including the minor repair of such goods, but not including a pawnshop as herein defined or otherwise carrying on the business of a pawn broker.

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

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

Corner Site: a site at the intersection or junction of two or more streets.

Council: the Council of the Town of Battleford.

Cultural Institution: an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest which are not commercially operated.

Custodial Care Facility: either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act (Canada)* or *The Summary Offences Procedure Act, 1990 (Saskatchewan)*; or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*,

in which the number of persons in detention, custody or residence does not exceed four.

Day Care Centre: a facility for the non-parental care of over four (4) preschool age children on a daily basis, including after school programs, and licensed under *The Child Care Act* or *Education Act*.

Deck: a raised platform, with or without rails, for use by those occupying the principal building.

Deck or Patio, Covered: a single storey deck or patio which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is attached to the dwelling but not integrated into the dwelling unit by virtue of the extension of the dwelling unit's heating or cooling system or the removal of the exterior door between the deck or patio and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the deck or patio. Typically an attached covered deck or patio would provide up to three-season accommodation and would not provide fully livable floor space.

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

Development Permit: a document authorizing a development, issued pursuant to this *Zoning Bylaw*.

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, contained in this Bylaw.

Dwelling: a building used or intended for residential occupancy, and may include a Modular Dwelling or a Ready-to-Move Dwelling, but excluding a Manufactured Dwelling or Mobile Home Dwelling, as herein defined.

Dwelling Group: a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

Dwelling, Modular: a factory built home that is manufactured as a whole or modular unit and designed to be moved on a permanent or removable chassis to be used as a single detached dwellings, and is certified by the manufacturer that it complies with the Canadian Standards Association CSA – A277

Dwelling, Multiple Unit: a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartment dwellings but not hotels or motels.

Dwelling, Multiple Unit Apartment: a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence and is accessed from the outside, a common indoor area, or both, but not including hotels, motels or townhouses.

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

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

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

Dwelling, Semi-Detached: a dwelling on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached: a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home as herein defined.

Dwelling, Street Townhouse: a dwelling, designed as one cohesive building in terms of architectural design, which contains three or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly above another dwelling.

Dwelling, Two-Unit: a building divided into two separate dwelling units on the same site but not including single detached dwellings which contain a secondary suite as defined herein.

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

Educational Institution: a post-secondary college, university or technical institution, but shall not include a private school.

Fabric Covered Structure, Accessory: a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and sides with fabric, reinforced plastic, vinyl, or other sheet material, intended for temporary storage purposes.

Farmers' Market: a permanent structure or group of farm stands, operated on a seasonal or year-round basis, which allows for agricultural or horticultural producers to retail their products and other agriculture-related items, including those produced in a community garden, directly to consumers and enhance income through value-added products, services, and activities.

Farm Stand: a seasonal direct-marketing operation without a permanent structure and offering outdoor shopping for the sale of locally-produced agricultural products including those produced in a community garden, enhanced agricultural products, and handmade crafts.

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

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

Fire Training Facility: land, buildings and structures used for the training of firefighters in the extinguishing of fires and in emergency response procedures including extrication.

Flankage: the side site line of a corner site which abuts the street.

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

Frontage: the side of a site abutting a street and, in the case of a corner site, the narrower of the two sides is the frontage. In the event that the lot is square, it would be the side chosen as the front, provided it is a corner lot.

Fuel Storage Depot, Bulk: a facility for the storage and distribution of petroleum and petrochemical products in bulk quantities, but not including retail sales or processing, and may include key-card pumps.

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

Fuel Storage Tank, Underground: a storage tank, any portion of which is above grade and which contains gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Fuel Bulk Storage Tank, Bulk: a storage tank for the purpose of storing fuels for distribution.

Garden Suite: a small, ground oriented dwelling unit located in the rear yard of a single detached dwelling and contained within a detached accessory building that has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the single detached dwelling.

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

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

Garage, Storage: A garage exclusively used for the storage of motor vehicles and where no repair facilities are maintained.

Garage Suite: a dwelling unit which is attached to or made a part of a detached accessory building located in the rear yard of a single detached dwelling that has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the single detached dwelling.

Gas Bar: a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

Geothermal Energy: a renewable source of energy that taps deep into the heat of the earth's crust.

Grade Level: the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Gross Floor Area: the sum of the gross horizontal area of the building measured at each floor level. All dimensions shall be measured between exterior faces of exterior walls.

Gross Floor Space Ratio: the ratio of the gross floor area of the principal building, exclusive of any parking area, divided by the site area.

Habitable: any room in a dwelling, such as a bedroom, bathroom, kitchen or living room, other than a non-habitable room.

Habitable, Non: a space in a dwelling providing a service function and not intended primarily for human occupancy, including entry ways, corridors or storage areas.

Hard Surfaced: the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement.

Hazard Land: land which is subject to flooding, ponding, subsidence, landslides, erosion or contamination.

Hazardous Material: any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:

- (a) Corrosives;
- (b) Explosives;
- (c) Flammable and combustible liquids;
- (d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases;
- (e) Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
- (f) Oxidizing substances; organic peroxides;
- (g) Poisonous (toxic) or infectious substances;
- (h) Radioactive materials;
- (i) Waste Dangerous Materials; and/or,
- (j) Any other environmentally hazardous substance.

Health Care Clinic: a facility or institution engaged in the provision of services for health maintenance,

diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

Highway Corridor Sign: an off-site advertising sign which is located in the Highway Sign Corridor as designated in the Official Community Plan.

Historic Farm: an agricultural operation in which all equipment, machinery and tools used for the cultivation, seeding or harvesting of crops shall be manually driven or horse driven or, if motor driven, shall be manufactured prior to 1950, and in which no livestock may be kept except as required in the operation of horse driven farm equipment.

Home Based Business: an accessory use of a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence, and does not change the residential character of the buildings or site.

Home Based Business – Type I: a home based business owned and operated by a resident or residents of the dwelling unit.

Home Based Business – Type II: a home based business owned and operated by a resident or residents of the dwelling unit, but where no more than one non-resident person may be employed on the site.

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

Indoor Storage Rental Facility: a building or buildings containing separate secured storage units designed to be rented or leased for private storage of personal goods, materials and equipment, household goods, furniture, general merchandise and vehicles, excluding:

- (a) highly flammable materials, chemicals, odorous, explosive or other inherently dangerous or noxious goods; and
- (b) hazardous materials as defined in this Bylaw.

Industrial Complex: a building or a group of buildings located on the same site that are managed as a single unit, all for their mutual benefit, including the use of off-street parking and other joint facilities; and more than two approved permitted or discretionary uses are located on that site.

Industrial, General Use: any of the following uses:

- (a) the processing of raw or finished materials;
- (b) the manufacturing or assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations of goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
- (d) the storage or transshipment of materials, goods and equipment, including warehouses.
- (e) The training of personnel in general industrial operations;
- (f) Indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

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

Intensive Livestock Operation: the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses or domesticated game animals, in such numbers that the facility and portion of a site used for the operation:

- (a) will contain 300 or more animal units as defined in *The Agricultural Operations Act*; and,
- (b) provides less than 370 m² of space for each animal unit contained therein.

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

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

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

Kennel, Breeding: the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

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

Landscaping, Hard: landscape features consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding gravel, loose rock, outdoor carpeting, or monolithic concrete and asphalt.

Landscaping, Soft: landscape features consisting of vegetation such as trees, shrubs, hedges, and grass.

Lane: a public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

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

Loading Space: a space, measuring at least 3.0 metres in width and 7.5 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

Lot: an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

Lounge: a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

Mayor: the Mayor of the Town of Battleford.

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

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

Manufactured / Mobile Home: a structure that conforms to *Canadian Standards Association, Construction Standard No. Z240.2.1-1979* and amendments thereto.

Manufactured Home Court: any parcel of land on which two or more occupied manufactured homes are located and includes any structure used or intended to be used as part of the equipment of such manufactured home court.

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

Motor vehicle, farm and heavy equipment related uses: any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles.

Municipal Facility: land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

- (a) Office and/or meeting space;
- (b) Storage of municipal equipment and/or supplies;
- (c) Recreation; and/or
- (d) Other institutional purposes.

Municipality: the Town of Battleford.

Night Club: a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing, but not including adult entertainment, during certain hours of operation may also be provided.

Nonconforming Building: a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the 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 hereto becomes effective does not or when constructed will not comply with this Bylaw.

Nonconforming Site: a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Nonconforming Use: a lawful specific use:

- (a) being made of land or a building or intended to be made of a land or of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw

or any amendment hereto becomes effective; and,

- (b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

Office and Office Building: a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, transhipped, sold or processed.

Official Community Plan: the *Official Community Plan* for the Town of Battleford.

Outdoor Storage Compound: an area for the storage of equipment, goods and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing states of the land. Typical items stored in this manner include, but are not limited to, automobiles, heavy equipment and recreation vehicles.

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

Parking, Off-street: accommodation for the parking of vehicles off a public street or lane.

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

Patio: an open horizontal, artificially surfaced area adjacent to the principal building, usually at grade level, intended for use as an outdoor private amenity space.

Bylaw 7/2017 Pawn Shop or Pawn Broker: a development, business, or individual providing secured loans in exchange for goods offered as collateral, including the sale of such goods and the minor repair of goods sold on site, but not including a Consignment Centre. Typical uses include the resale of clothing, jewelry, electronics, household goods and musical instruments in pawn.

Permitted Use: any use or form of development, other than a discretionary use or a non-conforming use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Personal Service Shop: a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

- (a) beauty salons and barber shops;
- (b) shoe repair;
- (c) dry-cleaning pick-up depots;
- (d) self-serve laundry;
- (e) tailor or seamstress;
- (f) massage services;
- (g) photography studios;
- (h) tanning beds; and
- (i) tattoo parlours,

but does not include the provision of health related services.

Pet Grooming Establishment: a business associated with the grooming of small domestic animals not prohibited by the Animal Control Bylaw with the confinement of animals restricted to indoors; but not including kennels for overnight boarding.

Photography Studio: a place used for portrait or commercial photography, including the developing and processing of film, and the repair or maintenance of photographic equipment.

Place of Worship: a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Pole Shed: a temporary structure characterized by the lack of a formal foundation which makes use of poles dug into the ground, set in place using a stabilizing agent such as cement or concrete, to support the structures roof and walls. Typical uses for this type of structure include, but are not limited to, equipment storage, garages or workshops.

Preschool: a facility which provides a program for preschool aged children.

Public Hospital: a hospital operated by the Regional Health Authority.

Public Utility: a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Bylaw 9/2017 Public Work: Shall include:

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

Recreational Facility, Commercial: a recreation or amusement facility operated as a business and open to the general public, but not including adult entertainment.

Recreational Facility, Public: a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public, but not including adult entertainment.

Recreational Vehicle: a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

Recycling Collection Depot: a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be permitted at a recycling collection depot:

- (a) processing of recyclable material other than compaction;
- (b) collection and storage of oil, solvents or other hazardous material;

(c) outdoor compaction.

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

Residential Care Home - Type I: a residential care home in which the number of residents, excluding staff, does not exceed four.

Residential Care Home - Type II: a residential care home in which the number of residents, excluding staff, is more than four.

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

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

Sandblasting: the cleaning, smoothing, roughening or removing of part of the surface of any article by the use of an abrasive, jet of sand, metal shot, grit or other material propelled by compressed air, steam or by a wheel.

School, Private: a facility which meets Provincial requirements for elementary, secondary, or higher education, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public: a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

Screening: a fence, wall, berm or planted vegetation located so as to visually shield or obscure one abutting area of use from another.

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

Service Station: a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, rental, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed, but not including painting, body work and major repairs.

Shipping Container: a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck and used for storage.

Shopping Centre: a building, or group of buildings located on the same site that are managed as a single unit, all for their mutual benefit, including the use of off-street parking and other joint facilities; and where more than two approved permitted or discretionary uses are located on that site.

Short Term Rental: a dwelling unit in which the occupants thereof use a portion of the dwelling unit, or the whole dwelling unit, for the purpose of providing, for remuneration, sleeping accommodations to members of the general public, for periods of four weeks or less, and in which the dwelling unit is the

principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation.

Sight Triangle: the triangular area formed within a site by the intersecting front and side site lines at a street intersection, an intersection of a street and a flanking lane, or an intersection of a street and a driveway, and the straight line joining said site lines at points which are a measured distance along both site lines (refer to Figure 2-1 below). In the case of a street intersection, at a corner site, the measured distance shall be 7.6 m. In the case of a lane or driveway intersecting a street, the measured distance shall be 4.5 m.

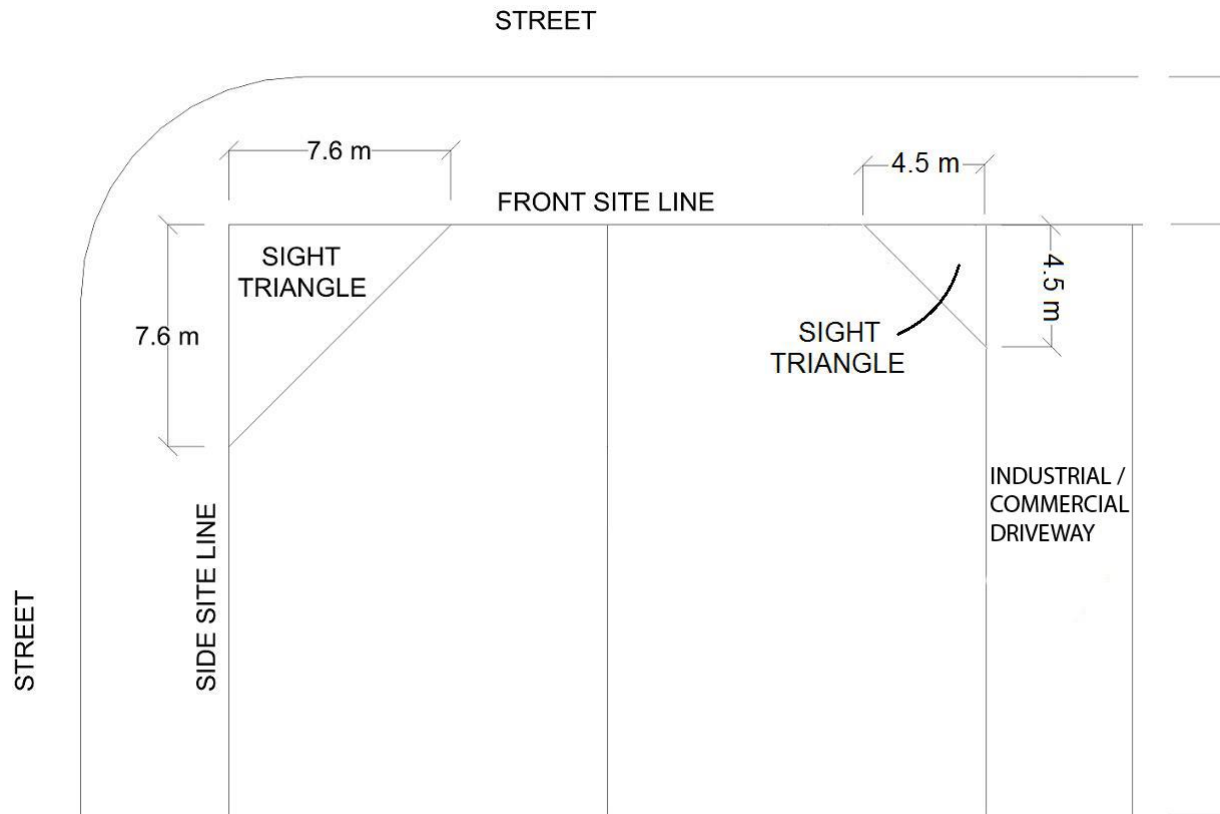


Figure 2-1: Sight Triangles

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

Sign, Awning: a sign made from canvas, plastic or similar non-rigid material affixed to a frame and attached to a building wall (refer to Figure 2-2).

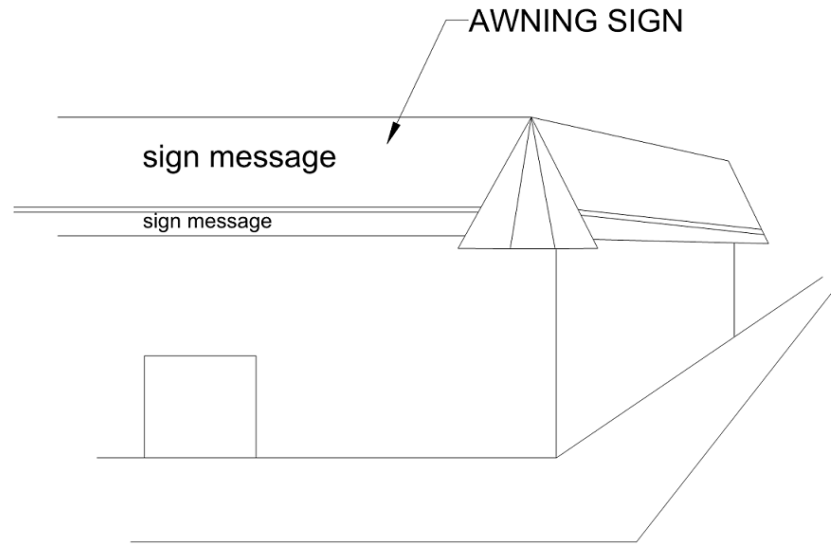


Figure 2-2: Illustration of Awning Sign

Sign, Canopy: a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-3).

