



# Zoning Bylaw No. 18/17

APPENDIX A



Consolidated Amendments up to January 24, 2020



## List of Amendments to Bylaw No. 18/17

Bylaw No.	Change to Section #	Description	Council Approval Date	Gov Relations Approval Date
14/18	Map 4	Map 4 is amended by rezoning from AG – Agricultural District to HC – Highway Commercial District all land within the bold dashed line on the Plan of Proposed Subdivision (Suncor)	Nov 13, 2019	
03/19	Map 4	Map 4 is amended by rezoning from Agricultural District (AG) to Rural Residential District (RR) all land highlighted in red on the Plan of Proposed Subdivision legally described as Parcel A, Plan 71R27608 within the NW 6-17-21-W2 And Section 6.2.3.1 a) the following: “, except where the remaining land area was less than 120 acres prior to the subdivision under consideration.” (Wolfe)	July 10, 2019	Sept. 17, 2019
08/19	Map 9	Map 9 is amended by rezoning from Agricultural District (AG) to Rural Residential District (RR) all land within the dashed line on the Plan of Proposed Subdivision legally described as Parcels A to H within the NE 13-16-19-W2M and SE 24-16-19 W2M (G5 Management)	Sept 11, 2019	Oct. 28, 2019
09/19	Text Amendments	Text amendments for Cannabis production, winery, AG District wording, 12 6m rear setback	Dec. 11, 2019	Jan. 16, 2020

## Table of Contents

<b>INTRODUCTION</b> .....	<b>1</b>
<b>1.0 ENACTMENT</b> .....	<b>1</b>
1.1 TITLE.....	1
1.2 PURPOSE.....	1
1.3 SCOPE .....	1
<b>2.0 ADMINISTRATION</b> .....	<b>2</b>
2.1 DEVELOPMENT OFFICER.....	2
2.2 COUNCIL.....	2
2.3 INTERPRETATION OF MAPS .....	2
2.4 BUILDING PERMITS, LICENCES & COMPLIANCE WITH OTHER BYLAWS.....	3
2.5 APPLICATION FOR A DEVELOPMENT PERMIT .....	3
2.6 APPLICATIONS .....	4
2.7 DEVELOPMENT APPEALS BOARD .....	7
2.8 OFFENCES .....	8
2.9 AMENDMENT OF THE ZONING BYLAW .....	8
<b>3.0 GENERAL DEVELOPMENT REGULATIONS</b> .....	<b>9</b>
3.1 THE STATEMENTS OF PROVINCIAL INTEREST REGULATIONS.....	9
3.2 GENERAL DEVELOPMENT STANDARDS APPLICABLE TO ALL DISCRETIONARY USES .....	10
3.3 SITE DEVELOPMENT .....	11
3.4 DEVELOPMENT ON OR ADJACENT TO HAZARD LANDS .....	11
3.5 SIGNS & BILLBOARDS .....	14
3.6 DEMOLITION PERMITS FOR A DEVELOPMENT.....	15
3.7 MUNICIPAL SERVICES .....	15
3.8 PARKING & LOADING REGULATIONS .....	16
3.9 CLEAN FILL AFFECTING DRAINAGE .....	18
3.10 CLEAN MATERIALS .....	18
3.11 SITES WITH SPECIFIC YARD REQUIREMENTS.....	19
3.12 LEGAL ACCESS .....	19
3.13 BUILDING SETBACK REQUIREMENTS .....	20
<b>4.0 SPECIFIC USE REGULATIONS</b> .....	<b>21</b>
4.1 ACCESSORY USES .....	21
4.2 MOBILE HOMES & MODULAR DWELLINGS .....	21
4.3 SALVAGE & VEHICLE STORAGE YARDS .....	21
4.4 PUBLIC UTILITIES .....	22
4.5 HOME-BASED BUSINESSES.....	22
4.6 BED AND BREAKFAST HOMES & VACATION FARMS .....	24
4.7 SERVICE STATIONS & GAS BARS .....	24

# RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

Consolidated amendments up to January 24, 2020

4.8	CAMPGROUNDS.....	25
4.9	MINERAL AND AGGREGATE EXTRACTIONS .....	25
4.10	KEEPING OF ANIMALS ON RESIDENTIAL SITES OTHER THAN FARMYARDS .....	26
4.11	EQUESTRIAN FACILITIES .....	27
4.12	INTENSIVE HORTICULTURAL OPERATIONS .....	27
4.13	INTENSIVE LIVESTOCK OPERATIONS (ILO'S) .....	27
4.14	LIMITATIONS FOR MANURE APPLICATION FROM NON-INTENSIVE LIVESTOCK OPERATIONS .....	29
4.15	COMPOST FACILITY .....	30
4.16	LAND FARMS .....	30
4.17	SOLAR ENERGY .....	31
4.18	WIND ENERGY .....	31
4.19	DEVELOPMENT NEXT TO RAILWAYS .....	32
4.20	HERITAGE & CULTURE .....	32
4.21	CANNABIS PRODUCTION FACILITY .....	32
<b>5.0</b>	<b>AGRICULTURAL DISTRICTS .....</b>	<b>34</b>
5.1	AGRICULTURAL (AG) .....	34
<b>6.0</b>	<b>RESIDENTIAL DISTRICTS.....</b>	<b>38</b>
6.1	PERI-URBAN RESIDENTIAL (PR) .....	38
6.2	RURAL RESIDENTIAL (RR) .....	41
6.3	EXISTING RESIDENTIAL (ER) .....	43
<b>7.0</b>	<b>COMMERCIAL DISTRICTS .....</b>	<b>45</b>
7.1	BUSINESS/OFFICE COMMERCIAL (BC).....	45
7.2	COMMERCIAL/MIXED-USE (CM) .....	47
7.3	HIGHWAY COMMERCIAL (HC) .....	49
<b>8.0</b>	<b>INDUSTRIAL DISTRICTS .....</b>	<b>51</b>
8.1	LIGHT INDUSTRIAL (I1) .....	51
8.2	MEDIUM & HEAVY INDUSTRIAL (I2).....	53
8.3	INDUSTRIAL STORAGE ZONE (IS).....	55
<b>9.0</b>	<b>SPECIAL DISTRICTS.....</b>	<b>57</b>
9.1	OPEN SPACE & RECREATION (OS).....	57
9.2	DIRECT CONTROL (DC) .....	58
9.3	CONTRACT ZONE (CZ) .....	60
9.4	HOLDING PROVISION.....	61
<b>10.0</b>	<b>OVERLAY ZONES .....</b>	<b>62</b>
10.1	AIRPORT VICINITY PROTECTION AREA OVERLAY (APA) .....	63
10.2	AQUIFER PROTECTION AREA OVERLAY (AQA) .....	66
10.3	ENVIRONMENTALLY SENSITIVE AREA OVERLAY (ESA).....	67

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Consolidated amendments up to January 24, 2020

**11.0 DEFINITIONS ..... 68**

**TABLES**

Table 1: Minimum Building or Structure Setback Requirements for Slope Stability ..... 13  
Table 2: Minimum Parking Spaces Requirements ..... 16  
Table 3: Minimum Separation Distances for Intensive Livestock Operations ..... 29  
Table 4: Agricultural Permitted and Discretionary Uses ..... 34  
Table 5: Minimum Sizes for Uses in the AG District ..... 36  
Table 6: Peri-Urban Residential Permitted and Discretionary Uses ..... 38  
Table 7: Rural Residential Permitted and Discretionary Uses ..... 41  
Table 8: Existing Residential Permitted and Discretionary Uses ..... 43  
Table 9: Business and Office Commercial Permitted and Discretionary Uses ..... 45  
Table 10: Commercial and Mixed-Use Permitted and Discretionary Uses ..... 47  
Table 11: Highway Commercial Permitted and Discretionary Uses ..... 49  
Table 12: Light Industrial Permitted and Discretionary Uses ..... 51  
Table 13: Medium and Heavy Industrial Permitted and Discretionary Use ..... 53  
Table 14: Industrial Storage Zone Permitted and Discretionary Uses ..... 55  
Table 15: Open Space and Recreation Permitted and Discretionary Uses ..... 57  
Table 16: Environmentally Sensitive Area Overlay Permitted and Discretionary  
Uses ..... 67  
Table 17: Animal Units ..... 70

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Consolidated amendments up to January 24, 2020

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Introduction

Consolidated amendments up to January 24, 2020

# **INTRODUCTION**

## **1.0 ENACTMENT**

### **1.1 TITLE**

This Bylaw shall be known and may be cited as the “RM of Sherwood No 159. – Zoning Bylaw No. 18/17” or “Zoning Bylaw”. It is called “this Bylaw” herein.

### **1.2 PURPOSE**

The purposes of this Bylaw are to control the use of land for providing for the amenity of the area within Council's authority, and for the health, safety and general welfare of the inhabitants of the Rural Municipality (RM) of Sherwood No 159.

### **1.3 SCOPE**

Development, land use, and subdivision shall be permitted only in conformity with the provisions of this Bylaw and Section 62 of the Act.

## **2.0 ADMINISTRATION**

### **2.1 DEVELOPMENT OFFICER**

The development officer, who shall be appointed by the Council, shall administer this Bylaw. The development officer shall:

- a) Receive, record and review development permit applications and issue decisions on permitted uses;
- b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Ensure this Bylaw and amendments are available on the RM's website;
- d) Collect application and development fees; and,
- e) Perform other duties as determined by Council.

### **2.2 COUNCIL**

The development officer shall submit a discretionary use permit application to Council for an interpretation regarding any special conditions, which may be authorized in this Bylaw. The applicant shall receive notice according to the provision of the Act.

- a) Council shall decide on discretionary uses, contract zoning, and amendments to this Bylaw.
- b) Council shall act on development applications, discretionary use, and rezoning's in accordance with the procedures established by the Act and in accordance with the OCP.

### **2.3 INTERPRETATION OF MAPS**

The zoning maps attached are part of this Bylaw and show the zones applicable in the RM. The districts may be cited by their name or zone code.

Map 1.0 – Provides an overview of the Municipality and the codes that apply within.

Map 2.0 – Divides the Municipality into sections 1 – 9.

Maps 3.0 – 11.0 – Provide a detailed view of each sub-section within the Municipality.



## **2.4 BUILDING PERMITS, LICENCES & COMPLIANCE WITH OTHER BYLAWS**

Nothing in this Bylaw shall exempt any person from complying with the Building Code, or any other Bylaw or requirement of the RM, the Province of Saskatchewan, or the Government of Canada.

## **2.5 APPLICATION FOR A DEVELOPMENT PERMIT**

Every person shall apply for a development permit before commencing any development within the RM, except as listed below – Development Not Requiring a Permit.

### **2.5.1 Development Not Requiring a Permit**

Provided all provisions of this Bylaw are met, including the listing of the following exemptions as a permitted use in the relevant district, development permits are not required for the following:

- a) Agricultural operations excluding Intensive Livestock / Horticultural Operations.
- b) Accessory Farm Uses – provided the applicant has first submitted a site plan to the RM verifying that the use meets the building setback requirements, all farm buildings or structures.
- c) Accessory Non-Farm Uses – all non-farm uses or structures which are no more than 9.3 m<sup>2</sup> or 6 m in height and which will be accessory to a permitted use, provided the use meets the building setback requirements of the relevant district.
- d) Public Utilities – any operation to install or repair lines for sewers, water, cables, wires, tracks or similar public works (excluding culverts) as required by a public utility except where the line will cross or lie within the limits of a public road.
- e) The planting of any trees, shrubs, or landscaping:
  - (i) Outside an area 30 m from the centre line of any road allowance; or
  - (ii) Outside an area 90 m in any direction from the centre of the intersection of two or more road allowances.
- f) Placement of any portable structures, machinery, or other objects on private property:
  - (i) Outside an area 30 m from the centre line of any road allowance; or,
  - (ii) Outside an area 90 m in any direction from the centre of the intersection of two or more road allowances.
- g) *The Crown Minerals Act or The Oil and Gas Tenure Registry Regulations* will provide guidance for development regulations for exploration wells in the RM.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

Administration

Consolidated amendments up to January 24, 2020

Amending  
Bylaw No. 09-  
19

- h) Solar Collector, on-site use attached to an existing approved building or structure.

## 2.6 APPLICATIONS

- a) An application will be considered complete once it has met the requirements of the RM Administrative standards. A complete application will contain:
  - (i) Completed Application Form;
  - (ii) Site Plan;
  - (iii) Fee; and,
  - (iv) Additional items determined by the development officer, as required, at the time of application.
- b) Detailed information for each application / project should be obtained from the RM at the time of application to ensure a complete application is submitted for review.

### 2.6.1 Development Permit Applications

#### 2.6.1.1 Development Permit Procedures

No development shall take place in the RM unless a development permit is obtained, as per Section 62 of the *Act*. Upon completion of the review of a development permit application, the development officer shall:

- a) Issue a development permit for a permitted use where the application conforms to this Bylaw, incorporating any special regulations, performance standards or development standards required or authorized by this Bylaw.
- b) Issue a written notice of refusal, where the application does not comply with a use provision or regulation of this Bylaw, and the applicant has been given adequate opportunity (at least 2 weeks) to alter the proposal to comply with this Bylaw. The notice shall state the reason for refusal.
- c) Submit the application to Council for decision, where the application is for a discretionary use.

#### 2.6.1.2 Development Permit Review

Applications for both permitted and discretionary uses in this Bylaw must be applied for and obtained by the RM municipal office. The development permit review process at the RM reviews the following against the proposed development:

- a) Adjacent and proposed land uses;
- b) Location, and access to, major transportation routes;

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Administration

Consolidated amendments up to January 24, 2020

- c) Provision of services;
- d) Stormwater management, flooding and protection of natural areas;
- e) Mitigation of concerns related to hazard lands; and,
- f) Other relevant background information on the project.

### **2.6.1.3 Permitted Uses**

Permitted uses are those that would automatically receive a development permit if all the requirements of the Bylaw are met.

## **2.6.2 Discretionary Use Applications**

### **2.6.2.1 Discretionary Use Procedures**

Discretionary uses are those uses in each zone which are allowed to proceed subject to the approval of Council. This approval may contain conditions which must be met before a development permit will be issued. The following procedure will take place for a Discretionary Use application:

- a) Obtain an application from the RM and return it with the current requirements (as per instructions from the RM office).
- b) The development officer circulates the application to appropriate government agencies for comment. Discretionary uses within the JPA require circulation to the City of Regina for their review and comment with a minimum 30-day review period.
- c) Before Council may decide on a discretionary use, the Act requires the development officer to advertise the application or servicing in three ways:
  - (i) Circulation – A discretionary use application shall be circulated to other governmental agencies as deemed appropriate by the development officer; and,
  - (ii) Notice to community – Notice shall be provided to the assessed owners of property within 75 m of the boundary with the applicant's land.
  - (iii) The notice used in all methods described above shall meet the applicable requirements of Section 207(6) of the Act.
- d) The development officer informs by mail all adjacent property owners of the receipt of application, and of the date it will be considered by Council.
- e) The development officer prepares a report and recommendations for Council.
- f) Council makes a decision.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Administration

Consolidated amendments up to January 24, 2020

### **2.6.2.2 Discretionary Use Approval**

- a) Council shall decide on a discretionary use, by resolution, which instructs the development officer to:
  - (i) Issue a development permit incorporating any specific development requirement of Council in accordance with the provisions of this Bylaw and Sections 52 and 57 of the Act; or,
  - (ii) Require the applicant to provide further information regarding the proposed development; or,
  - (iii) Issue a notice of refusal to the applicant. The notice shall state the reason for refusal.
- b) The development officer informs the applicant of Council's decision (in writing). If approved, the applicant may be asked to submit a letter of commitment agreeing to any conditions of the approval.
- c) When the letter of commitment is received, a development permit and/or a building permit can be issued by the development officer.
- d) The approved discretionary use shall be initiated within two (2) years of the date of Council approval. Upon expiration of that period, the approval shall no longer be valid.

### **2.6.3 Minor Variances**

#### **2.6.3.1 Minor Variance Procedures**

The Development Officer may vary the requirements of this Bylaw subject to the following requirements:

- a) A minor variance may be granted for the relaxation of the minimum required distance of a building from a lot line.
- b) The maximum amount of a minor variance shall be a 10% variation from the requirements of this Bylaw.
- c) The development must conform to all other requirements of this Bylaw.
- d) The relaxation of the bylaw requirement must not injuriously affect a neighboring property.
- e) No minor variance shall be granted for a discretionary use or form of development in connection with an agreement to rezone pursuant to the Act.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Administration

Consolidated amendments up to January 24, 2020

### **2.6.3.2 Minor Variance Approval**

- a) The application must be submitted to the development officer and contain the requirements of a minor variance.
- b) Upon receipt of the application, notice shall be provided to the assessed owners of property within 75 m of the boundary of the applicant's land.
- c) The RM may revoke a minor variance application if an objection is received.
- d) The development officer may:
  - (i) Approve the minor variance;
  - (ii) Approve the minor variance with conditions; or,
  - (iii) Refuse the minor variance.
- e) If an application for a minor variance is refused or approved with conditions, the development officer shall advise the applicant of any right of appeal which may be granted by the *Act*.

### **2.6.4 Application Fees**

An application is not considered complete unless an application fee is paid in accordance with the fee schedule established by the *Planning Fees Bylaw*. Separate fees may be charged for each type of permit (permitted and discretionary uses). The fee schedule shall not include the fee for a development appeal, which is regulated by Section 220 of the *Act*.

### **2.6.5 Expiration**

All permits are valid for two (2) years from the date of issuance. The expiration of a permit would be deemed in cases where no site development has taken place.

