RURAL MUNICIPALITY OF CUPAR NO. 218

ZONING BYLAW NO. 2/04

WITH

ZONING BYLAW AMENDMENTS BYLAW NO. 1/12
ZONING BYLAW AMENDMENT NO. 2015-02
ZONING BYLAW AMENDMENT NO 2015-06
ZONING BYLAW AMENDMENT NO 2016-04
ZONING BYLAW AMENDMENT NO 2020-02
ZONING BYLAW AMENDMENT NO 2021-02
ZONING BYLAW AMENDMENT NO 2021-03
ZONING BYLAW AMENMENR NO 2024-05

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SECTION 1 – INTRODUCTION

1.1 Title

This bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Cupar No. 218".

1.2 Scope

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

1.3 Severability

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

SECTION 2 – ADMINISTRATION

2.1 Development Officer

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

2.2 Application for a Development Permit

(1) Every person shall obtain a development permit **before** commencing any development within the municipality, except as listed in Section 2.3.

(2) The application shall be in the "Form A" as adopted or amended by resolution of council.

(3) The application shall have attached a layout or site plan as required in the application form or by the Development Officer, together with any other information needed to assess the application.

(4) Applications involving the installation of water and sanitary services shall provide written evidence that the Saskatchewan Health Authority, or Water Security Agency, has approved the water supply and method of sewage disposal, or proof that an application for approval has been submitted to the relevant regulatory agent. If approval has not been obtained at the time of application, the approval of such systems may be included as a condition of development permit approval.

2.3 Development Not Requiring a Permit

(1) Development permits are **not required** for the following only:

(a) *Public Utilities:* Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality; (a permit is required for the installation of new transmission lines).

(c) *Municipal Facilities:* Any facility installed and operated by the Municipality;

(d) *Signs:* Subject to the provisions of Section 3.5.

(e) *Fences*: that are no closer to the roadway than the edge of the municipal road right-of-way.

(2) Development listed in clause (1) must be allowed in the district in which they are located and must comply with the regulations of this bylaw.

2.4 Referrals to Council

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

2.5 Issue of Permits

(1) Upon completion of the review of an application for development, the Development Officer shall:

(a) issue a development permit for a permitted use, where the application conforms to this bylaw, incorporating any special regulations, performance standards or development standards authorized by this bylaw or;

(b) issue a refusal, where the application does not comply with a provision or regulation of this bylaw stating the reason for refusal.

(c) submit the application to Council for decision, where the application is for a discretionary use.

(2) Council shall make a decision on a discretionary use, by resolution which instructs the development officer to:

(a) issue a development permit incorporating any specific development standards set forth by Council, subject to the limitations of the Act and in accordance with the provisions of this bylaw; or

(b) issue a notice of refusal to the applicant, stating the reasons for the refusal.

(3) The permit or notice shall be in "Form B" as adopted or amended by resolution of council.

(4) The Development Officer shall make available a copy of all approved development permit applications involving the installation of water and sanitary services should such information be requested by provincial officials under *The Public Health Act*.

2.6 Building Permits, Licences, and Compliance with Other Bylaws

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

(2) In accordance with *The Planning and Development Act*, no building permit is valid unless a subsisting development permit has been issued

2.7 Development Appeals Board

(1) Council shall appoint a Development Appeals Board in accordance with Sections 71 and 91 to 104 of the Act.

(2) On "Form B", a development permit or notice of refusal, the development officer shall advise the applicant of the rights of appeal granted by the Act.

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

2.8 Fees and Advertising

(1) *Amendment of the Zoning Bylaw* – 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 and administrative time for the proposed amendment.

(2) *Advertisement of a discretionary use application*

(a) The Development Officer shall provide notice for any proposed discretionary use application by mailing the notice to the assessed owners of property within 75 metres of the boundary of the applicant's land.

(b) The notice shall be provided at least seven days before the application is to be considered by council.

(c) The notice shall, describe the use applied for, describe the location of the use, specify the date, time and location of the council meeting at which the application will be considered.

(3) **Application fees** – an applicant for a development permit shall pay an application fee in accordance with the following:

(a) Agricultural use (excluding residences)	- $0
(b) Residential and commercial uses	- $25
(c) All other uses	- $0
(d) Development Appeal fee	- $300

These fees shall be in addition to any fee required by clauses 2.8(1) and (2).

2.9 Offenses and Penalties

Any person who violates this bylaw is guilty of an offence and liable, on summary conviction, to the penalties set forth in the Act.

2.10 Amending the Zoning Bylaw

1) Any person who seeks to amend this Zoning Bylaw (including text and map amendments) must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
2) The application shall be in the "Form B" as attached to and forming part of this bylaw.
3) An applicant for an amendment to the zoning bylaw shall pay an application fee of $300.00.
4) Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (ie. provincial departments, interested stakeholders, etc).
5) The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
6) Premature rezoning of land for development shall not be practiced.
7) Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision

applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

SECTION 3 – GENERAL REGULATIONS

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

3.1 Development on Hazard Lands

(1) Where a proposed development of a building is located within 150 metres of an area defined in the Basic Planning Statement as potential hazard land council may require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of any slopes that may be unstable, or within any river or stream flood plain, or other land that may be subject to flooding.

(2) Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in clause (1), and which in the opinion of council, shows that the proposed site and development is suitable with respect to the following where relevant:

- The potential for flooding up to a 1 in 500 flood elevation, or such lower elevation as may be suitable for the proposed use or building.
- The potential for slope instability.
- The required mitigation measures for construction on areas of high water tables if any.

(3) Identified actions for hazard avoidance, prevention, mitigation or remedy may be incorporated as conditions to issuance of a development permit. Council shall refuse a permit for any development for which, in council's opinion, the proposed actions are inadequate to address the adverse effects, or will result in excessive municipal costs.

(4) 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 requirement of Saskatchewan Health and/or the Saskatchewan Water Corporation.

3.2 Repealed

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3.3 Mobile Homes

(1) Wherever a dwelling is allowed, it may be in the form of a mobile home.

(2) Every mobile home shall bear CSA Z240 certification and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.

3.4 Non-conforming Uses

The provisions of The Act, Sections 113 and 118 inclusive, apply to all

non-conforming buildings and uses.