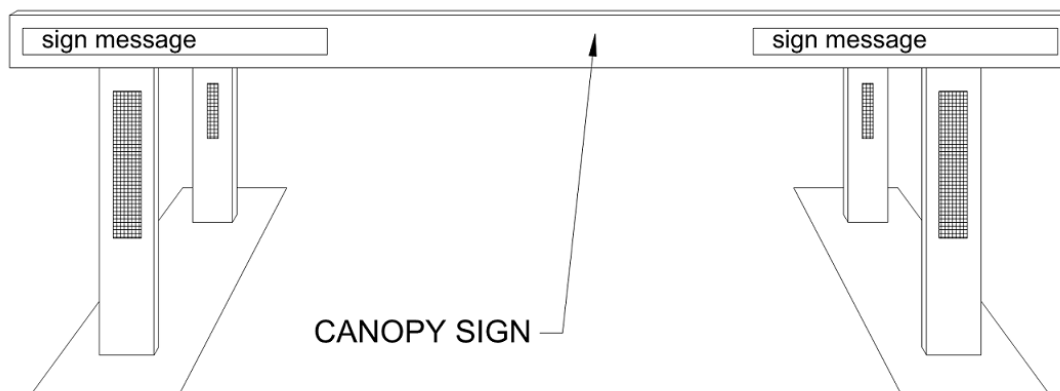


Figure 2-3): Illustration of Canopy Sign

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

Sign, Electronic Message Centre: a variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology, whereby the message can be altered by electric or electronic means.

Sign, Face Area: the area of the single face of any sign and is calculated using the illustration in Figure 2-4.

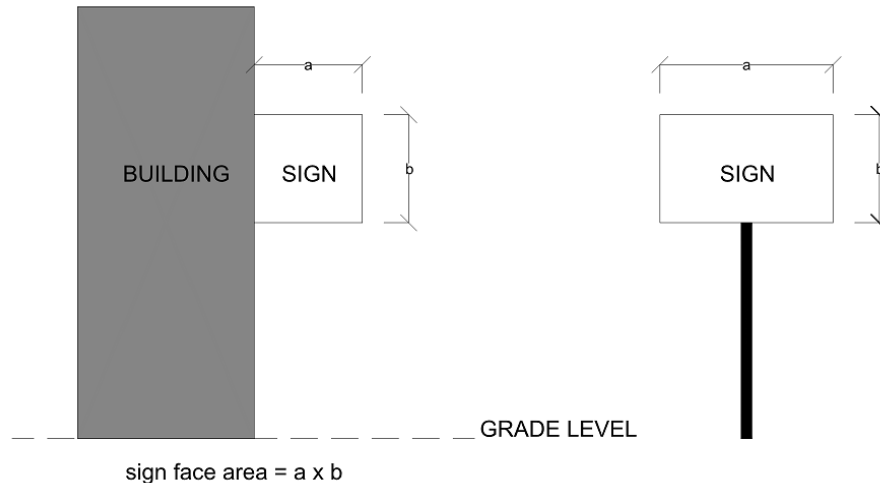


Figure 2-4: Calculation of Sign Face Area

Sign, Fascia: a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 0.31 metres from such building or structure.

Sign, Free-Standing: a non-movable sign, not affixed to a building, and which is supported by a pole or similar structure.

Sign, Free-Standing Height: the vertical distance of a freestanding sign measured from grade level to the highest point of the sign.

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

Sign, Off Premise: any sign displaying copy that directs attention to a business, activity, product, service, or entertainment that cannot be considered as the principal products sold nor a principal business, activity, service or entertainment provided on the premises or site where the sign is displayed.

Sign, Portable: a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 4.5 m² or a total gross area no greater than 9.0 m², which can be readily moved or transported to various locations (refer to Figure 2-5).

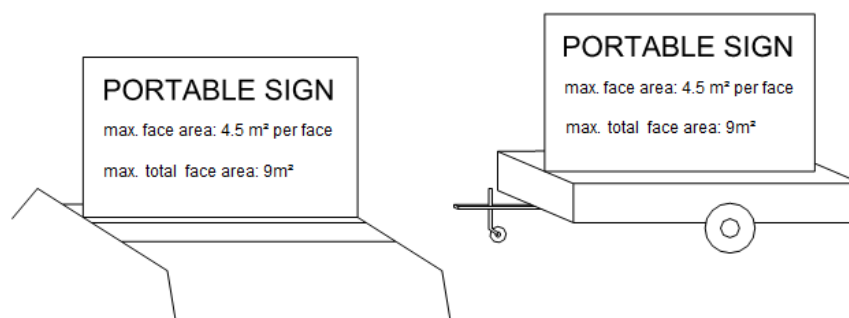


Figure 2-5: Illustration of Portable Signs

Sign, Projecting: a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-6).

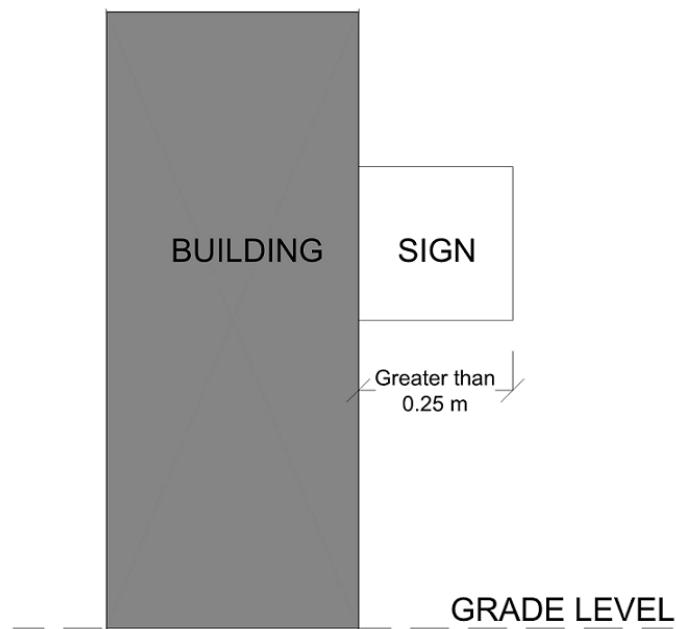


Figure 2-6: Illustration of Projecting Sign

Sign, Roof: a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Small Ground: a temporary, portable sign with less than 1.9 m² of single sign face area which can be readily picked up and moved by an individual. These signs are typically folding sandwich boards, and pedestrian oriented.

Sign, Temporary: an election sign or temporary sign bearing notice of sale or lease or other information relating to a temporary condition affecting the property.

Sign, Total Face Area: the total amount of sign face area on a sign including all sides.

Site: an area of land:

- (i) under one ownership considered as a unit;
- (ii) having its principal frontage on a public street; and
- (iii) not divided by a public street.

Site, Corner: a site at the intersection of two or more streets (refer to Figure 2-7).



Figure 2-7: Illustration of Site Definition

Site, Interior: a site other than a corner site (refer to Figure 2-7).

Site Coverage: that portion of the site that is covered by principal and accessory buildings, including covered patios and covered decks.

Site Line, Front: the line that divides the site from the street right-of-way. In the case of a corner site, the front site line shall mean the line separating the narrowest street frontage of the site from the street right-of-way.

Site Line, Rear: the line (or point) at the rear of the site adjacent to a rear lane and opposite the front site line or in the case of no rear lane, the line or point at the rear of the site and opposite the front site line (refer to Figure 2-8).

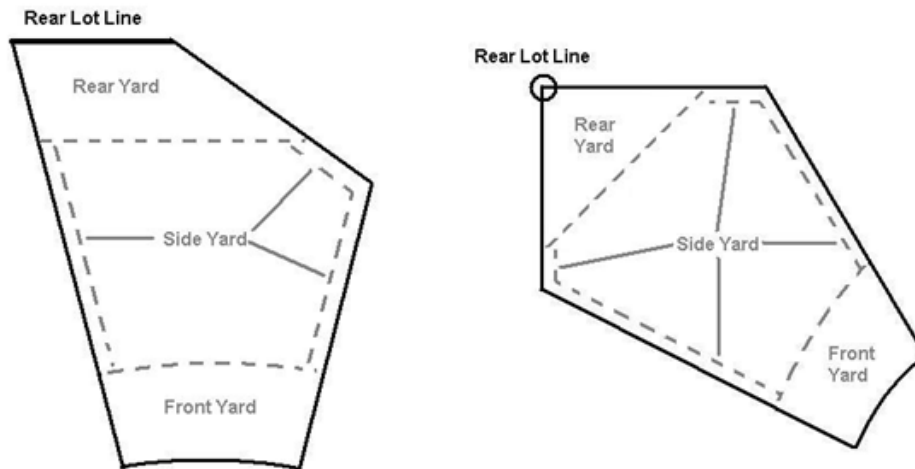


Figure 2-8: Illustration of Rear Site Lines

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

Site, Through: a site not more than one lot in depth, having a frontage on two or more streets (refer to Figure 2-7).

Site Width: the horizontal distance between the side boundaries of the site measured at a distance equal to the required minimum front yard from the front site line for the district in which the site is located (refer to Figure 2-9).

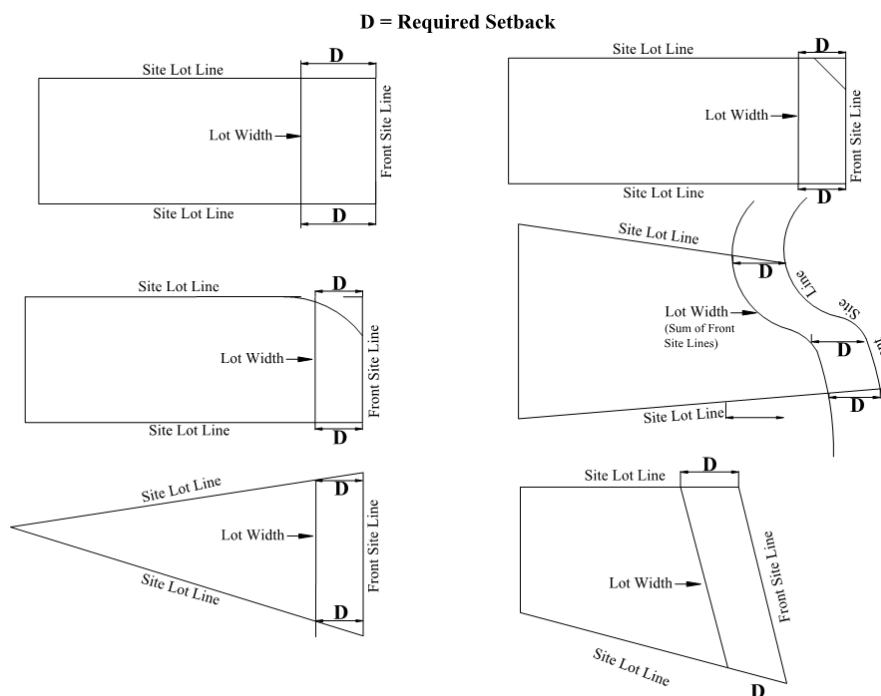


Figure 2-9: Illustrations of Site Width

Solar Collector: photovoltaic solar panels or modules that uses the sun's energy to heat water or produce electricity. That water or electricity can be used immediately, stored for later use or in the case of electricity fed back to the grid for use by others.

Storey: that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A basement or cellar shall not be counted as a storey if it is designed or used for ancillary activities such as long term storage, mechanical rooms, stairways, janitorial rooms, or parking garage; and at least one half of the height of the basement or cellar, from finished floor to finished ceiling, is located below grade level.

Street: a public space, commonly used as a thoroughfare, which affords the principal means of access to abutting properties.

Streetscape: the physical elements of the street, as seen from a human perspective, that help define the character, perception, scale, and overall "feel" of the street or neighbourhood, including:

- (a) trees and other vegetation;
- (b) sidewalks, medians, and boulevards, including textural elements;
- (c) street furniture and decoration;
- (d) frontages, façades, massing, scale, and architectural aesthetic of buildings;
- (e) pedestrians and bicyclists;
- (f) moving and parked vehicles;
- (g) roadways and lanes;
- (h) signage; and
- (i) utility elements.

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

Structure: anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Swimming Pool, Private: an artificially created basin lined with concrete, fibreglass, vinyl, metal or similar material, intended to contain water for the use of persons for swimming, diving, wading, or other similar activity, which is at least 600mm in depth, and includes pools situated on top of grade and hot tubs and whirlpools.

Tavern: a building or portion thereof where beer, wine, or spirits are served to patrons for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted.

Temporary Development: a building or use that may operate for a period of time determined by the Town and which complies with all relevant development standards. A Development permit may be issued for a maximum of 12 months, after which time the development permit may be extended or re-issued at the discretion of the Town.

Terrace: a level, artificially surfaced area adjacent to a principal building, not covered by a roof, at least or within 0.6 metres at the finished grade; including patios.

Theatre: a place devoted to showing motion pictures or dramatic, dance, musical or other live

performances.

Tourist Campground: a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

Town: the Town of Battleford.

Trailer: a vehicle, other than a semi-trailer, farm machinery, or a recreational vehicle, that is drawn on a highway by a motor vehicle and that is designated for the conveyance of goods. Examples of a trailer include but are not limited to small utility trailers (open or enclosed), and trailers to carry boats, snowmobiles, all-terrain vehicles, jet-skis, or motorcycles.

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 as to permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

Training Centre: an establishment which conducts technical training and instruction in a technical subject and/or trade.

Truck Stop: any building, premises, or land in which or upon which a business, service or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles and includes overnight accommodations and restaurant facilities primarily for the use of truck crews.

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

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

Use, Permitted: any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Use, Principal: the main purpose for which a building, structure or site is used.

Use, Prohibited: any use or form of development that is not allowed because it is not listed as a Permitted or Discretionary Use within a given zoning district, or because it is specifically prohibited elsewhere in this Bylaw.

Vehicle: a device in or by which a person or thing may be transported or drawn on a street and includes motor vehicles, trailer coaches, semi-trailers, fire engines, fire department apparatus, and all vehicles propelled by muscular power; but does not include railway cars and other motor vehicles running only upon rails or tracks or solely upon railway company property.

Veterinary Clinic: a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

Walkable: developments or neighbourhoods that encourage short trips between destinations on foot,

typically featuring designated and accessible pedestrian areas (such as sidewalks at a minimum) and an average distance between amenity nodes of under 500 metres.

Wall Height: the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

Warehouse: a building used primarily for the storage of goods and materials.

Wholesale Establishment: the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

Yard: an unoccupied space open to the sky on the same site with a building or structure.

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

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

Yard, Required: a yard or yards required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

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

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

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Development Officer shall administer this Bylaw.

3.1.2 The Development Officer shall be the Administrator for the Town of Battleford and any other person authorized, in writing, by the Administrator to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMITS

3.2.1 Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.

3.2.2 A development permit is not required, but all other applicable provisions of this Bylaw are to be followed, for the following:

- (1) the maintenance of a public work by the municipality or a public utility;
- (2) the construction of a public work by the municipality;
- (3) the installation of a public work on any street or other public right-of-way by the municipality;
- (4) maintenance and repairs that do not include structural alterations;
- (5) accessory buildings under 9.3 square metres in area; and
- (6) fences.

3.2.3 The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder. A development permit shall be automatically invalid:

- (1) if the proposed development is not commenced within 6 months from the permit issuance date, or
- (2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by Council or the Development Officer.

3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.

3.2.5 An application for a development permit shall be processed concurrently with an application for a sign permit. The development permit shall take the form of a stamp affixed to the required sign permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.3.1 Except in the case of applications for a sign permit, a portable sign license or a home based business, every application for a development permit shall be accompanied by the following:

- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
- (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
- (3) the complete legal description and civic address of the subject property.
- (4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing trees;
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas;
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site;
 - (d) the location of commercial signage.
- (5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.
- (6) two copies of the landscaping plan clearly indicating the following:
 - (a) the location and description of other landscape improvements, such as, but limited to: earth berms, drainage swales, catch basins, walls, fences, screens, sculptures, fountains, site furnishings, screened refuse containment areas, and bicycle racks;
 - (b) location, type and quantity of existing plant materials;
 - (c) the location, type, quantity and spacing of new plant material showing a list of plant material to be planted identifying caliper size and height at planting and a table indicating the minimum site landscaping requirements of the site and the actual landscaping provided. Conformance to Policy 79-2011 as required. The planting and installation details as necessary to ensure conformance with all requirements;

- (d) footprint of existing and proposed structures along with signage, driveways, overall parking areas, sidewalks, curbs, and refuse collection areas. The surface materials proposed for the property shall be indicated;
- (e) location, type and quantity of existing plant materials including caliper size and height at planting;
- (f) snow removal storage and drainage plans.

3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.16 of this Bylaw, where relevant.

3.4 DEVELOPMENT PERMIT APPLICATION PROCESS

3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.

3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the *Official Community Plan* and *The Act*.

3.4.3 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.

3.4.4 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

3.4.5 The Development Officer may revoke a development permit where:

- (1) the development permit has been issued in error;
- (2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;
- (3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,
- (4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.

3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT APPEALS BOARD

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

3.6 RIGHT OF APPEAL

- 3.6.1 Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Battleford.
- 3.6.2 Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Battleford.
- 3.6.3 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.
- 3.6.4 An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.1 as though the application had been refused at the end of the period specified in this subsection.
- 3.6.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with an application fee as laid out in Section 3.12.

3.7 MINOR VARIANCES

- 3.7.1 The Development Officer may grant a variance of up to ten percent (10%) of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in this Bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.7.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.

- Bylaw 17/2016** 3.7.3 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as laid out in Section 3.14 Fees.

3.8 NONCONFORMING USES, BUILDINGS AND SITES

- 3.8.1 Where a lot is reduced in size as a result of acquisition for a public use by the Town, Provincial or Federal Government, School Division, or Public Utility, the site and buildings shall be deemed to conform with the provisions of this Bylaw and the site shall be considered to exist as it did prior to the acquisition.
- 3.8.2 No existing building, site or use shall be deemed to be nonconforming by reason only of the conversion between the Imperial System of Measurement and the International System of Units

(S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.9 DISCRETIONARY USE APPLICATIONS

3.9.1 *Discretionary Use Application Process*

- (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required fees as laid out in Section 3.14.
 - (b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations.
 - (c) The Development Officer may request comments from other government agencies where applicable.
 - (d) The Development Officer will prepare a report concerning the application including recommended conditions that may be applied to an approval.
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of abutting property.
 - (f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.
 - (g) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
 - (h) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
 - (i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any conditions prescribed by Council. Council shall consider applications in terms of the requirements contained in Section 3.9.2 and 3.9.3.
 - (j) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

3.9.2 *Terms and Conditions for Discretionary Use Approvals*

- (1) Discretionary uses, discretionary forms of development, 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 property;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and,
 - (i) intensity of use.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of approval. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
- (4) A discretionary use approval shall be deemed to be invalid for the following reasons:
 - (a) if the proposed use or proposed form of development has not commenced within the 12 month period;
 - (b) the proposed development is not proceeding in accordance with the terms and conditions of its approval;
 - (c) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more.

