

RURAL MUNICIPALITY OF SHERWOOD No. 159

BYLAW NO. 16/20

A Bylaw to amend the RM of Sherwood Zoning Bylaw No. 18/17

The Council of the Rural Municipality of Sherwood No. 159, in the Province of Saskatchewan enacts:

To amend Bylaw No. 18/17 as follows:

1) Amend Section 11.0 – Definitions, with additions as follows:

“Industry, Agricultural” means processing and distributing industries providing products or services directly associated with the agricultural business sector and, without restricting the generality of the above, may include the following subject to regulations within the OCP and Zoning Bylaw:

- a) Grain elevator;
- b) Feed mill;
- c) Abattoir;
- d) Seed cleaning storage/distribution;
- e) Pelletizing storage/distribution;
- f) Bulk fertilizer distribution storage/distribution;
- g) Bulk agricultural chemical distribution;
- h) Anhydrous ammonia storage and distribution;
- i) Bulk fuel storage/distribution;
- k) Livestock holding;
- l) Retail sale of the goods produced or stored as part of the principal use on the site and,
- m) Other similar agricultural industry uses that involve processing of agricultural inputs such as crops and livestock.

“Bulk Petroleum Uses” means lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

“Industry, Heavy” means a land use where industrial activities take place, involving:

- (a) welding;
- (b) particulate matter;
- (c) substances which may cause nuisance such as light, glare, odour or noise;
- (d) dangerous goods; or
- (e) hazardous material.

“Industry, Light” means a land use where industrial activities take place, but **excluding** the carrying-on production, processing or storage of:

- (a) substance which may cause nuisance such as light, glare, odour or noise;
- (b) particulate matter;
- (c) waste and waste substance;
- (d) refining, processing or upgrading of oil and natural gas;
- (e) mining, quarrying, or extraction of oil or natural gas;
- (f) dangerous good as defined by this Bylaw;
- (g) hazardous material as defined by this Bylaw; and
- (h) nuclear or radioactive substance.

“Office” means business, administrative, financial or managerial space for various work activities. Example activities include professional services such as construction, surveying, engineering, research and development, resource extraction e.g. oil/gas, mining, agriculture, logistics, transportation, warehousing and distribution, catering, utility and real estate companies.

“Privately Owned Airstrip” means any area of land, water (including the frozen surface thereof) or other supporting surface used, designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement or servicing of aircraft but which is not

licensed by any Provincial or Federal authority as defined in the *Aeronautics Act, 1989*. All aerodrome facilities are regulated by Transport Canada and municipal and/or Provincial authorities have no jurisdiction for aerodrome development on private or federal lands;

“Retail Trade, Outdoor Lot” means an outdoor land use intended for the sale or lease of lumber, construction, motor vehicles, heavy equipment and associated accessories.

“Service Trade” means a land use class of various land use types where the principal activity includes the provision of services to members of the general public including personal services such as grooming, clinical services and motor vehicle services.

“Sight Triangle” means the triangular area formed by the two roads or rights-of-way and a third line at an intersection. See **section 3.14** for sight triangle policies.

“Storage Container” means a structure that is portable in nature, does not meet the definition of an accessory building and is used for the secure storage and movement of goods or equipment. A storage container may be in the form of a shipping container, trailer or other structure.

“Storage, Hazardous Material” means a land use primarily engaged in the storage of hazardous material(s) and/or dangerous goods. Excludes retail trade activities. Excludes any production, processing or use other than storage.

Includes the storage of any:

- (a) substance which may cause impacts or nuisance such as particulate, odour, glare or noise;
 - (b) waste and waste substance;
 - (c) dangerous good as defined by this Bylaw;
 - (d) hazardous material as defined by this Bylaw;
- and Excludes the storage of any nuclear or radioactive substances.

“Storage, Outdoor” means a land use primarily engaged in the outdoor storage, including (but not limited to) goods or products stored in association with or on behalf of institutional, commercial or industrial land uses or clients. Excludes retail trade activities.

Excludes the storage of any:

- (a) substance which may cause impacts or nuisance such as dust, odour, glare or noise;
- (b) waste and waste substance;
- (c) dangerous good as defined by this Bylaw;
- (d) hazardous material as defined by this Bylaw; and
- (e) nuclear or radioactive substance.

“Trucking Firm Establishment” means 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 automobile service stations, transportation sales or rental outlets.

2) Amend Section 11.0 – Definitions, removing the definitions for Truck Depot, Truck Terminal and removing these uses from any districts where they are considered permitted or discretionary uses.

