

BYLAW NO. 7-2014

Zoning Bylaw of the Village of Dinsmore

Prepared by the



Advisory Planning Commission

2014

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## 1 INTRODUCTION

Under the authority granted by *The Planning and Development Act, 2007*, the Mayor and Council of the Village of Dinsmore 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 Village of Dinsmore".

### 1.2 PURPOSE

The purpose of this Bylaw is to regulate development in the Village of Dinsmore and to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the Village .

### 1.3 SCOPE

Development shall hereafter be permitted within the limits of the Village of Dinsmore only when in conformity with the provisions of this Bylaw.

### 1.4 SEVERABILITY

If any section, clause, or provision of this Bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw in whole or in part, other than the section, Clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

## 2 DEFINITIONS

Whenever the subsequent words or terms are used in this Bylaw, they shall, have the following definition unless the context indicates otherwise.

**Abattoir:** a building for butchering. The abattoir houses facilities to slaughter animals; dress, cut and inspect meats; and refrigerate, cure, and manufacture by-products.

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

**Act:** *The Planning and Development Act 2007*, Province of Saskatchewan.

**Administrator:** The Administrator of Village of Dinsmore

**Agricultural:** A use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture.

**Alteration or Altered:** With reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal or part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw.

**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 Clinic:** A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

**Animal Hospital:** The premises of a veterinary surgeon where small, large domestic animals and livestock are treated or kept involving surgery and the keeping of animals in outdoor or indoor pens.

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

Animal Type	Number of Animals = 1 Animal Unit
<b>Poultry</b>	
hens, cockerels, capons	100
chicks, broiler chickens	200
turkeys, geese ducks	50
exotic birds	25
<b>Hogs</b>	
boars and sows	3
gilts	4
feeder pigs	6
weanling pigs	20
<b>Sheep</b>	
rams or ewes	7
lambs	14
<b>Goats etc.</b>	
all including lamas, alpacas	7
<b>Cattle</b>	
cows and bulls	1
feeder cattle	1.5
replacement heifers	2
calves	4

<b>Horses</b>	
colts and ponies	2
other horses	1
<b>Other</b>	
domesticated ungulates	
- bison	1
- elk, reindeer	4
-deer	7

**Apartment:** a building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel or rooming house

**Applicant:** A developer or person applying for a development permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act 2007*.

**Approved:** Approved by the council of the Village of Dinsmore

**Assembly Hall** - a hall where many people can congregate

**Attic:** That portion of a building situated wholly or in part within the roof and which is less than one-half story.

**Auto Wrecker:** An area where motor vehicles as disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.

**Awning:** a canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

**Bareland Condominium:** a parcel containing a dwelling group which has been subdivided into Bareland Units, pursuant to a condominium plan.

**Bareland Unit:** a unit of land subdivided under a bare land condominium plan registered pursuant to the *Condominium Properties Act, 1993*, excluding units that are service units or parking units.

**Basement:** That portion of a building that is partly or wholly underground.

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

**Beverage Room:** an establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations

**Billboard:** A private free standing sign, including supporting structure, which advertises goods, products, services, organizations, of facilities that are available from, located on, or refer to, a site other than the site on which the sign is located.

**Buffer:** A strip of land, vegetation or land use that physically separates two or more different land uses.

**Building:** A structure constructed on, in, or over land and used for the shelter or accommodation of persons, animals, goods, or chattels, and includes any structure covered by a roof supported by walls or columns.

**Building, Accessory:** A subordinate building detached from a principal building located on the same site, the purpose of which is to enclose a use accessory or part of the principle use.

**Building Bylaw:** A bylaw of the Village of Dinsmore to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures adopted pursuant to *The Uniform Building and Accessibility Standards Act*.

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

**Building Permit:** A permit, issued under The Building Bylaw of the Village of Dinsmore, authorizing the construction of all or part of a building or structure.

**Building, Principal:** A building within which the principle use of the site is housed or conducted.

**Building Line, Established:** The average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage of the block has been built on.

**Bulk Fuel Sales and Storage:** includes land, buildings, and structure for the storage and distribution of fuels and oils including retail sales or key-lock operation.

**Business Support Services:** Activities intended to provide administrative, promotional or technical support for commercial and industrial activities.

**Bylaw:** The Village of Dinsmore Zoning Bylaw.

**Campground:** An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

**Canopy:** a non-retractable, permanent roof-like structure constructed of durable material extending from part or all of a building.

**Carport:** A building or structure or part thereof, where at least 40% of the area of the perimeter is open and unobstructed by a wall, door, post or pier and which is used for the parking or storage of motor vehicles.

**Cemetery:** A cemetery or columbarium within the meaning of *The Cemeteries Act, 1999*

**Commercial:** The use of land, building(s), or structure(s) for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

**Commercial Entertainment Establishment:** A recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement

arcade, bowling alley, theatre, billiard parlour, and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).

**Community Facilities:** Buildings or facilities used for recreational, social, educational or cultural activities and that are owned by a municipal corporation, non-profit corporation or other non-profit organization.

**Condominium:** Land, buildings, and units, including private and common property as defined under *The Condominium Property Act, 1995*.

**Contractors Yard:** The yard of a contractor or company, including landscaping materials used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

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

**Council:** The Council of the Village of Dinsmore.

**Day Care Centre:** A facility which provides for the non parental care of pre-school age children or school aged children outside of normal school hours, and includes, but is not limited to:

(a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act*

(b) a nursery school for pre-school children

**Deck:** Any raised floor structure at least 0.3 meters above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

**Demolition Permit:** A permit issued for the removal or dismantling of a building or structure within the Village 's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

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

**Development Officer:** The administrator of the Village of Dinsmore or anyone else appointed by council.

**Development Permit:** A document issued by the Development Officer of the Village of Dinsmore that authorizes development pursuant to this Bylaw, but does not include a building permit.

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

- (i) is prescribed as a discretionary use in the zoning bylaw; and
- (ii) requires the approval of council pursuant to section 56 of the Act

**Dwelling:** A building or part of a building intended for residential occupancy.

**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

**Dwelling, Duplex:** a building that is divided horizontally into 2 dwelling units.

**Dwelling Unit Group:** Two or more single detached or semi-detached or multiple unit dwellings located on a single site.

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

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

**Dwelling, Single-Detached:** A detached building consisting of one dwelling unit as defined here; and

occupied or intended to be occupied as a permanent home or residence, including an RTM when attached to its foundation on the site, but not including a mobile or modular home as defined

**Dwelling, Row House:** A building with three or more dwelling units side by side with common party walls which separate, without opening, each dwelling unit throughout the entire structure, with each dwelling having frontage onto the front street. Where permitted in the Zoning Bylaw, a row house may be subdivided into the separate dwelling units along the party walls.

**Dwelling, Town House:** A multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings

**Educational Institution:** An establishment dedicated for the purpose of providing education and instruction in any branch of knowledge.

**Family Child Care Home:** Pursuant to *The Child Care Act*, means residential premises in which childcare services are provided to not more than eight children at any one time

**Farm Building:** Improvements such as barns, granaries, and similar structures used in connection with the growing and sale of trees, shrubs and sod or the raising or production of crops, livestock or poultry, fur production, bee keeping and situated on a parcel of land used for the farm operation.

**Flanking:** Means adjacent to the side site line of a parcel or site

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

**Frontage:** The length of the front site line

**Garage, Private:** A building or part of a building or a carport used or intended to be used for the storage of motor vehicles and having a capacity for not more than

three motor vehicles for each dwelling unit to which the garage is accessory.

**Garage, Public:** A building or part of a building, other than a private garage, used for the storage, care, repair, servicing or equipping of motor vehicles or where vehicles are kept for remuneration, hire, sale or display.

**Gas Bar:** A commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

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

**Greenhouse, Commercial:** A building for the growing of flowers, plants, shrubs, trees and similar vegetation that are not necessarily transplanted outdoors on the same site, but are sold directly at wholesale or retail from the site.

**Greenhouse, Private:** A building for the growing of flowers, plant, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products may not be offered for sale.

**Group Care Facility:** A supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.

**Hazard Land:** Land having inherent environmental hazards; land subject to flooding, earth movement, or slope instability, land with poor natural drainage, ground water seepage, erosion, steep slopes, rock formations, or other similar features.

**Health Service Facility:** A building or part thereof used by qualified health service practitioners for the treatment of human health needs.

**Height of the Sign:** The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

**Heritage Resource:** The history, culture and historical resources of an area and its residents.

**Highway Commercial:** Commercial activities normally located along highways, major roadways and in other locations considered strategic by the type of business involved serving the needs of local residents and the traveling public.

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

**Home Based Business:** A business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly ancillary and secondary to the residential use and does not change the character of the dwelling.

**Hotel:** Buildings or structures used or advertised as a place where sleeping accommodations are provided in whole or part, and may include accessory uses.