3.5 Signs and Billboards

(1) *Signs Located in Highway Sign Corridor*

(a) Signs located in a highway sign corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" or amendments, thereto, and subsection 2 shall not apply.

(2) *Signs Other Than in a Highway Sign Corridor*

(a) All signs situated along a highway are required to comply with "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" as may be amended from time to time.

(b) Any sign located in other than a highway sign corridor, may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on a premises.

(c) A maximum of 2 advertising signs are permitted on any site, or quarter section.

(d) Government signs, memorial signs, and directional signs which bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.

(e) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.

(f) Billboard and other off site advertising signs are prohibited, except in a highway signing corridor.

(g) All private signs shall be located so that no part of the sign is over a public right of way.

(h) The maximum facial area of a sign shall not be in excess of 36 square feet.

3.6 Storage of Vehicles

(1) Notwithstanding anything contained in this bylaw, no person shall use any site in any district, for the parking or storage outside of an enclosed building of more than 4 vehicles that are not in running order.

(2) This Section shall not apply to permitted machinery or automotive salvage yards.

(3) Council may require that such vehicles be screened from roadways or neighboring properties by landscape features or fences or a combination thereof.

3.7 Public Utilities, Pipelines, and Facilities of the Municipality

(1) Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site area or yard requirements

shall apply.

(2) Where a pipeline, or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

(3) Oil exploration and any other development proposals in the municipality may be subject to prior review of a project proposal by Saskatchewan Environment and Resource Management. Any proposal which satisfies any of the criteria of a development in the Environmental Assessment Act will be required to undergo an EIA and to obtain Ministerial Approval to proceed. An Enviromental Protection Plan may be required for any project not requiring an EIA.

3.8 Solid and Liquid Waste Disposal Facilities

Development and maintenance of a solid or liquid waste disposal facility will be subject to the following special standards as may be specified by Council on issuing a permit:

(1) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.

(2) Any solid or liquid waste disposal facility shall be fenced.

(3) No development or use of land which requires manure, sewage disposal or landfill facilitates shall be permitted unless those facilities are approved by the applicable departments of the provincial government. Disposal of liquid, solid or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture and Food, Saskatchewan Environment and Resource Management, Saskatchewan Health, Saskatchewan Energy and Mines, and the Saskatchewan Water Corporation.

3.9 Disposal of Manure

(1) The use of agricultural land for the disposal and recycling of manure produced by an intensive livestock operation is permitted subject to the following regulations:

(a) Liquid manure shall be spread by direct injection into the soil.

(b) Solid manure shall be incorporated into the soil within 24 hours.

(c) Solid or liquid manure shall not be spread on snow covered or frozen ground.

(2) Upon application to Council other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that the objectives of the Basic Planning Statement will be achieved to a similar standard. Council may specify a limited time during which the approval will be valid.

(3) Council may exempt in whole or in part an applicant from this section where:

(a) the manure to be spread comes from an ILO of less than 300 animal units, and

(b) the manure will be spread on land owned by the operator of the ILO.

3.10 Home Based Businesses

Home based businesses shall be subject to the following conditions:

(1) The home based business shall be secondary to the residential or agricultural principal use of the site.

(2) Equipment or processes used in the business shall not create dust, noise, vibration, glare, fumes, odour, or pollution that is detectable at or beyond the property lines of the lot on which the home based business is located.

(3) Home based businesses shall not create any conflict with surrounding uses, nor shall they endanger public safety.

(4) Except as specified in the required development permit or for permitted signs, no variation in the residential or farm character and appearance of the principal dwelling, accessory buildings, or land shall be permitted.

3.11 Bed-and-breakfast and Vacation Farms

Vacation farms and bed-and-breakfast homes shall be subject to the following requirements:

(6) Vacation farms shall be ancillary to an agricultural farm operation and located on the same site as a farmstead, and may include bed and breakfast, cabins, and overnight camping areas.

(7) A maximum of five cabins shall be permitted as part of a vacation farm operation.

(8) On site signs shall be permitted in accordance with Section 3.5. Off site signs not exceeding 36 square feet may be permitted at the discretion of council where necessary to provide directions from a highway to the operation.

(9) Vacation farms and bed-and-breakfast operations shall be licensed pursuant to the *Public Health Act,* where tourist accommodations require health approval.

(10) Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead or residence: or located in a dwelling accessory to and established on the same site as the host principal residence.

3.12 Campgrounds

(1) The operator of a campground shall provide the development officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development.

(2) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres which shall contain no buildings.

(3) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 square metres in the area with its corners clearly marked. Council may allow a designated area larger than 150 square metres for group camping purposes.

(4) No portion of any campsite shall be located within a roadway or required buffer area.

(5) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

(6) Each trailer coach shall be located at least 4.5 metres from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

(7) The space provided for roadways within a campground shall be at least 7.5 metres in width. No portion of any campsite, other use or structure shall be located in any roadway.

(8) No trailer coach shall be stored on any campsite when the campground is not open.

(9) A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

(10) *The Public Health Act* and the Regulations passed thereunder, shall be complied with in respect to all operations and development of the campground.

3.13 Re-Subdivision of Existing Sites

Notwithstanding any other provision in this bylaw, the re-subdivision of existing site(s) may be permitted at Council's discretion, provided that no additional sites are created as a result of the resubdivision.

3.14 Storage of Hazardous Substances

The storage of chemicals, fertilizer and combustible materials are subject to the requirements of the Hazardous Substances Regulations administered by Saskatchewan Environment and Resource Management. All necessary requirements and permits must be met and obtained.

3.15 Non Farm Residential-Site Requirements

"No subdivision that includes or proposes to include a jet disposal type sewage system shall not be less than 10 acres in area." Smaller parcels may be allowed provided an appropriate specific sewage disposal system designed for higher densities is installed.

3.16 Heritage Resources

1) Council will work with provincial government agencies, in particular the Heritage Assessment Unit of Saskatchewan Municipal Affairs and Housing to ensure the protection of significant heritage resources. Where the potential for impacting heritage sites exists, Council will:
   a) refer proposed land developments that are located in heritage sensitive

areas and therefore may have a significant adverse impact on heritage sites to the Heritage Assessment Unit to determine if a heritage resource impact assessment study or other action is required pursuant to Section 63 of *The Heritage Property Act* or

b) apply established screening criteria to determine if a heritage study or other action is required.