The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

3.9.3 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and, where applicable, the use specific criteria in Section 3.9.4, in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- (1) The proposal must be in conformance with all relevant sections of the *Official Community Plan* and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (4) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise or other impacts not in keeping with the character of the adjacent area.
- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- (8) All operations shall comply with all applicable provincial or federal requirements which govern their operation and development.
- (9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.9.4 *Use-Specific Discretionary Use Evaluation Criteria*

Council will apply the following use-specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development:

- (1) *Community centres, clubs, places of worship, cultural institutions, and public and commercial recreation facilities:*
 - (a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.
 - (b) Public elementary and secondary schools should, where possible, be located adjacent to public open space.
 - (c) The site should be accessible from arterial or collector streets to avoid heavy traffic volumes on local streets.
 - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (e) Parking and loading areas shall be landscaped to minimize their impact on the streetscape and to improve the visual appearance of the site.
- (2) *Nightclubs, taverns and adult entertainment facilities:*
 - (a) The location of a nightclub, tavern or adult entertainment facility will only be favourably considered where it can be demonstrated that the use will have a minimal impact on the amenity of the surrounding district and adjacent areas and that these areas will not be unreasonably compromised.
 - (b) The character of adjacent residential districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
 - (c) Nightclubs, taverns and adult entertainment facilities shall maintain the character, density and purpose of the surrounding area and the district they lay within.
 - (d) Adult entertainment facilities may be permitted provided that they are located only on a site with a minimum radial separation distance of 160 m or more from the property line of any site in a Residential district, any site with an existing public or private school, any site with an existing place of worship, any site with an existing day care centre or preschool, any public park or other use which may have a playground as an ancillary element and any site with another existing adult entertainment facility.
- (3) *Shopping centres and malls:*
 - (a) Malls and shopping centres shall have clearly defined pedestrian walkways between the sidewalk and building entrances.
 - (b) It must be demonstrated to the satisfaction of council that mitigation of vehicular traffic impacts has been addressed.

- (c) Parking lots, service areas, and loading zones shall be appropriately screened from view of the street.
 - (d) Primary access to shopping centres shall be from a collector or arterial street.
 - (e) The number and location of vehicle entrances to a commercial development shall be consistent with the existing or anticipated design of adjacent streets and consideration shall be given to the minimum number of entrances needed to move traffic onto and off the site safely and efficiently.
- (4) *Abattoirs, auto body shops, welding and machine shops, and taxidermy uses:*
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - (iv) utilization of hazardous substances.
 - (b) All materials and goods shall be stored within an enclosed building or within an area hidden from view by screening.
- (5) *Light manufacturing:*
 - (a) All materials and goods used in conjunction with light manufacturing plants shall be stored within an enclosed building, or within an area hidden from view by screening.
 - (b) All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.
- (6) *Indoor storage rental facilities, and recycling depots:*
 - (a) The use shall be located where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.
- (7) *Golf courses:*
 - (a) Consideration will be given to the compatibility of the golf course with future land use plans and adjacent land uses.
 - (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainage of the site, and employ minimal clearing of native vegetation.
 - (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the

adverse impacts of sound, visibility and traffic.

- (d) Council will consider the following as an asset in the development of a golf course:
 - (i) maximum use of existing landforms and native grasses and vegetation;
 - (ii) an alternative water source to potable water; and,
 - (iii) water conserving irrigation systems.
- (8) *Dwelling units attached to and in conjunction with any permitted use:*
 - (a) Dwelling units attached to commercial or industrial establishments shall have a main entrance separate from that of the commercial or industrial establishment. An emergency exit must be provided in addition to the main entrance.
 - (b) The minimum floor area of each dwelling unit shall be 28 square metres.
- (9) *Junk and salvage yards and auto wreckers:*
 - (a) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2 metres in height, and not more than 4 metres in height, with no material piled higher than the height of the perimeter fence.
 - (b) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.
- (10) *Bulk petroleum sales and storage and bulk fertilizer sales and storage:*
 - (a) Bulk petroleum sales and storage and bulk fertilizer sales and storage shall be located at least 91.4 metres from residential areas, schools, hospitals, motels.
- (11) *Ambulance stations:*
 - (a) The site shall be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - (b) Consideration shall be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (c) The character of adjacent residential uses shall be protected and maintained through the provision of buffer areas, separation distances and screening.
- (12) *Restaurants, with or without associated lounges:*
 - (a) Restaurants, with or without associated lounges, where possible, should be located near similar community and support facilities; and,
 - (b) The character of adjacent residential districts, along the zone interface should, where possible, be protected and maintained through the provision of buffer areas, separation distances and/or screening.

(13) *Tourist campgrounds:*

- (a) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained.
- (b) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development.
- (c) There shall be adequate manoeuvring space on-site.
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.
- (e) Capacity for solid and liquid waste disposal shall be available and shall comply with all public health regulations.

(14) *Laundromats:*

- (a) The location of laundromats will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface; and,
- (b) Consideration shall be given to the area's municipal servicing capacity.

Bylaw 3/2018 (15) *Freight handling facilities, warehouses and wholesale establishments:*

- (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or
 - (iv) utilization of hazardous substances.
- (b) All materials and goods used in conjunction with trades shall be stored within an enclosed building, or within an area hidden from view by screening.
- (c) Warehouses and freight handling facilities shall be accessible from a major road network to avoid heavy traffic volumes on access roads. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and,
- (d) No outside storage is permitted for a wholesale establishment or Cannabis Grow Operation.

(16) *Kennels, boarding:*

- (a) Any kennel facilities or structures such as exercise runs or fenced enclosures intended to contain the dogs shall be kept to the rear wall of the main building and shall be located no closer than 15 metres to any lot line.
- (b) Any kennel or part of a kennel shall be attached to the rear wall of the main building.
- (c) The kennel facility and structures associated with the housing and containment of dogs shall be appropriately landscaped and screened from abutting roadways and adjacent residential uses. The term appropriate screening will include a visual barrier, sufficient in height so that it is not possible for the dogs to observe normal ground level activities with adjoining offsite uses.

(17) *Truck stops:*

- (a) Truck stop shall not be located within 300 m of a school, education facility, playground, library or place of worship.

(18) *Convenience stores:*

- (a) Convenience stores should, where possible, be located on corner sites to facilitate access.
- (b) The location of the convenience store will only be favourably considered where it can be demonstrated that residential amenity will not be unreasonably compromised.
- (c) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (d) Any new parking and loading areas should be landscaped to improve the visual appearance of the site.

(19) *Bus terminals and car washes:*

- (a) The location of a bus terminal or car wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare vibration or other emissions emanating from the operation; and/or,
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.
- (b) Bus terminals are also subject to 4.11.1.

(20) *Lumber yards, home improvement centres, building supply establishments and construction trades:*

- (a) The location of lumber yards, home improvement centres, building supply establishments and construction trades will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or
 - (iv) utilization of hazardous substances.
- (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening.

3.10 CONTRACT ZONING

- 3.10.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* shall be indicated on the Zoning District Map by the addition of the Bylaw number authorizing agreement after the zoning district designation.
- 3.10.2 Contract zoning shall only be used in such instances where the Town deems it necessary to restrict the use and/or zoning regulations for a specific application to change a zoning designation.
- 3.10.3 In no case shall contract zoning be utilized to apply a variance to any regulation of this Bylaw.
- 3.10.4 Contract zoning agreements existing in the Town of Battleford are listed and summarized in Appendix A to this Bylaw.

3.11 ZONING BYLAW COMPLIANCE CERTIFICATE

- 3.11.1 The Development Officer may issue a Zoning Bylaw Compliance Certificate for any use, building or structure that is in conformance with this Bylaw or is deemed to be a legal non-conforming use, building or structure.
- 3.11.2 An applicant seeking a Zoning Bylaw Compliance Certificate may be required to provide the Development Officer with information regarding the existing and past use of the land or buildings on the property, and a real property report prepared by a registered Saskatchewan Land Surveyor.

3.12 SPECIAL PROVISIONS FOR CONTRACT ZONING AGREEMENTS

- 3.12.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* shall be indicated on the Zoning District Map by the addition of the Bylaw number authorizing agreement after the zoning district designation.

3.13 ZONING COMPLIANCE, OFFENCES AND PENALTIES

3.13.1 Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.

3.13.2 Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act*.

3.14 FEES

3.14.1 Zoning Bylaw Amendment Application Fees

- (1) In addition to the fees outlined in 3.14.2(3) below, where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.
- (2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Sections 207 to 211 of *The Act*.

3.14.2 Application Fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:

(a) Permitted principal use:	\$100.00
(b) Permitted accessory use:	\$100.00
(c) Permitted ancillary use:	\$100.00
(d) Discretionary principal use:	\$200.00
(e) Discretionary accessory use:	\$200.00
(f) Discretionary ancillary use:	\$200.00
(g) Development appeal fee:	up to \$50 as specified by the Development Appeals Board.
(h) Minor variance:	\$75.00

These fees shall be in addition to any fee required by Section 3.14.1 above.

- (2) Detailed review costs:
 - (a) **General:** Where a development or subdivision proposal involves a detailed review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.
 - (b) **Items:** Such costs may include Council meetings, legal and professional planning

costs, municipal administration fees and site inspection fees, as determined by Council.

- (c) **Documentation:** Such costs may be addressed and clarified in Council specified documents, including development and servicing agreements.
- (3) An applicant seeking an amendment to the Zoning Bylaw shall pay the following fees:
- (a) The costs of advertising associated with the application; and,
 - (b) The following fees, where applicable:
 - (i) Text amendments: \$300 and/or,
 - (ii) Contract zoning: \$500
 - (iii) Map amendments:
 - Class 1 Districts: FUD, CS, RD1, RD2
 - Class 2 Districts: C1, C2, M
 - Class 3 Districts: R1, R2, R3, R4, R4A, R5

Zoning Map Amendments		To:		
		Class 1	Class 2	Class 3
From:	Class 1	\$300	\$400	\$600
	Class 2	\$300	\$400	\$500
	Class 3	\$300	\$400	\$500

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for a text amendment, if applicable.

4 GENERAL REGULATIONS

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements nor from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 BUILDING LINES

Where a building line in a residential district or community service district has been established by existing building lines in a block having at least one half the lots built on, new development may conform to this line.

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, health care clinics, manufactured homes in courts, recreation facilities, schools, hospitals, senior citizens' homes, special care homes, industrial complexes, and public works.

4.4 HEIGHT RESTRICTIONS

4.4.1 *Exemptions from Building Height Requirements*

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

- (1) Chimneys, flagpoles, spires, cupolas or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.
- (2) Mechanical penthouses, provided they are erected only to such heights as is necessary, and provided they do not cover more than 25% of the gross roof area upon which they are located.

4.4.2 *Walk-Out Basements*

Where a single-detached dwelling has a walkout basement oriented to the rear yard, building height shall be determined as follows:

- (1) The maximum height of any building elevation facing a front yard or flanking street is not more than 12.0 metres.
- (2) The height for the lowest floor or walk-out basement at the rear elevation shall not exceed 3.6m measured from the approved rear yard building grade to the top of the finished floor above the slab. In addition the total height of the rear building elevation shall not exceed 15.6 metres measure from the approved rear yard building grade.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS (SIGHT TRIANGLES)

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In any district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of one (1) metre or greater above the elevation of the centre of the abutting street or lane within the triangular area labelled as “Sight Triangle”, with distances measured accordingly, in Figure 2-1 in Section 2 of this Bylaw.

4.6 REQUIRED YARDS AND OPEN SPACE

4.6.1 *Minimum Yards Required*

No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.6.2 *Permitted Obstructions in Required Yards*

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

(1) *In all yards:*

- (a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane; trees; shrubs; walks; non-covered driveways; fences; trellises; flag poles and wheelchair ramps.

(2) *In front yards:*

- (a) overhanging eaves and gutters projecting not more than 1.0 metre into the required front yard;
- (b) lighting fixtures and lamp posts;
- (c) non-covered raised patios and non-covered garages not more than 0.4 metres above grade;
- (d) non-covered raised patios and non-covered decks more than 0.4 metres above grade, projecting not more than 1.8 metres into the required front yard;
- (e) canopies or balconies projecting not more than 1.8 metres into the required front yard; and,
- (f) architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required front yard.

(3) *In rear yards:*

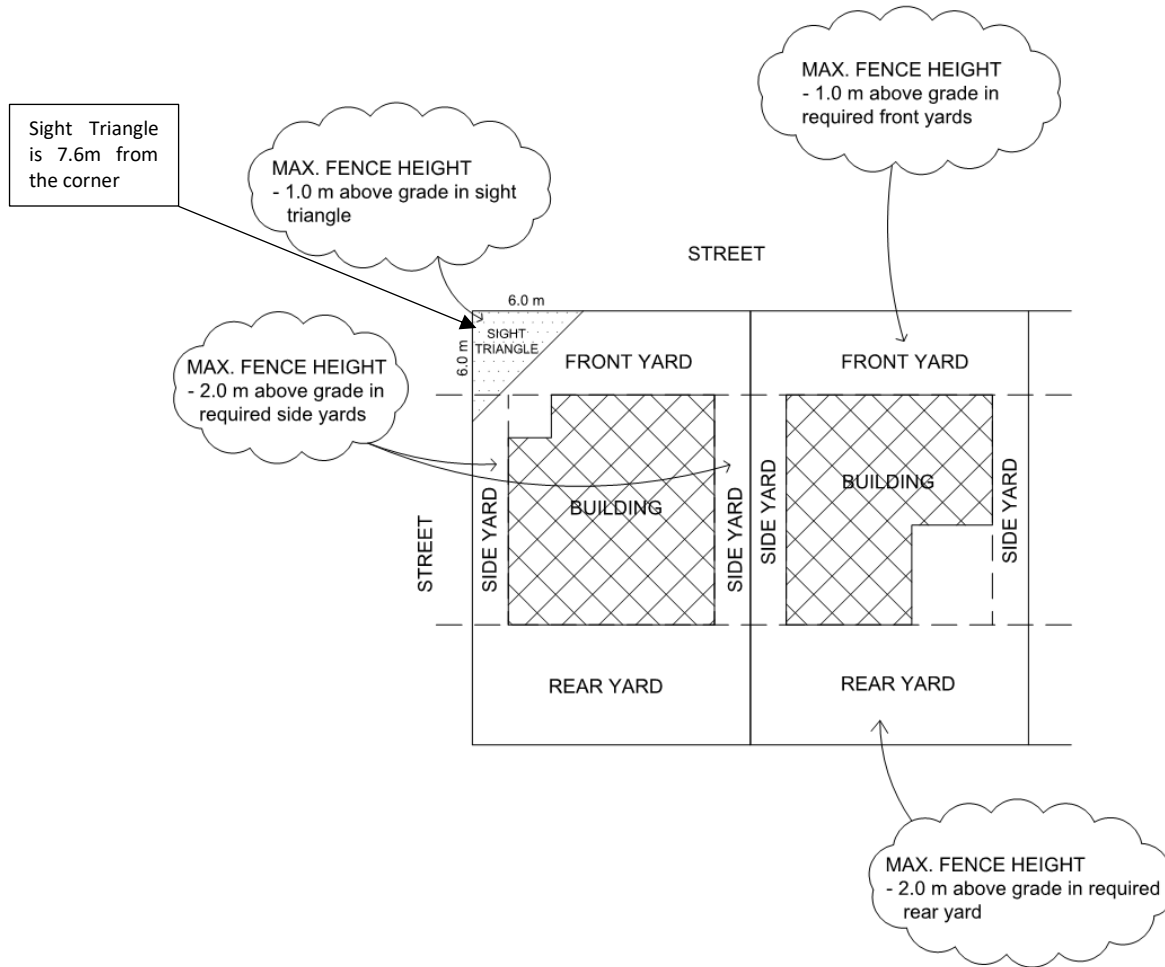
- (a) non-covered raised patios and non-covered decks measuring 0.6 metres in height above grade or less provided they are located at least 3.0 metres from the rear site line;
- (b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade, projecting not more than 3.0 metres into the required rear yard;
- (c) canopies or balconies projecting not more than 3.0 metres into the required rear

- yard;
 - (d) overhanging eaves and gutters, architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard;
 - (e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky; and,
 - (f) on interior sites, enclosed private swimming pools when attached to the principal building, projecting not more than 3.0 m into the rear yard.
- (4) *In side yards:*
- (a) non-covered raised patios and non-covered decks measuring 0.6 metres or less in height above grade;
 - (b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade provided they are located at least 0.5 metres from the side site line;
 - (c) canopies and balconies provided they do not project more than 1.8 metres into the required yard, or into more than 25% of the required yard, whichever is less.
 - (d) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required side yard;
 - (e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky; and

4.7 FENCES

- 4.7.1 In any **Residential** district, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level as illustrated in Figure 4-1.
- 4.7.2 In any **Residential** district, no wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level as illustrated in Figure 4-1. However, neighbourhood demarcation fences and identification signs in any residential district are exempt from this requirement.
- 4.7.3 In any **Commercial, Industrial, Community Service, Parks** or **FUD** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 metres above grade level.

- Bylaw 11/2017** 4.7.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the sight triangle, as described in Figure 2-3 and Section 4.5 of this Bylaw, to a height greater than 1.0 metre as illustrated in Figure 4-1.