**Industrial Use:** The use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

**Industrial Park:** An area of land set aside for industrial development, usually located close to transport facilities, especially where more than one transport mode coincides, i.e. highways, railroads, airports.

**Institutional Use:** The use of land, buildings, or structures for religious, charitable, educational, health or welfare purposes and includes churches, public or private schools, nursery schools, hospitals, and special care homes.

**Kennel, Boarding:** The temporary accommodation of more than four dogs, cats or other domestic animals for commercial purposes.

**Kenel, Breeding:** The keeping of domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

**Kenel, Enclosure:** An accessory building or enclosure intended to house one or more domestic animals.

**Landfill:** A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

**Landscaped Area:** An area not built upon and not used for any purpose other than as an open space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences and similar outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

**Lane:** A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

**Livestock:** Domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.

**Lounge:** A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for dancing or entertainment, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% or the public assembly area in the adjoining restaurant.

**Manufacturing Establishment:** A firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.

**Marquee:** A roof-like structure of a permanent nature which projects from the wall of a building that is independently supported by a system of columns or piers without walls over an entrance to a building.

**Mayor:** The Mayor of the Village of Dinsmore.

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

**Mobile Home:** a trailer coach:

(a) that is used as a dwelling for permanent or year round living

(b) that has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system

(c) which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.

**Mobile Home Park:** A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation but does not include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the terms mobile home park and mobile home court shall be deemed to mean the same.

**Mobile Home Site:** A parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

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

**Modular Home, Single Wide:** A modular home that is less than 5 metres (16.40 ft.) in width.

**Modular Home, Double Wide:** A modular home that is greater than 8 metres (26.25 ft.) in width.

**Modular Unit:** A factory built frame or shell which comprises supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a Section of a dwelling and has neither chassis, running-gear, nor its own wheels.

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

**Municipality:** The Village of Dinsmore.

**Municipal Reserve:** Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a municipality pursuant to Sections 181 to 193 inclusive of *The Planning and Development Act, 2007*.

**Museum:** An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection or artifacts of historical interest.

**Non-Conforming Building:** A building:

- (a) that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- (b) that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw Becomes effective does not, or when constructed will not, comply with the Zoning Bylaw

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

**Non-Conforming Use:** means a lawful specific use:

- a) Being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning bylaw or any amendment to a zoning bylaw affecting the land or building becomes effective; and
- b) That on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective does not, or in the case of a building under construction or with

respect to which all required permits have been issued will not, comply with the zoning bylaw;

**Office or 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, trans-shipped, sold or processed.

**Official Community Plan (OCP):** The Village of Dinsmore Official Community Plan is the WaterWolf Planning District Growth Management Plan.

**Open Space:** Passive and structure leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community, including parks, recreation and tourism nodes, and natural areas.

**Parking Lot:** An open area, other than a street, used for the temporary parking of more than four vehicles and available for public or private use.

**Parking Space:** A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 3 meters (9.84 ft) wide and 5.5 meters (18 ft) in length.

**Patio:** Any hard surface or floor structure less than 0.3 meters (0.98 ft) above the average ground level upon which it is constructed.

**Permitted Use:** The use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

**Personal Service Establishment:** A development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

**Places of Worship:** A building set aside by any religious organization for public worship. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

**Principal Use:** The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which is occupied or maintained.

**Public Utility:** A system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality:

- (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 sewage and garbage
- (e) telephone distribution lines
- (f) microwave and cell phone tower communication facilities
- (g) facilities for optical cable, or cable television services

**Public Works:** A facility as defined under *The Planning and Development Act, 2007*.

**Radio and Television Communication Structure:** Structures used for receiving and broadcasting radio or television signals.

**Real-Estate Signage:** Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1m<sup>2</sup> (10.8 ft<sup>2</sup>).

**Recreational Uses:** The use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks and curling rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and all similar uses, together with the necessary and accessory buildings and structures; but does not include the racing of animals or motorized vehicles.

**Retail Store:** Establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

**Recycling and Collection Depot:** A building or structure intended to accommodate the collection, sorting, processing and temporary storage of recyclable household materials such as bottles, cans, plastic containers, paper and paint that would otherwise be considered waste. These types of uses do not include any outdoor processing or storage.

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

**Rooming House:** A building containing more than one rooming unit

**Rooming Unit:** A room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw with sleeping facilities but without private toilet facilities.

**'Ready to Move' (RTM) Dwelling:** A new single detached dwelling constructed off site to National Building Code or CSA A277 standards to be moved onto a new permanent residential site building foundation.

**Salvage Yard:** 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, rubber tires, discarded goods, equipment, appliances or machinery.

**School:** An educational facility under the jurisdiction of a Board of Education, a college, university, or any other school established and maintained either wholly or partially at public expense, whether or not the same is a boarding school and includes any dormitory building accessory to such school.

**Secondary Suites:** means a self contained dwelling unit which is an ancillary use to, and located within, a detached building in which the principal use is a one unit dwelling.

**Service Station:** A building which is a principal use on a site or a structure which is an accessory use in a clearly defined space on a site; where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle, and where the service station is a principal use

on the site, it may also include the servicing and repairing of motor vehicles.

**Sight Triangle, Driveway:** The area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the driveway within the property to a similar point along the property line 3 m away from the driveway.

**Sight Triangle, Street:** The area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 m from the corner property pin to a similar point 7.5 m along the perpendicular or intersecting property line.

**Setback:** The distance required to obtain the front yard, rear yard, side yard, or distance from another building, required by the provisions of this Bylaw.

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

**Sign, A-Board:** An A-shaped portable sign that is used for temporary placement and has no external supporting structure.

**Sign, Awning:** A non-illuminated sign painted or affixed to the surface of an awning which does not extend beyond the perimeter of the awning.

**Sign, Billboard:** A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the site on which the sign is located.

**Sign, Canopy:** A sign attached to, or painted on an awning, canopy or free-standing canopy.

**Sign, Construction:** A temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.

**Sign, Converted Vehicle and Trailer:** A vehicle or trailer not originally designed as a sign, but which has been converted or used for that purposes.

**Sign, Directional:** Any sign:  
(a) displaying safety or warning messages  
(b) directing traffic or providing parking directions  
(c) giving instructions, directions or orders to persons making use of premises.

**Sign, Face:** The entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area.

**Sign, Facial Area:** The entire surface area of a sign or in the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.

**Sign, Free-Standing:** A sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.

**Sign, Identification:** A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

**Sign, Portable:** A free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purposes.

**Sign, Real Estate:** A temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.

**Sign, Temporary:** A sign advertising a message applicable for a defined period of time and not exceeding 6 months.

**Sign, Wall:** A sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 ft.) from such building or structure.

**Site:** One or more contiguous surface parcels as defined under The Land Titles Act, 2000, and used as a unit for the purpose of regulation under this Bylaw.

**Site Area:** The total area within the site lines of a site.

**Site, Corner:** A site at the intersection of two or more public streets.

**Site Coverage:** The percentage of the site area covered by all the buildings above the ground level.

**Site Depth:** The horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel the site depth is the length of a line joining the midpoint of such site lines.

**Site Plan:** A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.

**Site Line:** Any boundary of a site.

**Site Line, Front:** The boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

**Site Line, Rear:** The site line at the rear of the site, opposite the front site line.

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

**Site, Through:** A site other than a corner site, having separate frontages on two streets. The front site line of a through site shall be determined by predetermined building lines.

**Site, Width:** The horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

**Small Scale Commercial:** Commercial or Industrial land uses maintaining a lineal frontage of less than 90 meters.

**Special Care Home:** Means a nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

**Special Needs Housing:** Multiple unit dwellings or dwelling groups operated by a non-profit corporation or public authority and used exclusively for the domestic habitation of senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above.

**Storey:** That portion of a building, other than an attic or basement, between the upper surface of any floor and the upper surface of the floor next above.

**Street:** A public thoroughfare which affords the principal means of access to the abutting property.

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

**Structure, Temporary:** Anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

**Swimming Pool:** Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.6 meters or more at any point.

**Tavern:** an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted.

**Telecommunication Facility:** A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those used exclusively for dispatch communications.

**Tourist Campground:** A site which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

**Tourist Home:** A private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

**Townhouse:** A multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings.

**Trailer Coach:** Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy

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

**Trucking Firm Establishment:** The use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading trucks, transport trailers and/or buses, but does not include an automobile service station, transportation sales or rental outlets.

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

m - metre(s)	ft - feet
m <sup>2</sup> - square metre(s)	ft <sup>2</sup> - square feet
km - kilometres	ha - hectare(s)

**Use:** The activity or purpose for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, occupied, or maintained.

**Utility Shed:** An accessory building or structure used for the storage of goods with a maximum floor area of 9.3m<sup>2</sup>.

**Veterinary Clinics:** 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.

**Village :** The Village of Dinsmore.

**Warehouse:** A building used for the storage and distribution of wholesale goods and materials.

**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 or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources but not including dangerous goods, hazardous waste or biomedical waste.