2) Council may defer issuing a permit for any development until such time as all the heritage resource impact assessment and mitigation requirements have been satisfactorily met.

a) Development proposals on lands identified as heritage sensitive shall only be permitted subject to the following:

i) Compliance with all regulatory requirements of *The Heritage Property Act* to protect heritage property, and

ii) Any further measures specified by council to preserve, protect or otherwise manage heritage property.

b) Council may prohibit developments over which it has approval authority where those developments if approved would irreparably damage or destroy significant heritage property.

c) Council may refuse or temporarily defer an application decision where developments will adversely affect the long-term protection and conservation of heritage resources, until such time as Council, in consultation with the Heritage Assessment Unit determines that the heritage resources are adequately managed.

3.17 Criteria for Wind Energy Systems

(1) All Wind Energy Systems shall be deemed a Discretionary Use in the A - Agricultural District and HCI – Highway Commercial and Industrial District.

(2) The Developer shall submit a site plan that shows the location of the wind energy systems including roads, underground cabling, fencing, drainage and access.

(3) Setback distances for the Wind Energy System shall be:

(i) minimum distance of the blade length plus 10 meters from any road and/or property line.

(ii) appropriate distances, as established through consultations and/or studies, from provincial parks, environmental sensitive areas, wetlands, or other protected areas

(iii) minimum distance of 400 metres from any residence or group of residences

(4) Site Suitability:

(i) The wind energy system shall not be located on environmentally sensitive lands.

(ii) All wind energy systems and towers shall be enclosed within a locked protective fencing of a minimum height of 1.85 metres (6.0 feet).

(iii) Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.

(5) Roads:

(i) All roads and accesses required to facilitate the development shall be proposed by the developer as part of the development permit application. All roads and accesses shall be all weather and constructed to municipal standards.

(ii) The developer may be required to enter into a road maintenance agreement, in accordance with the regulations of The Municipalities Act.

(6) Height and Other Specifications:

(i) Development Permit Applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a Saskatchewan Professional Engineer.

(ii) The proposed height of the wind energy system shall be included in the development permit application.

(iii) There shall be no sounds, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area.

(iv) Landscaping shall be provided, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.

(v) No advertising shall appear on the tower or blades.

(vi) Accessory outdoor storage shall be screened from adjacent residential dwellings and public highways and the location of the storage shall be shown on the sketch that forms part of the development permit application.

(7) Maximum noise levels:

- Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance to the surrounding lands.

- Council may specify other conditions of approval for the proposal, as deemed necessary.

- Any changes to the original development permit shall require a new permit to be issued.

3.18 Solar Collector

(1) If free standing, shall not exceed a height of 5 metres (16.4 feet) above grade level.

(2) If attached to a principal building, shall not exceed a height of 5 metres (16.4 feet) above the lowest roof elevation.

(3) Council may impose additional regulatory conditions to protect the public health, the safety and welfare and the property of residents.

3.19 – Cannabis Facilities

3.19 (1) Cannabis facilities and uses shall be prohibited unless explicitly identified and defined with reference to cannabis in this bylaw or permitted for personal use by the federal and provincial government.

3.19 (2) Cannabis facilities shall meet all applicable federal and provincial regulations and the applicant shall provide proof of all required federal and provincial licenses and permits.

3.19 (3) Cannabis facilities shall provide sufficient separation to adjacent properties. A buffer area, landscaping and screening may be required to separate adjacent uses.

3.19 (4) Cannabis facilities shall have adequate water supply, waste disposal, utilities, access and onsite parking and loading spaces.

3.19 (5) Any potential nuisances or hazards shall be disclosed to the RM including but not limited to sounds, light, glare, heat, odours, fumes, liquid effluence, traffic, dust or fire and explosion hazards. The applicant may be required to implement mitigation measures to address potential nuisances or hazards.

3.19 (6) Cannabis facilities shall be a discretionary use in the Agricultural District and the Highway Commercial and Industrial District and prohibited in all other districts.

3.19 (7) Minimum site area for the cannabis facility shall be 8 hectares (20 acres).

3.19 (8) Cannabis facilities shall be located a minimum distance of 100 metres (328 feet) from a residential site, daycare, community centre, playground, school or park. This measurement shall be from the nearest point of the building foundation of the cannabis facility to the nearest point of the site line of the above listed uses.

3.19 (9) Cannabis facilities shall be located a minimum distance of 100 metres (328 feet) from the nearest point of any site on which another cannabis facility exists.

3.19 (10) The applicant shall demonstrate to the satisfaction of Council that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed facility.

3.19 (11) Cannabis facilities shall require an odour impact assessment and control plans as part of the development permit application. Air filter equipment to prevent the escape of odours and annual maintenance and documentation of odour control equipment may be required.

3.19 (12) Cannabis facilities shall require a waste management plan as part of the development permit application. The waste management plan may be required to be completed by a qualified professional and address the:

a) Quantity and characteristics of liquid and waste material discharged by the facility;

b) Storage and incineration of waste products;

c) Airborne emissions and smell; and

d) Method and location of collection and disposal of liquid and waste material.

3.19 (13) A cannabis facility shall be decommissioned and all cannabis removed from the facility, where a licence or permit is revoked or operations cease. A decommissioning plan may be required as part of the development permit application.

3.19 (14) One residence may be allowed on the same site as the cannabis facility for the owner/operator.

SECTION 4 – ZONING DISTRICTS

4.1 Districts

For the purpose of applying this bylaw, the municipality is divided into zoning districts. All parts of the Municipality shall be designated as A-Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another district.

4.2 Boundaries

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

4.3 Regulations

Regulations for the zoning districts are outlined in the following sections.

SECTION 5: A-AGRICULTURAL DISTRICT

5.1 PERMITTED USES

The following uses are permitted in this district:

(1) *Agricultural Principal Uses*
- (a) Field crops
- (b) Pastures for the raising of livestock (excluding I.L.O.'s)
- (c) One farmstead or residential site per quarter section or equivalent.