## **2.7 DEVELOPMENT APPEALS BOARD**

- a) Subject to Sections 213 to 227 of the *Act*, Council shall appoint a Development Appeals Board within 90 days from the effective date of this Bylaw.
- a) The Development Appeals Board is bound by the OCP and the requirements of the *Act*.
- b) Applicants for development permits may appeal to the Development Appeals Board.
- c) The development officer shall advise the applicant on a development permit (discretionary or permitted) of any right of appeal which may be granted by the *Act*.
- d) The *Act* requires an appeal process to:

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Administration

Consolidated amendments up to January 24, 2020

- (i) Protect and individual's property rights;
  - (ii) Deal with errors or unique situations; and,
  - (iii) Protect against unnecessary delays.
- e) If an applicant is not satisfied with the Board's decision, a further appeal to the provincial Planning Appeals Committee may be possible.

### **2.8 OFFENCES**

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

### **2.9 AMENDMENT OF THE ZONING BYLAW**

Where a person applies to Council for an amendment to this Bylaw, and Council has given first reading, the applicant shall pay a fee to the RM that is equal to the costs of processing and advertising the application. The deposit will be based on the estimate given by the media source posting the advertisement.

If administration concludes that the principle of the proposed amendment is inconsistent with the OCP. Council may amend this Bylaw upon its own initiative or upon request, provided that the amendments are in keeping with the intent of the OCP.

- a) Where an application is made to rezone land to permit the carrying out of a specified proposal, the RM may enter into an agreement with the applicant pursuant to the *Act*.
- b) As per the *Act*, an agreement entered into pursuant to this section runs with the land, and the RM shall register an interest based on the agreement in the land registry against the affected titles:
  - (i) at any time after the bylaw amending this Bylaw is approved by the Minister; or,
  - (ii) if approval of the Minister is waived, at any time after this Bylaw amending the zoning bylaw is passed by Council.

## **3.0 GENERAL DEVELOPMENT REGULATIONS**

The following regulations shall apply to all districts in this Bylaw:

### **3.1 THE STATEMENTS OF PROVINCIAL INTEREST REGULATIONS**

As per the *Act*, Statements of Provincial Interest (SPIs) have been adopted to link provincial and municipal objectives for land use planning. The SPIs provide guidance to municipalities on a complex series of land use and development issues for municipalities, enabling them to facilitate the development of vibrant, safe, self-reliant and sustainable municipalities. SPIs are examined within all planning documents and development applications. Subdivision approving authorities, including the Province, are responsible for ensuring consistency with the SPIs during the subdivision approval process. The SPIs contain the following 14 areas:

- a) Agriculture and Value-Added Agribusiness;
- b) Biodiversity and Natural Systems;
- c) First Nations and Metis Engagement;
- d) Heritage and Culture;
- e) Inter-municipal Cooperation;
- f) Mineral Resource Exploration and Development;
- g) Public Safety;
- h) Public Works;
- i) Recreation and Tourism;
- j) Residential Development;
- k) Sand and Gravel;
- l) Shore Land and Water Bodies;
- m) Source Water Protection; and,
- n) Transportation.

An overview of each of the SPIs need to be included in all development applications, where required by the development officer.

### **3.2 GENERAL DEVELOPMENT STANDARDS APPLICABLE TO ALL DISCRETIONARY USES**

In addition to the standards and regulations contained within this Bylaw, the RM may apply specific development standards to discretionary uses. These specific development standards shall be determined in accordance with the following general requirements:

- a) The form and location of any buildings on the site shall reflect the character of adjacent buildings.
- b) Landscaping, buffering and screening shall be provided to enhance the site, to create a sensitive interface with adjacent development and to reflect the nature of the streetscape.
- c) Mitigating measures shall be identified to deal with any potentially inappropriate environmental conditions which may be created or compounded by the development (such as light / noise / air pollution, increase in wind velocity, sun-shadows and spills of hazardous materials).
- d) Sufficient amenities (recreational and aesthetic) shall be provided to address the needs of the individuals utilizing the development.
- e) A proposed development shall not conflict with established traffic circulation patterns surrounding the lot and will be capable of being provided with all necessary public services and utilities (such as communications systems, power services, and emergency services).
- f) Council may designate discretionary uses in any zoning district where, in Council's opinion, the type of development may have one or more features or potential effects that warrant proposal-specific review. The following will be reviewed in terms of the proposed developments effects on the existing resource:
  - (i) Roadways.
  - (ii) Air.
  - (iii) Soil.
  - (iv) Water.
  - (v) Waste Management.
  - (vi) Heritage and Natural Resources.



### **3.3 SITE DEVELOPMENT**

- a) Applicants shall, upon request of the Council, be required to enter development and servicing agreements with the RM:
  - (i) to achieve conformity with the OCP and this Bylaw;
  - (ii) to protect the public interest and RM costs; and,
  - (iii) to ensure development, servicing, resource management, and environmental compliance.

### **3.4 DEVELOPMENT ON OR ADJACENT TO HAZARD LANDS**

- a) Hazard lands shall include flood plains, water courses, slopes, those that may contain archeologically sensitive areas and critical wildlife habitat. No person shall use any land or erect, alter or use any building or structure in the Hazard Land Zone except in accordance with the provisions of this Bylaw.
- b) Development is prohibited in the floodway of the 1:500-year flood elevation of any watercourse or water body. New development in the flood fringe of a 1:500-year flood shall be flood proofed to an elevation 0.5 m above the 1:500-year flood elevation.
- c) Prior to approval, an Environmental Site Assessment by a qualified Professional Geotechnical Engineer licensed to practice in the Province of Saskatchewan shall be performed and submitted to the RM to ensure that the site intended for development is suitable for the intended purpose.

#### **3.4.1 Dwelling Development**

- a) No new dwelling shall be located within:
  - (i) the 'location separation distance' to an Intensive Livestock Operation (ILO);
  - (ii) the 'location separation distance' to a solid or liquid waste disposal facility;
  - (iii) Council may accept a lesser minimum separation distance to the above operations than required as a special standard in the issuing of a development permit, where the applicant submits a written agreement to Council between the land owner of the proposed dwelling and the owner of the operation relating to such lesser distance. Council shall maintain a register of all such agreements and shall caveat such agreements against the relevant titles pursuant to Section 235 of the Act;
  - (iv) 305 m to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan; and/or,

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

- (v) 610 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.

### **3.4.2 Development / Subdivision Adjacent to Hazard Lands**

- a) Where a proposed development is located within an area identified as Hazard Lands (ESA/Aquifer/Airport Vicinity Overlays, sloped lands, water bodies, ILO's, Land Farms, and/or flood plains) and shown on the zoning map, Council may require the applicant to submit topographic or other information for lands within:
  - (i) 457 m of the City Landfill or a land-farm used for treating contaminated soil;
  - (ii) 600 m of the sewage lagoons of Regina and Grand Coulee;
  - (iii) 150 m outside the boundary of a "High Sensitivity Aquifer";
  - (iv) 75 m of any intermodal (rail/truck trans-shipping) yard or major roadway, 30 m from any major transmission pipeline or major power line (measured from the Right-of-Way);
  - (v) 60 m of the boundary of the "30 - NEF (Noise Exposure Forecast)" identified by the Regina Airport Authority;
  - (vi) 1000 m of the boundary of the EVRAZ-owned land in Section 12-18-20-2;
  - (vii) 60 m of potentially unstable slopes;
  - (viii) 60 m of land with poor drainage;
  - (ix) 150 m of all public wells owned by the RM;
  - (x) 60 m of any river or stream flood plain or other land that may be subject to flooding; and/or,
  - (xi) 30 m from a railroad, including a 2.5 m berm; with no berm, a 120 m setback is required.

Notwithstanding other provisions of this Bylaw, development in the Hazard Lands are subject to the following development standards:

- a) The applicant shall provide evidence of compliance with any applicable provincial and federal legislation or regulations.
- b) Development near waterbodies are subject to the following standards:
  - (i) The required mitigation measures to develop near watercourses, in areas of high water table, near public wells or a private or public dam, which is licensed by the Water Security Agency (WSA).

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

- (ii) If a proposed development will be within 150 m of a surface waterbody used as a potable water supply (regardless of whether the waterbody is shown on the original Township survey or created by a private or public dam, licensed by the WSA, Council may also require additional information from the applicant to ensure existing water supplies or the proposed development will not be jeopardized).
  - (iii) Where a site borders on or contains a water body, the setback from the bank of the water body shall be determined by the RM but shall not be less than 30 m from a water body of 8 ha or more.
- c) Development near slopes are subject to the following standards:
- (i) Development or subdivision proposed on or within 30 m of the crest of a slope greater than 20% shall require supporting evidence of the slope stability by a professional engineer.
  - (ii) The development officer, in consultation with a geotechnical engineer, may impose special conditions on a development permit, including (but not limited to), engineered footings or specialized drainage and/or septic systems to protect against erosion and/or stability of the bank.
  - (iii) Trees or vegetation shall not be cleared from any land within 20 m of any slope greater than 20%.
  - (iv) Unless a report by a registered professional engineer states that it is safe to waive the building setbacks, the following setbacks shall apply for all developments along a slope. The 'top of the bank' shall be that line where the gradient of the slope measured from the upland leading down to the water body or watercourse first exceeds 20%.

**Table 1: Minimum Building or Structure Setback Requirements for Slope Stability**

<b>Vertical Depth of Coulee, Ravine, or Valley</b>	<b>Minimum Building or Structure Setback from the Top of Bank</b>
Less than 15 m	10 m
Greater than 15 m and less than 30 m	15 m
Greater than 30 m	20 m

- d) Drainage in any proposed development must:
- (i) Ensure that it is in compliance with all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item; no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream,

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

creek, river, lake, pond, slough, intermittent drainage channel, other body of water, onto/beneath the surface of any land, or into the air.

- (ii) Be required to submit a professionally engineered design for the proposed drainage works incorporating sufficient capacity to accommodate surface water runoff for a 1:100-year storm event with no incremental increase in off-site flows more than what would have been generated from the property prior to the new development.
- (iii) Drainage works shall be constructed at the owner's expense to provide for adequate surface water drainage that does not adversely affect adjacent properties, or the stability of the land.

### **3.4.3 Conditions of Approval**

Where the studies required, demonstrate that a proposed development is suitable to be allowed within the Hazard area, the development officer may either:

- a) Approve the permit for the proposed development; or,
- b) Attach special conditions to the permit for that development.

### **3.4.4 Refusal of Permit Application**

Where the studies required, demonstrate that a proposed development are not suitable to be allowed within the Hazard area, the permit shall be refused. The development officer shall also refuse a permit for any development which:

- a) Any proposed remedial actions are inadequate to address the possible adverse effects of the proposed uses in the nearby Hazard area; and/or,
- b) May result in excessive costs for the RM or conflict with surrounding uses.

## **3.5 SIGNS & BILLBOARDS**

### **3.5.1 Temporary and Minor Signs**

- a) Temporary signs and real estate signs are permitted without a development permit.
- b) Government signs, memorial signs, and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, do not require a development permit.

### **3.5.2 Signs Within a Highway Corridor**

- a) Signs located in a highway corridor shall be regulated entirely by the requirements of *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

### **3.5.3 Signs Outside a Highway Sign Corridor**

- a) All signs other than in a highway sign corridor require a development permit, and may only advertise agricultural commercial uses, home-based businesses, the principal use of an adjoining site or the principal products offered for sale on the adjoining site.
- b) A maximum of two advertising signs are permitted on any site or quarter section and each sign shall be no larger than 3.5 m<sup>2</sup> and no higher than 6 m. More than two signs may be permitted by submitting a formal application to the RM.
- c) Billboards and other off-site advertising signs are prohibited, except in a highway sign corridor.
- d) All private signs shall be located so that the safety of the public is not jeopardized, in the development officer's opinion, by the size, lighting, movement, or location of the sign.

### **3.5.4 Business/Commercial Requirements**

- a) In addition to the requirements above, the following shall also apply within the Business Commercial district:
  - (i) only one business name sign is permitted per visible business unit front, and shall not exceed 15% of the area of the front of the building and shall not exceed a surface area of 14 m<sup>2</sup>, and a height of 14 m; and/or,
  - (ii) where a building maintains direct exposure to more than one public right of way, a second free standing sign shall be permitted subject to the signage regulations.

## **3.6 DEMOLITION PERMITS FOR A DEVELOPMENT**

A demolition permit is required to demolish any structure or building. Conditions for a demolition permit may include fencing, grading, removal of all debris, fill, and reclamation plan and shall ensure public and environmental safety.

## **3.7 MUNICIPAL SERVICES**

### **3.7.1 Water Supply**

- a) Council or the development officer may require an applicant to provide written proof from a qualified professional, that a proven, potable water supply (on-site or hauled, as per the regulations laid out in each district) of sufficient quality and quantity is available to service the proposed development.
- b) If the proposed development or subdivision may jeopardize ground or surface water supplies, Council or the development officer shall refuse a development or recommend refusal of a proposed subdivision.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

General Development Regulations  
Consolidated amendments up to January 24, 2020

### 3.7.2 Waste Management

- a) Any person burning refuse shall only do so in accordance with the *Refuse Disposal & Burning Bylaw No. 07/01*.
- b) All management of waste accessory to an agricultural use must use an appropriate facility and comply with a specific waste management plan as described in the *Agricultural Operations Act*.
- c) See Section 4.15 of this Bylaw for reference to compost facilities.
- d) All waste water management shall be in accordance with Provincial legislation and the RM's OCP.

## 3.8 PARKING & LOADING REGULATIONS

### 3.8.1 Parking Standards

When any new development is commenced or when any existing development is enlarged, or existing use changed, provision shall be made for off-street vehicular parking spaces in accordance with the standards described in Table 2.

**Table 2: Minimum Parking Spaces Requirements**

Type of Building / Site Use	Minimum Parking Spaces Required
Dwellings, Mobile Homes, and/or Modular Dwellings	1 space per dwelling unit
Schools	1 space per classroom
Religious Institutions	1 space per 15 seating places plus 1 space per 20 m <sup>2</sup> of assembly room floor area of the largest assembly room within the building
Community Halls, Centres and Facilities; Places of Public Assembly; Intensive Recreation Uses; and, Auctioneering Establishments	1 space per 10 seating places for the public or 1 space per 10 m <sup>2</sup> of gross floor area used by patrons, whichever is greater
Confectionary and Retail Stores; financial institutions; Personal Service Establishments; Sales, service, rentals, or repair shop; Home Improvement Centres	1 space per 20 m <sup>2</sup> of gross floor area
Motels / Hotels and Bed & Breakfasts	1 space per guest room
Restaurants / Lounges	1 space per 5 seats
Service Stations / Gas Bar	4 spaces per service bay
Animal Kennel / Shelters / Health Care Facilities	1 space per 100 m <sup>2</sup> of gross floor area

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

General Development Regulations

Consolidated amendments up to January 24, 2020

Type of Building / Site Use	Minimum Parking Spaces Required
All manufacturing, fabricating, warehousing uses; storage buildings and yards; handling, loading, distribution and/or shipping facilities; abattoirs; livestock auction markets; builders or contractors' yards and (machine) shops; and other similar industrial or industry-related uses	1 space per 3 employees on maximum work shift but not less than 1 space per 150 m <sup>2</sup> of gross floor area
Office space / Clinics	1 space per 35 m <sup>2</sup> of gross floor space

If parking standards for a proposed development are not included in the table above, the parking requirements will be up to the discretion of the development officer.

### 3.8.2 Parking for Residential and Non-Residential Uses

Parking facilities are required for residential and non-residential uses as follows:

- a) Have visible boundaries and be suitably drained;
- b) Be provided on the same site;
- c) Provide parking spaces that:
  - (i) have a minimum width of 2.5 m and a minimum length of 5.5 m;
  - (ii) have clearly-marked approaches or driveways and be defined by a fence, curb or other suitable boundary designed to provide a neat appearance;
  - (iii) have an entrance driveway with minimum width of 7.5 m; and/or,
  - (iv) are constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.5 m from the point of intersection of two property lines at a street intersection.
- d) Be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.5 m from the point of intersection of two property lines at a street intersection.

### 3.8.3 Loading Provisions

When development occurs or when any existing use is changed, enlarged, or increased in capacity, a minimum of one off-street vehicular loading and unloading space shall be provided and maintained in accordance with the following provisions:

- a) The minimum size for an off-street loading space shall be:
  - (i) for buildings with a gross floor area of 1400 m<sup>2</sup> or less, a minimum area of 17 m<sup>2</sup> and a minimum width of 3 m; and,

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

- (ii) for buildings with a gross floor area of more than 1 400 m<sup>2</sup>, a minimum area of 33.5 m<sup>2</sup>, a minimum width of 3 m and minimum clear height of 4.3 m.
- b) Loading spaces must be located either within or abutting the building containing the use.
- c) No loading spaces shall be provided within a minimum front yard.
- d) Loading spaces provided within the minimum side yard shall be open and uncovered.
- e) Every off-street loading space and access shall be hard surfaced if the access is from a street or lane which is hard surfaced. Where hard surfacing is required, it shall be constructed of concrete, asphalt or a similar durable, dust-free material.

### **3.9 CLEAN FILL AFFECTING DRAINAGE**

Clean fill for purposes of site grading/levelling shall require a development permit, subject to the following:

- a) Where a Clean Fill Operation is proposed, it must be developed to the satisfaction of the RM and the Water Security Agency (WSA).
- b) Where a Clean Fill Operation is proposed, a site grading plan and drainage study is required.
- c) Where a Clean Fill Operation is proposed, a road haul agreement between the RM and the applicant will be required as a condition of approval.
- d) Landscape buffering and hours of operation, will be determined by Council.
- e) The scale and intensity of the proposed Clean Fill Operation is in alignment with the scale, intensity and uses of surrounding lands.