**Yard:** Any part of a site unoccupied and unobstructed by any principal building or structure.

**Yard, Front:** A yard extending across the full width of a site between the front site line and the nearest main wall of the principal building or structure on the site.

**Yard, Rear:** A yard extending across the full width of the site between the rear site line and the nearest main wall of the principal building or structure on the site.

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

**Yard, Side:** A yard extending from the front yard to the rear yard between the side site line and nearest main wall of the principal building or structure on the site.

## **3 ADMINISTRATION AND INTERPRETATION**

### **3.1 DEVELOPMENT OFFICER**

The Administrator of Village of Dinsmore or other person authorized by council pursuant to an agreement with WaterWolf, shall be the Development Officer responsible for the administration of this Bylaw.

### **3.2 DEVELOPMENT PERMIT**

**(1)** No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in Section 3.2(3)

**(2)** A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.

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

- a) The maintenance of a public utility by the Municipality or crown corporation
- b) The construction of a public utility by the Municipality
- c) The installation of public utility on any street or other public right-of-way by the Municipality
- d) A municipal facility installed and operated by the Municipality
- e) Maintenance and repairs that do not include structural alterations
- f) The installation of fences or accessory buildings under 10 m<sup>2</sup>

**(4)** A building permit shall not be issued unless a development permit, where required, has also been issued.

**(5)** If the development or use authorized by a development permit is not commenced within six months from the date of issue of a permit, and completed within eighteen months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.

### **3.3 APPLICATION FOR A DEVELOPMENT PERMIT**

**(1)** The application for a development permit shall be made, to the Development Officer, in "Form A" as adopted or amended by resolution of Council. The application shall be accompanied by two copies of a site or building plan showing dimensions and locations of existing and proposed buildings and structures as well as site lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.

**(2)** Where the application is for a discretionary use the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

### **3.4 REFFERAL 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 further information necessary to render a decision.

### 3.5 ISSUE OF PERMITS

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

- a) for a permitted use, issue a development permit where the application conforms with the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw.
- b) for a permitted use, issue a refusal, where the application does not comply with a provision or regulation of this Bylaw, stating the reason for refusal.
- c) for a discretionary use, prepare a report for Council on the proposal respecting the criteria for consideration of that discretionary use and submit the application to Council for decision.
- d) issue a refusal, where the application is for a use that is not provided for in the District in which the property is located.

(2) Council shall make a decision on a discretionary use, by resolution, that approves or refuses the discretionary use on that site, and that instructs the Development Officer to:

- a) issue a development permit incorporating any specific development standards set forth by Council, where the development will comply with the standards of this Bylaw, subject to the limitations of the Act.
- b) issue a development permit incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that development will comply with the standards of this Bylaw, subject to the limitations of the Act.
- c) issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that the applicant may have.

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

### 3.6 SUSPENSION OF DECISION

Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, Council may suspend the development permit. The development permit shall not be reinstated until all deficiencies have been corrected.

### 3.7 LIMITATION ON DISCRETIONARY USE APPROVALS

#### 3.7.1 VALIDITY OF DISCRETIONARY USE APPROVALS

A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use, and:

- the use ceased and was replaced by another use
- the use ceases for a 12 month period.
- a building required for the approved use is not started within 6 months or completed within 18 months.
- the use is not started within 6 months of completion of the building.
- a use not requiring construction of a building is not started within 12 months.
- the applicant applies to increase the specifically approved intensity of use

#### 3.7.2 TIME LIMITED DISCRETIONARY USES

Where Council has approved a discretionary use for a limited time as provided in the Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

### **3.8 SIGN PERMIT REQUIRED**

- (1)** Where required by Section 6, no person shall place, erect, enlarge, change or structurally alter a sign unless a sign permit has first been obtained. The application for a sign permit shall be made, to the Development Officer, in "Form C" as adopted or amended by resolution of Council.
- (2)** A sign permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act. The permit shall cease to be valid if the sign has not been placed, erected, enlarged, changed or structurally altered within 3 months of the issuance of the permit.

### **3.9 DEVELOPMENT APPEALS**

#### **3.9.1 APPOINTMENT OF BOARD**

- (1)** Council shall appoint a Development Appeal Board in accordance with Sections 49 and 214 to 218 of the Act.
- (2)** Council shall, by resolution, adopt a policy specifying: the terms of office; the manner of filling of vacancies to the board; the remuneration and expenses for board members; the provision for appointment of a secretary to the board; the duties of the secretary; and the remuneration and expenses to be paid for the secretary.
- (3)** Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.
- (4)** Should Council enter into an agreement to appoint a District Development Appeal Board, in conjunction with one or more other municipalities, to be the Development Appeal Board for the Municipality; members shall be appointed in accordance with that agreement, and the Local Development Appeal Board shall cease to exist.

#### **3.9.2 NOTICE**

On "Form B" as adopted or amended by resolution of Council, the Development Officer shall advise the applicant of the rights of appeal granted by the Act, with respect to that application.

#### **3.9.3 FILING AN APPEAL**

A person who wishes to appeal to the Development Appeal Board shall, within 30 days of receiving the permit or notice, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Board.

#### **3.9.4 POWERS OF THE DEVELOPMENT APPEAL BOARD**

- (1)** The Development Appeal Board has the powers given by the Act to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted use or a discretionary use.
- (2)** Nothing in this Section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a District.
- (3)** Nothing in this Section allows a Development Appeal Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Bylaw for a District.

#### **3.9.5 APPEAL FROM A DEEMED REFUSAL**

An application for a development permit for a permitted use shall be deemed to be refused when the Development Officer has not issued a decision more than 40 days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application had been refused at the end of 40 days.

### 3.10 FEES AND ADVERTISING

#### 3.10.1 AMENDING PLANNING BYLAWS

(1) Where a person requests Council to amend the Official Community Plan, Zoning Bylaw, or other planning bylaw, that person shall pay to the Municipality a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.

(2) Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to a planning bylaw, at its own cost.

#### 3.10.2 THE FOLLOWING PROVISIONS APPLY TO THE ADVERTISEMENT OF A DISCRETIONARY USE APPLICATION:

(1) The Development Officer shall direct the applicant for a discretionary use to advertise the proposed use by posting a notice of the application conspicuously on the front the property in question, and by mailing or delivering a copy of the notice to the assessed owner of each property within 75 metres (246 ft) of the subject property for the following:

- a) any discretionary residence or any ancillary use to a residence
- b) a home based business.

(2) In addition to the requirements specified in Clause (1), for an application for any discretionary use not listed in Clause (1), the Development Officer shall publish a notice in a newspaper that is circulated in the Municipality.

(3) 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.

(4) The notice shall be posted, delivered, and published at least seven days, and mailed at least twelve days, prior to the date of the meeting.

(5) The applicant shall pay a fee equal to the costs to the Municipality associated with the public advertisement.

#### 3.10.3 AN APPLICANT FOR A DEVELOPMENT PERMIT SHALL PAY AN APPLICATION PROCESSING FEE IN ACCORDANCE WITH THE FOLLOWING:

- a) permitted principal use: ..... \$50.00
- b) permitted accessory use:..... \$25.00
- c) ancillary use: ..... \$50.00
- d) discretionary principal use:..... \$200.00
- e) discretionary accessory use:..... \$100.00
- f) minor variance:..... \$75.00
- g) development appeal fee: ..... up to \$50.00 as specified by the Board

h) in addition, if a building permit is required, any fees associated with the issuance of a permit and inspection of construction related to a building permit

These fees shall be in addition to any fee required by Clauses 3.10.1 and 3.10.2.

### 3.11 CONTRACT ZONING

**(1)** Council may enter into an agreement respecting the rezoning of land in accordance with the guidelines established by the Official Community Plan on contract zoning.

**(2)** Council may in the agreement include:

- a description of the proposal
- reasonable terms and conditions with respect to the uses of the land and buildings or forms of development
- the site layout and external design including parking areas, landscaping, and access and egress
- a time limit in which the development must occur in accordance with the agreement, otherwise the site will revert to the previous zoning classification
- that on the rezoning of the land none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions and time limit prescribed in the agreement.

**(3)** Council may require the payment of a performance bond prior to execution of the agreement for rezoning to assure that the terms of the agreement are implemented.

**(4)** The rezoning agreement will not be signed until the public has had an opportunity to examine the proposed rezoning through a public notice. Public notice and review will be in accordance with the procedure and public notification process provided in Part X of the Act. Final reading of the amending bylaw will be subject to the signing of the agreement. The amendment of the Zoning Bylaw shall take effect upon registration of the interest as contained in Subsection 3.11(5)

**(5)** As required by the Act, an interest will be registered against the lands affected by the agreement binding the owner of the land and future landowners to the agreement.