(2) *Accessory uses and buildings,* to agricultural or residential principal uses:
- (a) Farm buildings and structures for a permitted principal agricultural use on the site.
- (b) Facilities for the sale direct to the consumer of crops grown by the agricultural operation.
- (c) Orchards and vegetables, horticultural or fruit gardens, where accessory to a farmstead or existing residence.
- (d) Private garages, sheds and buildings accessory to any single detached dwelling on the site.
- (e) Fences

(3) *Ancillary uses,* permitted where ancillary to an agricultural principal use on the same site.

(a) Beehives and honey extraction facilities.
(b) Facilities for the preparation for sale of crops grown by the agricultural operation.
(c) Fish farming.
(d) Manure disposal for an ILO subject to Section 3.9

(4) *Resource based uses* – including accessory buildings and uses:
(a) Petroleum exploration or extraction wells and related facilities.
(b) Petroleum pipelines and related facilities.
(c) Metallic or non-metallic mineral mines or extraction facilities.

(5) *Other principal uses,* including accessory uses and buildings, but not including a residence:
(a) Places of worship, cemeteries, and non-residential schools
(b) Radio, television and microwave towers
(c) Public parks and public recreational facilities
(d) Historical and archaeological sites, and wildlife and conservation management areas.
(e) Public utilities, excluding solid and liquid waste disposal sites.
(f) Municipal facilities

5.2 DISCRETIONARY USES:

The following uses are discretionary in this district:

(1) *Agricultural discretionary principal uses:*
(a) Intensive livestock operations subject to Section 5.4.1.
(b) Intensive agricultural operations

(2) *Residential discretionary uses:*
(a) Additional farmstead or residential site per quarter section or equivalent.
(b) Residences ancillary or accessory to a discretionary use
(c) Garden Suite

(3) *Ancillary discretionary uses:*
(a) Vacation farms, where ancillary to a farmstead on the same site.
(b) Bed-and-breakfast homes, where ancillary to a farmstead or residence on the same site.
(c) Home based businesses, where ancillary to a farmstead or residence on the same site, including personal care homes.
(d) Agricultural related commercial uses ancillary to a farmstead on the same site.
(e) Shooting ranges
(f) Controlled hunt farms
(g) Game farms

(4) *Commercial Principal Uses:*
(a) Agricultural product processing.
(b) Agricultural equipment, fuel, and chemical supply establishments.
(c) Agricultural service and contracting establishments.
(d) Grain elevators and related uses.
(e) Gravel pits and gravel crushing operations.
(f) Machine shops and metal fabricators.

(g) Machinery or automotive salvage or storage yards.
(h) Petroleum or mineral processing facilities.
(i) Recreational commercial uses – including sports arenas, golf courses, tourist campgrounds, and other similar uses.
(j) Motels/Gas Bars/Boat Marinas
(k) Abattoirs
(l) Auction marts
(m) Automobile and Farm Machinery sales yards
(n) Liquor stores
(o) Bakery
(p) Daycare

(5) *Other Principal Uses:*
(a) Church residences and residential religious institutions.
(b) Residential schools
(c) Institutional Camps
(d) Airports and private airstrips
(e) Solid and liquid waste disposal facilities, including soil farms for the rehabilitation of contaminated soils.

(6) Wind Energy Systems
(7) Solar Collector
(8) Cannabis Facilities

5.3 REGULATIONS

5.3.1 Subdivision:

The subdivision of any land within the Agricultural District is subject to the policies contained in the Basic Planning Statement, Sections 3.3 (agricultural), 4.3 (residential) and 5.3 (commercial).

5.3.2 Site Requirements:

(1) *Agricultural Uses*
(a) Quarter (1/4) section or equivalent. Equivalent shall mean 65 hectares (160 acres) or such amount as remains in an agricultural holding as a result of the registration of a road widening, railway plan, pipeline or natural features such as a body of water, however, the minimum shall not be less than 57 hectares (140 acres), except as for Section 5.3.2(1)(b) and farmstead sites.
(b) Site sizes less than required under Section 5.3.2(1)(a) may be permitted for agricultural purposes, on a basis of a recommendation of Council.
(c) Only two residential buildings shall be permitted on any agricultural holding. Where additional buildings are required to accommodate full time workers engaged in the agricultural operation carried out on the agricultural holdings, they may be permitted at Council's discretion.

(d) An agricultural holding may be subdivided or severed to a maximum of 3 titled areas per quarter section or equivalent (2 subdivisions plus the remnant) provided the following conditions are met:

(i) The site to be subdivided or severed has an area of not less than 0.8 hectares (2 acres) and not more than 8 hectares (20 acres) except that the site area may be more or less depending on existing physical circumstances i.e., limitations or demarcations peculiar to a proposed site such as shelterbelt, topographical restraints, waterway or irregular (cutoff) shaped parcels caused by road cut-offs, railways or other similar features.

(ii) The site shall not be located where, in the opinion of Council, an all-weather access road would be prohibitively expensive to construct or maintain.

(e) Any agricultural holding within the A-Agricultural District which does not conform with the minimum site area requirements, as set out in the regulations of that district, shall be deemed to be conforming with regard to site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this bylaw.

(2) *Agricultural Related Commercial Uses*

(a) Minimum of one (1) hectare (2.5 acres) to a maximum of eight (8) hectares (20 acres)

5.3.3 Access:

(1) Development of a farmstead, residence, commercial use, institutional use, or other development requiring public access is prohibited unless the site abuts in a developed road

(2) For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right of way, or a road for which arrangements have been made with council to provide for the construction of the road on a registered right of way to a standard approved by council.

(3) A site to be created by subdivision shall not be permitted unless, where required for the proposed use, the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

5.3.4 Farmsteads

(1) A farmstead may contain the following where located on the same parcel:

(a) A residence for the operator of an agricultural use.

(b) A bunkhouse or additional residence for employees and partners of the operator engaged in the agricultural operation.

(c) Facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an I.L.O. (unless approved as an I.L.O.)

(d) Buildings for permitted accessory and ancillary uses

5.3.5 Building Setback Requirements:

(1) The minimum setback for buildings, trees, shrubs, stone piles, portable structures, fences (excluding wire fences), or other objects such as wells, dugouts, or reservoirs on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).

(a) Wire fences are to be no closer to the roadway than the edge of the municipal road right-of-way.