3) Delete Section 7.2 and renumber Section 7.3 as 7.2.

4) Delete and Replace Section 7.2 Highway Commercial (HC) District as follows:

7.2 Highway Commercial (HC)

7.2.1 Intent

The purpose of the Highway Commercial (HC) district is to accommodate a variety of commercial, retail and personal service uses which serve the traveling public and the rural community at key locations along controlled-access highways. This district will accommodate larger scale commercial operations, with a high standard of building and

landscape quality, requiring relatively larger lots, extensive parking, and ready access and visibility from major highways.

7.2.2 Uses

The following table provides the permitted and discretionary uses for the HC district:

Table 10: Highway Commercial Permitted and Discretionary Uses

Permitted	Discretionary
<ul style="list-style-type: none"> • Artisan Workshop • Community Centre • Convenience stores and services • Day care • Food and Beverage Factory • Home improvement centre • Horticulture (garden centres, nurseries and greenhouses) • Industry, Light • Institutional use • Multi-purpose recreation facilities • Municipal Facility • Public Utility • Public Market • Public Mini Storage • Radio and Television Studio • Religious Institution • Restaurant/ Lounge • Retail Trade, Outdoor Lot • Solar Collector, on-site use • Service station / gas bar • Service Trade • Storage Container • Storage, Outdoor • Storage, Warehousing • Telecommunication Facility • Vocational School • Wholesale Trade, Indoor 	<ul style="list-style-type: none"> • Animal Health Care Facility • Animal Kennel/ Shelter • Bulk petroleum use • Campground • Cannabis Production Facility - contained within a building that is not a greenhouse • Cannabis Retail Store • Cemetery, accessory to a religious institution • Construction services and office • Distilleries, Wineries and Breweries • Drive-in Theatre • Home-based business • Hotel / Motel • Industry, Agricultural • Office Use • One accessory dwelling unit within or attached to a permitted use - subdivision of the dwelling from the principal commercial use shall be prohibited • Livestock auction market • Mobile Home Park – existing as of May 5, 2020 • Pet Day Care • Retail store • Trucking Firm Establishment

7.2.3 Development

7.2.3.1 Subdivision & Site Requirements

a) Separate sites for the permitted uses in this district shall comply with the following:

- (i) Minimum site area – 0.4 ha.
- (ii) Minimum site frontage – 30 m
- (iii) Minimum front yard:

- i. 15 m for lots fronting an internal subdivision road allowance and/ or Highway service road;
- ii. 20 m for lots fronting a municipal or Provincial road allowance (distances may be greater if required by the Ministry of Highways and Infrastructure).

(iv) Minimum side yard – 6 m.

(v) Minimum rear yard – 6 m.

7.2.3.2 Supplementary Regulations or Special Provisions

- a) All outdoor storage areas or compounds shall be screened from view to ensure that they will be safely located and do not conflict with other uses in this district or with uses in an adjoining district;
- b) Business Office development shall be subject to the approval process as per the regulations set out in the OCP (Section 4.8);
- c) Landscaping shall be provided in the front yard area between the building and the roadway; and,
- d) Loading and services areas of buildings shall be located so as not to face or be directly visible from the highway.

5) Renumber Table 12 as Table 11 and continue numbering change throughout the document.

6) Table 4: Agricultural Permitted and Discretionary Uses – addition of ‘Industry, Agricultural’ as a discretionary use.

7) Delete Table 11: Light Industrial Permitted and Discretionary Uses and replace with the following:

Permitted	Discretionary
<ul style="list-style-type: none"> • Animal health care facility • Artisan workshop • Cannabis Production Facility-Micro, contained within a building that is not a greenhouse • Community Centre • Construction services, offices and warehouses • Food and beverage factory • Home improvement centre • Horticulture (Garden centre, nursery and greenhouse) • Industrial technology research facility • Industry, Light • Machine shop, welding and metal fabrication • Multi-purpose recreation facilities • Municipal facilities • Public market • Public Mini Storage • Public utility • Recycling Depot • Restaurant / lounge • Retail Trade, Outdoor Lot • Service station / gas bar • Service Trade • Solar Collector, on-site use • Small Scale Commercial or Retail • Storage Container • Storage, Outdoor • Telecommunication Facility • Trucking Firm Establishment • Vocational school • Warehouse / supply / distribution facility 	<ul style="list-style-type: none"> • Animal kennel / shelter • Bulk petroleum use • Cemetery • Dispensary • Distilleries, Wineries and Breweries • Industry, Agricultural • Livestock auction market • Radio and Television Studio • Railway Facility • Religious institution