### **3.10 CLEAN MATERIALS**

- a) Storage of clean materials use does not permit any of the following:
  - (i) a commercial sale and service;
  - (ii) equipment sales, rental, and storage;
  - (iii) vehicle, automotive, recreational vehicle, boat repair and storage;
  - (iv) off-site snow storage;
  - (v) sales and purchase purposes of any kind, whether related to the storage of clean materials; and,



## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

- (vi) office or building structures.
- b) When a development permit application is made for a storage of clean materials use as identified in the Agricultural (AG) Zone, the following information must be submitted to the satisfaction of the development officer before the application can be presented to Council for a decision:
  - (i) a detailed description of the use intended;
  - (ii) drainage and site grading plan;
  - (iii) access and traffic patterns;
  - (iv) road haul agreement if required;
  - (v) other required approvals (e.g. WSA);
  - (vi) hours of operation;
  - (vii) site plan indicating that a maximum of 40% of the site will be used for the storage use; and,
  - (viii) provision for buffering and fence screening.
- c) The site must be fenced and secure at all times and must have an approved approach installed to the RM's standards and requirements.
- d) Landscaping is required along the full extent of the road frontage for any storage of clean materials.
- e) Approval of a clean storage use by Council expires after two years and may only be extended on submission of a new application.

### **3.11 SITES WITH SPECIFIC YARD REQUIREMENTS**

- a) NW 13-18-20-W2, Lot 24, Blk/Par 1, Plan 101228802, Ext 88 shall have an east side yard of no less than 3.95 m to accommodate an existing shop building.
- b) Lot 24, Blk/Par C, Plan FW3090, Ext 65 south side yard shall be no less than 2 m to accommodate building expansion.

### **3.12 LEGAL ACCESS**

- a) A development shall not be recommended for approval by Council unless the proposed site has frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

General Development Regulations

Consolidated amendments up to January 24, 2020

**3.13 BUILDING SETBACK REQUIREMENTS**

- a) The minimum setback for buildings from a developed road right-of-way or municipal road allowance shall be 20 m;
  - (i) Minimum side yard – 6 m.
  - (ii) Minimum rear yard – 6 m.
- b) The minimum setback for all buildings from a provincial highway shall be determined by the Ministry of Highways and the RM at time of application.
- c) Setbacks from easements shall be determined by the utility provider at time of application.

## **4.0 SPECIFIC USE REGULATIONS**

### **4.1 ACCESSORY USES**

- a) Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is a permitted or discretionary use in that same district, and for which a development permit has been issued.
- b) No accessory building may be constructed, erected, or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- c) A building is deemed to be part of the principal building where:
  - (i) the building on a site is attached to the principal building by a solid roof or by structural rafters; and/or.
  - (ii) the solid roof or rafters extend at least one third of the length of the building wall that is shared with the principal building.
- d) Unless otherwise specified in this Bylaw, a residential dwelling shall not be defined as an accessory use. Accessory structures shall not be used as a dwelling unless approved as a garden suite.

### **4.2 MOBILE HOMES & MODULAR DWELLINGS**

#### **4.2.1 Standards for Mobile Homes and Modular Dwellings**

- a) Wherever a Mobile Home or Modular Dwelling is allowed by this Bylaw, it must be attached to a foundation or otherwise be secured to the satisfaction of the RM's Building Inspector, prior to occupancy.
- b) Each Mobile Home shall comply with the standards as set out in the 'Mobile Home' definition in this Bylaw. Accessory Buildings, Uses & Structures

### **4.3 SALVAGE & VEHICLE STORAGE YARDS**

#### **4.3.1 Outdoor Vehicle Storage Regulations**

- a) Except for an approved salvage yard, no person shall use any yard of any site in any district, for the parking or storage outside of an enclosed building of more than five vehicles that are not in running order.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

- b) Council or the development officer may require that vehicle storage yards be screened from roadways or neighbouring properties by landscaping features or fences or a combination thereof.

## **4.4 PUBLIC UTILITIES**

### **4.4.1 Permitted Use**

Public utilities and accessory booster or transformer stations, etc. (excluding offices, warehouses, and storage yards), shall be permitted uses in every district. Unless otherwise specified by this Bylaw, no minimum site area or yard requirements shall apply.

### **4.4.2 Standards**

Where a public utility will cross, or lie within the limits of a municipal road, Council may apply special standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

## **4.5 HOME-BASED BUSINESSES**

### **4.5.1 Agricultural Home-Based Businesses**

Home-based businesses will be permitted uses in the Agricultural (AG) district and shall be subject to the following:

- a) The use is accessory to a dwelling unit (as an agricultural operation) or a dwelling unit.
- b) In the case of a home-based business on a farmyard, up to five non-resident employees may be employed at the site at the development officer's discretion, unless a lower number is specified. Where the business is for a building or service contractor, additional employees may be employed off-site.
- c) On-site signs shall be permitted according to Section 3.5.
- d) Off-site signs not exceeding 0.5m<sup>2</sup> may be permitted at the discretion of the development officer, where necessary to provide directions from a highway to the operation.
- e) All development permits issued for home-based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- f) The development officer may also apply special standards in the issuing of a development permit limiting the size of operation / business including, but not limited to the size and number of buildings used for the operation or allowing a specified increase in the number of non-resident employees (with a maximum of 12 total non-resident

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

employees). Any increase in the operation as originally applied for or approved shall require a new Council approval.

- g) A home-based business may also include Ready To Move (RTM) home construction and assembly. Notwithstanding other provisions of this Bylaw, and in addition to the development standards for a home-based business, this land use is subject to the following additional development standards:
  - (i) Construction and assembly are limited to a single RTM on a property at one time;
  - (ii) the RTM may not be occupied as a residence on the property;
  - (iii) A completed RTM must be removed from the property within 6 months of the date of completion as determined by the Development Officer; and,
  - (iv) Each RTM constructed requires a development permit and is subject to the requirements of the Municipal Building Bylaw.

### **4.5.2 Residential District Home-Based Businesses**

Home-based businesses will be a discretionary use in the Peri-Urban Residential (PR) and Rural Residential (RR) districts and shall be subject to the following conditions:

- a) The use is accessory to a dwelling unit (as an agricultural operation) or a dwelling unit.
- b) The operator of the business must be a resident of the dwelling unit and the use shall be valid only during the period when the property is occupied as the residence of the owner for such use.
- c) Home-based businesses on acreages, may also be permitted to have up to five non-resident employees working in the dwelling or accessory building. Where the business is for a building or service contractor, additional employees may be employed off-site.
- d) Except as specified in a development permit, no variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted, except for permitted signs.
- e) On-site signs shall be permitted according to Section 3.5.
- f) All development permits issued for home-based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- g) The development officer may also apply special standards in the issuing of a development permit limiting the size of operation / business including, but not limited to the size and number of buildings used for the operation or allowing a specified increase in the number of non-resident employees (with a maximum of 8 total non-resident

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

employees). Any increase in the operation as originally applied for or approved shall require a new Council approval.

### **4.5.3 Peri-Urban Residential Special Conditions**

Home-based businesses in the Peri-Urban Residential (PR) district shall be subject to Home-based Businesses regulations (above) and the following conditions:

- a) Non-resident employees are not permitted in home-based businesses in these districts.
- b) No heavy construction or industrial equipment or supplies shall be stored outdoors on any site for a home-based business in these districts.
- c) Council may also apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation. Any increase in the operation as originally approved shall require a new discretionary approval.

## **4.6 BED AND BREAKFAST HOMES & VACATION FARMS**

### **4.6.1 General Requirements**

Vacation farms and bed and breakfast homes in the Agricultural (AG), Peri-Urban Residential (PR), and Rural Residential (RR) districts shall be subject to the following requirements:

- a) Vacation farms shall be accessory to an agricultural operation;
- b) A maximum of five cabins shall be permitted as part of a vacation farm operation;
- c) On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 m<sup>2</sup> may be permitted at the discretion of Council, where necessary, to provide directions from a highway to the operation;
- d) The Regina Qu'Appelle Health Region (RQHR) and/or Saskatchewan Liquor and Gaming Authority will be the licensing authority for vacation farms and bed and breakfast operations; and/or,
- e) Bed and breakfast operations shall be in a single detached dwelling used as the operator's principal residence developed as a farmyard or residence; or located in a dwelling accessory to.

## **4.7 SERVICE STATIONS & GAS BARS**

Automotive service development, gas pumps, and associated buildings, and structures and associated vehicular movement in the I1, I2, and Highway Commercial (HC) districts shall be subject to the following requirements:

- a) Gas pumps and islands shall be set back 6 m from any site line.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

- b) Access and egress points shall not be continuous along a street and shall be at least 10 m apart.

## **4.8 CAMPGROUNDS**

- a) The operator of a campground shall provide the development officer with a site plan (as per the requirements of the development permit) for the campground.
- b) A campground shall have a landscaped buffer on the boundary of not less than 5 m.
- c) The operator of a campground shall designate a campsite for each rental party. Campsite sizes will be satisfactory to the development officer.
- d) All campsites shall provide a buffer between sites. Campsite size will not include the buffer area.
- e) Each campsite shall have direct and convenient access to an internal roadway.
- f) Each travel trailer shall be located at least 3 m from any other travel trailer, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- g) Roadways within a campground shall be at least 7.5 m in width or a width satisfactory to the development officer.
- h) A campground may include as an accessory use:
  - (i) A laundromat and convenience retail designed to meet the needs of the occupants of the campsites.
  - (ii) Recreation components such as trails, mini-golf courses, and other indoor and outdoor facilities that provide recreation and leisure opportunities on-site.
- i) One single detached dwelling shall be provided for the accommodation of the campground owner / operator / manager.

## **4.9 MINERAL AND AGGREGATE EXTRACTIONS**

The following considerations apply for all mineral and aggregate extractions:

- a) In reviewing an application, Council shall consider the environmental implications of the operation including plans for site reclamation.
- b) The applicant shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of the development officer, to prevent the operation from becoming an annoyance to neighbouring uses.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

- c) The applicant shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stock piles to act as a noise barrier.
- d) The applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- e) The disturbed area shall be progressively reclaimed to a land capability equivalent to, or better than, the pre-disturbance land capability or a post-disturbance condition and land use satisfactory to the development officer. These conservation and reclamation procedures shall be in accordance with applicable Provincial guidelines.
- f) Property approaches shall be located away from existing residential dwelling units.
- g) The applicant shall be responsible for providing an estimate and a corresponding financial guarantee, in a form acceptable to the development officer, equal to the cost of reclamation of the pit, to be held by the RM for the lifespan of the operation.
- h) A mineral extraction shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 m of the bank of any river or watercourse.
- i) The applicant or operator responsible for hauling the sand and gravel resource may be required by the development officer to enter into a road maintenance agreement.
- j) Any approval aggregate extraction shall be for a maximum period of four years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.
- k) An applicant shall be required to enter into a development agreement with the RM to ensure the mineral extraction complies with all relevant requirements of this Bylaw.

## **4.10 KEEPING OF ANIMALS ON RESIDENTIAL SITES OTHER THAN FARMYARDS**

- a) Only two large animals (horses or cattle) will be permitted on a site of at least 2 ha. Four large animals will be permitted on a site of at least 4 ha site. All other animals shall be limited to domestic pets of the residents of the site (refer to Animal Units Table in Section 11.0 – Definitions); and/or,
- b) Animals shall not be pastured within 15 m of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 m of a property line.



## **4.11 EQUESTRIAN FACILITIES**

Equestrian facilities containing more than four horses shall be subject to the following requirements:

- a) The development permit shall set the maximum number of horses that may be kept on the site;
- b) That the number of animals allowed as a condition of the permit to participate in an event are in addition to the number that can be kept on the site;
- c) The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant, and spectator parking; and/or,
- d) Council shall place any additional conditions for approval deemed necessary based upon a specific application.

## **4.12 INTENSIVE HORTICULTURAL OPERATIONS**

- a) In the application for an Intensive Horticultural Operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, which supply shall be sufficient to meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties; and/or,
- b) The operation may include a farmyard or dwelling on the same site. No subdivision of the farmyard, dwelling or Intensive Horticultural Operation shall be permitted.

## **4.13 INTENSIVE LIVESTOCK OPERATIONS (ILO'S)**

Intensive Livestock Operation's (ILO's) are not permitted within the Joint Planning Area (JPA) but will be considered outside the JPA, if they meet the criteria for the development and/or expansion of an ILO.

- a) Any operation involving the raising of animals shall be considered an ILO for this Bylaw if it:
  - (i) fits the definition of "Intensive Livestock Operation (ILO)" as per the *Agricultural Operations Act*; or,
  - (ii) is an expansion of an existing ILO which has been permitted by the agency responsible for administering the *Agricultural Operations Act*; or,
  - (iii) involves the alteration of animal species in an existing ILO.

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Specific Use Regulations

Consolidated amendments up to January 24, 2020

- b) In considering whether a specific livestock operation should be considered an ILO, Council shall exempt existing or proposed operations from compliance as an ILO if Council determines that the operation involves only the temporary confinement of livestock during winter months as part of a mixed farming operation. This subsection shall not apply to any livestock operation considered as an ILO as laid out in Section 4.13;
- c) Approval of an ILO shall be for a specific maximum number of animal units specified by Council as a condition of the development permit. A new discretionary approval shall be required to expand the ILO, or to substantially alter the species of animals in the operation;
- d) Council shall require information from the ILO applicant regarding the type, frequency, and technology proposed for, and land location of manure application. If the applicant is proposing to spread manure rather than use alternate means of manure application, Council may add the following as conditions of the discretionary use:
  - (i) Council may require that the applicant use only the specific areas of cropland or improved pasture, which have been designated for manure application as part of an approved nutrient management plan by the Ministry of Agriculture (MoA). Any change to the location of the manure application areas specified as a permit condition shall also require the prior approval of Council, and shall be added as a new condition to the original permit; or,
  - (ii) Council may require that the manure which is being spread on the specific areas of cropland or improved pasture which have been approved for manure disposal by the MoA and solid manure shall not be applied to frozen or snow-covered ground. Liquid manure shall only be applied to frozen or snow-covered ground in an emergency event and only under the direction of the MoA and the RM.
- e) In consideration of public notice requirements, the keeping of chickens on residential sites may be included as amendments upon adoption of the Bylaw;
- f) See the OCP for detailed Policies regarding ILOs; and/or,
- g) Minimum separation distances required from ILOs to adjacent land uses shall be as specified in Table 5:

**Table 3: Minimum Separation Distances for Intensive Livestock Operations<sup>1</sup>**

Development Type / Use	Animal Units				
	100 – 299	300 – 499	500 – 2000	2000 – 5000	>5000
Residence, tourist accommodation, or campground	300m (450)	400m (600)	800m (1200)	1200m (1600)	1600 m (2000)
Residential use/hamlet/municipality with less than 100 residents	400m (600)	800m (1200)	1200m (1600)	1600m (2400)	2000m (2400)
Municipality with between 100 – 500 residents	800m (1200)	1200m (1600)	1600m (2000)	2400m (2400)	2400m (2400)
Municipality with between 501 – 5000 residents	1200m (1600)	1600m (2000)	2400m (2400)	3200m (3200)	3200m (3200)
Municipality with greater than 5000 residents	1600m (2000)	2400m (2400)	3200m (3200)	3200m (3200)	3200m (3200)

#### **4.14 LIMITATIONS FOR MANURE APPLICATION FROM NON-INTENSIVE LIVESTOCK OPERATIONS**

- a) Except for the provisions outlined in Section 5.1, all new or expanding Non-Intensive Livestock Operations (those which do not require an ILO Permit from SA), including those which are under 300 Animal Units as shown on Table 5, are prohibited from applying manure within 300 m of a neighbouring dwelling (including the potable water supply of that dwelling) or inside an Environmentally Sensitive overlay district. The prohibition in this Subsection shall not apply in the case of an existing Operation which qualifies under this Bylaw and the Act as a legal, Non-Conforming Use;
- b) If the neighbour and the owner of the Operation agree in writing to the new location for the manure application within the 300-m distance of the neighbour's dwelling, Council will consider the agreement as part of an application for a discretionary use permit with a condition exempting the Operator from this setback requirement. Prior to deciding on the discretionary use permit, Council shall consider the proposal in relation to the soil type, local topography, expected manure constituency and application rates, the adequacy of the proposed separation to reduce odour and nuisance, and any other matter identified by Council. The Operator may also be asked to supply a report from a

<sup>1</sup> Note: Distances are measured between livestock facilities and building development. Numbers in brackets apply where open liquid manure storage facilities are used or proposed. Distances do not apply to residences associated with the operation.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

professional agrologist or engineer commenting on the environmental effects of the proposal. The proposal may also be referred to SA for comment.

## **4.15 COMPOST FACILITY**

- a) Processing of composting material, including material undergoing initial decomposition and material undergoing secondary curing before being applied to land, must not occur within 30 m of any parcel boundary or domestic water supply intake, nor within 15 m of any natural watercourse or constructed ditch, but nothing in this sub-section prohibits the application of finished compost to land. In the case of an agri-business comprising more than one parcel of land, the siting requirements of this sub-section in relation to parcel boundaries do not apply in relation to any parcel boundary not constituting an exterior boundary of the farm.
- b) Initial decomposition of food waste, sludge, septage, fats, oils and grease, brewery waste, plant matter derived from processing plant, hatchery waste, poultry carcasses, fish wastes, whey, milk processing, and contaminated fibers must be contained in a closed reactor or vessel in which conditions such as moisture, temperature, and oxygen levels can be closely monitored and controlled, and from which odors detectable by humans cannot escape.
- c) Council may prescribe standards related to berming, landscaping, and buffering.
- d) Composting materials undergoing secondary curing or being stored prior to initial decomposition must be stored on an impermeable surface and any leachate must be collected, so that contaminants leaching from the materials cannot enter the groundwater table.
- e) Equipment for the shredding or grinding of materials must be located within a structure having solid walls and a roof so that any noise generated by the equipment is attenuated.
- f) The RM has two types of composting that typically take place:
  - a. Agricultural Composting; and,
  - b. Commercial Composting.

## **4.16 LAND FARMS**

A land farm development shall provide an operational plan acceptable to Council, including:

- a) Identifying the types of contaminants to be introduced into the soil and written evidence from a qualified professional that biodegradation occurs for all contaminants of concern.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

- b) Outlining strategies for the management and protection of surface and ground water resources including the location and design of storm water runoff collection facilities.
- c) Identifying strategies for minimizing odour and dust generated by the activity and preventing food chain contamination.
- d) Deposited material shall be documented and verified by the applicant to ensure that its origin is known that all the contaminated material introduced meets applicable federal and provincial requirements.
- e) The applicant shall be required to enter into a development agreement with the RM to ensure compliance with all relevant requirements, including any additional conditions of approval and provisions for a financial guarantee equal to the cost of reclamation of the site if deemed necessary by Council.
- f) An approval of a land-farm, ILO, and/or solid/liquid waste facility shall be for a maximum period of five years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.