(2) The minimum setback for buildings, trees, shrubs, stone piles, portable structures, fences (excluding wire fences), or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the centre lines of two or more municipal road right-of-ways shall be 90 me (300 ft).

(2.1) Council may reduce the setback requirements of subsections 5.3.5(1) and (2) for new development sites to a minimum of 75 feet, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest. A greater distance may be required by the Ministry of Highways and Infrastructure near a provincial highway.

(2.2) Existing Buildings with Non-Conforming Road Setbacks:

(a) Alteration

An existing building which either existed or was authorized for construction on the effective date of this bylaw, and does not conform to subsections 5.3.5(1) and/or (2) may be enlarged, repaired or renovated, but the degree of bylaw non-conformity shall not be increased.

(b) Reconstruction

The total reconstruction of a building that does not conform to subsections 5.3.5(1) and/or (2) or the construction of an accessory building to such a building may be undertaken, at Council's discretion, but the degree of bylaw non-conformity shall not be increased. Council may specify development conditions considering road widening and public safety. Council may require the proposed buildings meet all setback requirements.

(3) No dwelling or other building shall be located within the approach surface for any airport or airstrip.

(4) Any residence or dwelling group shall be located a minimum of 125 meters from any oil well.

(5) Any residence or dwelling group shall be located a minimum of 500 meters from sour gas wells with H_2S concentrations over 100 ppm.

5.4 SPECIFIC DEVELOPMENT STANDARDS FOR DISCRETIONARY USES:

5.4.1 Intensive livestock operations:

(1) Council is governed by the location criteria contained in the Basic Planning Statement, Section 3.3 in the issuing of a discretionary approval for an I.L.O.

(2) Development of any temporary facility and part of a site shall also require a development permit as a discretionary use if it meets the definition of an I.L.O.

(3) Approval of an intensive livestock operation shall be for a specific maximum number of animal units specified by council as a condition of the development permit. A new discretionary approval shall be required for the expansion of an ILO for which a greater separation distance is identified according to Table 3.1 in the Basic Planning Statement or substantially alter the species of animals in the operation.

(4) Council may issue a conditional approval of an ILO subject to:

(a) Coverage of liquid manure storage facilities by straw or other acceptable means on a continuous basis.

(b) Disposal of manure produced by an ILO based on the provisions of Section 3.9.

5.4.2 Intensive agricultural operations:

(1) In the application for an intensive agricultural operation the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, which supply shall be sufficient to meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties.

(2) The operation may include a farmstead or dwelling on the same site subject to Section 5.3.2.

5.4.3 Repealed

5.4.4 Solid and liquid waste disposal facilities:

(1) Development and maintenance of a solid or liquid waste disposal facility shall be subject to Section 3.8.

(2) Crop land or improved pasture may be used for the disposal of wastes from an intensive livestock operation by spreading of manure, and such manure shall be incorporated into the soil within 24 hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case

incorporation shall take place as soon as practical thereafter.

5.4.5 Home based businesses:

(1) shall comply with Section 3.10
(2) A personal care home must be licensed under *The Personal Care Homes Act.*
(3) Council may apply special standards in the issuing a development permit limiting the size of operation, buildings used for the operation, and number of non resident employees. Any increase in the operation as applied for or approved shall require a new discretionary approval.

5.4.6 Vacation farms and bed-and-breakfast homes:

(1) shall comply with section 3.11
(2) Council may apply special standards in the issuing a development permit limiting the number of rooms, cabins or camping spaces that may be permitted in conjunction with the operation.

5.4.7 Commercial uses:

(1) Where ancillary to a farmstead, Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and number of non resident employees.
(2) An increase in the area of land for a commercial use or the number of size of buildings used for the commercial operation, shall require a development permit subject to discretionary approval by council.
(3) Council may require special standards for the location, set back or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

5.4.8 Campgrounds

(1) shall comply with Section 3.12

5.4.9 Shooting Ranges

(1) Shall comply with all federal and provincial legislation and regulations.

5.4.10 Garden Suites

(1) Only one garden suite ancillary to a principal residence may be permitted on a lot.
(2) Garden suites shall be located in proximity to Highway 22 or Highway 6 and have sufficient access, egress, and parking.
(3) The garden suite shall conform to all site regulations including size, setbacks, and access.
(4) There shall be a suitable water supply and sewage disposal systems that meet provincial standards.
(5) Garden suites shall be located on sites where the dwelling can be serviced by existing utilities or efficiently serviced and shall not result in excessive demand on municipal services, utilities or roadway access.

(6) Landscaping may be required to separate the residential uses and adjacent agricultural development.

SECTION 6: R-RESIDENTIAL DISTRICT

The objective of this district is to provide for the subdivision and development of Residential development. It will be used to accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Residential District will be used for residential purposes with limited agricultural uses allowed on the sites. As shown in the Land Use Concept Map within the Basic Planning Statement, Council encourages residential development to occur on lands along Highway 22 and a portion of Highway 6.

6.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:

(a) Installation and repair of public utilities, except solid and liquid waste disposal facilities

(b) Development and expansion of municipal facilities

(c) Signs, subject to Section 3.5

(d) Fences

(e) Landscaping on private lands

(f) Sidewalks, steps, patios, decks

(g) Sheds that are less than 100 ft^2

(h) Keeping of Animals – limited to domestic pets

(i) Expansion of existing agriculture uses

6.2 Permitted Uses that require development permit approval:

a. Residence

b. Dwelling Groups

c. Residential Accessory Buildings and Uses

i. Private garages

ii. Sheds that are greater than 100 ft.^{2} in size

iii. Private greenhouses

iv. Orchards, vegetable, horticultural or fruit gardens

v. Accessory uses and buildings related to an approved discretionary use

d. Recreational uses:

i. Public sports fields and parks

ii. Other public or non-profit recreational facilities

6.3 Discretionary Uses:

The following uses will be permitted at Council's discretion:

(a) Solid and liquid waste disposal facilities.