**(6)** The Council may, on application by the person who entered into an agreement pursuant to this Section or by any Subsequent owner of land to which the agreement pertains:

- vary the agreement
- enter into a new agreement
- extend any time limit prescribed in an agreement.

**(7)** The Council may declare a rezoning agreement void where:

- any of the land or buildings are developed or used contrary to the provisions of the agreement.
- the development fails to meet a time limit prescribed by an agreement.

**(8)** Where Council voids a contract agreement, the Zoning District of land reverts to the District in which it was before rezoning by contract.

**(9)** Where the Council voids an agreement, Council will:

- give notice of the cancellation and the effect of the cancellation in one issue of a newspaper circulated in the Municipality; and
- withdraw the interests registered in connection with the agreement.

**(10)** The symbol "C" will be attached to the appropriate Zoning District designation for the property in order to identify land that is zoned by an agreement.

### 3.12 MINOR VARIANCES TO THE ZONING BYLAW

- (1)** An application for a minor variance shall be made to the Development Officer for a minor variance to the Zoning Bylaw in a form as prescribed by the Development Officer.
- (2)** The Development Officer shall maintain a register as an appendix to the Zoning Bylaw of all minor variance applications.
- (3)** The Development Officer may vary the requirements of the Zoning Bylaw subject to the following conditions:
  - a) A minor variance may be granted for variation only of:
    - (i) the minimum required distance of a building from the site line
    - (ii) the minimum required distance of a building to any other building on the site.
  - b) The maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the Zoning Bylaw.
  - c) The development shall conform to the Zoning Bylaw with respect to the use of land.
  - d) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.
- (4)** No minor variance is allowed in connection with an agreement on rezoning entered into pursuant to Section 3.11.
- (5)** A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to the Act.
- (6)** On receipt of an application for a minor variance, the Development Officer may:
  - a) approve the minor variance
  - b) approve the minor variance and impose terms and conditions on the approval
  - c) refuse the minor variance.
- (7)** Where the Development Officer imposes terms and conditions on an approval pursuant to Subsection 3.12(6) the terms and conditions shall be consistent with:
  - a) minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements
  - b) providing adequate separation between buildings for safety reasons
  - c) avoiding encroachment into adjoining property, by reduction of allowable projects or other potential encroachments.
- (8)** Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.
- (9)** Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the land that is the subject of the application.
- (10)** The written notice required pursuant to Subsection (8) shall:
  - a) contain a summary of the application for minor variance
  - b) provide a reason for and an effective date of the decision
  - c) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer

d) where there is an objection described in Clause (c), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.

**(11)** The written notice required pursuant to Subsection (8) shall be delivered:

- a) by registered mail
- b) by personal service.

**(12)** A decision approving a minor variance, with or without terms and conditions, does not take effect:

- a) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed
- b) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.

**(13)** If an assessed owner of property having a common boundary with the land that is the subject of the application, objects in writing to the Municipality respecting the approval of the minor variance within the time period prescribed in Subsection (12), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

- a) of the revocation of the approval
- b) of the applicant's right to appeal the revocation to the Development Appeal Board within 30 days of receiving the notice

**(14)** If an application for a minor variance is refused, or approved with terms and conditions, the applicant may appeal to the Development Appeal Board within 30 days of the date of that decision.

### 3.13 ENFORCEMENT, OFFENCES AND PENALTIES

#### 3.13.1 INSPECTION

Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, he/she may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purposes of inspection.

#### 3.13.2 ORDER BY THE DEVELOPMENT OFFICER

**(1)** Where the Development Officer has determined that a violation of this Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to Section 242 of the Act.

**(2)** The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following: discontinue the development, alter the development so as to remove the contravention, restore the land, building or premises to its condition immediately prior to the development or form of development, and complete the work necessary to comply fully with the Zoning Bylaw.

**(3)** The order shall specify the time when the actions required by Clause (2) are to be complete and shall advise of the rights of appeal.

**(4)** The Development Officer may register an interest against the title to the property, based on the order, and shall discharge the interest once the order is complied with.

(5) The Development Officer may apply to the Court of Queen’s Bench to enforce the order, or the order as amended by the Development Appeal Board or the Saskatchewan Municipal Board on an appeal.

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

## **4 GENERAL REGULATIONS**

### **4.1 ALL ZONING DISTRICTS**

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

#### **4.1.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS**

(1) Development must comply with the provisions of this Bylaw, whether or not a permit has been issued for the development.

(2) Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Village of Dinsmore or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Village of Dinsmore. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

#### **4.1.2 MULTI PARCEL SITES**

(1) Where a multi parcel site is used for one development, a proposal to separate the parcels into two or more sites requires a development permit for each of the resulting sites.

(2) No development permit may be issued for a development creating more than one site as described in Clause (1) unless each of the sites will comply with the Bylaw with respect to the requirements of the District in which it is located.

#### **4.1.3 NON-CONFORMING BUILDINGS AND NON-CONFORMING SITES**

Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by Sections 91 to 93 of the Act. These rights are subject to the following:

(1) the enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw

(2) all other applicable provisions of this Bylaw are satisfied

(3) issuing of a development permit required by this Bylaw.

#### **4.1.4 NON-CONFORMING USES**

Where a use or intensity of use is being undertaken for part of a site or part of a building that conform to the bylaws in effect before this Bylaw or before an amendment to this Bylaw, that use may be continued. The use may not be enlarged, not relocated, or the part of the building housing the use may not undergo structural alteration as long as the use is continued, as provided for in Sections 89 and 90 of the Act. Any portion of the property or building may undergo development or reconstruction of the building for a use that does conform to the Bylaw.

#### **4.1.5 ESTABLISHED BUILDING LINES**

Where a front building line in a residential District has been established by existing buildings in a block and is less than the specified front yard requirement, the required front yard is reduced for new construction according to the following principles:

- where the new building is to be constructed on a corner site it shall not be located further into the required front yard than a legal principle building on the abutting interior site
- where the building is to be constructed on an interior site it shall not be constructed further into the required front yard than the average of the encroachments of principle buildings into the required front yard on the two abutting sites
- where the abutting site is vacant, or the building has more than the required front yard the encroachment into the required front yard shall be considered to be zero
- existing buildings where legally built are conforming with respect to the established building line.

#### **4.1.6 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE**

Not more than one principal use shall be established and not more than one principle building shall be placed on any one site, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres, nursing homes, senior citizen homes, and approved dwelling groups.

#### **4.1.7 BUILDING TO BE MOVED**

No building, including, but not limited to any residential commercial or industrial building, shall be moved within or into the area covered by this Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

#### **4.1.8 DEMOLITION OF BUILDINGS**

No building shall be demolished within the area covered by this Bylaw without obtaining a development permit. A development permit shall be granted where all requirements of the Building Bylaw are met, and:

- the building is not designated a heritage building which is not to be demolished
- the building is not a residential structure in a Demolition Control District for which building Council has not granted an application to demolish.

#### **4.1.9 GRADING AND LEVELLING OF A SITE**

Any site proposed for development shall be graded and levelled at the owner's expense as is necessary to provide for adequate surface drainage. The drainage shall not adversely affect adjacent property, and shall comply with the requirements of the Village of Dinsmore respecting design and location of flow from the property.

#### **4.1.10 WATER SUPPLY AND WASTE DISPOSAL**

(1) Subject to the Acts and Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.

(2) Where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.

#### 4.1.11 METRIC CONVERSION

Where a building was constructed or a site created under a bylaw using the Imperial System of Measurement, a standard under that bylaw that was converted and rounded to an approximate metric measure in a subsequent bylaw, shall be deemed equivalent for the purpose of regulation of that site or building.

#### 4.1.12 GEOTECHNICAL ANALYSIS REQUIRED

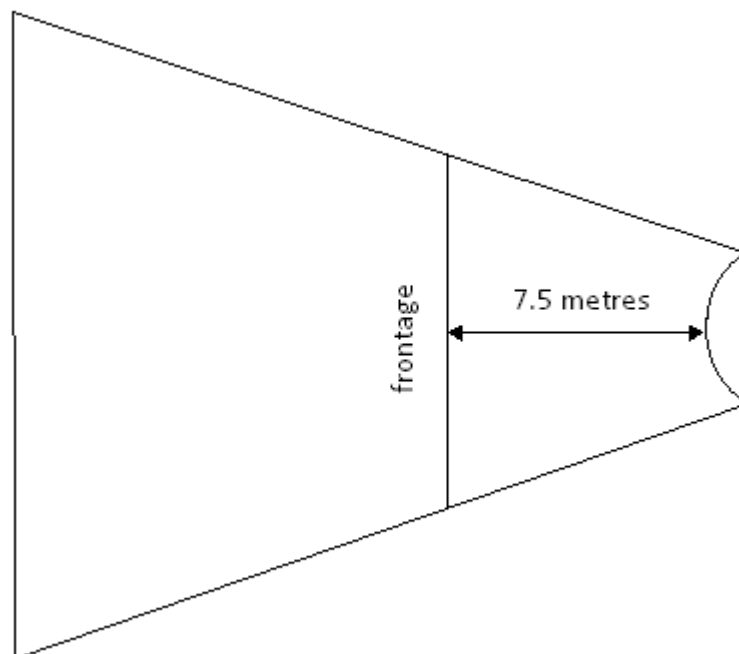
If a proposed development is to be located on a site that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, Council may require that a geotechnical report be completed and approved by a Professional Engineer in the Province of Saskatchewan, as a condition of the issuance of the development permit. The report shall indicate the suitability of the site, or sites, for development and any remedial measures required to ensure suitability or to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions in the development permit.