8) Delete Table 12: Medium and Heavy Industrial Permitted and Discretionary Uses and replace with the following:

Permitted	Discretionary
<ul style="list-style-type: none"> • Animal health care facility • Animal kennel / shelter • Artisan Workshop • Bulk petroleum use • Clean Materials • Construction services, offices and warehouses • Food and beverage factory • Home improvement centres • Industrial technology research facility • Industry, Light • Intensive Horticulture Operations (garden centres, nurseries, and greenhouses) • Machine shop, welding and metal fabrication • Municipal Facility • Public Mini Storage • Public utilities • Recycling Depot • Retail Trade, Outdoor Lot • Service Trade • Service station / gas bar • Solar Collector, on-site use • Storage Container • Storage, Outdoor • Telecommunication Facility • Trucking Firm Establishment • Warehouse / supply / distribution facility 	<ul style="list-style-type: none"> • Agricultural compost facility • Auctioneering establishments • Cannabis Production Facility, contained within a building that is not a greenhouse • Clean Fill Operation • Commercial compost facility • Distilleries, Wineries and Breweries • Industry, Agricultural • Industry, Heavy • Land-farms for treating soil • Livestock auction market • Railway Facility • Solid and Liquid Waste Disposal Facility • Snow Management Facility • Storage, Hazardous Material • Vocational school • Waste transfer, recycling and salvage yards

9) Map 8 is amended by rezoning all parcels currently zoned as CM – Commercial Mixed Use to HC – Highway Commercial District and Block G, Plan No. FK5302 Ext 2 from AG – Agricultural to HC – Highway Commercial District as shown on the map attached hereto as Schedule A which forms part of this Bylaw.

10) Add the following as Section 3.14 Sight Triangle:

- a) In all Zoning Districts no building, structure, signage, landscaping, earth pile, vegetation, or other object shall be placed within an area that obstructs the vision of drivers.
- b) The sight triangle distances from the intersection of two or more Provincial or Municipal roadways shall consider the design speed of roadways to determine the clear sight distance requirements. The Ministry of Highways shall determine the clear sight distance requirements along Provincial highways.
- c) Exceptions may be considered for existing or planned encroachments where traffic speed or regulation (signage) can be adjusted to provide safe intersection visibility or where an engineering study recommends alternatives acceptable to the Development Authority.
- d) Trees planted near or parallel to any site line outside of a sight triangle shall be setback sufficiently from the site line to eliminate overhang outside of the property boundaries.
- e) The calculation of the sight triangle distances shall be based on the design speeds below from the roadway centrelines:

Design Speed	Clear Sight Distance
100km/hr	150 m
80 km/hr	90 m
60 km/hr	60 m
50 km/hr	45 m

11) Add the following as Section 4.22 Storage Containers:

Storage Containers

- (a) Storage Containers shall only be allowed in the land use districts where they are listed as a permitted or discretionary use. For Shipping Containers located on a parcel temporarily during construction, see the *Development Permits Not Required* section of the Bylaw;
- (b) A storage container shall meet the setback requirements for an accessory building in the appropriate district;
- (c) A storage container shall be for cold storage only and shall not be connected to utilities;
- (d) A storage container shall be screened from view as required by the Development Authority and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development;
- (e) No human or animal habitation is permitted within a storage container;
- (f) Storage Containers shall not display advertising, company logos, names or other marketing without an approved sign permit;
- (g) No dangerous or hazardous materials or goods can be stored within the storage container; and
- (h) All storage containers shall meet The National Building Code Standards as applicable.
- (i) Stacking of storage containers where permitted shall follow industry standards and best practices to ensure safety measures are in place;
- (j) Storage Containers must be in accordance with the regulations for each specific land use district below:

Zoning District	Maximum Number of Shipping Containers Allowed (if approved)	Stacking of Shipping Containers Permitted
AG - Agricultural	5	No
RR – Rural Residential	2	No
ER – Existing Residential	2	No
PR – Peri-Urban Residential	Not permitted	
HC – Highway Commercial	No maximum	Yes (maximum of two shipping containers in height)
I1 – Light Industrial	No maximum	Yes (maximum of two shipping containers in height)
I2 – Medium/ Heavy Industrial	No maximum	Yes
IS – Industrial Storage	No maximum	Yes
OS – Open Space	2	No

12) Add Storage Container as a permitted use in the following districts:

AG – Agricultural, RR – Rural Residential, ER – Existing Residential, IS – Industrial Storage, OS – Open Space

13) Add Multi-purpose recreation facilities as a discretionary use in the AG – Agricultural district.