## **4.17 SOLAR ENERGY**

Amending  
Bylaw No. 09-  
19

Solar Collector, Commercial shall comply with the following:

- a) No unscreened outdoor storage of any kind will be allowed on the site.
- b) Per the direction of the development officer, the applicant shall install landscaping along the perimeter of the project site.
- c) Solar Collector, Commercial shall consider the following for development:
  - (i) The location proposed for the Solar Collector, Commercial will not adversely affect adjacent lands (noise, aesthetics, and other environmental concerns).
  - (ii) The proposed site is adequate in size and shape to accommodate the facility, ancillary buildings, landscaping, and other development features to integrate the solar farm into the adjacent areas.

## **4.18 WIND ENERGY**

A private wind turbine must conform to the following development standards:

- a) Application for a development permit shall include design plans for the wind turbine unit, an installation plan for the unit, and detailed site plans regarding placement for the proposed unit(s).
- b) Application for a development permit shall include engineering plans for the base supporting unit and an engineering noise assessment for the wind turbine.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Specific Use Regulations

Consolidated amendments up to January 24, 2020

- c) Maximum allowable sound pressure noises levels for a wind turbine unit(s) shall be less than 0 to 55 dB between the hours of 10:00pm and 7:00am where measured at 45 m from the unit(s).
- d) Setbacks from regional parks, environmentally sensitive areas, nesting areas, and other protected areas shall be defined through a site-specific study.
- e) The location of the wind turbine shall be set back from all property lines a minimum of two times the height of the proposed structure to provide for clearance of possible collapse, ice sluffing from the blades, and any failure and the flying of rotating blades.
- f) Wind turbine applications will be reviewed by the Agency responsible for the Guidelines for Wind Energy Projects.

### 4.19 DEVELOPMENT NEXT TO RAILWAYS

All development in proximity to a railway shall be pursuant to the regulations contained within Transport Canada's *Standards Respecting Railway Clearances* (pursuant to the *Railway Safety Act*), and other regulations to ensure the safe operation of railways.

### 4.20 HERITAGE & CULTURE

To assist in meeting the Province's culture and heritage interests, the RM of Sherwood will require that the landowner and/or developer:

- a) An assessment be conducted on lands where the development is proposed. The assessment will determine if the location of the proposed development is flagged for potential heritage and archeological sites and to minimize, mitigate or avoid adverse development impacts to culture and heritage resources (per the Online Screening Tool).
- b) Contact the Agency responsible for administering the *Heritage Property Act* should the location propose any concerns.

### 4.21 CANNABIS PRODUCTION FACILITY

Amending  
Bylaw No. 09-  
19

- a) A Cannabis production facility:
  - a. must be a listed permitted or discretionary use in the zone it is in and must comply with the provisions of that zone,
  - b. must not have any outdoor storage;
  - c. is not permitted in a dwelling;
  - d. A cannabis production facility that is contained entirely within a building shall not create or become a nuisance or create any conflict with the surrounding uses in terms of noise, dust, refuse matter, odour, traffic and storage of hazardous or

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Specific Use Regulations

Consolidated amendments up to January 24, 2020

combustible materials. The applicant may be required to implement mitigation measures to address potential nuisances or hazards;

- e. No cannabis production facility that includes cultivation in an outdoor area or in a greenhouse may be located within 300 metres of a residential or institutional use or district;
- f. The applicant shall provide the Municipality with evidence of compliance with any applicable provincial and federal legislation or regulations including approvals where required;
- g. There must be adequate infrastructure and utility services to service the proposed use including roads, power, natural gas, telecommunications, water supply and wastewater disposal systems. If upgrades are required, the applicant shall be solely responsible for the cost and the undertaking of such upgrades;
- h. A cannabis production facility may be considered as an *Agricultural Home-Based Business* for a *Cannabis Production Facility - Micro*.

## ZONING DISTRICTS

### 5.0 AGRICULTURAL DISTRICTS

#### 5.1 AGRICULTURAL (AG)

##### 5.1.1 Intent

The Agricultural district (AG) is intended to provide for the continuation of traditional forms of agricultural activities and associated farm operations.

##### 5.1.2 Uses

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

**Table 4: Agricultural Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Accessory uses</li> <li>• Ag-related waste</li> <li>• Agricultural compost facility</li> <li>• Agricultural operation</li> <li>• Agriculture (intensive-horticulture)</li> <li>• Cannabis Production Facility, Micro</li> <li>• Controlled hunt farms</li> <li>• Existing Electric Arc Furnace</li> <li>• Game farms<sup>2</sup></li> <li>• Home-based businesses</li> <li>• Horticulture (garden centres, nurseries and greenhouses)</li> <li>• Maximum of two primary residences:                             <ul style="list-style-type: none"> <li>○ Garden suite</li> <li>○ Mobile homes</li> <li>○ Single detached dwellings</li> <li>○ Modular homes</li> </ul> </li> <li>• Mineral resource exploration and extraction</li> <li>• Public utilities</li> <li>• Solar Collector, On-Site Use</li> </ul>	<ul style="list-style-type: none"> <li>• Abattoirs</li> <li>• Aerodrome</li> <li>• Agricultural businesses with more than 12 non-resident employees</li> <li>• Agricultural contracting and service establishments</li> <li>• Agricultural equipment, fuel, and chemical supply establishments</li> <li>• Agricultural machine shops and metal fabricators</li> <li>• Agricultural product processing and accessory uses</li> <li>• Agricultural Tourism and vacation farms</li> <li>• Animal kennel / shelter</li> <li>• Bed and Breakfast homes</li> <li>• Campgrounds</li> <li>• Cannabis Production Facility, contained within a building that is not a greenhouse</li> <li>• Cannabis Production Facility, limited to outdoor and greenhouse cultivation</li> <li>• Clean Fill Operations</li> <li>• Commercial compost facility</li> <li>• Distilleries, Wineries and Breweries</li> </ul>

Amending  
Bylaw No. 09-  
19

Amending  
Bylaw No. 09-  
19

<sup>2</sup> Subject to development standards.



**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Agricultural Districts

Consolidated amendments up to January 24, 2020

Permitted	Discretionary
	<ul style="list-style-type: none"> <li>• Drive in theatres</li> <li>• Equestrian center's</li> <li>• Grain terminals, elevators, and related uses</li> <li>• Shooting range</li> <li>• Horticultural Operations</li> <li>• Institutional uses</li> <li>• Intensive Livestock Operations</li> <li>• Livestock auction market</li> <li>• Land-farms for rehabilitating contaminated soils</li> <li>• Mulching operations</li> <li>• Mineral resource processing</li> <li>• Pet day cares</li> <li>• Privately-owned Railway facility</li> <li>• Religious institutions and cemeteries</li> <li>• Solar Collector, Commercial</li> <li>• Storage of clean materials</li> <li>• Vehicle storage (recreational vehicles and marine products)</li> <li>• Wind energy generation system</li> </ul>

Amending  
Bylaw No. 09-  
19

**5.1.3 Subdivision & Site Requirements**

Amending  
Bylaw No. 09-  
19

Minimum Site Area:

- a) A quarter section; excepting a maximum of two parcels subdivided (not including for a public utility), for the following:
  - (i) An existing farmyard;
  - (ii) One rural residential parcel separate from the principal farmyard;
  - (iii) A permitted or discretionary use allowable in this Zoning District in accordance with Table 5; and
- b) The residual agricultural parcel shall be a minimum 48.6 ha. unless the parcel is fragmented due to a natural or man-made involuntary severance (roadway, railway, waterbody, etc.) the subdivision of agricultural land may be permitted with consideration for remnant parcel sizes and possibility of consolidation with adjacent parcels to create a more viable agricultural parcel, and
- c) The minimum required parcel size for permitted and discretionary uses in this district shall be a *quarter section or equivalent*, except as specified in Table 5:

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Agricultural Districts

Consolidated amendments up to January 24, 2020

**Table 5: Minimum Sizes for Uses in the AG District**

Min Size	Use
0.4 ha	<ul style="list-style-type: none"> <li>• Agricultural equipment, fuel, and chemical supply establishments.</li> <li>• Clean Fill Operation.</li> <li>• Telecommunication facility.</li> <li>• Grain terminals, elevators, and related uses.</li> <li>• Municipal facilities.</li> <li>• Storage of Clean Materials.</li> <li>• Vehicle Storage (Recreational Vehicles and Marine Products).</li> <li>• Wind Energy Generation System.</li> <li>• Solar Collectors, Commercial.</li> </ul>
1.2 ha	<ul style="list-style-type: none"> <li>• Agricultural Tourism.</li> <li>• Boarding or breeding animal kennel / shelter and/or pet day care.</li> <li>• Agricultural and commercial compost facility.</li> <li>• Intensive horticultural operations, including commercial greenhouses.</li> <li>• Pastures for the raising of domestic or exotic birds or livestock, excluding Intensive Livestock Operations (ILOs).</li> <li>• Religious institutions and cemeteries.</li> <li>• Cannabis Production Facility (all types).</li> <li>• Distilleries, Wineries and Breweries.</li> </ul>
2 ha	<ul style="list-style-type: none"> <li>• Controlled hunt farm.</li> <li>• Farmyard.</li> <li>• Rural Residential parcel.</li> <li>• Game farm.</li> <li>• Livestock auction market.</li> </ul>
3 ha	<ul style="list-style-type: none"> <li>• Agricultural Product Processing Facility (seed cleaning, packing plants, and accessory uses).</li> </ul>
4 ha	<ul style="list-style-type: none"> <li>• Abattoirs</li> <li>• Agricultural processing and accessory uses.</li> <li>• Campgrounds.</li> <li>• Intensive Livestock Operations (ILO's)</li> <li>• Land-farms for treating petroleum-contaminated soil.</li> </ul>

Minimum Site Frontage:

- a) The minimum site frontage shall be 30 metres;

Minimum Building Setbacks:

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Agricultural Districts

Consolidated amendments up to January 24, 2020

- a) The minimum setback for buildings from a developed road right-of-way or municipal road allowance shall be 20 metres;
- b) Minimum side yard – 6 m.
- c) Minimum rear yard – 6 m.
- d) The minimum setback for all buildings from a Provincial Highway shall be determined by the Ministry of Highways and the RM at the time of application.
- e) Setbacks from easements shall be determined by the utility provider at the time of application.

### **5.1.4 Other Regulations**

#### **5.1.4.1 Agricultural Tourism**

Notwithstanding other provisions of this Bylaw, agricultural tourism is subject to the following:

- a) Uses shall be ancillary to an agricultural operation or agricultural residence. Other sites may be considered at Council's discretion.
- b) Uses shall display a high visual quality and be integrated into the rural environment by appropriate design, location, and landscaping.
- c) Uses may only be approved where they would not:
  - (i) Unduly interfere with the amenities or change character of the neighbourhood.
  - (ii) Materially interfere with or affect the use and enjoyment of adjacent properties.
  - (iii) Adversely impact the environment.
  - (iv) Result in excessive demand on municipal services, utilities, or public roadway access.
- d) There shall be no external advertising other than a sign of not more than 1.5 m<sup>2</sup> erected in accordance with the signs and billboards regulations in Section 3.5.

## 6.0 RESIDENTIAL DISTRICTS

### 6.1 PERI-URBAN RESIDENTIAL (PR)

#### 6.1.1 Intent

The Peri-Urban Residential (PR) district is intended to provide a high quality, medium to low density development while respecting and conserving the natural environment and rural lifestyle. Peri-Urban Residential offers both a range of housing choices within proximity to city amenities and access to public water and sanitary sewage servicing.

#### 6.1.2 Uses

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

**Table 6: Peri-Urban Residential Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Modular homes</li> <li>• One primary residence</li> <li>• Parks and outdoor community gathering spaces</li> <li>• Public utilities</li> <li>• Single detached dwellings</li> <li>• Solar Collector, On-Site Use</li> </ul>	<ul style="list-style-type: none"> <li>• Bed and breakfast homes</li> <li>• Garden suites</li> <li>• Home-based businesses</li> </ul>

Amending  
Bylaw No. 09-  
19

#### 6.1.3 Subdivision & Site Requirements

The subdivision of any land within the PR district is subject to the following site requirements, dependent on the type of proposed use, as specified in this Section.

- a) Separate sites for single detached dwellings and bed and breakfast homes shall comply with the following:
  - (i) Minimum site area – 1 ha. (In the case of a bare-land condominium, Council may reduce the minimum site area for sites within a bare-land condominium by up to 50%, to a minimum area of 0.5 ha, where, in the opinion of Council, the reduction will allow for enhanced communal property (e.g. providing a natural feature) and the reduction is in the public interest.)
  - (ii) Maximum site coverage – 40%.
  - (iii) Maximum site area – 2 ha.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Residential Districts

Consolidated amendments up to January 24, 2020

- (iv) Maximum density – The maximum lot density for residential uses within this district shall not exceed 0.25 lots per 0.4 ha - based on gross land area. A quarter section located within this district may contain a maximum of 40 separate sites for any residential use. For the purposes of this section, dedicated lands, and communal properties (as in the case of a bare-land condominium) shall be included in this calculation of density. Municipal internal subdivision road allowances may also be included in the density calculations. Lands located within any other district, or an ESA, shall not be included in the density calculations.
  - (i) Minimum rear yard – 6 m. (3 m for a bare-land condominium)
  - (ii) Minimum front yard – 15 m where development (including accessory buildings) abuts RM and/or Provincial roads. Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.
  - (iii) Minimum front yard – 7.5 m where development (including accessory buildings) is serviced by an internal subdivision road. (in the case of a bare-land condominium the minimum front yard to be 6 m).
- b) Separate sites for open space, park and recreational uses and public buildings on Municipal Reserve (MR) lands shall comply with the following:
- (i) Minimum site area – none.
  - (ii) Maximum site area – none.
  - (iii) Minimum front yard – 15 m where development (including accessory buildings) abuts RM and/or Provincial roads. Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.
  - (iv) Minimum side yard – 6 m.
  - (v) Minimum rear yard – 6 m.

### **6.1.4 Other Regulations**

#### **6.1.4.1 Accessory Uses**

The following are considered accessory uses within the PR district:

- a) Private garages, sheds, and buildings accessory to any single-detached, modular homes, or bare-land condominium dwelling.

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Residential Districts

Consolidated amendments up to January 24, 2020

- b) Private garages, sheds, and buildings accessory to any single detached or bare-land condominium dwelling.

**6.1.4.2 Supplementary Regulations or Special Provisions**

- a) The minimum and maximum sizes of the PR subdivision shall be a minimum of 0.4 ha and a maximum of 2 ha.
- b) The keeping of chickens and other small farm animals on residential sites will be a discretionary use with major considerations including (but not limited to): surrounding land uses and intensity of animal units.
- c) The final subdivision design and approved lot density of development in the PR district shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan.
- d) Outside storage of vehicles and/or machinery shall be screened by landscaping or vegetation as to not be visible from the road.

## 6.2 RURAL RESIDENTIAL (RR)

### 6.2.1 Intent

The intent of the Rural Residential (RR) district is to allow for low density residential uses to be integrated into the existing agricultural community in designated areas conform with the OCP.

### 6.2.2 Uses

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

**Table 7: Rural Residential Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Agricultural operations (small scale)                             <ul style="list-style-type: none"> <li>○ Pastures</li> <li>○ Agricultural support buildings or structures</li> <li>○ Orchards and vegetable, horticultural or fruit gardens</li> <li>○ Direct sale to the consumer</li> </ul> </li> <li>• One primary residence</li> <li>• Parks and outdoor community gathering space</li> <li>• Public utilities</li> <li>• Solar Collector, On-Site Use</li> </ul>	<ul style="list-style-type: none"> <li>• Bed and breakfast homes</li> <li>• Home-based businesses</li> </ul>

Amending  
Bylaw No. 09-  
19

### 6.2.3 Development

#### 6.2.3.1 Subdivision & Site Requirements

- a) A maximum of four separate sites for a dwelling or other approved permitted use may be subdivided per quarter section so long as the remaining (residual) land area is a minimum of 48.6 ha **except where the remaining land area was less than 120 acres prior to the subdivision under consideration**;
- b) Separate sites for a dwelling, public open space, park and recreational uses and public buildings on Municipal Reserve lands or other approved permitted or discretionary use shall comply with the following:
  - (i) Minimum site area – 2 ha.
  - (ii) Maximum site area – no maximum.
  - (iii) Maximum site coverage – 40%.

Amending  
Bylaw No. 03-  
19

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Residential Districts

Consolidated amendments up to January 24, 2020

- (iv) Minimum front yard – 20 m where development abuts RM and/or Provincial road right-of-way.
- (v) Minimum front yard – 15 m where an internal subdivision road services development.
- (vi) Minimum side yard – 6 m.
- (vii) Minimum side yard abutting the RM and/or Provincial right-of-way – 60 m.
- (viii) Minimum rear yard – 6 m.

### **6.2.4 Other Regulations**

#### **6.2.4.1 Supplementary Regulations or Special Provisions**

- a) The final subdivision design and approved lot density of development in the RR district shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan and shall not exceed all requisite standards.
- b) The keeping of chickens and other small farm animals on residential sites will be a Discretionary Use with major considerations including (but not limited to): surrounding land uses and intensity of animal units.
- c) No outside storage shall be permitted in a yard abutting a road. Outside storage located in a side or rear yard shall be screened by landscaping or vegetation as to not be visible from the road.



## 6.3 EXISTING RESIDENTIAL (ER)

### 6.3.1 Intent

This zone recognizes the existing residential parcels in the south-east portion of the RM, abutting the City of Regina limits.