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Figure 4-1: Fence Requirements

4.8 ACCESSORY BUILDINGS AND STRUCTURES

4.8.1 Accessory buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

4.8.2 *Time of Construction*

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following cases:

- (1) Where a development permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.8.3 *Height of Accessory Buildings*

- (1) Accessory buildings shall not exceed the vertical height of the highest point of the roof surface of the principal building, not including any chimneys, flagpoles, spires, cupolas, television antennas, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

4.8.4 *Private Garages and Carports*

- (1) Private garages and carports, attached to the principal building by a substantial roof structure, are considered as part of the principal building and subject to the regulations governing the principal building.
- (2) On any site in any **Residential** district, only one detached garage is permitted.
- (3) For multiple unit dwellings, the floor area of the detached garage shall not exceed 25 square metres per dwelling unit and shall not exceed the floor area of the principal dwelling. For all other dwellings, the floor area of the detached garage shall not exceed 75 square metres.
- (4) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 6.0 metres of the front site line faced by the door.
- (5) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 3.0 metres of the side site line faced by the door.

4.8.5 *Location and Size of Accessory Buildings*

- (1) Detached accessory buildings in all Residential districts, except for the R4 and R4A Districts are subject to the following regulations:
 - (a) Accessory buildings located in the required rear yard shall not occupy more than forty percent (40%) of the deck and shall not obstruct access to any lane.
- (2) Detached accessory buildings in all Zoning Districts, except for the R4, R4A, RD1 and RD2 Districts are subject to the following regulations:
 - (a) Detached accessory buildings are not to be located in any required front yard.
 - (b) Yard, rear: minimum – 0.6 metres, except where the main door faces the rear site line, the minimum shall be 3 metres.
 - (c) Yard, side: minimum – 3.0 metres from a side site line abutting a street, otherwise 0.6 metres.
 - (d) Detached accessory buildings shall be located at least 1.0 metres from the principal building.
- (3) Detached accessory buildings in the R4 and R4A Residential Districts and RD1 and RD2 Restricted Development Districts are subject to the following regulations:
 - (a) Yard, rear: minimum – 4.5 metres.

(b) Yard, side: minimum – 3.0 metres.

(c) Yard, front: minimum – 7.5 metres.

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(d) Floor area: maximum – the total floor area of all accessory buildings shall not exceed the floor area of the principal building; except for Municipal Facilities where there is no maximum floor area for accessory buildings.

(e) Detached accessory buildings shall be located at least 1.0 metres from the principal building.

Bylaw 14/2017 4.8.6 *Number of Accessory Buildings*

In any Residential District, there shall be no more than three (3) accessory buildings on a site; except for Municipal Facilities where there is no maximum number of accessory buildings on a site.

4.8.7 *Satellite Dishes and Solar Collectors*

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

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

4.8.8 *Accessory Fabric Covered Structures*

- (1) In all **Residential** districts, no more than one fabric covered structure with a maximum area 18.6 m² shall be permitted as an accessory structure.
- (2) Fabric covered structures shall be permitted as an accessory structure in the **C2** and **M** districts.
- (3) Notwithstanding subsections (1) and (2), fabric covered structures may be placed in any district for use as a public recreation facility, public school or education facility.

- (4) Development applications for fabric covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code.

4.8.9 *Temporary Fabric Covered Structures*

In any District, temporary fabric covered structures shall be allowed for a period not to exceed seven days in a calendar year.

4.8.10 *Shipping Containers*

- (1) Shipping containers shall be prohibited in all districts except the **C2**, and **M** districts.
- (2) Shipping containers shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (3) Shipping containers shall:
 - (a) be properly anchored and maintained in good repair;
 - (b) be sandblasted and repainted to a neutral colour prior to their placement, above grade, on a site;
 - (c) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building; and
 - (d) meet the requirements of the National Building code as applicable.
- (4) The cumulative maximum floor area of shipping containers shall not exceed more than 15% of the gross floor area of the principal structure except in the case of approved development permits for Transfer Yards utilizing shipping containers.
- (5) Shipping containers shall be located in the side or rear yard only. They shall not project beyond the building front line of the primary building.
- (6) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner. Application for a development permit for shipping containers must occur prior to relocation to the site and must include photos of the shipping container.
- (7) Shipping containers shall be prohibited for use as human habitation.
- (8) Shipping containers shall not block, obstruct, or reduce exits, windows, parking spaces, or driveways.
- (9) Shipping containers shall not be used for the purpose of screening or fencing.
- (10) Shipping containers are prohibited from being plumbed in any manner.
- (11) Shipping containers shall not be stacked on top of one another.

- (12) Notwithstanding subsection (1), shipping containers may be temporarily placed on a site in any district:
- (a) during active construction on a site where the shipping container is used solely for the storage of supplies and equipment that are used for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the shipping container is removed from the site upon completion of construction; or,
 - (b) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.
- (13) When placed on a site pursuant to subsection (12), the shipping containers shall:
- (a) be located so as not to create a safety hazard;
 - (b) not be placed on a public right-of-way or dedicated lands; and
 - (c) not be located within 1.2 metres of the interior edge of a sidewalk.

4.8.11 *Private Swimming Pools*

- (1) Private swimming pools are permitted in all Residential Districts subject to the following requirements:
- (a) private swimming pools shall not be located in any required front yard;
 - (b) private swimming pools shall not be located any closer than 1.2 metres from any side or rear property line;
 - (c) private swimming pools shall not be located upon any easement or right-of-way, or on top of any utility lines;
 - (d) a private swimming pool shall be located so as to provide a minimum 750 mm walkway around its perimeter and the walkway shall not be obstructed by any object which will restrict walking around the entire perimeter;
 - (e) any mechanical or electrical equipment, associated with a private swimming pool, shall be located so as not to create any nuisance for neighbouring properties;
 - (f) all private swimming pools shall be enclosed by an Enclosure, being a non-climbable fence not less than 1.8 metres in height, either around the pool area or perimeter of the site and shall include a security gate;
 - (g) the Enclosure shall be in place prior to the pool being filled with water;
 - (h) the Enclosure shall be properly maintained at all times;
 - (i) any alteration to an Enclosure, for which a development permit has been issued, must be approved by the Town, prior to any alterations being made;

- (j) the Enclosure shall not contain any gaps or openings, which will permit a spherical object of 100 mm in diameter to pass through;
- (k) chain link fencing used in an Enclosure shall not have a mesh size exceeding 50 mm or a wire core of less than 11 gauge;
- (l) gates, which forms part of an Enclosure, shall comply with the following:
 - (i) all gates shall be installed to swing outward in the direction away from the swimming pool;
 - (ii) all gates shall be equipped with a self-closing device designed to return the gate to the closed position after each use, a self-latching device designed to hold the gate in the closed position after each use and have the capacity of being locked;
 - (iii) the self-closing and self-latching devices shall be maintained in working order at all times;
 - (iv) all gates shall be anchored to fixed posts or secure structures both on the hinge and latch side;
 - (v) when a private swimming pool is not attended by the owner or occupant, all gates or other entrances to the Enclosure shall be locked;
- (m) in the case of a private swimming pool, which is a hot tub or whirlpool, the requirements of subsection (l), above, shall not apply provided all of the following provisions are provided:
 - (i) the hot tub or whirlpool has a cover with the strength to support the weight of an adult walking across the top;
 - (ii) the hot tub or whirlpool has a lockable device to prevent access to the water by unauthorized persons; and
 - (iii) the cover is maintained in place and locked at all times when the hot tub or whirlpool is unsupervised;
- (n) private swimming pools shall have a discharge system which allows drainage into a sanitary sewer on the property upon which the pool is located;
- (o) no occupant or owner shall drain the water of a private swimming pool into any adjacent public or private property or any street, lane or walkway;
- (p) no private swimming pool shall have a direct connection to the Town's water distribution system;
- (q) all private swimming pools shall meet the standards of any applicable provincial regulations regarding swimming pools.

4.8.12 Outdoor Storage Compounds

- (1) In the **C2** – Commercial District and **M** – Industrial District, no outdoor storage shall be located in the front yard.
- (2) In the **C2** – Commercial District, outdoor storage in a side or rear yard shall be screened from adjacent sites with a solid fence, or chain link fence with privacy slats, at least 1.8 m in height, or a combination of fence and soft landscaping screening to a minimum of 1.8 m in height. Where adjacent to a public roadway, outdoor storage compounds shall provide a landscaped strip of at least 2.0 m in horizontal depth between the required fence and the road right-of-way.

4.9 OFF-STREET PARKING AND LOADING

4.9.1 Parking and Loading Spaces Required With Development

- (1) No person shall erect, enlarge, or extend any building or structure permitted under this Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.
- (2) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.
- (3) Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.
- (4) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the **C1** or **C2** districts, where required parking spaces may be located on a remote site. In the **C1** or **C2** districts, remote parking may be approved where the remote site is within 150 metres of the principal building or use and where the remote site is located within a Commercial or Industrial district. As a condition of approval of a remote parking site, the owner of the principal use site shall register an interest on the parking lot title to ensure that the land remains as a required parking lot in accordance with Section 235 of *The Act*. The owner shall provide the Town with a copy of the registration of said interest.
- (5) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded to the next whole number.
- (6) Wheelchair accessible parking must be provided for as required by the *Uniform Building and Accessibility Standards Act* and shall be provided for in addition to off-street parking required by this Bylaw.

4.9.2 General Regulations for Off-street Parking and Loading

- (1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access/egress, commercial repair work or long-term display, signage, sale or storage of goods of any kind.
- (2) Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:
 - (a) All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities.
 - (b) All non-required parking and loading facilities shall be appropriately surfaced by gravel, asphalt, concrete or other similar material.
 - (c) Where warranted, on-site traffic signs shall be provided.
 - (d) In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes.
 - (e) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the minimum dimensions set out in Table 4-1.

Table 4-1: Parking and Loading Space Dimension Requirements

Type of Space	Minimum Dimension	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.7 metres x 6.0 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Barrier free parking spaces	3.9 metres x 6.0 metres for one space, or 6.3 metres x 6.0 metres for two spaces side by side	2.0 metres
Parking spaces other than those described above	2.7 metres x 6.0 metres	2.0 metres
Loading space	3.0 metres by 7.5 metres	4.0 metres

- (f) All required parking and loading spaces shall, without excessive vehicular manoeuvring, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

<u>Parking Angle in Degrees</u>	<u>Width of Aisle or Driveway</u>
75 to 90	6.0 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)
49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle.

- (g) All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets.
- (h) Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles.
- (i) For multiple unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

1.9.3 *Required Off-street Parking and Loading in All Districts*

- (1) The minimum off-street parking requirements for all districts are set out in Table 4-3. The required off-street parking categories are then cross-referenced by use in the District Development Standards tables throughout Section 6 of this Bylaw.
- (2) In all Residential districts, required off-street parking shall not be located in any required front yard. This provision shall not apply to single detached, two-unit, and semi-detached dwellings.
- (3) In all districts, all required driveways, aisles, ramps and required parking and loading spaces must be hard-surface paved.
- (4) Each non-residential building with a floor area greater than 500 m² shall provide one off-street loading space.

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4.9.4 *Barrier Free Parking Requirements*

- (1) For uses other than a multiple unit dwelling, a minimum of one barrier free parking space shall be provided for any required parking facility accommodating more than three parking spaces. A minimum of one percent of total required parking capacity shall be barrier free

for parking facilities accommodating more than 100 parking spaces.

- (2) Barrier free parking spaces shall be located not more than 50 metres from a main entrance to the principal building or use on the subject site.
- (3) Barrier free parking spaces shall be designated as reserved for use by persons with physical disabilities by the international symbol to identify accessible parking stalls, and where surfaces are paved, have the international symbol of accessibility marked on the pavement of the stall and access aisle.

4.9.5 *Bicycle Parking Requirements*

- (1) The minimum number of required bicycle parking spaces for a particular type of use shall be determined based on the required vehicle parking spaces for that use, according to Table 4-2 below:

Table 4-2	
Bicycle Parking Requirements by Type of Use in Residential and Commercial Districts	
Type of Use	Number of Spaces Required
Multiple unit dwellings	5% of required vehicle spaces
Commercial uses	5% of required vehicle spaces
Community centres, cultural institutions, and recreational facilities	5% of required vehicle spaces
Day care centres	5% of required vehicle spaces
Financial institutions, office buildings, and medical/dental/optical laboratories	5% of required vehicle spaces
Health services and hospitals	5% of required vehicle spaces
Private schools and public elementary and secondary schools	5% of required vehicle spaces

In no case, shall the minimum number of required bicycle parking spaces identified in Table 4-2 be less than one.

- (2) Spaces for bicycle parking shall be provided in safe, convenient, and highly visible locations, on the same site as the associated use, in accordance with the following standards:
 - (a) The gross area allocated to each bicycle, irrespective of any racks or implements used, shall be 1.2 m². This number shall be multiplied by the required number of bicycle parking spaces to determine minimum required area designated for bicycle parking.
 - (b) Any area allocated to bicycle parking shall contain at least one immobile rack or implement used for securely locking bicycles and shall be able to fully accommodate at least that number of bicycles that is equivalent to the minimum required number of bicycle parking spaces determined in Table 4-2. In no case shall an object not

exclusively used for the parking of bicycles (such as a lamp post, street sign, or tree guard) be used for this requirement.

- (c) Areas allocated to bicycle parking shall be clearly visible from a main building entrance or a public street.

Table 4-3: Off-Street Parking Requirements in All Districts

Parking Category	Off-Street Parking Spaces Required
0	No off-street parking required
1	2 space per dwelling unit
2	1 space per dwelling unit plus 0.1 space per dwelling unit for visitors
3	1 space plus 1 space for each guest room
4	1 space per 50 m ² of gross floor area
5	1 space per 28 m ² of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	3 spaces per 10 seats in main assembly area (or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area.
8	1 space per 4 seats intended for patrons use
9	1 space per 2 guest rooms plus 1 space per 15m ² of gross floor area devoted to the public assembly plus the applicable parking requirements for any other use contained on the site.
10	1 space per 46 m ² of gross floor area, or 1 space per 3 employees, whichever is greater.
11	1 space per 90 m ² of gross floor area
12	1 space plus one space per 5 persons enrolled in the facility
13	1 space for 8 patrons at design capacity
14	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
15	1 space per 10 seats in main assembly are or (where no fixed seating is provided) 1 space per 7.5 m ² of gross floor area devoted to main assembly area
16	1 space per non-resident employee
17	1 space per staff member
18	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
19	1 space per bay
20	1.2 spaces per classroom plus 1 space per 8 students at design capacity
21	1 space per 50 m ² of gross floor area, excluding garage area
22	1 space per 50 m ² of gross floor area or, for primarily outdoor recreational uses, 1 space per 8 patrons at design capacity

4.10 SIGNS

All signs shall be subject to the following regulations:

4.10.1 General

- (1) In addition to signs permitted as set out below, temporary election signs, and temporary signs bearing notice of sale or lease or other information relating to a temporary condition affecting the property, are permitted.
- (2) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety, subject to Section 4.5 of this Bylaw.
- (3) Except when otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (4) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.
- (5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m² in area, identifying the name of the home based business. Such sign shall not be illuminated and shall be affixed to the principal building. (**Note:** on multiple unit residential buildings, other permissions may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw.)
- Bylaw 14/2017** (6) Off-site signage, except for what is provided in Sections 4.10.10, 4.10.11, 4.10.12 and 4.10.13 is prohibited.
- Bylaw 10/2018** (7) Signs for Cannabis Grow Operations and Cannabis Retail Stores must not contain any cannabis-related images and are subject to the additional regulations in Section 4.10.

4.10.2 Application for Permits

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.
- (2) Prior to issuing a sign permit for a free standing, projecting or roof sign, the Development Officer may require that the supplementary documentation described in subsection (1) above, contain the professional stamp of a certified professional engineer qualified to certify that the sign design satisfies all relevant legislation, codes and bylaws.

4.10.3 Licensing of Portable Signs

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

- (2) The annual license shall be in the form of a license sticker which must be affixed anywhere on the top one-third of the sign on the end or face closest to the street.
- (3) A license sticker is not transferable from one portable sign to another.

4.10.4 *Permit and Licence Fees*

- (1) Permanent signs – a permit fee of \$10.00 for each \$1,000 of retail value of the sign with a minimum fee of \$75.00.
- (2) Portable signs – an annual licence fee of \$20.00

4.10.5 *Denying or Revoking Permits*

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
 - (a) erection of the sign has not commenced within three months from the date of issue of the permit;
 - (b) the sign does not conform to all relevant provisions of this Bylaw;
 - (c) the sign being constructed or erected does not conform to the approved drawings; and/or,
 - (d) the sign is not in a proper state of repair.

4.10.6 On any site in any Restricted Development District, Residential District or Future Urban Development District, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any Restricted Development, Residential or Future Urban Development district are set out in Table 4-3. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;
 - (c) Signs applying to community service uses shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.; and
 - (d) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-3: Sign Regulations in Restricted Development, Residential and FUD Districts						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 ⁽¹⁾	0.4 ⁽¹⁾⁽²⁾	0 ⁽¹⁾	n/a	n/a	n/a
All principal commercial uses for which a permit has been issued	2	6	1	2.5	2	4
All principal community service uses for which a permit has been issued	2	10	1	3	2.5	5

- (1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to 1.5 m² area, showing the name of the building or group.
- (2) Except in the R4 and R4A residential districts, where the maximum total face area shall be 0.75 m provided that the sign does not exceed 1.2 metres in height.

4.10.7 On any site in any Community Service district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal community service uses, residential uses, and commercial uses in the Community Service district are set out in Table 4-4. The following provisions also apply:
- (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;
 - (c) Signs must not be illuminated between the hours of 11:00 pm and 7:00 am.

Table 4-4: Sign Regulations in Community Service District						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All principal commercial uses for which a permit has been issued	3	18	1	3	6	12
All principal community service uses for which a permit has been issued	3	18	1	3	6	12

- (1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to 1 m² in area, showing the name of the building or group.