14) That this Bylaw shall take effect on the date it is approved by the Minister of Government Relations.

Read a first time on the _21st_ day of July, 2021.

Read a second time on the ___ day of __, 2021.

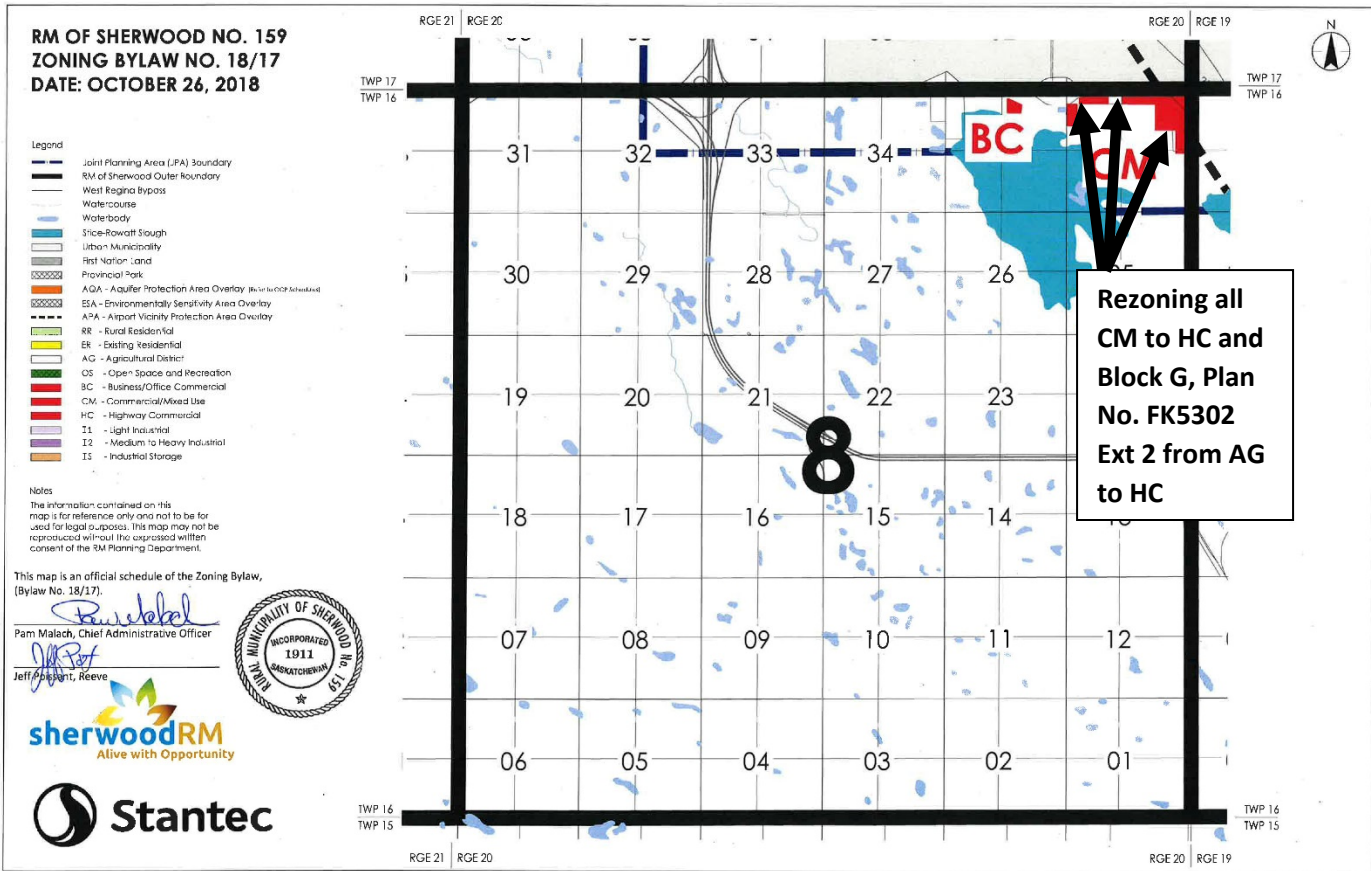
Read a third time and adopted the ___ day of __, 2021.

(Seal)

Reeve

Administrator

SCHEDULE A to Bylaw No. 16/20



V:\1781\Drawings\1713155-01\Drawings\Civil\m:sherwood.dwg
 2018/11/08 2:22 PM by: William, Stephanie