### 6.3.2 Uses

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

**Table 8: Existing Residential Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Agricultural operations                             <ul style="list-style-type: none"> <li>○ Pastures</li> <li>○ Agricultural support buildings or structures</li> <li>○ Orchards and vegetable, horticultural or fruit gardens</li> </ul> </li> <li>• One primary residence</li> <li>• Public utilities</li> <li>• Solar Collector, on-site use</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory buildings and structures required for a permitted principal use on site</li> <li>• Bed and breakfast homes</li> <li>• Home-based businesses</li> </ul>

Amending  
Bylaw No. 09-  
19

### 6.3.3 Development

a) Minimum site size: The site size of each site within this district and listed as follows:

Blk/Par C-Plan 64R16858 Ext 1 – 7.015 ha (17.33 acres)

Blk/Par A-Plan 101401669 Ext 46 – 2.106 ha (5.2 acres)

Blk/Par A-Plan 59R12599 Ext 1 – 1.199 ha (2.96 acres)

Blk/Par B-Plan 59R12599 Ext 1 – 1.212 ha (3 acres)

Blk/Par A-Plan 69R17655 Ext 1 and Ext 2 – 20.072 ha (49.6 acres)

Blk/Par B2-Plan 83R09290 Ext 0 – 0.717 ha (1.77 acres)

Blk/Par B-Plan 69R17655 Ext 1 – 15.034 ha (37.15 acres)

Blk/Par F-Plan 102012916 Ext 0 – 4.047 ha (10 acres)

Blk/Par C-Plan 69R17655 Ext 2 – 12.128 ha (29.97 acres)

Blk/Par D-Plan 69R17655 Ext 1 – 16.159 ha (39.93 acres)

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Residential Districts

Consolidated amendments up to January 24, 2020

- b) No more than one dwelling per lot.
- c) Setbacks are the same as the RR district.

## 7.0 COMMERCIAL DISTRICTS

### 7.1 BUSINESS/OFFICE COMMERCIAL (BC)

#### 7.1.1 Intent

The Business/ Office Commercial (BC) district is intended to accommodate a variety of commercial and office developments.

#### 7.1.2 Uses

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

**Table 9: Business and Office Commercial Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Community centre</li> <li>• Convenience stores and services</li> <li>• Day care</li> <li>• Institutional facilities</li> <li>• Multi-purpose recreation facilities</li> <li>• Municipal facilities</li> <li>• Public utilities</li> <li>• Radio and television studio</li> <li>• Restaurant / lounges</li> <li>• Solar Collector, on-site use</li> <li>• Vocational schools</li> </ul>	<ul style="list-style-type: none"> <li>• Animal kennels / shelter</li> <li>• Business, professional, personal service, and health care offices</li> <li>• Pet day cares</li> <li>• Public Mini Storage</li> </ul>

Amending  
Bylaw No. 09-  
19

#### 7.1.3 Development

##### 7.1.3.1 Subdivision & Site Requirements

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

- (i) Minimum site area – 1 ha.
- (ii) Minimum site frontage – 30 m.
- (iii) Minimum front yard – 15 m along Provincial Highways, at Provincial regulations, otherwise 9 m.
- (iv) Minimum side yard – 5 m.
- (v) Minimum rear yard – 6 m.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Commercial Districts

Consolidated amendments up to January 24, 2020

(vi) Building height – 15 m.

(vii) Minimum landscaped area – 15% of the total site area.

### **7.1.4 Other Regulations**

#### **7.1.4.1 Supplementary Regulations or Special Provisions**

- a) All outdoor storage areas or compounds shall be screened from view and shall require the approval of Council 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) Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.
- c) Business Office development will undergo the approval process as per the regulations set out in the OCP (Section 4.8).

## 7.2 COMMERCIAL/MIXED-USE (CM)

### 7.2.1 Intent

The intent of the Commercial Mixed-Use (CM) district is to provide for development that accommodates a mix of commercial, institutional, business, and residential uses.

### 7.2.2 Uses

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

**Table 10: Commercial and Mixed-Use Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Religious institutions and cemeteries</li> <li>• Day care</li> <li>• Display and sales of prefabricated or prepackaged homes</li> <li>• Home improvement centres</li> <li>• Mobile home sales, trailer or recreational vehicle sales, services, rentals, or repairs</li> <li>• Multi-purpose recreation facilities</li> <li>• Municipal facilities</li> <li>• Institutional uses</li> <li>• Public utilities</li> <li>• Public market</li> <li>• Solar Collector, on-site use</li> <li>• Vehicle sales, services, rentals, or repairs</li> </ul>	<ul style="list-style-type: none"> <li>• Care home</li> <li>• Cannabis Production Facility-Micro contained within a building that is not a greenhouse</li> <li>• Cannabis Retail Store</li> <li>• Distilleries, Wineries and Breweries</li> <li>• Lumber and building supplies</li> <li>• Small scale construction services and offices</li> <li>• Home-based businesses</li> <li>• Hotels / Motels</li> <li>• Medical, dental, and similar professional occupations</li> <li>• Mobile or modular homes</li> <li>• Public mini storage</li> <li>• Restaurants / Lounges</li> <li>• Service Station / Gas Bar</li> <li>• Small scale commercial and retail uses</li> </ul>

Amending  
Bylaw No. 09-  
19

Amending  
Bylaw No. 09-  
19

### 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:

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Commercial Districts

Consolidated amendments up to January 24, 2020

- 15 m for lots fronting an internal subdivision road allowance and Highway service;
- 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:

- Corner Lots: 15 m for side yard abutting internal subdivision road allowance and Highway road;
- 20 m for side yard abutting Municipal/ Provincial road allowance (distance may be greater if required by the Ministry of Highways and Infrastructure);
- Other Lots: 1.8 m provided the other side yard is not less than 15 m.
- Other side yard combinations are acceptable provided the total is not less than 16.8 m.

(v) Minimum rear yard – 7.5 m;

- 20 m for lots fronting a municipal or Provincial road allowance (distance may be greater if required by the Ministry of Highways and Infrastructure).

(vi) Maximum building height – 21 m.

(vii) Minimum landscaped area – 15% of the total site area.

## 7.3 HIGHWAY COMMERCIAL (HC)

### 7.3.1 Intent

The purpose of the Highway Commercial (HC) district is to accommodate a variety of commercial, retail and personal services uses which serve the traveling public and the rural community 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.

### 7.3.2 Uses

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

**Table 11: Highway Commercial Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Emergency services</li> <li>• Home improvement centres</li> <li>• Horticulture (garden centres, nurseries and greenhouses)</li> <li>• Livestock auction market</li> <li>• Lumber and building supplies</li> <li>• Multi-purpose recreation facilities</li> <li>• Municipal facilities</li> <li>• Public utilities</li> <li>• Institutional uses</li> <li>• Agricultural machine sales, service and storage</li> <li>• Self – storage facilities</li> <li>• Service station / gas bar</li> <li>• Solar Collector, on-site use</li> </ul>	<ul style="list-style-type: none"> <li>• Campgrounds</li> <li>• Cannabis Retail Store</li> <li>• Distilleries, Wineries and Breweries</li> <li>• Hotels / motels</li> <li>• One dwelling unit within or attached to a permitted use and subdivision of the dwelling from the principal commercial use shall be prohibited</li> <li>• Outdoor storage areas</li> <li>• Restaurants / lounges</li> <li>• Retail stores</li> </ul>

Amending  
Bylaw No. 09-  
19

Amending  
Bylaw No. 09-  
19

### 7.3.3 Development

#### 7.3.3.1 Subdivision & Site Requirements

- a) Separate sites for the permitted uses in this district shall comply with the following:
  - (i) Minimum site area – 0.5 ha.
  - (ii) Minimum site frontage – 30 m.
  - (iii) Minimum front yard – along Provincial Highways, at Provincial regulations, otherwise, 15 m. Council may exempt a proposed development from this

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Commercial Districts

Consolidated amendments up to January 24, 2020

requirement or reduce the minimum setback, where in the opinion of the Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.

(iv) Minimum side yard – 6 m.

(v) Minimum rear yard – 6 m.

(vi) All outdoor storage areas or compounds shall be screened from view, shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this district or with uses in the adjoining district.

b) Minimal parking or outdoor storage areas should be in the front yard area facing the highway. Most the parking should be at the sides or the rear of the building and screened with landscaping from the highway. Landscaping should also be provided in the front yard area between the building and the highway; and/or,

c) Loading and services areas of buildings shall be located so as not to face or be directly visible from the highway.



## 8.0 INDUSTRIAL DISTRICTS

### 8.1 LIGHT INDUSTRIAL (I1)

#### 8.1.1 Intent

The Light Industrial district (I1) is intended to accommodate self-contained assembly and manufacturing uses which service, produce, and/or store a product. The uses associated with the I1 district will have little or no external nuisance effects that are likely to extend beyond the boundaries of the site.

#### 8.1.2 Uses

The following table provides the permitted and discretionary uses for the I1 district:

**Table 12: Light Industrial Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Agricultural machine sales, service and storage</li> <li>• Animal health care facility</li> <li>• Animal kennels / shelter</li> <li>• Artisan workshops</li> <li>• Cannabis Production Facility-Micro, contained within a building that is not a greenhouse</li> <li>• Construction services, offices and warehouses</li> <li>• Emergency services</li> <li>• Energy and communication service depots</li> <li>• Food and beverage factory</li> <li>• Horticulture (Garden centres, nurseries and greenhouses)</li> <li>• Industrial technology research facility</li> <li>• Light manufacturing</li> <li>• Livestock auction market</li> <li>• Lumber and building supplies</li> <li>• Machine shops, welding and metal fabrication</li> <li>• Multi-purpose recreation facilities</li> <li>• Public market</li> <li>• Public utilities</li> <li>• Restaurants / lounges</li> <li>• Service station / gas bar</li> <li>• Solar Collector, on-site use</li> <li>• Vocational schools</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural chemical storage</li> <li>• Agricultural product processing</li> <li>• Agricultural supply depots</li> <li>• Bulk petroleum uses</li> <li>• Distilleries, Wineries and Breweries</li> <li>• Religious institutions and cemeteries</li> <li>• Grain terminals / elevators</li> <li>• Licensed dispensaries</li> <li>• Municipal facilities</li> <li>• Privately-owned railyard</li> <li>• Seed processing and cleaning</li> <li>• Vehicular sales, services, rentals or repairs</li> </ul>

Amending  
Bylaw No. 09-  
19

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Industrial Districts

Consolidated amendments up to January 24, 2020

Permitted	Discretionary
• Warehouse / supply / distribution facility	

**8.1.3 Development**

**8.1.3.1 Subdivision & Site Requirements**

- a) Separate sites for the permitted uses in this district shall comply with the following:
  - (i) Minimum site area – 0.8 ha.
  - (ii) Minimum site frontage – 30 m.
  - (iii) Minimum front yard – 15 m along Provincial Highways, or at Provincial regulations if greater, otherwise 9 m.
  - (iv) Minimum side yard – 5 m.
  - (v) Minimum rear yard – 5 m.
  - (vi) Building height – 23 m.
  - (vii) Landscaped area – 10% of the total site area.
  
- b) All outdoor storage areas or compounds shall be screened from view, shall require the approval of Council 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.

## 8.2 MEDIUM & HEAVY INDUSTRIAL (I2)

### 8.2.1 Intent

The Medium and Heavy Industry (I2) district is intended to accommodate large scale manufacturing or processing businesses, that could be characterized by frequent emissions, large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. The industrial uses associated with the I2 district will have significant external nuisance effects that are likely to impact their land and neighbouring lots.

### 8.2.2 Uses

The following table provides the permitted, discretionary, and prohibited uses for the I2 district:

**Table 13: Medium and Heavy Industrial Permitted and Discretionary Use**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Agricultural machine sales, service and storage</li> <li>• Display and sales of prefabricated or prepackaged homes</li> <li>• Energy and communication service depots</li> <li>• Home improvement centres</li> <li>• Intensive Horticulture Operations (garden centres, nurseries, and greenhouses)</li> <li>• Livestock auction market</li> <li>• Machine shops, welding and metal fabrication</li> <li>• Mobile home sales, trailer or recreational vehicle sales, services, rentals or repairs</li> <li>• Public utilities</li> <li>• Solar Collector, on-site use</li> <li>• Storage yards</li> <li>• Service station / gas bar</li> <li>• Truck Terminal</li> <li>• Vehicular sales, services, rentals, or repairs</li> <li>• Warehouse / supply / distribution facility</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural Chemical Storage</li> <li>• Agricultural compost facility</li> <li>• Agricultural product processing</li> <li>• Animal health care facility</li> <li>• Animal kennels / shelter</li> <li>• Auctioneering establishments</li> <li>• Cannabis Production Facility, contained within a building that is not a greenhouse</li> <li>• Chemical and petrochemical processing and production plants</li> <li>• Commercial compost facility</li> <li>• Distilleries, Wineries and Breweries</li> <li>• General processing operations</li> <li>• Industrial laboratories</li> <li>• Land-farms for treating soil</li> <li>• Privately owned railyard</li> <li>• Steel production and fabrication plants</li> <li>• Truck depot</li> <li>• Vocational schools</li> <li>• Waste transfer, recycling and salvage yards</li> </ul>

Amending  
Bylaw No. 09-  
19

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

Industrial Districts

Consolidated amendments up to January 24, 2020

### 8.2.3 Development

#### 8.2.3.1 Subdivision & Site Requirements

- a) Separate sites for the permitted uses in this district shall comply with the following:
- (i) Minimum site area – 1 ha.
  - (ii) Minimum site frontage – 30 m.
  - (iii) Minimum front yard – 15 m along Provincial Highways, at Provincial regulations, otherwise – 20 m.
  - (iv) Minimum side yard – 6 m on each side of the main building.
  - (v) Minimum rear yard – 6 m, except where the rear yard abuts a residential use, in which case the rear yard shall be the greater of 9 m or 10% of the depth of the site.
  - (vi) Maximum Building Height – 23 m.
- b) All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council 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; and/or,
- c) All outdoor storage must be screened from view from adjacent municipal roadways and public lands by a solid fence, landscape material, berm, vegetative plantings, or any combination of the above at least 2 m in height.

Amending  
Bylaw No. 09-  
19

## 8.3 INDUSTRIAL STORAGE ZONE (IS)

### 8.3.1 Intent

The purpose of the Industrial Storage (IS) district is to provide for clean, high quality uses that are industrial in nature, require large lots, and do not result in excessive noise, dust, soot, waste, hazardous waste, noxious fumes, vibration, lighting, or other forms of pollution that are offensive to adjacent uses. The uses will be at locations that are visible to the travelling public, served with public access, utilities, and municipal services, and will provide a buffer to mitigate the uses from adjacent residential uses.

### 8.3.2 Uses

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

**Table 14: Industrial Storage Zone Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Accessory storm water detention and retention ponds</li> <li>• Bulk storage facility</li> <li>• Communication or cell tower</li> <li>• Equipment rental, sales, service, and repairs</li> <li>• Lumber and building supplies</li> <li>• Mineral resource storage</li> <li>• Office space required for the administration services directly related to industrial storage</li> <li>• Public or private utilities, ancillary facilities, and storage area</li> <li>• Recreational vehicle, mobile home, trailer storage</li> <li>• RTM modular office for accessory use</li> <li>• Service station / gas bar</li> <li>• Solar Collector, on-site use</li> <li>• Storage of heavy manufacturing / processing products</li> <li>• Storage, handling, and distribution of manufactured steel pipe, equipment, products, supplies, and clean materials</li> <li>• Temporary construction or trailer building</li> <li>• Warehousing, general storage, wholesale establishment, and distribution</li> </ul>	<ul style="list-style-type: none"> <li>• Horticulture (garden centres, nurseries and greenhouses)</li> <li>• Privately owned railyard</li> </ul>

Amending  
Bylaw No. 09-  
19

### **8.3.3 Development**

#### **8.3.3.1 Subdivision & Site Requirements**

- a) Separate sites for the permitted uses in this district shall comply with the following:
- (i) Minimum site area – 1 ha.
  - (ii) Minimum site frontage – 30 m.
  - (iii) Maximum site coverage – 50%.
  - (iv) Maximum height – 21 m.
  - (v) Minimum front yard – 15 m for lots fronting an internal subdivision road allowance; 20 m for lots fronting a Municipal/Provincial road allowance. For lots fronting a Highway, minimum setback to be determined by the Ministry of Highways & Infrastructure (MHI).
  - (vi) Minimum side yard:
    - Corner lots – 15 m for side yard abutting internal subdivision road allowance; standard may be reduced to 7.5 m where internal subdivision road is undeveloped or in the opinion of the RM the internal road does not convey high traffic volumes. 7.5 m for other side yards.
    - 20 m for side yard abutting a Municipal / Provincial road allowance.
    - Other lots – 7.5 m for a side yard abutting a Highway, minimum setback to be determined by the MHI.
  - (vii) Minimum rear yard – 7.5 m; 15 m for rear yard abutting an internal subdivision road allowance; 20 m for a rear yard abutting a Municipal/Provincial road allowance.

## 9.0 SPECIAL DISTRICTS

### 9.1 OPEN SPACE & RECREATION (OS)

#### 9.1.1 Intent

The Open Spaces (OS) district is intended to support the RM's public open space policies and plans at varying scales, including the development of regional-wide open space linkages within the rural and peri-urban environment as well as small scale developments that support local open space use.

#### 9.1.2 Uses

The following table provides the permitted and discretionary uses for the OS zone:

**Table 15: Open Space and Recreation Permitted and Discretionary Uses**

Permitted	Discretionary
<ul style="list-style-type: none"> <li>• Accessory uses and buildings</li> <li>• Cemeteries</li> <li>• Community garden</li> <li>• Golf Courses</li> <li>• Heritage and archaeological sites</li> <li>• Institutional uses and facilities</li> <li>• Multi-purpose recreation facilities</li> <li>• Public parks and public recreational facilities</li> <li>• Park maintenance and works facility</li> <li>• Restaurants / Lounges</li> <li>• Solar Collector, on-site use</li> <li>• Wildlife and conservation management areas</li> </ul>	<ul style="list-style-type: none"> <li>• Auto / horse race tracks</li> <li>• Campgrounds</li> <li>• Public utilities (excluding solid and liquid waste disposal sites)</li> <li>• Radio, television, and microwave towers</li> </ul>

Amending  
Bylaw No. 09-  
19

#### 9.1.3 Development

##### 9.1.3.1 Subdivision & Site Requirements

- a) Separate sites for the permitted uses in this district shall comply with the following:
  - (i) Minimum site area – no minimum required.
  - (ii) Building Height – 10 m.
- b) The minimum site size for a Campground is 4 ha.