4.10.8 On any site in any Commercial or Industrial district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal commercial/industrial uses, community service uses and residential uses in Commercial and Industrial districts are set out in Table 4-5. The following provisions also apply:
 - (a) Illuminated signs applying to commercial or industrial uses shall have an internal light source or an external light source shielded so that the light is directed only at the face of the sign;
 - (b) A free standing sign applying to a commercial or industrial use may be located in a required yard provided that the Development Officer is satisfied that it does not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - (c) Free standing signs shall maintain a minimum vertical clearance of 3.0 m above grade over any vehicle circulation area on the site;
 - (d) Signs other than free standing signs shall have a minimum vertical clearance of 2.7 m above grade where they project more than 7.5 cm from the building face;
 - (f) Awning signs shall not project more than 1.8 m from the building face;
 - (g) Projecting signs shall not project more than 1.8 m above the eaves or parapet of a supporting building;
 - (h) Electronic message centre signs are permitted in the **C2** district subject to compliance with the following requirements:
 - (i) Electronic message centre signs shall comply with all requirements contained herein;
 - (ii) Electronic message centre signs shall be equipped with a dimmer switch, which must be adjusted in accordance with any direction given by the Development Officer.
 - (iii) Flashing images or flashing lights are not permitted on electronic message centre signs.
 - (iv) Sound, live video feeds, or video clips exceeding 10 seconds in length are not permitted on an electronic message centre sign.
 - (v) Electronic message centre signs shall be located at least 50 metres from any residential property line.
 - (i) Signs applying to community service uses must not display advertising of any commercial service or product;
 - (j) Except in the **C1** district, no sign shall project beyond the property lines of the site to which it pertains;
 - (k) In the **C1** district, no projecting sign may project perpendicularly from the property line more than 3.0 m or beyond a point 0.6 m from the building side of the curb line, whichever is less;
 - (l) In the **C1** district, no projecting sign may be suspended less than 2.6 m above the

surface of a public sidewalk or pedestrian right-of-way;

- (m) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building; and,
- (n) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed.

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Table 4-5: Sign Regulations in Commercial and Industrial Districts

Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All permitted principal commercial and industrial uses for which a permit has been issued	n/a	n/a	(1)	(2)	(3)	(4)
All permitted principal community service uses for which a permit has been issued	3	18	1	4	6	12
All permitted residential uses for which a permit has been issued	1 ⁽⁴⁾	0.4 ⁽⁴⁾	0	n/a	n/a	n/a

- (1) In the C1 - Commercial District, a maximum of one free standing sign shall be permitted on sites with a minimum site width of 20 metres.
In the C2 – Commercial and M – Industrial Districts, a maximum of one free standing sign shall be permitted.
- (2) In the C1 - Commercial District: 6 metres
In the C2 - Commercial and M - Industrial Districts: 10 metres
- (3) In the C1 – Commercial District: maximum 5 square metres sign face area and 10 square metres total sign face area.
In the C2 - Commercial and M - Industrial Districts: maximum 13.5 square metres sign face area and 27 square metres total sign face area.
- (4) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre, showing the name of the building or group.

4.10.9 Portable Sign Regulations

- (1) No portable sign shall have a single face area greater than 6.0 m² or a gross face area greater than 12 m².
- (2) No portable sign shall have a height greater than 3.0 m above grade.
- (3) No portable sign shall occupy any space required for off-street parking unless the site contains off-street parking in excess of that required under this Bylaw.
- (4) On any single site, no portable sign may be located closer than 20 m to any other portable sign.

4.10.10 *Small Ground Signs*

- (1) A maximum of one small ground sign is permitted for any one business location or use in the **C1** and **CS** Districts.
- (2) The following dimensions shall apply for small ground signs:
 - (a) Maximum Height: 92.0 cm (36.2 inches). For the purposes of this section only, “height” is defined as the distance between the top of the sign and the surface on which the sign is located when the sign faces are extended.
 - (b) Maximum Width: 61.0 cm (24 inches). For the purposes of this section only, “width” is defined as the horizontal distance across the background area of the sign.
 - (c) Maximum Length: 61.0 cm (24 inches). For the purposes of this section only, “length” is defined as the distance measured at the surface on which the sign is located between the two sign faces when fully extended.
- (3) Small ground signs shall be located in such a manner as to provide clear and free pedestrian movement at all times.
- (4) Small ground signs shall be located on the same lot as the business or use to which the sign is accessory. Where it is impossible to locate the sign entirely on the same lot as the business or use, the sign may be placed on the Town sidewalk which abuts the lot where the business is located, provided that:
 - (a) The sign is placed as close as possible to the curb of the roadway where the business is located;
 - (b) A minimum unobstructed sidewalk of 1.5 metres can be maintained;
 - (c) The sidewalk is cleared of any snow, ice or debris prior to the erection of the sign; and,
 - (d) Small ground signs shall be removed at the close of business hours.
- (5) No part of any small ground sign shall be attached to any tree, post, pole or support that is located on a sidewalk.
- (6) Small ground signs shall not be located on a street or median strip.

4.10.11 *Neighbourhood Identification Sign Regulations*

- (1) Neighbourhood identification signs shall have:
 - (a) a maximum single face area of 6 m²;
 - (b) a maximum total sign face area of 12 m²;
 - (c) a maximum height above grade of 3 m;

- (d) no less than 40% of any sign face area devoted to the neighbourhood theme.
- (3) Neighbourhood identification signs may be illuminated by non-flashing, indirect illumination only.

4.10.12 Highway Sign Corridor

- (1) Off-site advertising shall be designed in a manner to allow easy access for personnel and equipment to maintain the area, grass and foliage beneath the sign.
- (2) Other standards and regulations:
 - (a) the owner of the highway corridor sign shall be responsible for ensuring that the sign meets all other provincial standards and regulations;
 - (b) in cases where other standards or regulations are inconsistent with this Bylaw, the more stringent standard or regulation shall apply.
- (3) The design and construction of highway corridor signs require Council approval once a year, unless the sign is owned by the Town.
- (4) Each highway corridor sign shall be a minimum of five metres away from the nearest highway corridor sign.
- (5) Dimensions:
 - (a) highway corridor signs shall be at least 3.05 metres in height and shall not exceed 2.44 metres in width measured on the side of the sign face;
 - (b) highway corridor sign faces shall not exceed 1.22 metres in height or 2.44 metres in width; and
 - (c) each sign may include an additional sign face, which shall not exceed 0.72 metres in height or 2.44 metres in width, which shall be restricted to advertising community events.
- (6) Highway corridor signs are subject to Section 3.6.3(11) of the Official Community Plan.

Bylaw 14/2017 4.10.13 Signs Owned By The Town of Battleford

- (1) Town of Battleford signs may be developed on any site in any zoning district, with no restrictions, and may be used to advertise municipal information, community events and as community bulletin boards and are not restricted to continuing information or events that are associated with the site where the sign is located.

4.11 SPECIAL REGULATIONS AND STANDARDS

This section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the district.

4.11.1 *Above-Ground Fuel Storage Tanks*

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code, and which have a maximum capacity of 50,000 litres, may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3.0 metres from any property line or building, unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1.0 metre from same;
 - (b) located at least 6 metres from any property line or building in the case of a tank used in association with a service station or gas bar;
 - (c) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and,
 - (d) located at least 15 metres from the boundary of any site where the principal use is residential.
- (4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line (6.0 metres from any property line in the case of a service station or gas bar), at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (5) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, bollards, guardrails or other similar means.
- (6) At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- (7) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.
- (8) Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the zoning district.

4.11.2 *Adult Day Care Facilities – Type I & Type II, Residential Care Homes – Type I & Type II and Custodial Care Facilities*

- (1) Adult day care facilities, residential care homes, and custodial care facilities may be approved as an ancillary use or as a principal use.
- (2) In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a residential care home shall also be used for the purpose of keeping boarders or lodgers.
- (5) Section 3.9 of this Bylaw shall apply to the review and approval of adult day care facilities, residential care homes, or custodial care homes that are listed as discretionary uses.

4.11.3 *Bed and Breakfast Homes*

- (1) A bed and breakfast home may be located in a detached one unit dwelling or in a two-unit dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building, property, or streetscape.
- (2) Where otherwise permitted, required parking spaces may be located in a front yard.
- (3) Section 3.9 of this Bylaw shall apply to the review and approval of bed and breakfast homes that are listed as discretionary uses.
- (4) The operator of the bed and breakfast lodging may advertise with a small, static sign subject to Section 4.11.

4.11.4 *Day Care Centres and Pre-Schools*

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.
- (2) Required parking spaces shall not be located in a required front yard.
- (3) In addition to the development standards contained within the zoning district, Section 3.9 of this Bylaw shall apply to the review and approval of day care centres and pre-schools that are listed as discretionary uses.

4.11.5 *Dwelling Groups*

- (1) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.
- (2) All principal buildings forming part of the dwelling group shall be located at least 1.5 m

from any other principal building in the group.

- (3) Council may apply special development standards to reduce conflict with neighbouring uses. These special development standards may include increased setback requirements, enhanced landscaping and fencing, the location and screening of parking areas, and the location of vehicular access points.

4.11.6 *Multiple Unit Dwellings*

- (1) Multiple unit dwellings shall be of a size, scale and outward appearance of the residential dwellings consistent with the character of the neighbourhood;
- (2) Multiple unit dwellings shall provide for landscaping that is compatible with the neighbourhood residential properties and shall be consistent with the character of the neighbourhood.
- (3) No more than one multiple unit dwelling shall be allowed per block face unless it can be demonstrated to Council that the location, site, size, access and egress are agreeable for the construction of a multiple unit dwelling (e.g. corner site);
- (4) Up to two required parking and loading spaces may be located in the required front yard and the remainder shall be located in side or rear yards.
- (5) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.11.7 *Garden and Garage Suites*

- (1) No more than one garden or garage suite accessory to a single detached dwelling shall be allowed per site. No garden or garage suite shall be permitted on a site which contains a secondary suite.
- (2) The maximum floor area of a garden or garage suite shall not exceed the area of the principal dwelling or 77 m², whichever is less.
- (3) Garden and garage suites shall have a full bathroom, kitchen, and a maximum of two bedrooms.
- (4) All habitable areas of a garden or garage suite shall be above grade.
- (5) Condominium plans to provide a separate title for a garden or garage suite shall not be approved.
- (6) The maximum building height of a garden suite shall be 4.3 m and shall not exceed one storey in height. The maximum height of a garage suite shall be 5.5 m or the height of principal dwelling, whichever is less.
- (7) Garden and garage suites shall be located in the rear yard and shall be setback a minimum of 4.0 metres from the principal dwelling.

- (8) The minimum side yard setback for a garden or garage suite shall be 1.2 m., however, on a corner site, where a garden or garage suite abuts a flanking street other than a lane, the required side yard shall not be less than that required for the principal dwelling.
- (9) The minimum rear yard setback for a garden or garage suite shall be 2.0 m. The minimum rear yard setback may be reduced to 1.2 m on sites with a rear lane.
- (10) No portion of a garage or garden suite may be located on, under or over a registered easement.
- (11) The cumulative floor area of a garden or garage suite and all accessory buildings located in a rear yard shall not occupy more than 50% of the rear yard.
- (12) Windows and doors in garden or garage suites shall be of a size and in locations which will not result in the loss of privacy for residents of adjacent sites.
- (13) Mechanical units such as air conditioners and vents shall be located so as not to constitute a nuisance to adjacent properties.
- (14) One parking space shall be provided for each dwelling unit on the site. On sites with a rear or side lane, the parking space for the garden or garage suite shall be accessed from said lane.
- (15) The site plan submitted for a garden or garage suite must include details regarding utility service connections. The site plan must be approved by the Town and by all utility agencies which provide services to the site.
- (16) Sites containing garden or garage suites shall be adequately drained. A site drainage plan shall be submitted to the Town.
- (17) A building permit is required for garden or garage suites which shall comply with all relevant building, plumbing and development codes.
- (18) Wherever possible, there should be only one water service from the street to the principal dwelling and the garden or garage suite.

4.11.8 *Home Based Businesses*

- (1) All applications for home based businesses must be considered as Type I or Type II. The development standards for Type I and Type II home based businesses are contained in sub-sections (4) and (5), respectively.
- (2) Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards within sub-sections (4) and (5):
 - (a) art restoration;
 - (b) beauty parlours, barber shops;
 - (c) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited

- to ceramics, pottery, leather goods and jewellery;
 - (d) dressmaker, seamstress, or tailor;
 - (e) electrology, acupuncture, reflexology, and massage therapy;
 - (f) the instruction of art, dancing, or music, limited to no more than three students at a time;
 - (g) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
 - (h) photography studios;
 - (i) typing, word processing, and computer programming services.
- (3) Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:
- (a) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
 - (b) restaurants, drinking establishments or tea rooms;
 - (c) health or fitness clubs;
 - (d) headquarters or base of operations of a taxi, trucking, delivery, or towing operation;
 - (e) hotels, motels and hospitals;
 - (f) laundry services;
 - (g) motion picture or recording studios;
 - (h) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
 - (i) repair, rental or sharpening services;
 - (j) sign manufacturing and sign painting;
 - (k) upholstery services;
 - (l)
 - (i) veterinary services;
 - (ii) boarding, grooming or care of animals, except for dwellings located in the RD2 – Restricted Development 2 District, subject to Section 3.9.4(16), where the number of animals being boarded, groomed or cared for does not exceed 6”;
 - (m) welding or metal works;
 - (n) any use that creates noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste, or electrical, television, or radio interference detectable by sensory perception or by scientific instruments at or beyond the boundaries of the building or beyond the unit walls within a multiple unit dwelling.
- (4) The following development standards shall apply to all Type I home based businesses:
- (a) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.
 - (b) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 30 m², may be occupied by home based businesses.

- (c) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 30 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
 - (d) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property.
 - (e) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
 - (f) No more than one business related vehicle and one business related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres, may be stored on or in the vicinity of the site.
 - (g) Regardless of the number of home based businesses that may be located on any one site, a total of no more than seven (7) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
 - (h) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.
 - (i) Where the operator of a home based business is not the owner of the subject property, the operator shall provide to the Town a letter of consent from the owner of the subject property. Where a home based business is proposed for a dwelling which is part of a condominium, the owner shall provide to the Town a letter of consent from the condominium board.
- (5) The following development standards shall apply to all Type II home based businesses:
- (a) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.
 - (b) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m², may be occupied by home based businesses.
 - (c) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 40 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.

- (d) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property.
- (e) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (f) One off-street parking space shall be required for a non-resident employee, and, if otherwise permitted, this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of the Development Officer.
- (g) No more than one business related vehicle and one business related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres, may be stored on or in the vicinity of the site.
- (h) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (i) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.
- (j) Where the operator of a home based business is not the owner of the subject property, the operator shall provide to the Town a letter of consent from the owner of the subject property. Where a home based business is proposed for a dwelling which is part of a condominium, the owner shall provide to the Town a letter of consent from the condominium board.

4.11.9 *Parking Lots*

- (1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.
- (2) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.
- (3) A hard surface must be provided and maintained and the lot must be graded to dispose of all surface water.

- (4) Parking lots shall be landscaped to improve the visual appearance of the site.
- (5) Where parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 metres which, complies with the requirements contained in Section 4.25, shall be provided.

4.11.10 *Secondary Suites*

- (1) No more than one secondary suite shall be located in any single detached dwelling.
- (2) No more than two bedrooms are allowed for any secondary suite.
- (3) No more than three persons are allowed to occupy any secondary suite.
- (4) One off-street parking space is required for any secondary suite in addition to the required parking for the principal residential building on the site. The required parking space for any secondary suite shall not be located in a required front yard, unless the subject site has no access to a rear lane, and shall be paved and screened.
- (5) Any secondary suite shall comply with the requirements of the National Building Code, subject to the approval of the Municipal Building Official.
- (6) The floor area occupied by a secondary suite shall be considered as part of the principal dwelling. Any secondary suite shall not be separated from the principal building through condominium or bare land condominium conversion or subdivision of land.
- (7) In order to accommodate a secondary suite, a single detached dwelling must have a gross floor area, including the area of any basement, of at least 100 m².
- (8) The maximum floor area of a secondary suite shall be no more than 50% of the gross floor area, including the area of the basement, of the building in which it is located, or 65 m², whichever is the lesser.
- (9) The exterior finishing of a secondary suite shall be consistent with the exterior of the remainder of the principal dwelling to give the entire building the appearance of a single dwelling.
- (10) Where a secondary suite has an entrance which is separate from that of the principal dwelling, the entrance may only be located on a side or rear wall of the principal dwelling.

4.11.11 *Service Stations and Gas Bars*

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least six metres from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point shall be on the flanking street.

- (4) Sites shall be designed so that the delivery and unloading of bulk fuel shall not obstruct access to the fuel pumps or create obstructions on any adjacent street.
- (5) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (6) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and six metres from any site line;
 - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart; and,
 - (c) Sites shall be designed so that the delivery and unloading of bulk fuel shall not obstruct access to the fuel pumps or create obstructions on any adjacent street.

4.11.12 Short Term Rentals

- (1) A short term rental may be located in a detached one unit dwelling, in a two-unit dwelling, or in a semi-detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building, property, or streetscape.
- (2) Where otherwise permitted, required parking spaces may be located in a front yard.
- (2) Section 3.9 of this Bylaw shall apply to the review and approval of short term rental homes that are listed as discretionary uses.

Bylaw 3/2018 4.11.13 Cannabis Retail Stores

- (1) Cannabis retail stores must maintain a 150 metre setback from schools and playgrounds.

4.12 SERVICING

- 4.12.1 Wells, holding tanks, septic tanks and wells are not permitted in the areas of the Town which can be serviceable from existing municipal water and sewer lines.
- 4.12.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994*.
- 4.12.3 When servicing becomes available, holding and septic tanks are to be disconnected and connection must be made to municipal services as per *The Public Health Act, 1994*.

4.13 STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE VEHICLES

- 4.13.1 In any Residential zoning district:

- (1) No front yard shall be used for the storage of unlicensed or uninsured motor vehicles or of

materials or goods of any type.

- (2) No yard shall be used for storage or collection of hazardous material.
- (3) No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.
- (4) Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- (5) Only one unlicensed or uninsured motor vehicle may be stored outdoors on a residential site outside of a fully enclosed building if it is shielded or screened from view. The unlicensed motor vehicle shall not be visible by someone standing at ground level from outside the property on which the vehicle is stored. Covering inoperable motor vehicles with tarps or car covers are also acceptable methods.