#### 4.1.13 SATELLITE DISH, RADIO TOWER OR TELEVISION ANTENNA FOR PERSONAL USE

The installation and operation of a free standing satellite dish, radio tower or television antenna and its supporting structure intended for personal use is permitted in all zoning Districts provided that such structures are not located in any front yard or in the case of a corner site, in any portion of the side or rear yard which is within 3 metres (9.84 ft) of the side site line adjacent to a street.

#### 4.1.14 FRONTAGE FOR IRREGULAR SITES

Frontage on sites in a cul-de sac will be measured at the minimum front yard. Eg. if the minimum front yard is 7.5 metres (24.6 ft), the frontage will be measured at 7.5 metres (24.6 ft) back from the front site line.



## 4.2 RESIDENTIAL DISTRICTS

### 4.2.1 PROJECTIONS IN YARDS

The following projections into required yards are permitted subject to the setback or construction requirements of the National Building Code:

**(1) In front yards:**

- a) maximum of 0.6 m (1.97 ft) projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes
- b) maximum of 1.8 m (5.9 ft) projection of open cantilevered balconies, open porches, or open steps
- c) wheelchair ramps to main floor level
- d) fences less than 1 m (3.28 ft) in height unless provided otherwise in this Bylaw
- e) light standards, flag poles, and permitted signs.

**(2) In Rear Yards**

- a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m (4.92 ft)
- b) unenclosed decks no higher than 0.6 m (1.97 ft), balconies, porches, and steps to a maximum projection of 3 m (9.84ft)
- c) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m (1.97 ft)
- d) wheelchair ramps to main floor level
- e) fences less than 2 m (6.56 ft) in height unless provided otherwise in this Bylaw.

**(3) Side Yards**

- a) fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m (1.97 ft) or ½ the required yard whichever is the less
- b) walkways and steps less than 0.6 m (1.97 ft) in height
- c) wheelchair ramps to main floor level
- d) fences not more than 2 m (6.56 ft) in height unless provided otherwise in this Bylaw.

**(4) Hedges and other closed landscaping plantings shall comply with the fence requirements.**

**(5) Handrails are permitted in all yards uncovered driveways, walkways.**

### 4.2.2 STORAGE

**(1) No side or front yards shall be used for outdoor storage.**

## 4.3 COMMERCIAL AND INDUSTRIAL DISTRICTS

### 4.3.1 PROJECTIONS IN YARDS

**(1) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and**

gutters of 0.6 m (1.97 ft) or less projection into a required yard, or chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.

(2) Signs, as allowed pursuant to Section 6, are permitted in required yards.

#### 4.3.2 FENCES AND HEDGES

(1) Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m (9.84 ft) in any required side or rear yard.

(2) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m (2.3 ft) and 2.5 m (8.2 ft) above grade.

## 5 SPECIAL PROVISIONS

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.

### 5.1 DISCRETIONARY USES

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

(1) site drainage of storm water

(2) the location of buildings with respect to buildings on adjacent properties

(3) access to, number and location of parking and loading facilities

(4) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways

(5) control of noise, glare, dust and odour

(6) landscaping, screening and fencing to buffer adjacent properties.

### 5.2 BED-AND-BREAKFAST HOMES

(1) Bed-and-breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.

(2) Bed-and-breakfast homes shall be licensed pursuant to *The Public Health Act, 1994* and shall have a fire safety inspection report issued prior to occupancy as a bed-and-breakfast home.

(3) In issuing discretionary use approval for a bed-and-breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms. Any increase in number of guest rooms shall require a new discretionary use approval.

(4) One off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed-and-breakfast home, in addition to any off street parking used for the operator of the facility.

**(5)** One sign identifying the bed-and-breakfast home in accordance with the standards for a sign identifying a multiple unit dwelling is permitted.

**(6)** Council will consider applications with respect to the following criteria:

- The proposed structures are suitable and comfortable for the proposed development.
- There is adequate space on the site for the proposed facility
- There are appropriate levels of access to the site and off street parking is available for the users of the facility and for the operator
- The development will complement adjacent residential uses
- Use as a bed-and-breakfast home, will be considered an asset in the preservation of heritage buildings.

### 5.3 HOME BASED BUSINESS

**(1)** Where allowed as a discretionary use, a home based business may be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling.

**(2)** A home based business shall clearly be secondary and ancillary to the use of a dwelling unit as a private residence.

**(3)** A home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signs.

**(4)** A home based business shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the principal building.

**(5)** A home based business shall not create any conflict with the residential area in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.

**(6)** A home based business shall not require the parking of more than two client vehicles at any time. Off street parking shall be provided on site for any resident vehicles.

**(7)** The home occupation shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.

**(8)** Persons employed within the dwelling in the home based businesses shall be full time residents of the dwelling. Council may, in its approval, provide for up to two other persons employed by the home based business where such persons are employed to work off-site.

**(9)** No more than 25% of the gross floor area of the principal building, and 50% of the gross floor area of an accessory building shall be used for the home based business.

**(10)** The operation of a home based business is subject Section 3.13, including any violation of the terms and conditions included in the development permit for that use.

**(11)** The discretionary use approval for a home based business shall cease to be valid when the operation ceases in accordance with Section 3.7.1, or where the operator relocates to another site. A new discretionary use approval is required before the home based business may restart operation.

### 5.4 SERVICE STATIONS AND GAS BARS

**(1)** Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres from any street or other property boundary.

**(2)** All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.

**(3)** All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.

**(4)** The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.

## 5.5 RESIDENTIAL CARE HOMES

**(1)** Where allowed as a discretionary use a residential care home may be developed in a single detached dwelling building, subject to obtaining a provincial licence, pursuant to the particular act under which the home is proposed to operate.

**(2)** The residential care home shall maintain the single detached residential character of the property consistent with the neighbourhood.

**(3)** A residential care home shall meet all of the regulations for a single detached dwelling as prescribed for the District in which it is located.

**(4)** The operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home.

**(5)** The operator shall ensure that adequate supervision and care is available at the home at all times.

**(6)** In approving a residential care home, Council may specify the maximum number of clients that may be cared for in a residential care home but in no case shall the number exceed 10 persons.

**(7)** Council will consider applications with respect to the following criteria:

- the structures are suitable and comfortable for the proposed development, and provide for the appropriate level of supervision
- there is adequate space on the parcel for the proposed facility
- there are appropriate levels of off street parking for the residents of the facility and the operator
- the concentration of residential care homes will not exceed 2 facilities per residential block, and the home will complement adjacent residential uses.

## 5.6 CAMPGROUNDS

Campgrounds are subject to the following conditions:

- a) 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, and 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.

- b) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (147.6 ft) which shall contain no buildings.
- c) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m<sup>2</sup> (1614.6 ft<sup>2</sup>) in area with its corners clearly marked.
- d) One permanent sign located on site advertising the campground is permitted per site;
- e) No portion of any campsite shall be located within a roadway or required buffer area.
- f) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- g) Each trailer coach shall be located at least 4.5 metres (14.76 ft) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- h) The space provided for roadways within a campground shall be at least 7.5 meters (24.6 ft) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- i) 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.
- j) *The Public Health Act, 1994* shall be complied with in respect to all operations and development of the campground.

## 5.7 ANIMAL KENNELS

Animal kennels are subject to the following:

- a) The maximum number of animals not normally attributed to the host site to be kept on site shall be at the discretion of council.
- b) Council may apply special conditions with respect to siting conditions
- c) All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- d) Animal kennels shall be subject to relevant bylaws and legislation governing noise and public health.
- e) Failure to comply with any of the above regulations or the conditions of a development shall be subject to Section 3.13 of this bylaw.

## 6 SIGNAGE

### 6.1 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

**(1)** A sign permit, pursuant to Section 3.8, is required for any sign except as follows:

- a) official signs erected by a public agency for a public purpose
- b) real estate signs advertising the sale, lease, or rental of the real property on which it is located and related information
- c) temporary signs of less than 1 m<sup>2</sup> (10.76 ft<sup>2</sup>) in surface area
- d) directional or safety signs bearing no advertising information
- e) address signs, name of building signs, and name of residential occupant signs all containing no advertising information
- f) election signs during the period of an election campaign, and 7 days thereafter
- g) temporary signs located inside a building window, exclusive of any electrified sign greater than 0.5 m<sup>2</sup> (5.38 ft<sup>2</sup>) in area
- h) signs visible only from the interior of a building
- i) construction signs, located on the site of the construction to which they refer.