## **9.2 DIRECT CONTROL (DC)**

### **9.2.1 Intent**

A Direct Control (DC) district may allow unique development proposals after the RM and developer make an agreement specifying the permitted land uses, buildings, structures, services, landscaping, and related matters. The RM may, designate an area as a DC if:

- a) The guidelines are in alignment with the OCP and this Bylaw;
- b) Council considers it desirable to exercise control over the use and development of land or buildings within that area of the RM; and/or,
- c) To establish, preserve or enhance:
  - (i) A special environmental concern; or
  - (ii) A special heritage, cultural, archaeological, natural, scientific, or aesthetic site identified in any municipal, provincial, or federal legislation.

The regulations in DC district shall apply to any land use overlain by any of the overlay provisions mentioned in this Chapter.

The purpose of this Chapter is to provide additional performance regulations for:

- a) Undertaking innovative developments for which the application of regulations for the surrounding land uses would be unreasonable;
- b) Developing unique geological, hydrological, and geographic areas;
- c) Developing cultural, heritage areas and structures; and,
- d) Developing specific land use that may pose unusual risk to the public health, safety, and general welfare.

### **9.2.2 Development**

- a) The regulations respecting development in DC districts shall be those specified in designated DC districts forming part of this Bylaw.
- b) The zone shall only be designated under the following conditions:



**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Special Districts

Consolidated amendments up to January 24, 2020

- (i) The development proposed is consistent with the OCP or special planning study as adopted by Council; and/or,
  - (ii) The proposed development is compatible with land uses that surround the development site.
- c) Only uses specified in designated DC's, forming part of this Bylaw, shall be allowed.
- d) Every application to designate a DC shall be made in accordance with the applicable requirements in this Bylaw.
- e) Council may, through a development agreement with the applicant, specify the conditions necessary to ensure that developments in this district conform to the OCP and the Act.
- f) The overlay provisions shall be in addition to and shall overlay all other zones where they are applied so that any parcel of land lying in an overlay provision shall also lie in one or more of the other zones provided for by this Bylaw.

## **9.3 CONTRACT ZONE (CZ)**

### **9.3.1 Intent**

Contract Zones (CZ) allow Council to reclassify land to a different district for a specific project while excluding the other land uses normally allowed in the new district. The agreement may specify additional development standards.

The CZ designation provides Council with a mechanism to enter into an agreement with a developer for a rezoning to permit a specific development where the controls and requirements of existing districts are inappropriate or too limiting, having regard for the nature and intensity of the impacts of the proposed development on existing and future surrounding developments and the interests of the applicant and the public.

### **9.3.2 Development**

- a) A CZ may be designated only on:
  - (i) Small or irregular shaped parcels;
  - (ii) Lots restricted by physical barriers such as water courses, slopes, roadways, railways; and/or,
  - (iii) Sites accommodating unique development opportunities.
- b) Council shall be bound by the requirements of Section 69 of the *Act* and this Bylaw;
- c) Council shall ensure that the land use in a proposed CZ benefits the RM and is consistent with the policies of the OCP;
- d) Prior to approving a rezoning for a new CZ, Council shall also consider whether any environmental, servicing, or public safety problems would result due to the intended uses anticipated in the Contract;
- e) In negotiating Agreements for CZ, the parties to the Agreement may consider the possibility of developing a mix of compatible land uses in the area, and may introduce new forms of development, provided that the Contract terms conform to other parts of this Section, and the Policies, Schedules, and Designations in the OCP; and/or,
- f) The regulations respecting lot size, frontage, coverage, floor area ratio, building height and yards, parking, payment in lieu of parking, and loading shall be those specified in the contract agreement.

## **9.4 HOLDING PROVISION**

A Holding provision is indicated on a zoning map with an “H” preceding the zone and shall adhere to the regulations as laid out in Section 71 of the *Act*. A Holding provision suspends existing development rights or delays the creation of development rights for the area governed by the district until certain conditions are met. Such conditions include the completion of a Concept Plan and/or establishment of infrastructure or servicing requirements.

## **10.0 OVERLAY ZONES**

The purpose of an Overlay Zoning district is to establish specific development requirements within certain areas of the RM of Sherwood. The following overlay districts are outlined in Section 10.0 of this Bylaw:

- a) Airport Vicinity Protection Area (APA) Overlay;
- b) Aquifer Protection Area Overlay (AQA); and,
- c) Environmentally Sensitive Area (ESA) Overlay.

### **Application of Overlay Districts**

The three overlay districts shall be in addition to all other districts. Any parcel of land in an overlay district may also lie in one or more of the other districts in this Bylaw. Unless specifically exempted, the regulations, standards and criteria of the overlay districts shall supplement and be applied in addition to (but not instead of) any regulations, standards, and criteria applicable to the underlying Zone.

In the event of a conflict between the requirements of any overlay district, and those of the underlying Zone, the overlay requirements shall apply.

## **10.1 AIRPORT VICINITY PROTECTION AREA OVERLAY (APA)**

### **10.1.1 Intent**

The Airport Vicinity Protection Area (APA) Overlay, as shown on the zoning map, is intended to ensure that new development in the RM and in proximity to the Regina International Airport (RIA), is designed and constructed to comply with the regulations contained within this overlay provision. Federal 'Regina Airport Zoning Regulations' (AZR) apply to all the lands, including public road allowances, adjacent to or in the vicinity of the airport, that consist of:

- a) The lands within; and,
- b) The lands directly under that portion of an approach surface that extends beyond the outer limits of the AZR.

The APA regulations include (but are not limited to):

- a) Noise attenuation related to new development;
- b) Obstacle limitation heights; and/or,
- c) Bird Hazard and Wildlife limitations (where possible).

### **10.1.2 Uses**

All uses in the APA overlay shall abide by criteria that ensures development adheres to Federal 'Regina Airport Zoning Regulations'.

### **10.1.3 Development**

- a) Within the APA overlay shown on the zoning map:
  - (i) New residential development will be approved if proposed development demonstrates that it is subject to all required amendments of or approvals under applicable land-use controls;
  - (ii) Existing dwellings, if destroyed or demolished, may be replaced with new dwellings which shall not exceed the original number of dwelling units;
  - (iii) All new dwelling units shall comply with airport vicinity construction standards;
  - (iv) Maximum building height standards, with limitations on the height of all temporary and permanent structures ("obstructions") are relative to sloped surface planes generated from the established geodetic elevation for the Regina International Airport at a defined reference point; and/or,

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Overlay Zones

Consolidated amendments up to January 24, 2020

- (v) New residential developments and other noise-sensitive land uses on previously undeveloped lands situated in proximity to the RIA and within the defined Noise Exposure Forecast (NEF) contours, are designed and constructed to comply with established acoustic standards for sound insulation.
  - (vi) Transport Canada's TP1247 – Part IV – Land Use Table 2 (Aircraft Noise Considerations) shall be the guiding document for recommended land uses within NEF contours of 30 or greater.
- b) All new development applications within the APA overlay shall:
- (i) New development and uses within this overlay district shall be circulated to, reviewed by and have comment from the following three authorities:
    - i. Transport Canada;
    - ii. NAV Canada; and,
    - iii. Regina Airport Authority (RAA).
  - (ii) Be accompanied by certification by a professional engineer or architect licensed to practice in the Province of Saskatchewan, confirming that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to the RIA.

### 10.1.4 Other Regulations

- a) The Regina Airport Authority:
- (i) Shall circulate development applications to Transport Canada and NAV Canada.
  - (ii) Coordinate communication from Transport Canada and NAV Canada back to the RM.
  - (iii) Has been tasked by Transport Canada through its ground lease to be responsible for local consultation in respect of existing or proposed land uses in the vicinity of the Airport which are incompatible with the operation of an airport or aircraft, and liaise with the Province of Saskatchewan and RM of Sherwood to ensure the land adjacent to or in the vicinity of the Airport is not used or developed in a manner that is incompatible with the safe operation of an airport or aircraft.
- b) Land within the overlay will be used in a manner that is compatible with wildlife control measures to minimize attraction to birds and other potentially hazardous species. Development opportunities in the land adjacent to or in the vicinity of the RIA (as described in the Regina AZR) should consult a wildlife/bird hazard specialist to identify

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Overlay Zones

Consolidated amendments up to January 24, 2020

and propose mitigation measures relative to attractant and habitat concerns prior to the approval of development (i.e. Bird Strike Committee Canada (BSCC)).

- c) The construction of telecommunications and electronic system structures and facilities within this district will include contacting regional Transport Canada Civil Aviation and NAV CANADA for assistance in locating any potentially impacted radars, navigation aids or telecommunication facilities.

## **10.2 AQUIFER PROTECTION AREA OVERLAY (AQA)**

### **10.2.1 Intent**

The Aquifer Protection (AQA) Overlay provision is designed to provide additional regulations to protect the Aquifer system from contamination due to development.

The intent will be achieved through:

- a) Prescribing appropriate performance regulations, and allowing potential polluting land uses and operations only where the performance regulations can be fulfilled; and/or,
- b) Prohibiting land uses and operations that create a risk of contaminating the aquifers.
- c) Applying the aquifer protection areas as per the RM's OCP: Schedules G, H, I, and J.

### **10.2.2 Uses**

- a) All uses permitted in the underlying zone are also permitted in this AQA overlay, unless:
  - (i) Revisions in the type and/or quantities of hazardous materials and/or expansions to existing facilities shall be subject to the discretionary use process;
  - (ii) Developments may be prohibited notwithstanding any contrary provision applicable to the underlying zone; and/or,
  - (iii) All uses in this overlay may utilize limited volumes of hazardous materials as are necessary to conduct operations (e.g. janitorial cleaning materials, motor fuels).

### **10.2.3 Development**

- a) An applicant for a development over any of the Aquifers may challenge the inclusion of the land in the zone by providing to the RM, at the applicant's own expense, an evaluation prepared by a registered professional engineer.
- b) The engineering evaluation shall demonstrate the aquifer sensitivity characteristics of the district in which the land is located.
- c) No development excavation shall exceed 3 m in depth. Where the overburden is less than 3 m, the excavations shall not expose the aquifer or reduce the overburden substantially.



## **10.3 ENVIRONMENTALLY SENSITIVE AREA OVERLAY (ESA)**

### **10.3.1 Intent**

Environmentally Sensitive Area (ESA) Overlay provisions are intended to protect significant and sensitive natural lands within the RM that are required for conservation, recreational, and educational practices. These may include some heritage properties.

### **10.3.2 Uses**

The following table provides the permitted and discretionary uses of the ESA Overlay:

**Table 16: Environmentally Sensitive Area Overlay Permitted and Discretionary Uses**

<b>Permitted</b>	<b>Discretionary</b>
<ul style="list-style-type: none"><li>• Accessory uses and buildings</li><li>• Municipal facilities</li><li>• Parks and natural open spaces</li><li>• Passive (low-visitation) recreational uses</li><li>• Wildlife and conversation management areas</li></ul>	<ul style="list-style-type: none"><li>• Radio, television, and microwave towers</li><li>• Public utilities (excluding solid and liquid waste disposal sites)</li></ul>

### **10.3.3 Development**

All the regulations of the district, which underlies the ESA Overlay, shall be used by Council as a guideline in establishing conditions. These conditions may be applied to development permits for the specific use being requested.

### **10.3.4 Method of Application**

Council shall apply relevant sections of this Bylaw in dealing with requests for new development in all lands included in the ESA overlay on the zoning map or listed in the relevant sections of this Bylaw.

## **11.0 DEFINITIONS**

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

**Abattoir:** slaughterhouse or place where animals are killed.

**Accessory Use:** a use customarily incidental, subordinate, and exclusively devoted to the principal use or building and is located on the same site with such principal use or building. A residential dwelling shall not be defined as an accessory use.

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

**Aerodrome:** There are three different categories of aerodromes, each presenting progressively different safety requirements. In order of ascending safety level, the categories are listed below:

- 1) aerodromes (small airstrips located on private property that are neither registered nor certified),
- 2) registered aerodromes, and
- 3) certified aerodromes, referred to as airports.

**Aggregate:** inert granular materials such as sand, gravel, or crushed stone that can be mixed to create concrete.

**Agricultural Accessory Uses and Buildings:** a use, which is subordinate in purpose and exclusively devoted to the principal use or building and is located on the same site with such principal use or building, including but not limited to:

- a) farm buildings and structures for a permitted principal agricultural use on the site;
- b) facilities used for direct sale of produce to the consumer from crops grown by the agricultural operation;
- c) orchards and vegetables, horticultural or fruit gardens, where accessory to a farmyard or existing residence; and/or,
- d) private garages, sheds, and buildings accessory to any residential dwelling on the farmyard or separate site approved as a permitted or discretionary use.

**Agriculture:** cultivating land; producing agriculture or horticulture crops, hay and forage; non-intensive raising of all classes of livestock, horses, poultry, fur-bearing animals games birds and game animals, bees and fish; producing eggs, milk, honey and other animal products; operating agricultural machinery and equipment, including irrigation pumps; conducting any process necessary to prepare a farm product for distribution from the farm gate; storing, handling, and applying fertilizer, manure, organic wastes, soil amendments and pesticides including ground

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

and aerial application; intensive agriculture operations and intensive feed lots, agro-industries, processing facilities that store agricultural produce or products; agriculture support services; small scale commercial and industrial uses that provide agricultural related services; and agri-tourism services.

**Agriculture (Intensive – Horticulture):** classified as an intensified system of tillage from the concentrated raising of crops for market and without restricting the generality of the above includes:

- a) sod farms;
- b) market gardens;
- c) greenhouses; and/or,
- d) nurseries and other similar uses.

**Agricultural Compost:** a "humus" like material that is produced by the properly managed decomposition of agricultural byproducts such as livestock manure, spoiled feed or crop waste, or livestock tissues (mortalities or animal parts) for reuse on the originating agricultural operation as a soil amendment and nutrient source.

**Agricultural Residential Development:** refers to residential uses that are directly related to the agricultural operation as a permitted accessory building(s). Agricultural Residential Developments shall be limited to a maximum of 2 dwellings or 2 mobile or modular homes located on a minimum site area of one quarter section.

**Agricultural Tourism:** a tourism oriented commercial land use related to the retail sale of products and/or the provision of entertainment, accessory to an agricultural farm operation or a agricultural residence; including: museums, historic/heritage farms, farm zoos, art galleries and cultural entertainment facilities, and accessory to these uses, tea rooms, restaurants, lounges, and gift shops may be allowed.

**Agricultural Operation:** an operation that is carried out on a farm, in the expectation of gain or reward, including:

- a) cultivating land;
- b) producing agricultural crops, including hay and forage;
- c) producing horticultural crops; and/or,
- d) non-intensive raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees, and fish.

**Airport:** an area of land or water, including the frozen surface thereof, or other supporting surface used or intended to be used either in whole or in part for the storage, arrival or

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

## Definitions

Consolidated amendments up to January 24, 2020

departure, movement, maintenance, servicing, rebuilding, manufacturing of component parts, and assembly of aircraft, and includes any building, installation, or equipment in connection therewith, and for which the Minister of Transport have issued an airport license.

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

**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 Kennel / Shelter:** a building / collection of buildings and outdoor spaces where animals (typically domestic animals such as: dogs, cats, etc.) are housed and provided shelter. In some cases, animals are bred.

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

**Table 17: Animal Units**

Type of Animal		Number of Animals = "1 Animal Unit"
<b>Poultry</b>	Hens, cockerels, capons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50
<b>Hogs</b>	Boars & Sows	3
	Gilts	4
	Feeder Pigs	6
	Weanling Pigs	20
<b>Sheep</b>	Rams or Ewes	7
	Lambs	14
<b>Goats</b>	All	7
<b>Cattle</b>	Cows & bulls	1
	Feeder Cattle	1.5
	Replacement Heifers	2
	Calves	4
<b>Horses</b>	Colts or ponies	2
	Other than colts or ponies	1
	Miniature Horses	4

**RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

Definitions

Consolidated amendments up to January 24, 2020

Type of Animal		Number of Animals = "1 Animal Unit"
<b>Bison</b>	Cows or bulls	1
	Calves	4
<b>Fallow Deer</b>	Fallow Deer	8
	Fallow Deer Fawns	32
<b>Domestic Indigenous</b>	Elk	5
	Elk Calves	20
	White-tailed deer	8
	White-tailed deer fawns	32
	Mule deer	8
	Mule deer fawns	32

**Animal Health Care Facility:** establishments primarily engaged in a variety of services for household pets and livestock including but not limited to grooming, training, and healthcare services.

**Applicant:** a developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under the Act.

**Aquifer:** a confined or unconfined water-bearing subterranean body of water.

**Aquifer Sensitivity:** those aquifer sensitivities defined in the 1990 Uwe V.R. Roeper, M.Sc.,P.Eng. Report entitled *Regina Aquifers Sensitivity Mapping and Land Use*.

- a) **Extreme:** an area overlaying a portion of the Aquifer System where the aquifer:
  - (i) extends to the surface and has no protective clay or till overburden; and/or,
  - (ii) is beneath 0 to 5 m of undifferentiated overburden of which the upper portion consists of silty or sandy material.
  
- b) **High:** an area overlaying a portion of the Aquifer System where the aquifer is beneath:
  - (i) 0 to 5 m of protective clay or till overburden; or 5 to 10 m of undifferentiated overburden of which the upper portion consists of silty or sandy material.
  