4.14 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

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

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right of way.
- (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.15 DEVELOPMENT ON HAZARD LANDS

4.15.1 Prior to a proposed development or subdivision that is to be located on what Council considers may be environmentally sensitive or hazard land, including but not limited to flood prone lands and any lands on or near potentially unstable slopes, Council shall require that the applicant submit a certified environmental, geotechnical and/or hydrogeological assessment, prepared by a qualified professional. The report shall assess the address, at Council's discretion, any or all of the following:

- (1) identification of all on-site and relevant off-site environmental constraints and hazards to development and servicing;
- (2) identification of all on-site and relevant off-site environmentally sensitive lands;
- (3) assessment of the impact of the proposed development on the environmental (both on the site that is the subject of the application and on any adjacent or nearby sites);
- (4) assessment of the impact of on-site and/or off-site environmental conditions on the

proposed development/use;

- (5) identification of actions required to prevent, change, mitigate or remedy the adverse effects of the proposed development/use on the environment and/or the adverse effects of the environment on the proposed development.

4.15.2 Actions identified, in a report prepared pursuant to Section 4.16.1, for prevention, change, mitigation or remedy may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the conditions present on the hazard land or will result in excessive municipal costs.

4.16 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

4.16.1 Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.17 KEEPING OF BOARDERS

4.17.1 No more than four boarders may reside in a single detached dwelling and no more than two boarders may reside in each unit of a two unit or semi-detached dwelling.

4.18 FRONTAGE ON ROAD

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

4.19 BUILDING TO BE MOVED

4.19.1 No building shall be moved within or into the Town of Battleford without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw.

4.20 DEMOLITION OF BUILDINGS

4.20.1 No building shall be demolished within the Town of Battleford without the issuance of a demolition permit, unless it is exempt under Section 3.2.2.

4.21 GRADING AND LEVELLING OF SITES

4.21.1 Any site for which a development permit has been issued shall be graded and levelled in accordance with the elevations provided within the approved development permit at the applicant's expense to provide for surface drainage which does not adversely affect adjacent properties. Any interim earth work must be done in a manner to contain erosion, runoff and debris from negatively impacting any adjacent properties.

4.22 GARAGE AND YARD SALES

4.22.1 Garage or yard sales may be undertaken on any site in a Residential, or Community Service zoning

district provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.

- 4.22.2 No more than four (4) sales may be conducted from one site in one calendar year, and any one sale may not last for more than three consecutive days.

4.23 WATER

- 4.23.1 No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority and the Water Security Agency.

4.24 TRAILER COACHES AND TENTS

- 4.24.1 Trailer coaches and tents may be occupied as temporary overnight sleeping accommodations only in the following situations:

- (a) in a permitted tourist campground;
- (b) in any R district, one trailer coach or tent may be located on any one site for the temporary overnight sleeping accommodation of the occupants of the principal dwelling or guests of the occupants of the principal dwelling, provided the trailer coach or tent is not rented or made available for compensation, and that the persons sleeping in the tent have full access to all of the facilities and amenities of the principal dwelling;
- (c) for the purposes of subsection (b), above, temporary overnight sleeping accommodation shall mean a period not exceeding 14 consecutive days in any three month period.

4.25 LANDSCAPING

4.25.1 *General Regulations for Landscaping*

- (1) Required landscaping shall be installed and maintained in accordance with the following standards and policies:
 - (a) All plant materials shall be a species capable of healthy growth in Saskatchewan and shall conform to the standards of the Canadian Nursery Landscape Association.
 - (b) All areas set aside plant materials and turf shall be provided with an underground sprinkler irrigation system or other adequate means of irrigation, with at least one outside spigot for each principal building.
 - (c) All trees provided for planting shall be a minimum 45 mm caliper for deciduous trees and 1800 mm in height for coniferous trees.
 - (d) All shrubs provided for planting shall be a minimum height and spread of 450 mm.

- (e) Continuous raised or precast curbing of not less than 150 mm in height shall be placed along the perimeter of any landscaped area abutting a driveway or off-street parking or loading facility.
- (f) Landscaped areas required to be provided within any front or side yard shall not be used for any purpose except for signs or structures otherwise permitted or driveways leading to a parking or loading facility.
- (g) The landscaping area shall be developed within the next growing season after occupancy or partial occupancy of the building or the site. The landscaping shall be maintained in a neat and tidy condition at all times.
- (h) The quality and extent of the landscaping established on a site shall be minimum standard maintained on the site for the life of the development.
- (i) Existing soft landscaping retained on a site may be considered in fulfilment of a portion of the total landscaping area requirement on the condition of compliance with clause (b).
- (j) Trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area or fraction thereof provided. Spacing between trees should not obstruct traffic sight lines, signs, or essential services at full maturity.
- (k) Total shrubs shall be planted in the overall minimum ratio of one shrub per 20 square metres of required site landscape area or fraction thereof.
- (l) A maximum of 15% of a required landscaped area may be hard landscaped.
- (m) Where only a portion of the site is initially proposed to be developed and there is intent to develop the entire subject site in phases, either through future subdivision or Urban Reserve creation, the Development Officer, at their discretion, may apply the requirements of Section 4.25 to only that portion of the site that is initially proposed to be developed.

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- (2) The provision of landscaping shall be a condition of the issuance of a development permit wherever the existing use of a building or structure is significantly enlarged, undergoes a significant increase in capacity, or is changed to a new use. In these cases, the development permit will not be issued until the landscaping plan is approved by the Development Officer.

4.25.2 *Required Landscaping in Residential and Community Service Districts*

- (1) A landscaped strip of not less than 5 metres in depth throughout lying parallel to and abutting the front site line shall be provided across the full frontage of the site, and shall be used for no purpose except landscaping and necessary driveway access to the site.
- (2) On corner sites, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- (3) Where a site abuts any site zoned to a Residential district without an intervening registered

lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping.

- (4) The entire site shall be landscaped, except those portions used for buildings, driveways, parking areas, and gardens.
- (5) Notwithstanding, Sections (1) to (4) above, landscaping shall not be required for single detached dwellings.

4.25.3 *Required Landscaping in Commercial Districts*

- (1) In the **C1** district, any front yard or side yard which is not covered by a building or required driveway access, shall be landscaped. Notwithstanding Section 4.25(1), hard landscaping may be used throughout this landscaped area.
- (2) In the **C2** district a landscaped strip of not less than 4.5 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site. An additional strip of not less than 4.5 metres in depth may be required adjacent to any rear site line where the property backs onto a public highway.
- (3) In the **C2** district, on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.
- (5) In the **C1** and **C2** districts, where a site abuts any site zoned to a Residential district without intervening dedicated lands or registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping.

4.25.4 *Required Landscaping in the Industrial District*

- (1) In the **M** district a landscaped strip of not less than 4.5 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site.
- (2) In the **M** district, on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.
- (3) In the **M** districts, where a site abuts any site zoned to an **R**, **MU**, **CS** or **C** district without intervening dedicated lands or a registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres which shall not be used for any purpose except landscaping.

4.26 LIGHTING

- 4.26.1 Outdoor lighting for all developments shall be located and arranged so that no direct rays of light are pointed at nearby properties, or interfere with the safe operation of nearby roadways or traffic control devices.

4.27 THE KEEPING OF DOMESTIC ANIMALS, POULTRY, CATTLE AND OTHER LARGE ANIMALS

4.27.1 The keeping of domestic animals as pets is permitted in all districts, subject to relevant bylaws and legislation governing noise and public health.

4.27.2 A kennel enclosure for domestic animals shall be permitted as an accessory use in any zoning district provided that only one kennel enclosure is permitted on any one site, and no part of the kennel enclosure is:

- (1) located less than 1.0 metre from a side or rear site line; and
- (2) located less than 12.0 metres from a front site line.

4.27.3 Poultry, cattle and other livestock are prohibited in all **Residential** districts.

4.28 SOLAR PANELS

4.28.1 Solar panels and associated operating structures attached to a building in a residential, commercial, or industrial district shall not exceed a height of 1.0 metres above the highest point of the roof upon which it is located.

4.28.2 In all residential and commercial districts, solar panels and associated operating structures, if attached to or erected upon an accessory building or structure, shall not exceed a height of 2.0 metres above the highest elevation of the accessory building that it is located on.

4.29 PROHIBITED USES

4.29.1 The following uses are prohibited in all districts:

- (1) Outdoor sandblasting. This provision shall not apply to the sandblasting of outdoor building facades as a part of regular building maintenance or initial construction.
- (2) Pole sheds that are not anchored to the surface by a foundation.
- (3) The keeping or breeding of any exotic animals, rodents and crickets.
- (4) Intensive livestock operations.
- (5) Wind chargers / turbines.

5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions of this Bylaw, the Town is divided into the following zoning districts, the boundaries of which are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

Districts	Symbols
Low Density Residential	R1
Medium Density Residential	R2
High Density Residential	R3
Large Lot Acreage Residential	R4
Acreage Residential	R4A
Manufactured Home Residential	RMH
Community Service	CS
Community Centre Commercial	C1
Highway Commercial	C2
Industrial	M
Future Urban Development	FUD
Restricted Development 1	RD1
Restricted Development 2	RD2

5.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. _____ adopted by the Council and signed by the Mayor and Administrator, and under the seal of the Town shall be known as the "Zoning District Map" and such map is declared to be an integral part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".

5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

5.3.3 Streets, lanes, and road allowances which are shown on the Zoning District Map and which have been permanently closed pursuant to Section 13 of The Municipalities Act, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

- 5.3.4 On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the Zoning District Map.

5.4 ZONING DISTRICTS

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

5.5 TRANSITIONAL ZONING PROVISIONS

Buildings lawfully existing at the time of the approval of this Bylaw shall be limited in terms of site width, front and rear yard setback, site coverage and off-street parking and loading requirements to the regulations of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

5.6 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to Section 4.3 herein.

5.7 FORMER PERMITTED USES – NOW DISCRETIONARY

Land uses or developments in existence on a site that were listed as permitted uses under the Zoning Bylaw No. 9/2005 but are now listed as discretionary uses under this Bylaw, shall be considered permitted uses; however, no alteration or enlargement of the land use or development shall take place without a discretionary use approval by Council.

5.8 BARE LAND CONDOMINIUM AND BARE LAND UNIT DEVELOPMENT STANDARDS

The approval of a bare land condominium plan in any zoning district will be subject to the plan and the bare land units conforming to the site regulations and development standards for the applicable zoning district.

- Bylaw 14/2017** 5.8.1 The approval of a bare land condominium plan in any zoning district will be subject to the plan and the bare land units conforming to the site regulations and development standards for the applicable zoning district. At the discretion of the Development Officer, the front site line for a bare land unit may front on a public street or, alternatively, front on and be adjacent to common areas or common property for the associated bare land condominium, that will be used in whole or in part for physical access to the bare land unit.

- Bylaw 14/2017** 5.8.2 For the purposes of determining minimum site area and minimum site width, common areas or common property that are part of a bare land condominium that will be used in whole or in part for physical access to a bare land unit may be interpreted to be equivalent to a lane by the Development Officer.

6 DISTRICT SCHEDULES

6.1 R1 - LOW DENSITY RESIDENTIAL DISTRICT

6.1.1 *Purpose*

The purpose of the **R1** - Low Density Residential district is to provide for residential development in the form of single detached dwellings and other compatible uses.

6.1.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-1.

Bylaw 17/2016 6.1.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.1.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-1.

6.1.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R1** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.1.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.1.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.1.8 *Landscaping*

Landscaping is subject to Section 4.25.

6.1.9 *Exceptions to Development Standards*

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-1: R1 – Low Density Residential District Development Standards for the Town of Battleford											
Principal Use			Development Standards								
			Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m²)
Residential Uses											
(1)	Garden and garage suites	D	1	4.11.7	Refer to Section 4.11.7						
(2)	Residential care homes - type I	D	6	4.11.2	465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
(4)	Secondary suites	D	1	4.11.10	Same as home						
(5)	Single detached dwellings	P	1		465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
Commercial Uses											
(1)	Adult day care – type I	P	6	4.11.2	465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
(2)	Adult day care – type II	D	6	4.11.2	465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
(3)	Bed and breakfast homes	D	3	4.11.3	465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
(4)	Convenience stores	D	5	3.9.4(18)	510	17	6	--	3 ⁽⁴⁾	--	40
(5)	Daycare centres and preschools	D	14	4.11.4	465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	110	40
(6)	Home based business – type I	P	0	4.11.8	Same as home						
(7)	Home based business – type II	D	0	4.11.8	Same as home						
(8)	Parking lots	D	0		510	17	6	7.5	3 ⁽⁴⁾	--	--
(9)	Short terms rentals	D	3	4.11.12	Same as home						
Other Uses											
(1)	Community centres	D	4	3.9.4(1)	510	17	6	7.5	3 ⁽⁴⁾	--	40
(2)	Municipal facilities	P	0		--	--	--	--	--	--	--
(3)	Parks and playgrounds	P	0		--	--	--	--	3 ⁽⁴⁾	--	10
(4)	Places of worship	D	15	3.9.4(1)	--	--	6	3	3 ⁽⁴⁾	--	40
(5)	Public elementary, and secondary schools	D	17,18		--	--	--	4.5	3	--	40
(6)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-1 and the R1 district:

- (1) where the site is served by a lane; otherwise 510 m²
- (2) where the site is served by a lane; otherwise 17 m
- (3) except for corner sites, where it shall be 3 m along the flanking street
- (4) or ½ the side wall height, whichever is greater

6.2 R2 – MEDIUM DENSITY RESIDENTIAL DISTRICT

6.2.1 *Purpose*

The purpose of the **R2** – Medium Density Residential district is to provide for residential development in the form of single detached, semi-detached and two unit dwellings and for other compatible uses.

6.2.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-2.

Bylaw 17/2016 6.2.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.2.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-2.

6.2.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R2** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.2.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.2.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.2.8 *Landscaping*

Landscaping is subject to Section 4.25.

6.2.9 *Exceptions to Development Standards*

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-2: R2 – Medium Density Residential District Development Standards for the Town of Battleford											
Principal Use		Development Standards									
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Garden and garage suites	D	1	4.11.7	Refer to Section 4.11.7						
(2)	Residential care homes - type I	P	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(3)	Residential care homes – type II	D	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(4)	Secondary suites	P	1	4.11.10	Same as home						
(5)	Semi-detached dwellings	P	1		278 ⁽¹⁾	9 ⁽²⁾	6	7.5	1.5 ⁽³⁾⁽¹¹⁾	75	40
(6)	Single detached dwellings	P	1		465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(7)	Multiple-unit dwellings (apartment buildings)	D	2	4.11.6	600 ⁽⁹⁾	--	6	--	3 ⁽⁸⁾	40/unit	50
(8)	Multiple-unit dwellings (townhouses)	D	2	4.11.6	260/unit ⁽¹⁰⁾	--	6	--	3 ⁽⁸⁾⁽¹¹⁾	75/unit	50
(9)	Two-unit dwellings	P	1		556 ⁽⁶⁾	18 ⁽⁷⁾	6	7.5	1.5 ⁽³⁾	150	40
Commercial Uses											
(1)	Adult day care – type I	P	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(2)	Adult day care – type II	D	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(3)	Bed and breakfast homes	D	3	4.11.3	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(4)	Clubs	D	5	3.9.4(2)	--	--	6	3	3 ⁽⁸⁾	--	40
(5)	Custodial care facilities	D	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	7.5	1.2 ⁽³⁾	85	40
(5)	Convenience stores	D	5	3.9.4(18)	510	17	6	--	3 ⁽⁸⁾	--	40
(6)	Daycare centres and preschools	D	14	4.11.4	465 ⁽⁴⁾	15 ⁽⁵⁾	6	6	1.2 ⁽³⁾	85	40
(7)	Health care clinics	D	28		510	17	6	--	3 ⁽⁸⁾	70	40
(8)	Home based business – type I	P	0	4.11.8	Same as home						
(9)	Home based business – type II	D	0	4.11.8	Same as home						
(10)	Short term rentals	D	3	4.11.12	Same as home						
Other Uses											
(1)	Ambulance stations	D	21	3.9.4(11)	--	--	6	3	3 ⁽⁸⁾	--	40
(2)	Community centres	D	4	3.9.4(1)	510	17	6	3	3 ⁽⁸⁾	--	40
(3)	Cultural institutions	D	4	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	40
(4)	Municipal facilities	P	0		--	--	--	--	--	--	--
(5)	Parking lots	D	0	4.11.9	510	17	6	3	3	--	--
(6)	Parks and playgrounds	P	0		--	--	--	--	3 ⁽⁸⁾	--	10
(7)	Places of worship	D	15	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	40
(8)	Private schools	D	18		--	--	6	3	3 ⁽⁸⁾	--	40
(9)	Public elementary, and secondary schools	D	17,18		--	--	6	3	3 ⁽⁸⁾	--	40
(10)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--
(11)	Public recreational facilities	D	22	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	40

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-2 and the R2 district:

- (1) where the site is served by a lane, otherwise 325 m
- (2) where the site is served by a lane, otherwise 10.5 m
- (3) except for corner sites where it shall be 3 m along the flanking street
- (4) where the site is served by a lane, otherwise 510 m
- (5) where the site is served by a lane, otherwise 17 m
- (6) where the site is served by a lane, otherwise 650 m
- (7) where the site is served by a lane, otherwise 21 m
- (8) or ½ the side wall height, whichever is greater
- (9) where the site is served by a lane, otherwise 650 m
- (10) where the site is served by a lane, otherwise 325 m per unit
- (11) except that no side yard shall be required where a common wall divides two dwelling units

6.3 R3 – HIGH DENSITY RESIDENTIAL DISTRICT

6.3.1 *Purpose*

The purpose of the **R3** – High Density Residential district is to provide for residential development in the form of single detached, semi-detached, two-unit, multiple-unit dwellings and other compatible uses at a higher density.

6.3.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-3.

Bylaw 17/2016 6.3.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.3.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-3.

6.3.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R3** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.3.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.3.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.3.8 *Landscaping*

Landscaping is subject to Section 4.25.