(b) Bed-and-breakfast Operations

(c) Home Based Businesses

(d) Keeping of animals on the same site as an established residence

(e) Care home facilities

(f) Small wind turbines

(g) Solar Collector

6.4 Regulations

(a) Subdivision

i. The subdivision of any land that does not meet the subdivision requirements within the Agricultural District will be required to be rezoned to this district and are subject to the policies contained in the Basic Planning Statement for Residential Lands.

ii. All residential subdivisions shall be located adjacent to a transportation corridor

iii. Where applicable, all residential subdivisions shall be serviced to meet municipal standards.

iv. A buffer strip of 10 feet will be required in all residential subdivisions to separate residential uses and existing agricultural development. Council may also require certain screening such as trees and/or shrubs to separate the incompatible land uses.

(b) Frontage

i. Minimum site frontage shall be 20 m for all parcels

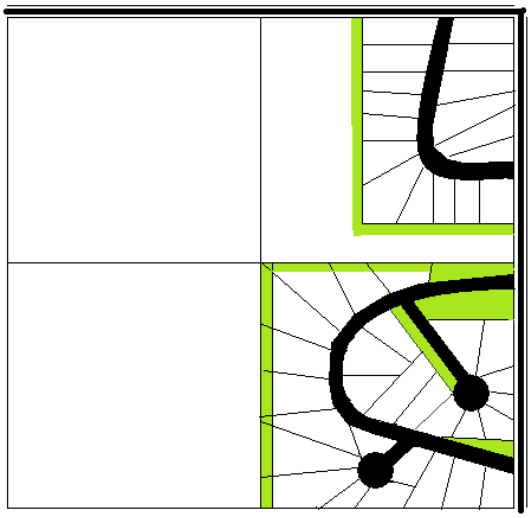
ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

(c) Site Size

i. Minimum site size shall be 0.8 ha (2 acres)

ii. Maximum site size shall be 8.09 ha (20 acres)

SAMPLE SUBDIVISION



(d) Access:

i. A l road

ii. Fo all mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council

iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has

frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

iv. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

(e) Setback Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, fences (excluding wire fences), or other objects such as wells, dugouts, or reservoirs on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).

A. Wire fences are to be no closer to the roadway than the edge of the municipal road right-of-way.

2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft)

3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft)

4. No outside storage shall be permitted in the front yard.

ii. Side and Rear Yard:

1. The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft) from the property line.

2. Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from a road.

iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

- The separation distance to an ILO as regulated in Section 3.3.3 and Table 3.1 of the Basic Planning Statement
- 305 m from a licensed public or private liquid waste disposal facility
- 457 m from a licensed public or private solid waste disposal facility
- 305 m from a honey processing facility
- 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
- 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
- no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

(f) No new or expanded permitted uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

6.5 Criteria for Discretionary Use Applications

(a) A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.

(b) The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.

(c) No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

(d) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.

(e) Home Based Businesses:

i. No home based business in this District shall include auto body repair or repainting operations

ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District

iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.

iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval

(f) Bed-and-breakfast Operation

i. The proposed structures are suitable and comfortable for the proposed development

ii. There shall be a water source suitable for public consumption at the facility

iii. There shall be suitable utilities and sewage disposal system for the facility

iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility

v. The development shall not be in conflict with adjacent uses or uses currently on the site.

(g) Keeping of animals

(i.) Two (2) large animals (horses or cattle) will be permitted on a site of at least 2 hectares (5 acres). Four (4) large animals will be permitted on a site of at least 4 hectares (10 acres) site. For each 1.2 hectares (3 acres),

one (1) additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.

(ii.) Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.

(h) Solid and liquid waste disposal facilities will only be permitted in the Residential District if there are no suitable sites within the Agricultural District.

(i) Other requirements of this bylaw specific to the proposed use are met.

(j) Small wind turbines

- Only small wind turbines will be permitted in the Residential District and must be attached to the primary residence/building.
- The size of the attached wind turbine shall be no larger than 10% of the size of the building that it is being placed on.
- Council may limit the number of wind turbines for a proposed development.
- The proposed height and dimensions of the wind energy system shall be included in the development permit application.
- There shall be no sounds, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area or that will cause a nuisance to the surrounding area.

SECTION 7 – HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICT

The objective of this district is to provide for highway commercial and industrial development uses along Highway 6 within the RM. Council has designated this area as being appropriate for commercial/industrial development as it is easily accessible by the travelling public. Council will prefer that a

commercial/industrial subdivision take place along Highway 6 rather than development on a quarter section, where possible. As shown in the Land Use Concept Map within the Basic Planning Statement, Council will encourage commercial and industrial developments to be located on lands which abut Highway 6 to ensure compatible future development within the RM.

All permitted and discretionary uses will be referred to the Ministry of Highways and Infrastructure to ensure the proposal is consistent with provincial setback requirements and other regulations.

7.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:

(a) Expansion of existing agriculture uses

7.2 Permitted Uses that require development permit approval:

(a) Agricultural services, contracting and supply establishments

(b) Commercial nurseries or greenhouses, including retail.

(c) Services stations with or without confectionary

(d) Motor vehicle dealers and service establishments

(e) Motels and hotels

(f) Restaurants

(g) Retail stores

(h) Public utilities

(i) Accessory buildings to the above permitted uses.

(j) Fences

7.3 Discretionary Uses

(a) Abattoirs, skinning and tanning facilities

(b) Manufacturing

(c) Fabricating

(d) Agricultural product processing

(e) Auction Mart

(f) Outside Storage of materials visible from the Highway

(g) Public storage facilities, structures and containers.

(h) Commercial trucking establishments

(i) Wind energy systems

(j) Accessory buildings to the above discretionary uses.

(k) Solar Collector

(l) Cannabis Facilities

(m) Cannabis Retail Store

7.4 Regulations

(a) Subdivision

i. New subdivision applications shall be accompanied by a concept plan as outlined in the Basic Planning Statement.

ii. All subdivisions shall be serviced to meet municipal standards and provincial standards.

(b) Frontage

i. Minimum site frontage shall be 30m (98.4 ft.) for all parcels.

ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

(c) Site Size

i. Minimum site size shall be 1000 sq. m (0.25 acres)

ii. Maximum site size shall be at the discretion of Council.

iii. Exemptions from minimum site size requirements may be considered by Council for public utility uses and municipal facilities.

(d) Access:

i. All subdivisions shall be located in proximity to Highway 6 or Highway 22 and access may be required to be provided by a service road that meets provincial and municipal standards.

ii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

iii. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.