## 7 ZONING DISTRICTS AND ZONING MAPS

### 7.1 CLASSIFICATION OF ZONING DISTRICTS

For the purpose of this Bylaw, the Village of Dinsmore is divided into the following Zoning Districts, the boundaries of which are shown on the 'Village of Dinsmore Zoning Map'. Such Districts may be referred to by the appropriate symbol, as shown in Table 3

Table 3 – Zoning Districts

District	Symbol
Future Urban Development	FUD
Residential	R1
Village Centre Commercial	C1
Highway Commercial	C2
General Industrial	IND
Community Service	CS

### 7.2 ZONING DISTRICT MAPS

The Zoning District Map bears the statement:

"This is the Zoning District Map which accompanies and forms part of Bylaw No. XX-XX and is referred to in Section 7 adopted by the Village of Dinsmore signed by the Mayor and Village Administrator under the seal of the Village ."

### 7.3 BOUNDARIES OF ZONING DISTRICTS

- (1)** The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- (2)** Unless otherwise shown, the boundaries of zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.
- (3)** Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- (4)** Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

### 7.4 ZONING DISTRICT SCHEDULES

The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply are contained in the Zoning District Schedules. The Zoning District Schedules are contained in Section 8.

## **8 ZONING DISTRICT SCHEDULES**

### **8.1 FUD – FUTURE URBAN DEVELOPMENT DISTRICT**

#### **8.1.1 PERMITTED USES**

##### **(1) Agricultural uses**

- a) Crop farming on an existing parcel without any buildings
- b) Crop farming including a dwelling and farm buildings

##### **(2) Public uses**

- a) public utilities, including , workshops, warehouses and storage Yards
- b) sewage lagoons and sanitary landfills operated by a public authority
- c) cemeteries
- d) municipal facilities.

**(3) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building, but not including dwellings.**

#### **8.1.2 DISCRETIONARY USES**

##### **(1) Residential uses**

- a) single detached dwellings as a principle use
- b) single detached dwellings accessory or ancillary to any other use.
- c) home based businesses where ancillary to a dwelling

##### **(3) Commercial Uses**

- a) green houses, market gardens, horticultural supply, tree and plant nurseries
- b) veterinary clinics
- c) private airports
- d) dog kennels ancillary to a dwelling.

##### **(4) Recreational Uses**

- a) golf courses
- b) sports fields
- c) sports arenas
- d) tourist campgrounds.

##### **(5) Other Uses**

- a) billboard signs where principal or ancillary to another use

### 8.1.3 SITE REGULATIONS

Table 4 – FUD Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Public Uses	No Requirements				
Agricultural Uses: - including dwellings or farmsteads - crop farming excluding buildings	30 m (98.5 ft)  No Requirement	16 ha  No Requirement	15 m (49.2 ft)  No Requirement	3 m (9.84 ft)  No Requirement	3 m (9.84 ft)  No Requirement
Discretionary Uses: - golf courses - all other discretionary uses	30 m (98.5 ft)  30 m (98.5 ft)	16 ha  5 acres	15 m (49.2 ft)  15 m (49.2 ft)	3 m (9.84 ft)  3 m (9.84 ft)	3 m (9.84 ft)  3 m (9.84 ft)

### 8.1.4 FUD DISTRICT SUPPLEMENTARY REGULATIONS

#### (1) Discretionary use criteria

Council will consider the applications for discretionary use with respect to the following criteria:

- the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system
- the proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the WaterWolf Growth Management Plan
- the development will not require the development of new streets and utility lines except as may be provided for in existing plans under the WaterWolf Growth Management Plan
- the proposal is not premature.

#### (2) Billboard signs

- a) In approving a billboard sign for a vacant parcel of land Council may limit the validity of the approval to a maximum of five years where the site is in the path of future development.

#### (3) Home Based Businesses

See sub section 5.3.

#### (4) Single Detached Dwellings

- To recognize existing use, Council will consider building or expansion of single detached dwellings in an FUD District on a site that holds an existing single detached dwelling.
- The approval of development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a concept plan to the Official Community Plan that designates the area for large site residential use.

- Council may consider approval of a single detached dwelling accessory or ancillary to another existing use, where the location will not interfere with future development pursuant to the WaterWolf Growth Management Plan and any concept plan adopted under that plan. All single detached dwellings shall comply with the standards of an R1 District except as specifically provided Section 8.1.3.

**(5) Animal Kennels**

See sub section 5.7

**(6) Campgrounds**

See sub section 5.6

**(7) Signage**

See Section 6

## **8.2 R1 – RESIDENTIAL DISTRICT**

### **8.2.1 PERMITTED USES**

**(1) Residential uses**

- a) single detached dwelling
- b) family child care home where ancillary to a dwelling

**(2) Recreational and public uses**

- a) parks, playgrounds, swimming pools
- b) public utilities (excluding offices, warehouses and storage yards)
- c) municipal facilities.

**(3) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.**

### **8.2.2 DISCRETIONARY USES**

**(1) Residential uses**

- a) residential care homes
- b) modular and mobile homes
- c) semi-detached or duplex dwelling
- d) home based business where ancillary to a dwelling.
- e) bed and breakfast homes where ancillary to a dwelling.

**(2) Institutional uses**

- a) places of worship, religious institutions.

**(3) Commercial uses**

a) convenience stores

### 8.2.3 SITE REGULATIONS

Table 5 – R1 Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height	Minimum Floor Area
single detached dwellings, modular homes, mobile homes	12 m (39.4 ft) with lane; 15 m (49.2 ft) without	360 m <sup>2</sup> with lane; 450 m <sup>2</sup> without	7.5 m (24.6 ft)	1.2 m (4 ft)	6 m (19.7 ft)	11 m (36 ft)	56 m <sup>2</sup> (603 ft <sup>2</sup> )
semi-detached, row house dwelling (per dwelling)*	7.5 m (24.6 ft) with lane; 9 m (29.5 ft) without	225 m <sup>2</sup> with lane; 270 m <sup>2</sup> without	7.5 m (24.6 ft)	1.2 m (4 ft)	6 m (19.7 ft)	11 m (36 ft)	not required
duplex	15 m (49.2 ft) with lane, 18 m (59.1 ft) without	450 m <sup>2</sup> with lane; 540 m <sup>2</sup> without	7.5 m (24.6 ft)	1.2 m (4 ft)	6 m (19.7 ft)	11 m (36 ft)	not required
residential care home	12 m (39.4 ft) with lane; 15 m (49.2 ft) without	360 m <sup>2</sup> with lane; 450 m <sup>2</sup> without	7.5 m (24.6ft)	1.2 m (4 ft)	6 m (19.7 ft)	11 m (36 ft)	70 m <sup>2</sup> (753 ft <sup>2</sup> )
Places of Worship, Religious Institutions	30 m (98.4 ft)	900 m <sup>2</sup> (9688 ft <sup>2</sup> )	7.5 m (24.6 ft)	3 m (9.84 ft)	6 m (19.7 ft)	not required	not required
convenience stores	30 m (98.4 ft)	900 m <sup>2</sup> (9688 ft <sup>2</sup> )	7.5 m (24.6 ft)	3 m (9.84 ft)	6 m (19.7 ft)	11 m (36 ft)	not required
Recreational and Public Uses	No Requirements						

\* Where dwelling in a row house or semi detached house abuts the other dwelling at the party wall, the side yard is requirement is not applicable

### 8.2.4 R1 district supplementary regulations

#### (1) Accessory buildings

All accessory buildings with a door or doors opening onto the street or lane shall not be located less than 1.2 metres (3.94 ft) from the site line abutting the street or lane. All accessory buildings shall be set back at least the same distance as the principal building from the front of the site. In the case of corner lots, the accessory building shall be set back 1.2 metres (3.94 ft) from the site line abutting both the street and lane.

#### (2) Residential Care Homes

a) The maximum number of client residents shall not exceed 5.

b) Council will apply the following criteria in considering a residential care home application:

- the development will comply with the standards and criteria of Section 5.5
- the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs
- the development will provide a comfortable home for the client residents.

**(3) Modular and mobile Homes**

- a) All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling.
- b) Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.
- c) Mobile homes shall be skirted with all running gear removed.

**(4) Family Child Care Home**

Family child care operations are limited to 5 client spaces.

**(5) Bed-and-Breakfast Homes**

Development of a bed-and-breakfast home shall comply with the standards and criteria of Section 5.2

**(6) Home Based Business**

- a) Section 5.3 applies.
- b) Council will apply the following criteria in considering a home based business application.
- the development will comply with the standards and criteria of Section 5.3
  - the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs
  - the development does not have the potential to become too large or too intrusive for a residential neighbourhood.