6.3.9 *Exceptions to Development Standards*

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

**Table 6-3: R3 – High Density Residential District Development Standards
for the Town of Battleford**

Principal Use		Development Standards									
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Dwelling groups	D	2	4.11.5	4,000	30	6	3.5 ⁽⁸⁾	3.5 ⁽⁸⁾	--	50
(2)	Garden and garage suites	D	1	4.11.7	As laid out in Section 4.11.7						
(3)	Multiple-unit dwellings (apartment buildings)	P	2	4.11.6	600 ⁽⁶⁾	--	6	--	3.5 ⁽⁸⁾	40/unit	60
(4)	Multiple-unit dwellings (townhouses)	P	2	4.11.6	260/unit ⁽⁹⁾	--	6	--	3 ⁽⁸⁾ (10)	75/unit	60
(5)	Residential care homes - type I & type II	P	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	85	40
(6)	Secondary suites	P	1	4.11.10	Same as home						
(7)	Semi-detached dwellings	P	1		225 ⁽¹⁾	9 ⁽²⁾	6	4.5	1.5 ⁽³⁾ (10)	75	50
(8)	Single detached dwellings	P	1		225 ⁽¹⁾	9 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	75	50
(9)	Short term rentals	D	3	4.11.12	Same as home						
(10)	Two-unit dwellings	P	1		550 ⁽⁶⁾	18 ⁽⁷⁾	6	4.5	1.2 ⁽³⁾	150	50
Commercial Uses											
(1)	Adult day care – type I & type II	P	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	85	50
(2)	Bed and breakfast homes	D	3	4.11.3	465 ⁽⁴⁾	15 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	85	50
(3)	Clubs	D	5	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	50
(4)	Convenience stores	D	0	3.9.4(18)	250	12	3	3	3 ⁽⁸⁾	70	50
(5)	Daycare centres and preschools	D	14	4.11.4	465 ⁽⁴⁾	15 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	85	50
(6)	Health care clinics	D	28		465	12	6	--	3 ⁽⁸⁾	70	50
(7)	Home based business – type I	P	0	4.11.8	Same as home						
(8)	Home based business – type II	D	0	4.11.8	Same as home						
Other Uses											
(1)	Ambulance stations	D	21	3.9.4(11)	--	--	6	3	3 ⁽⁸⁾	--	50
(2)	Community centres	D	4	3.9.4(1)	465	12	6	3	3 ⁽⁸⁾	--	50
(3)	Cultural institutions	D	4	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	50
(4)	Custodial care facilities	D	6	4.11.2	465 ⁽⁴⁾	15 ⁽⁵⁾	6	4.5	1.2 ⁽³⁾	85	50
(5)	Municipal facilities	P	0		--	--	--	--	--	--	--
(6)	Parking lots	D	0	4.11.9	--	--	6	3	3	--	--
(7)	Parks and playgrounds	P	0		--	--	--	--	3 ⁽⁸⁾	--	25
(8)	Places of worship	D	15	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	50
(9)	Private schools	D	18		--	--	6	3	3 ⁽⁸⁾	--	50
(10)	Public elementary and secondary schools	D	17, 18		--	--	6	3	3 ⁽⁸⁾	--	50
(11)	Public recreational facilities	D	22	3.9.4(1)	--	--	6	3	3 ⁽⁸⁾	--	50
(12)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--

Bylaw 7/2017

Bylaw 17/2016

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-3 and the R3 district:

- Bylaw 7/2017**
- (1) where the site is served by a lane or common property that is part of a bare land condominium development, otherwise 325 m²
 - (2) where the site is served by a lane, otherwise 10.5 m
 - (3) except for corner sites where it shall be 3 m along the flanking street
 - (4) where the site is served by a lane, otherwise 510 m²
 - (5) where the site is served by a lane, otherwise 12 m
 - (6) where the site is served by a lane, otherwise 650 m²
 - (7) where the site is served by a lane, otherwise 21 m
 - (8) or ½ the side wall height, whichever is greater
 - (9) where the site is served by a lane, otherwise 325 m² per unit
 - (10) except that no side yard shall be required where a common wall divides two dwelling units

6.4 R4 – LARGE LOT ACREAGE RESIDENTIAL DISTRICT

6.4.1 *Purpose*

The purpose of the **R4** – Large Lot Acreage Residential district is to provide for single detached dwellings in a large lot rural acreage setting and for other compatible uses.

6.4.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-4.

Bylaw 17/2016 6.4.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.4.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-4.

6.4.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R4** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.4.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.4.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.4.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-4: R4 – Large Lot Acreage Residential District Development Standards for the Town of Battleford											
Principal Use				Development Standards							
				Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Residential Uses											
(1)	Residential care homes - type I	P	6	4.11.2	4,000	39	7.5	5	3	93	--
(2)	Residential care homes - type II	D	6	4.11.2	4,000	39	7.5	5	3	93	--
(3)	Single detached dwellings	P	1		4,000	39	7.5	5	3	93	--
Commercial Uses											
(1)	Adult day care – type I	P	6	4.11.2	4,000	39	7.5	5	3	93	--
(2)	Adult day care – type II	D	6	4.11.2	4,000	39	7.5	5	3	93	--
(3)	Bed and breakfast homes	D	3	4.11.3	4,000	39	7.5	5	3	93	--
(4)	Daycare centres and preschools	D	14	4.11.4	4,000	39	7.5	5	3	93	--
(5)	Home based business – type I	P	0	4.11.8	Same as home						
(6)	Home based business – type II	D	0	4.11.8	Same as home						
(7)	Short term rentals	D	3	4.11.12	Same as home						
Other Uses											
(1)	Municipal facilities	P	0		--	--	--	--	--	--	--
(2)	Parks and playgrounds	P	0		--	--	6	5	3	--	5
(3)	Golf courses and sports fields	D	3	3.9.4(15)	--	--	6	5	3	--	5
(4)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-4 and the R4 district:

6.5 R4A - ACREAGE RESIDENTIAL DISTRICT

6.5.1 *Purpose*

The purpose of the **R4A** – Acreage Residential district is to provide for residential development in the form of single detached dwellings in a moderately-large lot rural acreage setting and for other compatible uses.

6.5.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-5.

Bylaw 17/2016 6.5.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.5.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-5.

6.5.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R4A** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.5.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.5.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.5.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-5: R4A – Acreage Residential District Development Standards for the Town of Battleford											
Principal Use		Development Standards									
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Residential care homes - type I	P	6	4.11.2	2,000	32	7.5	5	3	93	--
(2)	Residential care homes - type II	D	6	4.11.2	2,000	32	7.5	5	3	93	--
(3)	Single detached dwellings	P	1		2,000	32	7.5	5	3	93	--
Commercial Uses											
(1)	Adult day care – type I	P	6	4.11.2	2,000	32	7.5	5	3	93	--
(2)	Adult day care – type II	D	6	4.11.2	2,000	32	7.5	5	3	93	--
(3)	Bed and breakfast homes	D	3	4.11.3	2,000	32	7.5	5	3	93	--
(4)	Daycare centres and preschools	D	14	4.11.4	2,000	32	7.5	5	3	93	--
(5)	Home based business – type I	P	0	4.11.8	Same as home						
(6)	Home based business – type II	D	0	4.11.8	Same as home						
(7)	Short term rentals	D	3	4.11.12	Same as home						
Other Uses											
(1)	Municipal facilities	P	0		--	--	--	--	--	--	--
(2)	Parks and playgrounds	P	0		--	--	6	5	3	--	5
(3)	Golf courses and sports fields	D	3	3.9.4(7)	--	--	6	5	3	--	5
(4)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-5 and the R4A district:

6.6 RMH – MANUFACTURED HOME RESIDENTIAL DISTRICT

6.6.1 *Purpose*

The purpose of the **RMH** – Manufactured Home Residential district is to provide for residential development in the form of manufactured homes and other compatible uses.

6.6.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-6.

Bylaw 17/2016 6.6.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.6.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-6.

6.6.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RMH** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.6.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.6.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.6.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-6 RMH – Mobile Home Residential District Development Standards for the Town of Battleford											
Principal Use		Development Standards									
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Manufactured home	P	1		400 ⁽¹⁾	13 ⁽²⁾	3	3	1.2 ⁽³⁾	65	40
(2)	Manufactured home courts	D	0		10,000	60	--	--	--	--	--
Commercial Uses											
(1)	Adult day care – type I	D	3	4.11.2	400 ⁽¹⁾	13 ⁽²⁾	3	3	1.2 ⁽³⁾	65	40
(2)	Convenience stores with or without associated gas bars	D	5	3.9.4(18) 4.11.11	510	17	6	--	3 ⁽⁴⁾	70	40
(3)	Daycare centres and preschools	D	14	4.11.4	400 ⁽¹⁾	13 ⁽²⁾	3	3	1.2 ⁽³⁾	65	40
(4)	Laundromats	D	5	3.9.4(14)	510	17	6	--	3 ⁽⁴⁾	70	40
(4)	Home based businesses – type I	P	0	4.11.8	Same as home						
(5)	Home based businesses – type II	D	0	4.11.8	Same as home						
Community Service, Municipal, Recreational, Institutional and Other Uses											
(1)	Municipal facilities	P	0		--	--	--	--	--	--	--
(2)	Parking lots	D	0	4.11.9	510	17	6	3	3 ⁽⁴⁾	--	--
(3)	Parks and playgrounds	P	0		--	--	--	3	3 ⁽⁴⁾	--	10
(4)	Places of worship	D	15	3.9.4(1)	--	--	6	3	3 ⁽⁴⁾	--	--
(5)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-6 and the RMH district:

- (1) where the site is served by a lane; otherwise 450 m²
- (2) where the site is served by a lane, otherwise 15 m
- (3) except: (a) where no lane is provided, one side yard shall be 4.5 m
 - (b) where the main entrance door on the long side of home faces a side site line, 4.5 m on that side
 - (c) on corner sites, 3 m on the flanking street
- (4) or ½ the side wall height, whichever is greater

6.7 CS – COMMUNITY SERVICE DISTRICT

6.7.1 *Purpose*

The objective of the CS – Community Service District is to provide for a range of community services and other compatible uses.

6.7.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-7.

Bylaw 17/2016 6.7.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.7.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-7.

6.7.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the CS district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.7.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.7.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.7.8 *Landscaping*

Landscaping is subject to Section 4.25.

6.7.9 *Exceptions to Development Standards*

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Residential											
(1)	Dwelling groups	D	2	4.11.5	4,000	--	--	--	3.5 ⁽²⁾	--	40
(2)	Multiple unit dwellings (apartment buildings)	D	2	4.11.6	600 ⁽⁴⁾	--	6	7.5	3.5 ⁽²⁾	40 per unit	50
(3)	Multiple unit dwellings (townhouses)	D	2	4.11.6	260 per unit ⁽⁵⁾	--	6	7.5	3 ⁽²⁾⁽¹⁰⁾	--	50
(3)	Semi-detached dwellings	D	1		278 ⁽⁶⁾	9 ⁽⁷⁾	6	7.5	3 ⁽¹⁰⁾	75	40
(4)	Single detached dwellings	D	1		465 ⁽³⁾	15 ⁽⁸⁾	6	7.5	1.2 ⁽¹¹⁾	75	40
(5)	Two-unit dwellings	D	1		556 ⁽⁴⁾	18 ⁽⁹⁾	6	7.5	1.2 ⁽¹¹⁾	150	40

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-7 and the CS district:

- (1) or 25% of the depth of the lot, whichever is greater
- (2) or ½ of the building height, whichever is greater
- (3) where the site is served by a lane, otherwise 510 m²
- (4) where the site is served by a lane, otherwise 650 m²
- (5) where the site is served by a lane, otherwise 325 m² per unit
- (6) where the site is served by a lane, otherwise 325 m²
- (7) where the site is served by a lane, otherwise 10.5 m
- (8) where the site is served by a lane, otherwise 17 m
- (9) where the site is served by a lane, otherwise 21 m
- (10) except that no side yard shall be required where a common wall divides two dwelling units
- (11) except for corner sites, where it shall be 3 m along the flanking street

6.8 C1 – COMMUNITY CENTRE COMMERCIAL DISTRICT

6.8.1 *Purpose*

The objective of the **C1** – Community Centre Commercial district is to facilitate a range of downtown commercial, community service, residential, and other compatible uses at a high density and with a pedestrian-focused orientation.

6.8.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-8.

Bylaw 17/2016 6.8.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.8.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-8.

(2) The maximum building height in the **C1** district is 14 metres.

6.8.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C1** district with respect to Section 3.10.3 – General Discretionary Use Evaluation Criteria, Section 3.10.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.8.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.8.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.8.8 *Landscaping*

Landscaping is subject to Section 4.25.

**Table 6-8: C1 – Community Centre Commercial District Development Standards
for the Town of Battleford**

<u>Principal Use</u>		Designation	Parking Category	Subject to Section(s)	<u>Development Standards</u>					
					Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (m²)
Commercial Uses										
(1)	Bakeries with retail sales	P	0		278	7.5	--	(4)	(5)	--
(2)	Bus terminals	P	4		278	7.5	--	(4)	(5)	--
(3)	Car washes	D	19	3.9.4(19)	510	15	7.5	(4)	(5)	--
(4)	Clubs	D	0	3.9.4(1)	278	7.5	--	(4)	(5)	--
(5)	Commercial recreation facilities, excluding curling or skating rinks or golf courses	P	22		278	7.5	--	(4)	(5)	--
(6)	Construction trades	D	4	3.9.4(20)	278	7.5	--	(4)	(5)	--
(7)	Convenience stores	P	0		278	7.5	--	(4)	(5)	--
(8)	Farmers market and farm stands	P	0		--	--	--	--	--	--
(9)	Financial institutions	P	4		278	7.5	--	(4)	(5)	--
(10)	Fitness centres	P	4		278	7.5	--	(4)	(5)	--
(11)	Food and beverage processing	D	4		278	7.5	--	(4)	(5)	--
(12)	Funeral homes	P	15		278	7.5	--	(4)	(5)	--
(13)	Gas bars	D	4	4.11.11	510	15	7.5	(4)	(5)	--
(14)	Health care clinics	P	28		278	7.5	--	(4)	(5)	--
(15)	Home based businesses – type I	P	0	4.11.8		Same as home				
(16)	Home based businesses – type II	D	0	4.11.8		Same as home				
(17)	Hotels and motels	P	9		278	7.5	--	(4)	(5)	--
(18)	Lumber yards, home improvement centres and building supply establishments	D	4	3.9.4(20)	278	7.5	--	(4)	(5)	--
(19)	Medical, dental and optical labs	P	4		278	7.5	--	(4)	(5)	--
(20)	Night clubs	P	8		278	7.5	--	(4)	(5)	--
(21)	Offices and office buildings	P	4		278	7.5	--	(4)	(5)	--
(22)	Parking lots	D	0	4.11.9	510	15	--	(4)	(5)	--
(23)	Personal service shops	P	0		278	7.5	--	(4)	(5)	--
(24)	Photography studios	P	0		278	7.5	--	(4)	(5)	--
(25)	Printing plants and newspaper offices	P	0		278	7.5	--	(4)	(5)	--
(26)	Radio and television studios	P	4		278	7.5	--	(4)	(5)	--
(27)	Repair services restricted to the repair of household goods and appliances	P	0		278	7.5	--	(4)	(5)	--
(28)	Restaurants, with or without associated lounges	P	0		278	7.5	--	(4)	(5)	--
(29)	Retail stores	P	0		278	7.5	--	(4)	(5)	--
(30)	Service stations	D	4	4.11.11	930	30	7.5	(4)	(5)	--
(31)	Shopping centres and malls	D	4	3.9.4(3)	930	7.5	--	(4)	(5)	--
(32)	Short term rentals	D	3	4.11.12	Same as home					
(33)	Taverns	P	8		278	7.5	--	(4)	(5)	--
(34)	Theatres	P	0		278	7.5	--	(4)	(5)	--
(35)	Tourist information centres and booths	D	0		278	7.5	--	(4)	(5)	--

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(36)	Veterinary clinics	P	4		235	6	0	0 ⁽³⁾	0 ⁽⁴⁾	- -
(37)	Cannabis Retail Store	D	0	4.11.13 4.10.1(7)	278	7.5	- -	(4)	(5)	- -
Community Service and Other Uses										
(1)	Cultural institutions	P	0		278	7.5	- -	(4)	(5)	- -
(2)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -
(3)	Parks and playgrounds	P	0		(4)	(5)	- -	(4)	(5)	- -
(4)	Places of worship	D	0	3.9.4(1)	278	7.5	- -	(4)	(5)	- -
(5)	Public recreational facilities	P	22		278	7.5	- -	(4)	(5)	- -
(6)	Public works excluding warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	(4)	(5)	- -
Residential Uses										
(1)	Multiple unit dwellings (apartment buildings only)	D	2	4.11.6	600 ⁽¹⁾	- -	6	- -	3.5 ⁽⁶⁾	50
(2)	Dwelling units in conjunction with and attached to any other permitted use	D	1	3.9.4(8)	same as principal use					
(3)	Single detached dwellings	D	1		465 ⁽²⁾	15 ⁽³⁾	3	7.5	1.2 ⁽⁷⁾	40

Use Designations:

(P) - **Permitted Use:** Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - **Discretionary Use:** Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-8 and the C1 district:

- (1) where the site is served by a lane, otherwise 650 m²
- (2) where the site is served by a lane, otherwise 510 m²
- (3) where the site is served by a lane, otherwise 17 m
- Bylaw 11/2017 (4) where the side line of a site in the C1 district abuts any Residential district without an intervening street or lane, the greater of ½ the average building side wall height
- Bylaw 11/2017 (5) where the rear line of a site in the C1 district abuts any Residential district without an intervening street or lane, 6m
- (6) or ½ the building height, whichever is greater
- (7) except for corner sites, where it shall be 3 m along the flanking street
- (8) the floor area of all dwelling units shall not exceed the floor area of all other uses which are located in the same building

6.9 C2 – HIGHWAY COMMERCIAL DISTRICT

6.9.1 *Purpose*

The purpose of the **C2** – Highway Commercial district is to provide for a wide diversity of highway commercial development and other compatible uses.