(e) Setback Requirements

i. Front Yard:

- The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a provincial highway and will be in accordance with the requirements of the Ministry of Highways and Infrastructure.

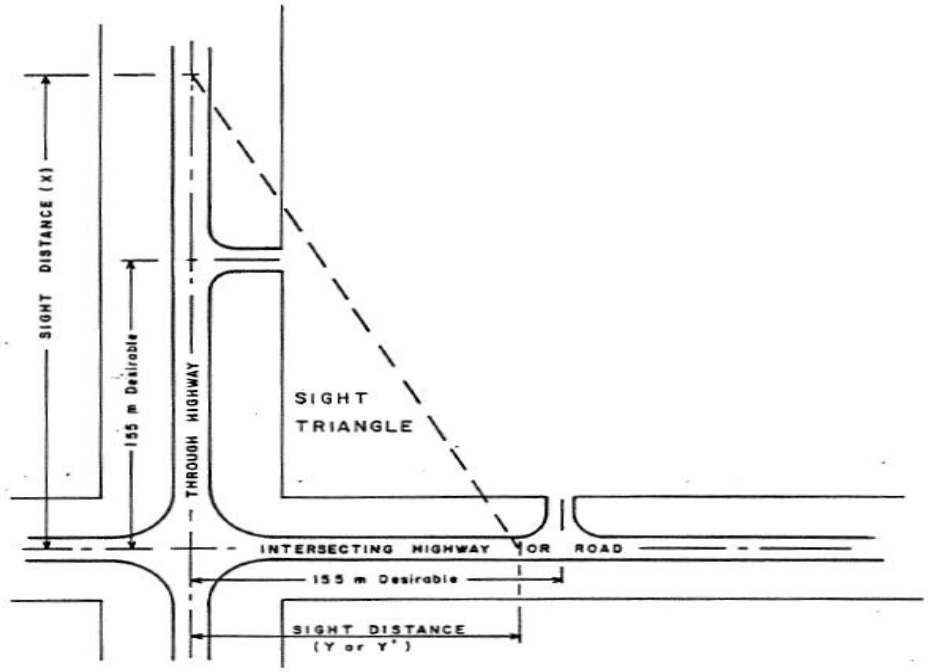
- The minimum setback for buildings, trees, shrubs, stone piles, portable structures, fences (excluding wire fences), or other objects on private property from the centreline of a municipal road allowances, municipal grid road, and main farm access road shall be 45 m (150 ft).

    A. Wire fences are to be no closer to the roadway than the edge of the municipal road right-of-way.

- The minimum setback for buildings on private property from the internal subdivision road shall be 7.6 m (25 ft)

- No outside storage shall be permitted in the front yard.

- The Ministry of Highways and Infrastructure site triangle at intersections shall be adhered to:



ii. Side Yard:

- The minimum setback for buildings on private property from any side yard shall be a 3 m (10 ft).

iii. Rear Yard

- The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 3 m (10 ft).

7.5 Criteria for Discretionary Use Applications

(a) A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.

(b) The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access and to all provincial requirements.

(c) No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

(d) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.

(e) Council will apply the criteria of the Basic Planning Statement when considering locations for commercial and industrial uses

(f) Year round access to the site shall be available.

(g) A road of adequate standard provides access and egress to the operation from a provincial highway to the site.

(h) If development of a discretionary use is proposed on a ¼ section, Council will require to developer to provide information on why the entire ¼ section will be needed for the development.

(i) Other requirements of this bylaw specific to the proposed use are met.

DEFINITIONS

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

Accessory Use: a use which is customarily subordinate and exclusively devoted to the principal building, structure or use of the same site.

Act: *The Planning and Development Act, 2007*, as amended

Alteration: any structural change or addition made to any building or structure

Animal Unit (A.U.): the kind and number of animals calculated in accordance with the following table:

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

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

Applicant: a developer or person applying for a development permit under this bylaw.

Bed and Breakfast Home: a dwelling unit licensed as a tourist home under *The Public Health Act* in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

Billboard: a private free standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located, and which is greater than 2 square metres in facial area.

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

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

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

Cannabis: As defined in The Cannabis Act (Canada).

Cannabis Facility: means either:

a) A facility, licensed by the Federal Government, for the cultivation, synthesis, harvesting, altering, propagating, processing, packaging, labeling, storage and shipping of cannabis; or
b) A facility, provincially authorized, for the warehousing and wholesale distribution of cannabis.

Cannabis Retail Store: A retail store, provincially authorized, for selling cannabis to consumers.

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

Council: the Council of the Rural Municipality of Cupar No. 218.

Developed Road: an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council

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 of any building or land.

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

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

Domestic Pets: animals that are kept for companionship and a person's enjoyment such as dogs or cats but not including livestock or working animals.

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

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

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

Farmstead: a single site which includes the residence of the farm operator and those buildings or facilities which are related to the farm operation, and may include cropland and pastures.

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

Frontage: the full length of a plot of land that is measured alongside the road on to which the land fronts.

Fruit Garden: the planting of trees or shrubs that is maintained for food production.

Garden Suite: An additional separate dwelling unit located on the same site as the principal residence.

Group Care Facility: a supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of a maximum ten persons (excluding resident staff and any government agencies or recognized social services agency or health professionals).

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

Home Based Business: a secondary occupation carried on by the occupants of a farmstead or residence ancillary to a permitted use.

Highway Sign Corridor: a strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Ministry of Highways under *The Highways and Transportation Act*.

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

Intensive Livestock Operation (I.L.O.): the operation or facilities for the permanent or temporary rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in such numbers that the facility and portion of a site used for the operation:
a) will contain 100 or more animal units, and
b) provides less than 370 square metres (4000 ft2) of space for each animal unit contained therein.

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

Municipality: the Rural Municipality of Cupar No. 218

Non-Conforming Building: a building:
a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date a zoning bylaw or any amendment to this bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
b) that on the date this bylaw or any amendment to this bylaw becomes effective does not, or when constructed will not, comply with this bylaw.

Non-Conforming Use: any use of land, building, or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zone district in which it is located.

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

Permitted Use: a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this bylaw.

Personal Care Home: a facility licensed under *The Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Principal Use: the main activities conducted on a site.