**(7) Commercial and Institutional uses.**

- a) Council will apply the following criteria in considering a commercial or institutional use in this District:
- good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas;
  - locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred
  - the development will be of a size and operation intended to serve the neighbourhood in which it is located
  - the developer of the business may be required to provide a fence or other buffer to an abutting residential use.
- b) Council will apply the following criteria in considering an institutional use in this District:

- locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood
- significant institutional uses will be encouraged to seek sites in or abutting CS - Community Service Districts.

**(8) Signage**

See Section 6

**(9) Storage**

Section 4.2.2 regulations shall apply in the R1 – Residential District.

## 8.3 C1 – VILLAGE CENTRE COMMERCIAL DISTRICT

### 8.3.1 PERMITTED USES

**(1) Retail, commercial services, and office uses**

- a) banks, financial services, and business offices
- b) bakeries with retail sales
- c) broadcasting media and commercial communications studios and offices
- d) bus terminals
- e) cafes, restaurants, and lounges
- f) construction trades, artisans, and craft shops offices and workshops
- g) convenience stores
- h) government and professional service offices
- i) licensed beverage rooms, restaurants and lounges
- j) medical, dental, and other health services offices and clinics
- k) personal service establishments
- l) printing and publishing offices, including related printing presses and equipment
- m) retail stores
- n) rental stores
- o) travel agents
- p) undertaking establishments

**(2) Tourism, recreational, and cultural uses**

- a) art galleries
- b) bed-and-breakfast homes subject to the requirements of Section 5.2
- c) commercial entertainment establishments
- d) libraries, cultural institutions
- e) hotels, motels
- f) museums.

**(3) Transportation and vehicle sales and services**

- a) service stations with or without car washes
- b) gas bars with or without convenience stores.

**(4) Institutional and public uses.**

- a) community centres
- b) day care centres
- c) lodges, fraternal organizations, clubs
- d) places of worship, religious institutions
- e) public utilities
- f) municipal facilities

**(5) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building, but not including dwellings.**

**8.3.2 DISCRETIONARY USES**

**(1) Retail or wholesale uses**

- a) Mini-malls, strip malls
- b) lumber yards
- c) wholesale trade stores and office.

**(2) Transportation and vehicle sales and services**

- a) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery.

**(3) Residential**

- a) dwellings accessory to a permitted or discretionary use
- b) multiple unit dwellings located above the ground floor
- c) single detached dwellings subject to Section 8.3.4(7)

**8.3.3 SITE REGULATIONS**

Table 6 – C1 Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height
Retail, commercial, service and office uses						
- undertaking establishments	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	(2)	(3)	not required
- other uses listed in 8.3.1 (1)	7.5 m (24.6 ft)	225 m <sup>2</sup> (2422 ft <sup>2</sup> )	(1)	(2)	(3)	not required
- 2 or more uses listed in 8.3.1 (1) operating in a single building	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	(1)	(2)	(3)	not required

- mini malls, lumber yards, wholesale establishments	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	(1)	(2)	(3)	not required
Tourism, recreational and culture use						
- hotels and motels	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	(1)	(2)	(3)	not required
- other uses in 8.3.1 (2)	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	(1)	(2)	(3)	not required
Residential uses						
- single detached dwellings including bed and breakfast homes	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	7.5 m (24.6 ft)	(2)	(3)	not required
- multiple unit dwellings above commercial buildings	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	(1)	(2)	(3)	not required
Transportation and vehicle sales and services	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	(2)	(3)	not required
Institutional and Public Services						
- day care centres, lodges, fraternal organizations, clubs	7.5 m (24.6 ft)	225 m <sup>2</sup> (2422 ft <sup>2</sup> )	(1)	(2)	(3)	not required
- places of worship, religious institutions, community centres	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	(1)	(2)	(3)	not required
Utilities and Municipal Facilities	No Requirements					

(1) No requirement, provided the front yard distance complies with the Village of Dinsmore building bylaw.

(2) where the side line of a site in any C1 - Village Centre Commercial district abuts any Residential district without an intervening street or lane: 1.2 metres (3.94 ft); otherwise, no requirements (provided side yard distance complies with the Village of Dinsmore Building bylaw).

(3) where the rear line of a site in any C1 - Village Centre Commercial district abuts any Residential district without an intervening street or lane: 3 metres (9.84 ft); otherwise, no requirements (provided rear yard distance complies with the Village of Dinsmore Building bylaw).

### 8.3.4 C1 DISTRICT SUPPLEMENTARY REGULATIONS

#### (1) Wholesale Trade and Lumber Yards

- a) Wholesale trade and lumber yards are included to recognize existing development. Development of these uses on other than the existing sites will be encouraged to locate on vacant land in the C2 District or on IND District lands.
- b) No outside storage is permitted for a wholesale establishment.

#### (2) Mini Malls

- a) Council may consider a mini mall development where a major portion of an entire block is being proposed for redevelopment.

- b) Parking stalls for mini mall clients shall be accessible from the street by way of on site access lanes, and not directly from the street.

**(3) Drive through Restaurants**

- a) Restaurants with drive through sales shall have room on site for at least 5 cars in the ordering line. This line of cars shall not block access to parking stalls.
- b) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

**(4) Small scale Repair Trades, Artisans, and Craft Shop Offices and Workshops**

- a) All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building.
- b) No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

**(5) Transportation and Vehicle Sales and Services**

- a) Service stations and gas bars shall be governed by Section 5.4.
- b) Only corner sites may be developed for service stations or gas bars.
- c) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery will be encouraged to establish on sites in the C2 District or IND District. Council will consider development of C1 sites for these uses when replacing an existing use of a similar type.

**(6) Development Standards and Criteria for Multiple Unit Dwellings Above Ground Floor**

- a) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor.
- b) The parking required for the multiple unit dwelling is additional to parking for the commercial uses.
- c) Council will consider discretionary use applications with respect to the following criteria:
  - inclusion of ground level commercial development in the proposal
  - convenience of parking
  - appropriate size and quality of proposed dwelling units.

**(7) Single Detached Dwellings**

- a) To recognize existing use, Council will only consider building or expansion of single detached dwellings in a C1 District on a site that holds an existing single detached dwelling.
- b) Council may consider rezoning to a Residential District of a C1 District property is abutting a Residential District, to accommodate new single detached dwelling development.
- c) All single detached dwellings shall comply with the standards of the R1 District except as specifically provided Section 8.3.3.

- d) Where a bed-and-breakfast use ceases in the C1 District the use may be converted to a single detached dwelling use.

**(8) Accessory Dwelling Units. Attached to Stores or Commercial Establishments**

- a) One accessory dwelling unit accessory to a retail or commercial use listed in Section 8.3.1 (1) may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory.
- b) The accessory dwelling shall be located in the principle building.
- c) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

**(9) Landscaping**

Where a site abuts any Residential District without an intervening lane, within the setback shall be a strip of land adjacent to the abutting site which shall not be used for any purpose except landscaping.

**(10) Signage**

See Section 6

## 8.4 C2 - HIGHWAY COMMERCIAL DISTRICT

### 8.4.1 PERMITTED USES

**(1) Commercial uses**

- a) auto body shops, excluding works related to auto wrecking and salvage
- b) bus terminals
- c) cafes and restaurants
- d) car and truck washes
- e) commercial entertainment establishments
- f) construction trades
- g) equipment and tool rental establishments
- h) greenhouses, tree and plant nurseries
- i) gas bars with or without confectionaries
- j) hotels, motels
- k) licensed beverage rooms, restaurants and lounges
- l) lumber Yards, building supply and home improvement stores
- m) mini malls - which may include retail stores, restaurants, cafes, personal service establishments, offices and small animal veterinary clinics
- n) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing
- o) service stations with or without car washes
- p) undertaking establishments
- q) veterinary clinics
- r) wholesale trade establishments.

**(2) Public uses**

- a) community centres

- b) government offices.
- c) tourist information centres
- d) public utilities
- e) municipal facilities.

**(3)** Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building, but not including dwellings.

#### 8.4.2 DISCRETIONARY USES

- a) bulk oil dealers and chemical supply dealers
- b) wholesale trade stores, offices and warehouses
- c) manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings
- d) single detached dwellings.

#### 8.4.3 SITE REGULATIONS

Table 7 – C2 Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height
Retail, commercial, service and office uses						
- mini malls, lumber yards, wholesale establishments	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	(1)	(2)	(3)	Not required
- autobody shops, car and truck washes, bus terminals, gas bars, service stations	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	7.5 m (24.6 ft)	(2)	(3)	Not required
- equipment and tool rental; undertaking establishments; motor vehicle, RV or trailer, farm machinery sale, storage and servicing	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	(2)	(3)	Not required
- all other uses in 8.4.1(1)	7.5 m (24.6 ft)	225 m <sup>2</sup> (2422 ft <sup>2</sup> )	(1)	(2)	(3)	Not required
Public Uses	No Requirements					
- tourist information centres						
- public utilities						
- municipal facilities						
Residential Uses						
- single detached dwellings	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	7.5 m (24.6 ft)	1.5 m (4.9 ft)	6 m (19.69 ft)	no requirement
All Other Uses	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	3 m (9.84 ft)	6 m (19.69 ft)	no requirement

(1) No requirement, provided the front yard distance complies with the Village of Dinsmore building bylaw.