6.9.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-9.

Bylaw 17/2016 6.9.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.9.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-9.

6.9.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C2** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

Bylaw 17/2016 6.9.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.9.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.9.8 *Landscaping*

Landscaping is subject to Section 4.25.

**Table 6-9: C2 – Highway Commercial District Development Standards
for the Town of Battleford**

<u>Principal Use</u>					<u>Development Standards</u>				
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m ²)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Commercial Uses									
(1)	Animal hospitals	P	5		1,100	30	7.5	10% site depth	3
(2)	Auto body shops	D	5	3.9.4(4)	550	15	7.5	10% site depth	3
(3)	Automobile, marine, recreational vehicle, agricultural equipment, and mobile home sales and service establishments	P	5		1,100	30	7.5	10% site depth	3
(4)	Automotive and industrial supply stores	P	5		1,100	30	7.5	10% site depth	3
(5)	Bingo halls	D	8		1,100	30	7.5	10% site depth	3
(6)	Bulk fuel dealers	D	11	3.9.4(10) 4.11.11	1,100	30	6	10% site depth	3
(7)	Bus terminals	P	5		1,100	30	7.5	10% site depth	3
(8)	Car washes	P	19		1,100	30	7.5	10% site depth	3
(9)	Commercial recreation facilities	D	5	3.9.4(1)	1,100	30	7.5	10% site depth	3
(10)	Consignment centres	D	0		1,100	30	7.5	10% site depth	3
(11)	Convenience stores	P	5		550	15	7.5	10% site depth	3
(12)	Drive-in theatres	P	5		1,100	30	7.5	10% site depth	3
(13)	Construction trades	D	5	3.9.4(20)	1,100	30	7.5	10% site depth	3
(14)	Financial institutions	D	5		550	15	7.5	10% site depth	3
(15)	Freight handling facilities	D	4	3.9.4(15)	1,100	30	7.5	10% site depth	3
(16)	Funeral homes	P	15		550	15	6	10% site depth	3
(17)	Gas bars	P	5	4.11.11	550	15	7.5	10% site depth	3
(18)	Health care clinics	P	5		550	15	6	10% site depth	3
(19)	Hotels and motels	P	9		1,675	30	15	10% site depth	3
(20)	Indoor storage rental facilities	D	4	3.9.4(6)	1,100	30	7.5	10% site depth	3
(21)	Kennels, boarding	D	11	3.9.4(16)	550	15	6	10% site depth	3
(22)	Light manufacturing	D	11	3.9.4(5)	1,100	30	6	10% site depth	3
(23)	Lumber yards, home improvement centres, and building supply establishments	P	4		1,100	30	7.5	10% site depth	3
(24)	Miniature golf courses	D	5		1,100	30	7.5	10% site depth	3
(25)	Motor vehicle, farm and heavy equipment related uses	P	5		1,100	30	7.5	10% site depth	3
(26)	Nightclubs and taverns	D	8	3.9.4(2)	550	15	7.5	10% site depth	3
(27)	Nurseries, greenhouses, and garden centres	P	4		1,100	30	7.5	10% site depth	3
(28)	Offices and office buildings	P	5		550	15	6	10% site depth	3
(29)	Outdoor storage compounds	P	0		550	15	7.5	10% site depth	3
(30)	Parking lots	P	0	4.11.9	550	15	7.5	10% site depth	3
(31)	Personal service shops	P	5		550	15	6	10% site depth	3
(32)	Pet grooming establishments	P	5		550	15	6	10% site depth	3
(33)	Photography studios	P	5		550	15	6	10% site depth	3

(34)	Recycling collection depots	P	4	3.9.4(6)	550	15	7.5	10% site depth	3
(35)	Rental stores	P	5		550	15	7.5	10% site depth	3
(36)	Repair services restricted to household goods and appliances	P	5		550	15	7.5	10% site depth	3
(37)	Restaurants, without associated lounges	P	8		550	15	7.5	10% site depth	3
(38)	Restaurants, with associated lounges	P	8		550	15	7.5	10% site depth	3
(39)	Retail stores	D	5		550	15	7.5	10% site depth	3
(40)	Service stations and public garages	P	5		1,100	30	7.5	10% site depth	3
(41)	Shopping centres and malls	D	5	3.9.4(3)	1,100	30	7.5	10% site depth	3
(42)	Storage garages	D	4		1,100	30	7.5	10% site depth	3
(43)	Taxidermy and accessory tanning of hides	D	5	3.9.4(4)	550	15	6	10% site depth	3
(44)	Tourist campgrounds	D	5	3.9.4(13)	1,100	30	7.5	10% site depth	3
(45)	Tourist information centres and booths	D	0		550	15	7.5	10% site depth	3
(46)	Training centres	P	5		550	15	7.5	10% site depth	3
(47)	Trucking operations	D	4		1,100	30	7.5	10% site depth	3
(48)	Truck stops	D	5	3.9.4(17)	1,100	30	7.5	10% site depth	3
(49)	Veterinary clinics	P	5		550	15	7.5	10% site depth	3
(50)	Warehouses	D	11	3.9.4(15)	1,100	30	7.5	10% site depth	3
(51)	Welding and machine shops	D	11	3.9.4(4)	550	15	7.5	10% site depth	3
(52)	Wholesale establishments	P	11	3.9.4(21)	1,100	30	7.5	10% site depth	3
(53)	Cannabis Retail Store	P	5	4.11.13 4.10.1(7)	550	15	7.5	10% site depth	3
(54)	Cannabis Grow Operation	D	11	3.9.4(15) 4.10.1(7)	1,100	30	7.5	10 % site depth	3
Residential Uses									
(1)	Dwelling units accessory to permitted uses and integrated as part of a principal building for the use of caretakers, owners or managers	D	1	3.9.4(8)	same as principal use				
Community Service and Other Uses									
(1)	Ambulance stations	P	21		550	15	7.5	10% site depth	3
(2)	Municipal facilities	P	0		--	--	--	--	--
(3)	Parks and playgrounds	P	0		550	15	7.5	10% site depth	3
(4)	Places of worship	P	15		550	15	6	10% site depth	3
(5)	Public recreational facilities	D	22	3.9.4(1)	1,100	30	7.5	10% site depth	3
(6)	Public works	P	0		--	--	--	10% site depth	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-9 and the C2 district:

6.10 M – INDUSTRIAL DISTRICT

6.10.1 *Purpose*

The purpose of the **M** – Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

6.10.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-10.

Bylaw 17/2016 6.10.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.10.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-10.

6.10.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **M** district with respect to Section 3.9.3 – Discretionary Use General Evaluation Criteria and to Section 3.9.4 – Discretionary Use Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

Bylaw 7/2017

(1) Offices

- (a) Offices that are ancillary to and contained within an accessory office building for an approved form of development in the M1 zone are permitted subject to the following:
 - (i) The ancillary office use is for a business owned by the same entity that owns the business which is the principal use of the property.
 - (ii) The ancillary office use shall occupy 93m² or less and in no case shall the floor area of the ancillary office use occupy more than 50% of the total floor area of the accessory office building.

Bylaw 17/2016 6.10.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.10.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.10.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-10: M – Industrial District Development Standards for the Town of Battleford									
Principal Use					Development Standards				
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m ²)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Industrial / Commercial Uses									
(1)	Abattoirs	D	11	3.9.4(4)	930	30	6	--	3 ⁽¹⁾
(2)	Adult entertainment facility	D	8	3.9.4(2)	930	30	6	--	3 ⁽¹⁾
(3)	Animal hospitals	P	5		930	30	6	--	3 ⁽¹⁾
(4)	Auction markets, excluding livestock auction facilities	P	4		930	15	6	--	3 ⁽¹⁾
(5)	Auto body shops	P	11	3.9.4(4)	550	15	6	--	3 ⁽¹⁾
(6)	Automobile, marine, recreational vehicle and equipment, agricultural equipment, and mobile home sales and service establishments	P	4		930	30	6	--	3 ⁽¹⁾
(7)	Bingo halls	D	8		930	30	6	--	3 ⁽¹⁾
(8)	Bulk fertilizer sales and storage	D	11	4.11.1 3.9.4(10)	930	30	6	--	3 ⁽¹⁾
(9)	Bulk petroleum sales and storage	D	11	4.11.1 3.9.4(10)	930	30	6	--	3 ⁽¹⁾
(10)	Car washes	P	11		550	15	6	--	3 ⁽¹⁾
(11)	Cement and concrete plants	P	11		930	30	6	--	3 ⁽¹⁾
(12)	Consignment centres	P	11		930	30	6	--	3 ⁽¹⁾
(13)	Construction trades	P	11		930	30	6	--	3 ⁽¹⁾
(14)	Dwelling units accessory to a principal use and integrated as part of the principal building, for the use of caretakers, owners or managers	D	1	3.9.4(8)	same as principal use				
(15)	Freight handling facilities	P	11	3.9.4(15)	930	30	6	--	3 ⁽¹⁾
(16)	Gas bars	P	5	4.11.11	550	15	6	--	3 ⁽¹⁾
(17)	General industrial uses	P	4		930	30	6	--	3 ⁽¹⁾
(18)	Grain elevators	P	11		930	30	6	--	3 ⁽¹⁾
(19)	Indoor storage rental facilities	P	11	3.9.4(6)	930	30	6	--	3 ⁽¹⁾
(20)	Industrial complexes	P	4		930	30	6	--	3 ⁽¹⁾
(21)	Junk yards and auto wreckers	D	11	3.9.4(9)	930	30	6	--	3 ⁽¹⁾
(22)	Kennels, boarding	P	11	3.9.4(16)	930	30	6	--	3 ⁽¹⁾
(23)	Light manufacturing	D	11	3.9.4(5)	930	30	6	--	3 ⁽¹⁾
(24)	Livestock auction facilities	D	12		930	30	6	--	3 ⁽¹⁾
(25)	Lumber yards, home improvement centres and building supply establishments	P	4	3.9.4(20)	930	30	6	--	3 ⁽¹⁾
(26)	Manufacturing or processing operations	P	11		930	30	6	--	3 ⁽¹⁾
(27)	Nurseries, greenhouses and garden centres	P	4		930	30	6	--	3 ⁽¹⁾
(28)	Offices	P	4	6.10.5(1)	--				
(29)	Outdoor storage compounds	P	0		550	15	6	--	3 ⁽¹⁾
(30)	Parking lots	P	0	4.12.8	550	15	6	--	3 ⁽¹⁾
(31)	Public garages	P	4		930	30	6	--	3 ⁽¹⁾

(32)	Railways and ancillary facilities	P	10		930	30	6	--	3 ⁽¹⁾
(33)	Recycling depots	P	11	3.9.4(6)	550	15	6	--	3 ⁽¹⁾
(34)	Repair services	P	5		550	15	6	--	3 ⁽¹⁾
(35)	Sand and gravel operations and gravel yards	D	11		930	30	6	--	3 ⁽¹⁾
(36)	Seed cleaning plants and feed mills	P	11		930	30	6	--	3 ⁽¹⁾
(37)	Service stations	P	4	4.11.11	930	30	6	--	3 ⁽¹⁾
(38)	Stockyards	D	11		930	30	6	--	3 ⁽¹⁾
(39)	Taxidermy and accessory tanning of hides	D	11	3.9.4(4)	930	30	6	--	3 ⁽¹⁾
(40)	Temporary camps for construction or work crews	D	10		930	30	6	--	3 ⁽¹⁾
(41)	Transportation terminals and yards	P	4		930	30	6	--	3 ⁽¹⁾
(42)	Trucking operations	P	4		930	30	6	--	3 ⁽¹⁾
(43)	Veterinary clinics	P	5		550	15	6	--	3 ⁽¹⁾
(44)	Warehouses and storage yards	P	11		930	30	6	--	3 ⁽¹⁾
(45)	Welding and machine shops	P	11	3.9.4(4)	550	15	6	--	3 ⁽¹⁾
(46)	Wholesale establishments	P	11		930	30	6	--	3 ⁽¹⁾
Other Uses									
(1)	Municipal facilities	P	0		--	--	--	--	--
(2)	Parks and playgrounds	P	0		550	15	6	--	3 ⁽¹⁾
(3)	Public works excluding sewage lagoons	D	0		--	--	--	--	--
(4)	Telecommunication Towers	P	0		--	--	--	--	--
(5)	Wastewater treatment facilities, including sewage lagoons	D	0		--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-10 and the M district:

- (1) except, in the case of a corner site, where the minimum requirement shall be 6 m on the side abutting flanking street

6.11 FUD – FUTURE URBAN DEVELOPMENT DISTRICT

6.11.1 *Purpose*

The purpose of the **FUD** – Future Urban Development District is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

6.11.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-11.

6.11.3 *Accessory Uses*

Bylaw 17/2016 (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.11.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-11.

6.11.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria and to Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.11.6 *Off-Street Parking and Loading*

Bylaw 17/2016 Off-street parking and loading requirements are subject to Section 4.9.

6.11.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.11.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-11: FUD – Future Urban Development District Development Standards for the Town of Battleford									
Principal Use					Development Standards				
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses									
(1)	Home based businesses – type I	P	0	4.11.8	Same as home				
(2)	Home based businesses – type II	D	0	4.11.8	Same as home				
(3)	Single detached dwellings	D	0		4	--	(2)	--	--
(4)	Short term rentals	D	3	4.11.12	Same as home				
Other Uses									
(1)	Agricultural uses including crop farming, grazing and pasturage, and cultivation of land, but not including intensive livestock or poultry operations	P	0		16 ⁽¹⁾	--	--	--	--
(2)	Cemeteries	P	11		16 ⁽¹⁾	--	(2)	--	--
(3)	Landscaping contractors	D	11		16 ⁽¹⁾		(2)	--	--
(4)	Municipal facilities	P	0		--	--	--	--	--
(5)	Nurseries, greenhouses and garden centres	D	0		16 ⁽¹⁾	--	(2)	--	--
(6)	Public works excluding sewage lagoons	P	0		--	--	6	--	--
(7)	Sand and gravel operations	D	0		16 ⁽¹⁾	--	6	--	--
(8)	Sports fields, parks and playgrounds	D	0		16 ⁽¹⁾	--	6	--	--
(9)	Telecommunication towers	D	0		--	--	--	--	--
(10)	Veterinary clinics	D	5		0.11	--	(2)	--	--
(11)	Wastewater treatment facilities, including sewage lagoons	D	0		--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-11 and the FUD district:

- (1) Unless the site is subdivided by removal of a parcel tie and the parts of the tied parcels are separated by a street, railway or other parcel or the bed of surface water body. In no case shall a site be less than 4.0 ha.
- (2) All buildings shall be set back at least 45 m from the centre line of any highway, municipal road or road allowance.

6.12 RD1 – RESTRICTED DEVELOPMENT DISTRICT

6.12.1 *Purpose*

The purpose of the **RD1** – Restricted Development District is to provide appropriate development standards in order to prevent injury and minimize property damage within the flood hazard area of the North Saskatchewan and Battle Rivers.

6.12.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-12.

6.12.3 *Accessory Uses*

Bylaw 17/2016 (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.12.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-12.

6.12.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RD1** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.12.6 *Off-Street Parking and Loading*

Bylaw 17/2016 Off-street parking and loading requirements are subject to Section 4.9.

6.12.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.12.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-12: RD1 – Restricted Development District Development Standards for the Town of Battleford								
<u>Principal Use</u>				<u>Development Standards</u>				
	Designation	Parking Category	Subject to Section(s)	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
<i>Community Service, Municipal, Recreational, Institutional and Other Uses</i>								
(1) Agricultural uses including crop farming, grazing and pasturage and cultivation of land but not including intensive livestock or poultry operations and not including any principal or accessory buildings	P	0		16	--	--	--	--
(2) Historic sites, parks, playgrounds, sportsfields and golf courses, not including any permanent principal or accessory buildings	P	0		--	--	--	--	--
(3) Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--
(4) Wastewater treatment facilities, including sewage lagoons	D	0		--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-12 and the RD1 district:

6.13 RD2 – RESTRICTED DEVELOPMENT DISTRICT

6.13.1 *Purpose*

The purpose of the **RD2** – Restricted Development District is to provide appropriate development standards in order to prevent injury and minimize property damage related to potentially unstable slopes along the North Saskatchewan and Battle River Valleys.

6.13.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-13.

6.13.3 *Accessory Uses*

Bylaw 17/2016 (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.13.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-13.

6.13.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RD2** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.13.6 *Off-Street Parking and Loading*

Bylaw 17/2016 Off-street parking and loading requirements are subject to Section 4.9.

6.13.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.14.

6.13.8 *Landscaping*

Landscaping is subject to Section 4.25.

Table 6-13: RD2 – Restricted Development District Development Standards for the Town of Battleford											
Principal Use				Development Standards							
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Single detached dwelling	D	1		465 ⁽¹⁾	15 ⁽²⁾	6	7.5	1.2 ⁽³⁾	85	40
(2)	Historic farms	D	0		--	--	6	3	3 ⁽⁴⁾	--	--
Commercial Uses											
(1)	Agricultural uses including crop farming, grazing and pasturage and cultivation of land but not including intensive livestock or poultry operations	P	0		16 ha	--	--	--	--	--	--
(2)	Home based businesses – type I	P	0	4.11.8	Same as home						
(3)	Home based businesses – type II	D	0	4.11.8	Same as home						
Community Service, Municipal, Recreational, Institutional and Other Uses											
(1)	Cemeteries	D	11		--	--	--	--	--	--	--
(2)	Cultural institutions	D	0	3.9.4(1)	16 ha	--	--	--	--	--	--
(3)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--
(4)	Sports fields, parks, golf courses	D	0	3.9.4(7)	1 ha	--	--	--	--	--	--
(5)	Tourist campgrounds	D	5		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use: Any 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, and contained in this zoning bylaw.

Special limitations and standards regarding Table 6-14 and the RD2 district:

- (1) where the site is served by a lane; otherwise 510 m²
- (2) where the site is served by a lane, otherwise 17 m
- (3) except for corner sites, where it shall be 3 m along the flanking street
- (4) or ½ the building height, whichever is greater

7 MAPS