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

Public Road: a road allowance or legally surveyed road vested in the Crown

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

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

Reeve: the Reeve of the Rural Municipality of Cupar No. 218.

Residence: a single detached dwelling on a site which is not used as a farmstead.

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

SALVAGE YARD (WRECKING): a parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.

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

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

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

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

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

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

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

Small Wind Turbines: wind turbines that have lower energy output than large commercial turbines, are attached to the residence or building and do not make up more than 10% of the size of the building that it is being placed on.

Solar Collector: any various devices for the absorption of solar radiation for the heating of water or buildings or the production of electricity.

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

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

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

Temporary Livestock Facility: a facility or livestock operation for the confinement of animals for a continuous period of more than 10 days in any 30 day period.

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

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

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

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

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

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

Wind Energy System: any structure(s) used for the transmission or reception of electrical energy for industrial, commercial, private or public uses and related accessory buildings.

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

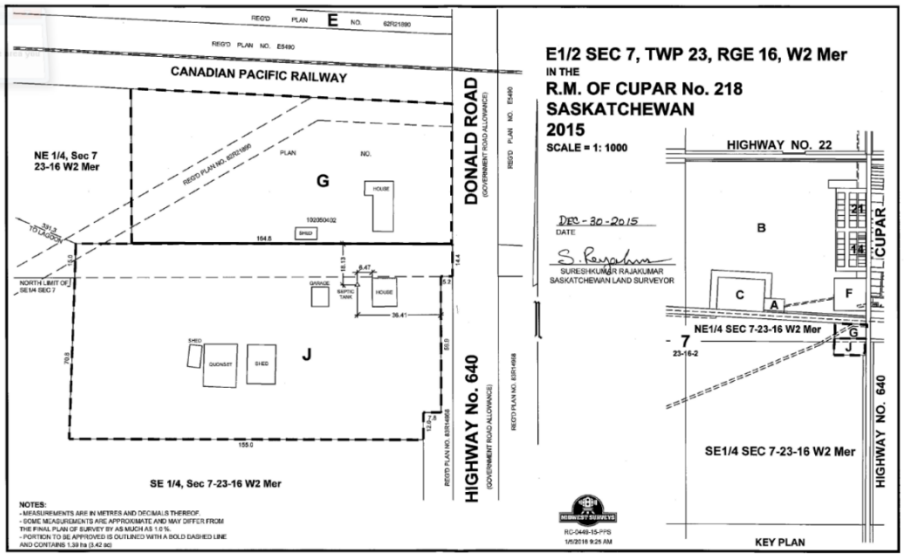
Yard, Front: that part of a site which extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

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

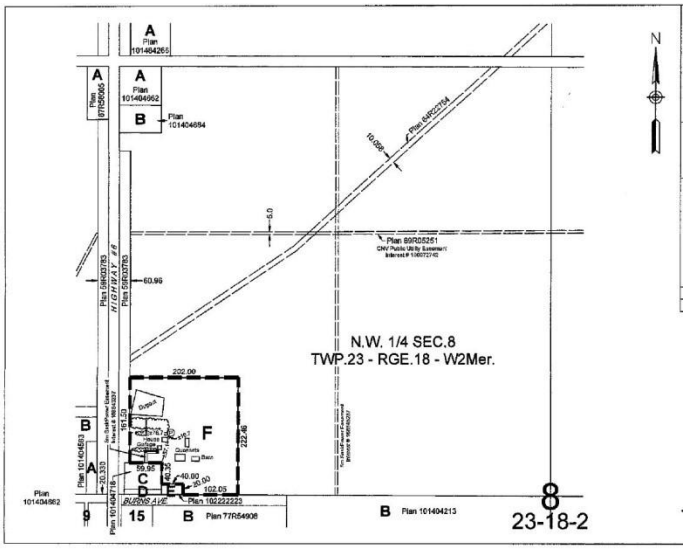
Yard, Required: the minimum yard required by a provision of this bylaw.

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

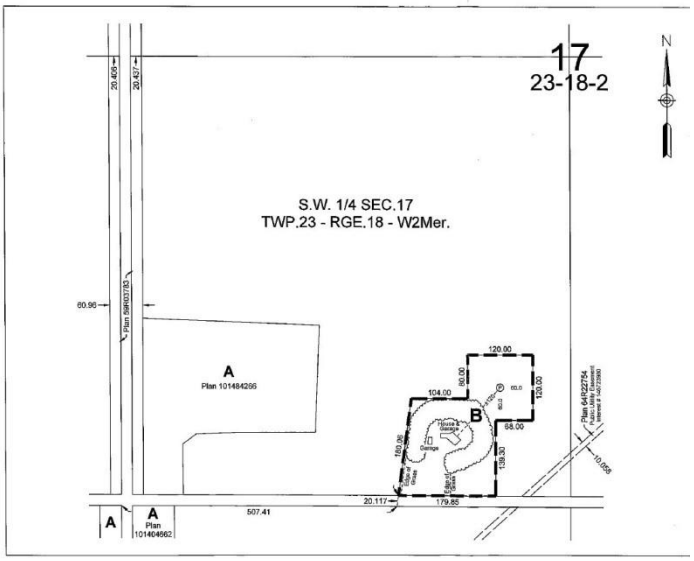
The Zoning District Map attached to and forming part of the Zoning Bylaw is amended by rezoning from A- Agricultural to R -Residential District part of the E ½ 7-23-16 W2M identified as parcel J and G on the attached map which forms part of the bylaw.



The Zoning District Map attached to and forming part of the Zoning Bylaw is amended by rezoning from A- Agricultural to R -Residential District part of the NW ¼ 8-23-18 W2M identified as parcel F on the attached map (Schedule A) which forms part of the bylaw.



2. The Zoning District Map attached to and forming part of the Zoning Bylaw is amended by rezoning from A- Agricultural to R -Residential District part of the SW ¼ 17-23-18 W2M identified as parcel B on the attached map (Schedule B) which forms part of the bylaw.



The Zoning District Map attached to and forming part of the Zoning Bylaw is amended by rezoning from A- Agricultural to R -Residential District a portion of the SE ¼ 8-23-18 W2M delineated by the black dashed line and identified as "Parcel D" on the attached map (Schedule A) which forms part of this bylaw.