(2) where the side line of a site in any C1 - Village Centre Commercial district abuts any Residential district without an intervening street or lane: 1.2 metres (3.94 ft); otherwise, no requirements (provided side yard distance complies with the Village of Dinsmore Building bylaw).

(3) where the rear line of a site in any C1 - Village Centre Commercial district abuts any Residential district without an intervening street or lane: 3 metres (9.84 ft); otherwise, no requirements (provided rear yard distance complies with the Village of Dinsmore Building bylaw).

#### **8.4.4 C2 DISTRICT SUPPLEMENTARY REGULATIONS**

##### **(1) Service stations and Gas Bars**

- a) Service stations and gas bars shall be governed by Section 5.4.
- b) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, or farm machinery may include service stations and gas bars.
- c) Required parking and access aisles to fuel dispensing equipment may not be used for the display of vehicles and goods for sale.

##### **(2) Drive through Restaurants**

- a) Restaurants with drive through sales shall have room on site for at least 5 cars in the ordering line and this line of shall not block access to parking stalls.
- b) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

##### **(3) Mini Malls**

- a) Council will consider the appropriate separation to industrial and other uses that may be incompatible with restaurant and retail uses and access to the site when making a discretionary use decision on a proposed mini mall.
- b) Parking stalls for mini mall clients shall be accessible from the street by way of access lanes located on the site, and shall not be directly accessed from the street

##### **(4) Processing and Manufacturing Operations**

- a) All operation with respect to processing and manufacturing shall be conducted within an enclosed building.
- b) No exterior storage of materials, goods, or of waste products is permitted except within a waste disposal bin for collection.
- c) The operation shall not emit levels of noise, odour, or dust not common to the other uses in the District.
- d) Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision.

##### **(5) Bulk Oil Dealers and Chemical Supply Dealers**

- a) Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision.
- b) Locations with direct access to a highway or highway frontage road are preferred.

**(6) Single Detached Dwellings**

- a) To recognize existing use, Council will only consider building or expansion of single detached dwellings in a C2 District on a site that holds an existing single detached dwelling.
- b) Council may consider rezoning to a Residential District of a C2 District property abutting a Residential District, to accommodate new single detached dwelling development.
- c) All single detached dwellings shall comply with the standards of the R1 District except as specifically provided in Section 8.4.3.

**(7) Signs**

Section 6 regulations shall apply in this district

**8.5 IND – GENERAL INDUSTRIAL DISTRICT**

**8.5.1 PERMITTED USES**

**(1) Commercial uses**

- a) auto body shops
- b) bulk oil dealers and chemical supply dealers
- c) custom meat cutting and packaging (excluding slaughtering)
- d) car and truck washes
- e) construction trades
- f) equipment and tool rental establishments
- g) gas bars
- h) grain elevators and related grain handling facilities.
- i) lumber yards, building supply and home improvement stores
- j) machine shops
- k) manufacturing and processing plants and associated storage facilities
- l) industrial services
- m) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing
- n) printers and publishers
- o) railway operations
- p) service stations with or without car washes
- q) truck, bus and other transport terminals and yards
- r) veterinary hospitals and clinics
- s) wholesale trade
- t) warehouses.

**(2) Public uses**

- a) public utilities, including , workshops, warehouses and storage Yards
- b) municipal facilities

**(3) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building, but not including dwellings**

**8.5.2 DISCRETIONARY USES**

- a) abattoirs and stock yards
- b) auto wrecking yards
- c) concrete manufacturing plants, and gravel yards
- d) equipment maintenance and storage yards
- e) feed mills, and seed cleaning plants
- f) mining and petroleum industry service
- g) tanneries and hide storage establishments
- h) billboard signs ancillary to other uses in this district

**8.5.3 SITE REGULATIONS**

Table 8 - IND Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height
Public Uses - public utilities - municipal facilities	No Requirements					
All Other Uses	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	6 m (19.69 ft)	3 m (9.84 ft)	10% of the depth of the lot; if site abuts a railway, no rear set back is required	Not Required

**8.5.4 IND DISTRICT SUPPLEMENTARY REGULATIONS**

**(1) Discretionary Use criteria**

- a) Council will consider the applications for discretionary use with respect to the following criteria:
  - the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system
  - the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated
  - adequate separation exists from the development to residential and tourist service uses
  - access to truck routes major streets and railway transportation is appropriate to the type of development. For agricultural product processing, railway spur sites will be considered an asset.

**(2) Storage**

- a) All outside storage shall be fenced and screened where abutting a residential area. All junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (6.56 ft) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

- b) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

### **(3) Service Stations**

Service stations and gas bars shall be governed by Section 5.4.

### **(4) Access**

Access to lots shall be located to ensure that heavy truck traffic are directed to designated truck routes.

### **(5) Signage**

See Section 6

## **8.6 CS – COMMUNITY SERVICE DISTRICT**

### **8.6.1 PERMITTED USES**

#### **(1) Institutional uses**

- a) community centres
- b) day care centres
- c) group care facilities
- d) hospitals, medical clinics
- e) libraries and cultural institutions
- f) lodges, fraternal organizations, clubs
- g) law enforcement facilities
- h) special care homes
- i) places of worship, religious institutions
- j) schools, educational institutions.

#### **(2) Recreational facilities**

- a) curling and skating rinks
- b) parks
- c) sports fields
- d) swimming pools.

#### **(3) Public utilities and municipal facilities**

- a) public utilities (excluding offices, warehouses and storage yards)
- b) municipal facilities

**(4)** Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.

### **8.6.2 DISCRETIONARY USES**

#### **(1) Residential**

a) special needs housing

**(2) Commercial use - where ancillary to a permitted or discretionary use**

- a) confectionaries
- b) gift shops
- c) snack bars, restaurants
- d) personal service shops.

**8.6.3 SITE REGULATIONS**

Table 9 – CS Site Regulations

Use	Minimum Frontage	Minimum Site Area	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height
Institutional Uses - day care centres, group care facilities, fraternal organizations, clubs, - other institutional uses	15 m (49.2 ft)	450 m <sup>2</sup> (4844 ft <sup>2</sup> )	7.5 m (24.6 ft)	1.5 m (4.9 ft)	3 m (9.84 ft)	11 m (36 ft)
	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	1.5 m (4.9 ft)	3 m (9.84 ft)	11m (36 ft)
Special Needs Housing	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	1.5 m (4.9 ft)	3 m (9.84 ft)	11 m (36 ft)
Recreational uses not including outdoor sports fields or parks	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	7.5 m (24.6 ft)	1.5 m (4.9 ft)	3 m (9.84 ft)	11 m (36 ft)
Recreational outdoor sports fields and parks	30 m (98.4 ft)	900 m <sup>2</sup> (9687 ft <sup>2</sup> )	No Requirements			
Public utilities, and municipal facilities	No Requirements					

**8.6.4 CS DISTRICT SUPPLEMENTARY REGULATIONS**

**(1) Landscaping**

- a) A landscaped strip of not less than 3.0 metres (9.84 ft) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 meters (4.9 ft) through which shall not be used for any purpose except landscaping.

**(2) Joint use facilities**

- a) Two or more institutional uses in a CS District may be developed and operated on a single parcel where owned and operated by public authorities.

- b) To create a joint use facility, public authorities may, by agreement, join two parcels together to be considered one parcel for the purpose of regulation under this Bylaw.

**(3) Special Needs Housing**

- a) Council must be satisfied that the development will be used for restricted or assisted housing for seniors to grant discretionary use approval.
- b) Proposals not meeting Clause (a) will be considered for rezoning to a Residential District if appropriate.

**(4) Development Standards and Criteria for Commercial Uses**

- a) There will be no exterior signs or advertising of an ancillary commercial use located within an institutional use building.
- b) Council will consider discretionary use applications for ancillary commercial uses where it is satisfied that the development will support the basic function of the institutional use.

**(5) Signage**

See Section 6

**(6) Storage**

Subsection 4.2.2 regulations shall apply in the CS District.

## 9 EFFECTIVE DATE OF THE BYLAW

### 9.1 COMING INTO FORCE

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

\_\_\_\_\_  
Mayor

SEAL

\_\_\_\_\_  
Village Administrator

INTRODUCED AND READ a first time this 9th day of June, 2014.

PUBLIC HEARING HELD the 14<sup>th</sup> day of July, 2014.

READ A SECOND TIME this 11<sup>th</sup> day of August, 2014.

READ A THIRD TIME and passed this 11<sup>th</sup> day of August, 2014.