- c) **Moderate:** an area overlaying a portion of the Aquifer System where the aquifer is beneath:
  - (i) 5 – 10 m of protective clay or till overburden; and/or,

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

(ii) More than 10 m of undifferentiated overburden of which the upper portion consists of silty or sandy materials.

d) **Low:** an area overlaying a portion of the Aquifer System where there is protective clay or till overburden of more than 10 m.

**Aquifer Sensitive Zone:** an area from which run-off or contaminants released on the surface directly recharges, enters or migrates into an aquifer.

**Aquifer System:** those aquifers defined in the 1988 Saskatchewan Research Council Report No. 209 entitled Comprehensive Evaluation of Groundwater Resources in the Regina Area, and consisting of:

- a) upper floral and interglacial sands and gravel; and/or,
- b) Condie-Moraine sands and gravels.

**Artisan Workshop:** space where a skilled craft worker (artisan) creates things by hand that include (but are not limited to): furniture, decorative arts, sculptures, clothing, jewelry, food, and tools.

**Bare-Land Condominium:** refers to a development that includes two or more dwellings on land, some of which is owned by the individual dwelling owner and other portions owned in common by all the individual dwelling owners in the development or condominium. The communal property, which may include both land and facilities, is typically administered by a Condominium Corporation, comprised of the individual condominium owners. Bare-Land Condominium parcels shall meet the subdivision and site requirements of the applicable Zoning District.

**Bed and Breakfast Home:** a residential dwelling unit, licensed as a tourist home under The Public Accommodation Regulations, 2003, in which overnight accommodation within the residential dwelling unit is provided to the travelling public for a charge.

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

**Buffer:** a strip of land, vegetation, landscaping, a berm, or land uses that physically separates two or more different land uses.

**Buffer Area:** any area located between the active area and the property boundary of the development.

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

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Building, Accessory:** a subordinate detached building, which serves a main building or main use and is located on the same site. The purpose of all accessory buildings is to provide better and more convenient function of the primary building or use.

**Building Bylaw:** The Bylaw of the Rural Municipality (RM) of Sherwood No. 159 regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

**Building Floor Area:** the sum of the habitable gross horizontal area of all floors of a building excluding in the case of a dwelling, the floor area used for and devoted to mechanical equipment, laundry, storage, swimming pools, private garage, porch veranda, or sunroom. All dimensions shall be measured between exterior faces of walls or supporting columns, or from the centre line of the walls or supporting columns separating two buildings. For this Bylaw, the term 'storage' means the keeping or placing of trunks, luggage or similar articles in a place designed therefore, but shall exclude clothes closets, linen closets, broom cupboards, kitchen, and bathroom cupboards of whatsoever nature.

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

**Building Height:** the vertical distance measured from the grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.

**Building Permit:** a permit issued under a building bylaw of the RM of Sherwood authorizing the construction of, or addition to, any building but does not include a development permit.

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

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

**Building Site:** the physical area where a principal or accessory building is located, is currently under construction, or shall be constructed. For the purposes of this Bylaw, this area shall contain essential utilities including but not limited to onsite wells and septic treatment systems.

**Bulk Storage:** equipment and supplies, not including petroleum or hazardous chemical products, stored in a warehouse in large quantities.

**Cabin:** means a detached accessory building or structure, located on the same lot as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary facilities may be provided, but shall not contain cooking facilities.

**Campground:** an area of land used for temporary, overnight short-term accommodation in tents, tent trailers, travel trailers, recreational vehicles or campers including accessory uses,

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

services, and facilities which support the principal use, but not including mobile homes or trailers on a permanent year-round basis.

**Cannabis Production Facility** means a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products.

Amending  
Bylaw No. 09-  
19

**Cannabis Production Facility - Micro** means a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products where the grow surface area does not exceed 200 m<sup>2</sup> in which all the cannabis plants, including all the parts of the plants, must be contained; and must cultivate, propagate or harvest cannabis plants only from that surface area.

**Cannabis Retail Store** means a provincially-licensed retail store where cannabis or cannabis products are sold, and which may include the sale of cannabis accessories and cannabis related ancillary items.

**Care Home:** a large house or institution where people with special needs are cared for and looked after.

**Cemetery:** land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. Cemetery may include a structure for the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

**City:** The City of Regina and the Council of the City.

**Clean Fill:** uncontaminated, non-water soluble, non-decomposable, inert solids, such as rock, soil, gravel, concrete, glass, and clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood, or metal, or any substance deemed corrosive, combustible, noxious, reactive, or radioactive.

**Clean Fill Operation:** any earthy material or a from outside sources not containing any organic matter which is used to be stored on a site and moved off site as a commercial operation.

**Clean Materials:** Pipes, rig mats, sea containers, disposal bins, extensive outdoor storage, and building materials as considered appropriate by the development officer.

**Commercial Compost:** processed for sale to a third party. It includes multiple sources of feedstock material generally originating at third party sources – residential leaf and yard debris, waste fruit and vegetable material, tree waste and grass clippings originating from commercial operators, etc.

**Communications Service Provider:** provider of electronic information – telecom, internet, cable, satellite, and related businesses.



## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Community Centre:** a building or group of buildings for a community's educational and recreational activities and/or events.

**Compatible:** land uses that can co-exist adjacent to each other without conflict or are consistent and capable of being used in combination with each other.

**Concept Plan:** a plan that is adopted by bylaw in accordance with Section 44 of *The Planning and Development Act, 2007* that contains a detailed land use strategy for the re-zoning, subdivision, re-subdivision, and development of a specific area of land.

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

**Construction Services:** all aspects of construction, building, fabricating, installing, erecting, maintaining, and digs on all types of facilities.

**Controlled Hunt Farm:** A Game Farm which is used for controlled hunting of animals, defined as a "domestic game farm animal" by *The Domestic Game Farm Animal Regulations*.

**Conservation:** the planning, management, and implementation of an activity with the objective of protecting the essential physical, chemical, and biological characteristics of the environment.

**Convenience Store:** is a small retail business that stocks a range of everyday items such as groceries, snack foods, candy, toiletries, soft drinks, tobacco products, hardware, magazines, and newspapers.

**Council:** The Council of the Rural Municipality (RM) of Sherwood No. 159.

**Day Care:** either of the following:

- a) **Residential Day Care:** the use of a private residence where care, instruction, maintenance, and supervision are provided for no more than twelve children for periods of more than 3 but less than 24 consecutive hours, and for at least 12 consecutive weeks in the year.
- b) **Day Care Facility:** the use of a building or portion thereof for the provision of care, instruction, maintenance, or supervision of eight or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods of more than 3 but less than 24 consecutive hours, and for at least 12 consecutive weeks in the year and includes all day-care centres, early childhood services, nurseries, and after-school or baby-sitting programs which meet this definition.

**Developed Road:** an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made by a developer with Council to provide for the construction of the road on a registered right-of-way to an approved standard.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

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

**Development Agreement:** the legal agreement between a developer and the RM which specifies the obligations and the terms and conditions for the approval of a development pursuant to provisions of the Act.

**Development Officer:** An officer appointed by the RM Council, who is authorized to administer this Bylaw.

**Development Permit:** a document issued pursuant to this Bylaw, authorizing a development of a permitted use.

**Discretionary Use:** a use or development specified as discretionary in this Bylaw, which may be allowed by the issuance of a discretionary use permit, following the application to, and approval of the Council, and which complies with this Bylaw and any development standards as may be required by Council.

**Dispensary:** a room where medicines are prepared and provided.

**Distilleries, Wineries and Breweries** means facilities for the production of alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion and sale of said beverages.

**Drainage:** is any action taken or intended for the removal or lessening of the amount of water from land, and includes the deepening, straightening, widening and diversion of the course of a stream, creek, or other watercourse, as well as the construction of dykes (taken from: Water Security Agency: What is Drainage? Fact Sheet – 2018).

**Drive-in Theatre:** a form of movie theatre that consists of an outdoor screen, projection booth, concession, and large parking area for vehicles for patrons to view a movie from.

**Dwelling Group:** a group of two or more detached one-unit dwellings, two-unit dwellings, multiple unit dwellings, townhouses, boarding houses, boarding apartments, residential care homes, special needs housing, special care homes or combinations thereof occupying the same site, provided that each form of development comprising the dwelling group is otherwise a permitted or discretionary use in the district.

**Dwelling, Multiple Unit:** a building or a portion thereof designed for or occupied as three or more dwelling units, but not including a motel, hotel, converted dwelling, street townhouse or townhouse.

**Dwelling, Semi Detached:** a dwelling unit on its own site, attached to another dwelling unit on its own site, with a common wall dividing the two dwelling units throughout at least 40% of the

Amending  
Bylaw No. 09-  
19

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

length of the longest dwelling unit, measured from the front to the rear building lines of the dwelling unit.

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

**Dwelling, Street Townhouse:** a dwelling unit on its own site, attached to at least one other dwelling unit, on its own site, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure.

**Dwelling Unit:** one or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities, but does not include rooming houses or rooming units but shall not include a mobile home or trailer coach.

**Energy Service Provider:** commercial or non-profit business providing energy solutions.

**Environmentally Sensitive Area:** is important to the long-term maintenance of biological diversity, soil, water, or other natural processes at multiple scales. They are also areas that contain rare or unique elements that may require special management consideration due to their role in conservation. For example, geotechnical reports and flood-proofing considerations would help determine suitability of development in these areas.

**Environmentally Sensitive Lands and Areas:** lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These may include but are not limited to:

- a) a ravine, coulee, swamp, natural drainage course, or creek bed;
- b) wildlife habitat, environmentally sensitive or significant natural or heritage areas;
- c) flood-prone or potentially unstable land; and/or,
- d) land abutting lakes, streams, or rivers for pollution prevention, bank preservation, or development protection from flooding.

**Equestrian Facility:** the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the racing of horses.

**Existing Electric Arc Furnace:** Electric Arc Furnace that exists north of EVRAZ.

**Existing Registered Parcel:** Any Parcel for which a separate Certificate of Titles existed in the Land Titles System of the Information Services Corporation prior to the effective date of Bylaw No. 10/91, and which has a frontage on a currently developed Municipal road which is not seasonal in nature.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Existing Registered Site:** any site as defined in this Bylaw, for which a separate Certificate of Title existed prior to the effective date of the former Zoning Bylaw No. 10/91, and which has frontage on a currently developed Public Road, which is not seasonal in nature.

**Farm Building or Structure:** means buildings or structures used in connection with an agricultural operation such as barns, granaries, residences, etc.

**Farm-Use:** means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes normal farm practices as defined in the Right to Farm Legislation (Farm Practices Protection (Right to Farm) Act, RSBC 1996, c. 131)

**Farmyard:** an area that is a small portion of a quarter section that includes the farm residence and the land immediately around or enclosed by farm buildings.

**Flanking:** to the side of a lot, parcel, or site.

**Flood Plain:** an area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

**Flood Way:** the portion of the flood plain adjoining the channel where the waters in the 1:500 flood area is projected to meet or exceed a depth of 1 m or a velocity of 1 m per second.

**Floodway Fringe:** the portion of the flood plain where the waters in the 1:500-year flood are projected to be less than 1 m or a velocity of 1 m per second.

**Flood, design:** consisting of:

- a) a 1:500-year flood;
- b) a flood having a return period greater than 1:500 years; and/or,
- c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500-year flood.

**Floor Area:** The maximum area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, open deck, unfinished attic, or unfinished basement or cellar and in a commercial or industrial building, any utility room.

**Floor Area Ratio (FAR):** relationship between the total amount of usable floor area that a building has or has been permitted for the building.

**Food and beverage factory:** place where food and beverages are manufactured or assembled by machine.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Free Standing Sign:** a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

**Frontage (Lot Frontage):** The distance across the street side of a lot (a lot must front on a street), between the points where the side lines of the lot meet the street right of way or boulevard; or, where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

**Front Yard:** that part of a site, measured from the site property line at the front of the property or that portion of the property that fronts the main access road to the site, to the nearest main wall of a building or structure, defining an area within which no buildings or permanent structures shall be constructed.

**Game Farm:** a fenced area to enclose animals defined as a "domestic game farm animal" by The Domestic Game Farm Animal Regulations, used for producing animal products as defined by those Regulations.

**Garage:** a building or part of a building intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

**Garden Suite:** means a detached one-unit dwelling, mobile home, or modular home, which is temporarily located within or in the yard of an existing residential dwelling unit intended to provide accommodation for a specific person or persons who are physically dependent on the residents of the existing residential dwelling unit or to provide accommodations for a caregiver of whom a specific person or persons residing in the existing residential dwelling unit is physically dependent.

**Golf Course:** a public or private area operated for playing golf and may include accessory uses and facilities including but not limited to club houses, driving ranges and food and beverage facilities.

**Grain Terminal / Elevators:** a tower containing a bucket elevator or a pneumatic conveyor, which scoops up grain from a lower level and deposits it in a silo or other storage facility.

**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 but does not include a Cannabis Production Facility.

**Greenhouse, Private:** a building for the growing of flowers, plants, 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 but does not include a Cannabis Production Facility.

**Gross Surface Area (Signage):** the area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.

**Hazard Land:** land that is contaminated, unstable, prone to flooding and/or erosion or otherwise unsuited for use, development, use, and occupation of the land or any buildings and structures on the land because of its inherent danger to public health, safety, and risk to life or property.

**Hazardous substance:** a hazardous good or substance as defined in the Hazardous Substances and Waste Dangerous Goods Regulations.

**Hazardous Waste:** a waste dangerous good as defined in the Hazardous Substances and Waste Dangerous Goods Regulations.

**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 Property:** means:

- a) archeological objects;
- b) paleontological objects;
- c) any property that is of interest for its architectural, historical, cultural, environmental, archeological, paleontological, aesthetic or scientific value; and,
- d) any site where any object or property mentioned in the above clauses (a, b, c) is or may reasonably be expected to be found.

**Highway Commercial:** commercial land uses, activities, and development located along major highways and business corridors that is accessible by vehicle, provides good, products, and services to residents and the travelling 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 Ministry of Highways and Infrastructure entitled The Erection of Signs Adjacent to Provincial Highway Regulations, 1986, as may be amended from time to time.

**Home-Based Business:** refers to occupation carried on by the occupants of a farmyard or residence where the business is accessory and secondary to the residential use of the premises.

**Home Improvement Centres:** A home-improvement center or home center is a retail store that combines the functions of a hardware store with those of a lumber yard. Home improvement stores typically sell building supplies, tools, and lumber.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Home Occupation:** an occupation carried on by the occupants of a residence.

**Horticulture:** the culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf. Horticulture does not include a Cannabis Production Facility.

**Hotel:** A building, structure, or part of a building or structure with sleeping accommodation provided to the public with or without meals, where a guest register or record is kept, but does not include a motel or rooming house.

**Industrial Complex:** a group of two or more attached or detached independent principal buildings located on the same site and which are not for human habitation and where each form of development comprising the complex is a permitted or approved discretionary use in the district in which the industrial complex is located.

**Industrial Park:** a large tract of land that has been planned, developed, and operated as an integrated development for several individual industrial uses with special attention to circulation, parking, utility needs, aesthetics, and land use compatibility. Industrial parks are usually located close to transport facilities, especially where more than one transport modality (inter-modal) coincides: highways, railroads, airports, and navigable rivers.

**Industrial Resource-based Principal Uses:** including accessory buildings and uses. Qualifying uses include, but are not limited to:

- a) petroleum, natural gas exploration wells or extraction wells and related facilities which are not proposed in an Environmentally Sensitive Area (ESA) overlay district;
- b) petroleum, natural gas or carbon dioxide gas pipelines and related facilities which are not proposed in an Environmentally Sensitive Area (ESA) overlay district;
- c) gravel pits, gravel storage areas, and contractor's yards, which are more than 0.4 kilometers from a dwelling.

**Industrial Technology:** businesses that provide technology related to industrial businesses through engineering and manufacturing.

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

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

- a) will contain 100 or more animal units; and,

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

- b) provides less than 370 m<sup>2</sup> (4000 ft<sup>2</sup>) of space for each animal unit contained therein.

ILO's will only be considered outside of the JPA.

**Institutional Use:** a use of land or a building operated for non-commercial or non-industrial purposes to provide a public service by a non-profit, co-operative, or governmental group including, but not limited to service clubs, churches, hospitals, and public agencies.

**Land-Farm:** a bioremediation technology in which contaminated soils are mixed with soil amendments such as soil bulking agents and nutrients, and then they are tilled into the earth. The material is periodically tilled for aeration. Contaminants are degraded, transformed, and immobilized by microbiological processes and by oxidation. Soil conditions are controlled to optimize the rate of contaminant degradation. Moisture content, frequency of aeration, and pH are all conditions that may be controlled. Land-Farming differs from composting because it incorporates contaminated soil into soil that is uncontaminated. Composting also generally takes place in aboveground piles.

**Landfill:** an area of land used for disposing of solid waste.

**Land owner:** possessor, estate owner, freeholder, holder of legal title, landed proprietor, landlord, owner of an estate in land, owner of land, owner of real estate, owner of real property, owner of the fee, property holder, property owner, proprietor, real property holder, real property owner, titleholder.

**Landscaping:** The provision of any horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

- a) soft landscaping consisting of vegetation such as tree, shrubs, vines, hedges, flowers, grass, and ground cover; and
- b) hard landscaping that consists of concrete, unit pavers, brick paver, or quarry tile, but does not include gravel, shale, or asphalt.

**Landscaped Area:** is not built upon or used for any purpose other than open space that may include mulch, grass, shrubs, flowers, trees or similar types of vegetation, pathways, patios, fences, and similar outdoor amenities but does not include any buildings, facilities, or hard infrastructure such as a parking lot, driveway, or loading ramps.

**Landscaping Plan:** a scaled drawing identifying the existing vegetation, natural features, site drainage, grades and all the landscaping required by the Rural Municipality (RM) of Sherwood.

**Legal Access:** for the purposes of development, a lot, or site adjacent to a municipally maintained municipal roadway, and meeting the frontage requirements of appropriate district hosting the development.



## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Livestock Auction Market:** a place of business where the public may consign livestock for sale through public bidding or sold on a commission basis.

**Livestock Operation:** any agricultural use involving the raising of Animal Units, which does not qualify as an ILO.

**Lot:** a site of land of a subdivision, the plan of which has been filed or registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

**Machine Shop:** a room or building where machining is conducted. Machinists use machine tools to make parts (typically metal or plastic).

**Manufacturing:** make something using machinery.

**May:** indicates a voluntary action or decision.

**Mineral Resource:** raw materials including sand, gravel, clay, earth, topsoil, or mineralized rock found on or under a site.

**Mineral Resource Extraction:** development for the on-site removal, extraction, and primary processing of a mineral resource found on or under the site or accessible from the site for sale, or transfer off the site. Typical facilities or uses would include gravel pits (and associated crushing operations), sand pits, clay or marl pits, peat extraction, and stripping of topsoil.

**Mineral Resource Storage and Processing Operation:** development for the storage, processing, sale, and transportation of mineral resources sourced from offsite sources.

**Mitigation:** the act of reducing the severity of seriousness of something. In the context of this Zoning Bylaw, 'mitigation' refers to water / flood mitigation.

**Mobile Home:** a trailer coach which complies with CSA Standards, and which:

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

**Mobile Home Park:** the placement of mobile homes and shall include all the accessory buildings necessary to the operation but does not include an industrial or construction work camp or a campground. For this Bylaw, the terms mobile home park and mobile home court shall be deemed to mean the same.

**Modular Home:** A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

have a basement), having architectural features similar to permanent residential dwellings built on site in the Town, and conforming to Canadian Standards Association (CSA) # A277.

**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.

**Mulching Operations:** clearing and shredding of trees to clear an area.

**Multi-Purpose Recreation Facility:** a recreation facility that can consist of indoor and outdoor components used for recreational purposes. These facilities may include, but are not limited to: ice arenas, sports fields, gymnasiums, social gathering spaces, aquatic centres, gymnastics facilities, etc.

**Municipality:** The Rural Municipality (RM) of Sherwood No. 159.

**Municipal Building Bylaw:** The Bylaw of the Rural Municipality (RM) of Sherwood No. 159. regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

**Municipal Facility:** a site operated by the RM for storage, manufacture, maintenance or repair of buildings, infrastructure, materials, or equipment use by the RM. A municipal facility may include uses such as accessory administrative offices, public works yards, machine shops, paint shops, sign shops, repair garages or storage facilities used in connection with the provision of public services by the RM. This use does not include Public Utilities, Solid Waste Disposal Facilities, Liquid Waste Disposal Facilities, Waste Transfer Stations, Snow Management Facilities, Construction and Demolition Materials Industries, Waste Management and Remediation Industries, Recycling Depots, Parks, Land-Farms, Landfills, Construction Yards, or Clean Fill Uses.

**Municipal Reserve:** land that is dedicated to the Rural Municipality (RM) of Sherwood as a condition of subdivision approval in the *Act*.

**Municipal Roadway:** a developed and municipally maintained road, street, or lane vested in the Crown in right of Saskatchewan or set aside for the purposes of the Crown in right of Saskatchewan pursuant to The North-West Territories Act or any Act and includes anything erected on or in connection with the Municipal roadway.

**Noise Exposure Forecast (NEF):** Transport Canada uses a Noise Exposure Forecast (NEF) system to provide a measurement of the actual and forecasted aircraft noise in the vicinity of airports. This system factors in the subjective reactions of the human ear to specific aircraft noise stimulus: loudness, frequency, duration, time of occurrence, tone, etc. A single number rating of the overall aircraft noise is used in Canada. It combines the noise levels of individual aircraft and the numbers of aircraft to give a single number rating of the average negative impact of the aircraft noise. The Canadian Noise Exposure Forecast (NEF) was developed to encourage compatible land use planning in the vicinity of Airports.

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Non-Conforming Building:** means 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 this Bylaw or any amendment, affecting the building or land on which the building is situated or will be situated becomes effective; and/or,
- b) that on the date this Bylaw, or any amendment, becomes effective does not, or when constructed will not, comply with this Bylaw;

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

**Non-Conforming Use:** any use of land, building or structures that lawfully exists or was under construction at the passing of this Bylaw and does not conform to the new standards of use however structural alterations that conform to this Bylaw can be made if the element of non-conformity is not increased with respect to that use. A change of ownership, tenancy or occupancy does not affect a non-conforming use or building. A non-conforming use may be continued and expanded inside any building in which it exists; if the use is discontinued for six consecutive months, future uses of the land or building must conform to current Zoning Bylaw regulations. A nonconforming building may continue to be used in an "as is" condition and can be enlarged or structurally altered in conformance with the new regulations. If damaged beyond 75% of its value above the foundation, the building must be rebuilt in conformity with this Bylaw.

**Non-farm Use:** means a use of land other than a farm use.

**Notification Zone:** an area which surrounds or extends into the City of Regina, the Village of Grand Coulee, or neighbouring RM's, for the purpose of informing the urban or rural municipality (as the case may be) of development and/or related activity.

**Nursery School:** a school for children usually under 5 years of age.

**Official Community Plan (OCP):** an OCP contains policies that guide the physical, environmental, economic, social, and cultural development of a community. The OCP will inform many decisions made by Council over the next 20 years. More specifically, The RM of Sherwood No. 159 OCP – Bylaw 16/16.

**Open Space:** the outdoor environment which incorporates or may include natural or purpose-built elements to provide for passive or active recreation activities.

**Outdoor Community Gathering Space:** outdoor space for gathering of residents and visitors. Can be on a soft (e.g. grass) or hard (e.g. concrete) surface, can be formal or informal, and passive or active.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Overlay Zoning District:** shall mean any District (e.g. ESA Overlay) which is described in Section 10.0.

**Overnight Camping:** Camping is an outdoor activity involving overnight stays away from home in a shelter, such as a tent, caravan, cabin, or motorhome. To be regarded as "camping" a minimum of one night is spent outdoors, distinguishing it from day-tripping, picnicking, and other similarly short-term recreational activities.

**Park:** an area consisting largely of open space, playground, playfield, or similar use but shall not include a mobile home park, a campground, or trailer park.

**Parking Lot:** an open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

**Pet Day Care:** the use of a building for purposes of daytime care of domestic pets and does not include overnight care or the outdoor accommodating or storage of domestic pets.

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

**Permitted Use:** a use allowed as of right in a District, subject to the regulations contained in this Bylaw.

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

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

**Principal Use:** the main use or activity conducted on a site, lot, block, or parcel of land.

**Privately Owned Airstrip:**

**Professional Engineer:** Licensed to practice in the Province of Saskatchewan. The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS) is the regulatory body for professional engineers and geoscientists in the Province of Saskatchewan. Its authority is granted under the provincial legislation entitled the Engineering and Geoscience Professions Act.

**Professional Geoscientist:** Licensed to practice in the Province of Saskatchewan. The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS) is the regulatory body for professional engineers and geoscientists in the Province of Saskatchewan. Its authority is granted under the provincial legislation entitled the Engineering and Geoscience Professions Act.

**Prohibited Use:** a new or proposed development, which is not listed as either a permitted or discretionary use in this Bylaw, which is not a legal non-conforming use as defined by the Act, and which has not received a legal development permit as required in this Bylaw.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Public Road:** a road allowance or other legally surveyed road vested in the name of Ministry of Highways and Infrastructure and maintained by the province or the Rural Municipality (RM) of Sherwood.

**Public Market:** a facility engaged in renting or leasing space for retailing new or used goods by more than 3 vendors renting tables and or space outdoors or in an enclosed building to a local residential population and the travelling public. The goods sold are generally handicrafts, household items, tools, electronic equipment, food products or concessions, plants, clothing, furniture. A public market shall be limited to a farmer's market, flea market, or similar use and shall not include retail or shopping mall, secondhand stores, or auctioneering establishments.

**Public Mini Storage:** a building containing separate secured storage units divided from floor to ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased temporarily to the public for private storage of personal goods, materials and equipment, household good, furniture, general merchandise, and vehicles.

**Public Utility:** any use which is defined as one of the three following categories:

- a) **public institutional facilities:** public facilities including, but not limited to, schools, hospitals, municipal buildings, recreational facilities, heritage or archaeological sites and similar public institutional uses;
- b) **linear:** Linear public or private utilities include, but are not limited to: road, communication lines, rail lines, power and natural gas lines, and similar linear uses including accessory uses adjacent to roads such as storage yards for gravel, sand, clay, topsoil, other aggregates, stock piling, processing (not including asphalt plants) used for road maintenance or building; or
- c) **service utilities:** public or private utilities including, but not limited to, airports, microwave or communication towers, water reservoirs, sewage lagoons, solid waste and chemical disposal facilities, gas compressors, electrical transformer stations, soil farms for the rehabilitation of contaminated soils and similar service utility uses.

**Public Works:** a facility as defined under the Act.F

**Qualified Professional:** See definitions for Professional Engineer, Professional Engineer and/or Registered Professional Planner.

**Quarter Section or Equivalent:** a quarter section = 64.8 ha, as identified by the Township Plan of Survey of record in the Land Titles Office. Equivalent shall mean 64.8 ha, any partial quarter section defined on the Township Plan of Survey, or a lesser amount remaining as part of the quarter section because of the registration of a highway, road, road widening, pipeline, or railway right of way, natural features such as lakes or streams or the registration of a subdivision permitted in this Bylaw, but in no case, shall the equivalent be allowed to be less than 48.6 ha.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Radio and Television Studio:** production studio with spaces specifically designed for audio and/or video recordings.

**Railway Facility:** a specific significant structure and associated lands related to the operation of a railway. Railway facilities include railway service centres, freight yards, and train stations.

**Raw Material:** unprocessed products of any kind used in manufacturing activities.

**Real Estate Signage:** signage directly associated with the sale of property in which it is located, and which maintains a gross surface area of less than 1 m<sup>2</sup>.

**Rear Yard:** that part of a site, measured from the site property line at the rear of the property or that portion of the property that is opposite the side that fronts the main access road to the site, to the nearest main wall of a building or structure, defining an area within which no buildings or permanent structures shall be constructed.

**Recreational Use:** a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood or community.

**Recreational Vehicle:** a vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principle vehicle, and may include:

- a) motor homes;
- b) camper trailers;
- c) boats;
- d) snowmobiles; and/or,
- e) motorcycles.

**Recycling Depot:** any development used for the acquisition, temporary storage, processing, and redistribution of recyclable materials and reusable goods where all storage is contained within an enclosed building or an area screened to Council's satisfaction.

**Reeve:** The Reeve of the Rural Municipality (RM) of Sherwood.

**Regional Waste Management and Remediation Industry:** industries comprising the collection, disposition, or processing of inert or organic waste material from offsite sources where:

- a) the potential effects of the activities may extend offsite; or
- b) the activity may have a significant impact on municipal services.

**Registered Professional Planner:** means a registered professional planner within the meaning of *The Community Planning Profession Act, 2013*.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Religious Institution:** means a building, structure or facility used by any religious organization for public worship or other ecclesiastical functions and may include accessory facilities located on site such as a rectory or manse, hall, or daycare facility. A religious institution shall not include a building used solely as an office for administrative matters or business.

**Residence:** a single detached dwelling on a site.

**Residential Care Facility:** a facility which:

- a) provides meals, lodging, supervisory, personal, or nursing care to persons who reside therein for a period of no less than thirty days;
- b) is duly licensed by the Province of Saskatchewan or certified as approved by the Province of Saskatchewan under an Act which provides for such licensing or certification;
- c) and may include only the principal residence of the operator administrator; and may include a prison, reformatory, correctional facility or other facility for the secure and open custody of persons who have been committed thereto by a Court of person having lawful authority;
- d) provides space for the detention of people after being arrested on a charge under The Criminal Code (Canada) or a Federal or Provincial statute; and/or,
- e) upon being convicted of an offence under The Criminal Code (Canada) of a Federal or Provincial Statute.

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

**Residential Dwelling Unit (Secondary):** a separate set of temporary or permanent living quarters in addition to an existing principal residential dwelling unit located on a single site, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components, but does not include boarding houses or rooming units.

**Restaurant / Lounge:** means the use of a building or structure wherein the principal business is the sale of prepared food and/or beverage which is ready for consumption served directly to customers at a table, walkup counter, or drive-through window, and provides for its consumption within the principal building or within customer vehicles parked on site, excludes a restaurant or food counter contained within and incidental to a department store, supermarket, office building, institutional building, shopping centre, or any other retail commercial outlet.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Retail Store:** establishments primarily engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise serving the needs of local residential populations and the travelling public. They typically sell merchandise to the public for personal or household consumption, but some also serve business and institutional clients. These include establishments such as office supplies stores, computer and software stores, gasoline stations, building material dealers, plumbing supplies stores, and electrical supplies stores.

**Right of Way:** the land set aside for use as a municipal roadway or utility corridor.

**Road:** means a dedicated road Right-of-Way available for motorized and non-motorized travel, including a highway, public road and a common access road. A road includes the roadbed structure involving any side slope or ditch bottom, but does not include a designated trail within the meaning of *The Snowmobile Act* or any other trail or path for which a permit is required

**Road Allowance:** road allowance laid out pursuant to the authority of an Act or an Act of the Parliament of Canada and established as part of the original quadrilateral township system of survey (Municipalities Act).

**Salvage Yard:** any land or building used for the collection, demolition, dismantling, storage, salvage, recycling, or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials.

**Secondary Suite:** a separate set of living quarters within a principal single detached residential dwelling unit whether occupied or not, containing independent and physically sleeping, sanitary and kitchen facilities. A Secondary Suite must have an entrance separate from the entrance to the principal residential dwelling unit, either from a common indoor landing or directly from the side or rear of the building.

**Sensitive Areas:** may include, but are not limited to, forested areas, watercourses, riparian areas, natural and constructed wetlands, flood plain, hazard lands, wildlife and habitat areas, greenways and natural corridors, aquifers and recharge areas, protected areas, and other areas that may be identified by a First Nation, Federal, Provincial, or Municipal authority and crown agency ("Stakeholder") unique to the capital region.

**Service Station / Gas Bar:** means the servicing, washing, and repairing of vehicles and the sale or distribution of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Service stations may include eating and drinking establishments and convenience retail stores as accessory uses on the same site.

**Servicing Agreement:** the legal agreement between a developer and the RM which specifies the all obligations and the terms and conditions for the approval of a subdivision pursuant to Section 172 of the Act.

**Setback:** the distance between two points in which certain types of development and structures shall not occur (e.g. from a creek, a front yard).



## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

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

**Shall:** indicates a mandatory action or decision.

**Shooting Range:** a place that is designed or intended for the safe discharge, on a regular and structures basis, of firearms or prohibited handguns at an identified approved shooting range.

**Side Yard:** that part of a site that extends from the front yard to the rear yard, measured from the site property line at the side of the property and the nearest main wall of a building or structure, defining an area within which no buildings or permanent structures shall be constructed.

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

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

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

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

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

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

**Site Plan:** plans and drawings that specify the location, size, materials, colour, and design of all existing and proposed development on a site or development in relation to buildings, access points, municipal roadways, and provincial highways.

**Small Lot Agriculture Subdivision:** a subdivision parcel of a quarter section that is created to allow for continuations of agricultural operations that may include one habitable dwelling on land that the minimum size is 4.04 ha.

**Small Scale Commercial or Retail:** a use that is of the size where it is intended to serve nearby residents and / or highway travelers.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Snow Management Facility:** a facility that is used for the storage and disposal of snow and incidental materials collected in the process of removing snow from offsite sources.

**Solar Collector:** a panel or other solar energy device with the primary purpose of gathering, storing, and distributing solar energy for electricity generation, space heating, space cooling, or water heating.

**Solar Collector, Commercial:** a solar collector designed and built to provide electricity for commercial sale and distribution to the electricity grid (e.g. solar farm).

**Solar Collector, On-site Use:** a solar collector intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale (e.g. rooftop solar collectors are a type of on-site use solar collectors).

**Solid and Liquid Waste Disposal Facility:** any private or public facility approved by the Federal or Provincial government(s) for the storage, treatment, or transshipment of such waste, excluding any earthen manure storage facility, or composting facility which is required as an accessory use to an ILO which may be approved by Council, and any hazardous waste facility.

**Sport Field:** an open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.

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

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

**Stakeholder:** an individual, group or organization who have a specific interest or 'stake' in a need, issue situation or project and may include members of the local community (residents, businesses, workers, representatives such as councilors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or Municipal, Provincial, and Federal Governments.

**Subdivision:** a division of land and includes a division of a quarter section into legal subdivisions as described in the Land Titles Act, 2000.

**Telecommunication Facility:** a structure that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

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

## **RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17**

### Definitions

Consolidated amendments up to January 24, 2020

**Temporary Sign:** a sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

**Temporary Use:** a use which is allowed for a specified period, at the end of such time the use must be removed from the site.

**Traffic Control Signage:** a sign, signal, marking, or any device placed or erected by the RM or Saskatchewan Ministry of Highways and Infrastructure.

**Truck Depot:** any building or land where trucks or tractor trailers are stored or parked for commercial purposes.

**Truck Terminal:** a building or property used as an origin or destination point for the loading, unloading, assembling, or transferring of goods transported by truck, or which provides containerized freight handling facilities or rail-truck services, and where the local pickup, delivery, and transitory storage of goods is incidental to the primary function of motor freight shipment, provided, however, that any lot where trucking is principal use and which operates any vehicles in excess of single unit, single axle, 13,600 kg GVW (29,982.36 lbs. GVW) (Gross Vehicle Weight) shall be considered for the purpose of this Bylaw, as a truck terminal.

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

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

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

**Vehicle Storage Yard:** an outdoor area where vehicles or vehicle-related equipment / merchandise are stored until needed. Storage yards are often used in conjunction with a warehouse, storage buildings, sheds or other structures and may be public or private. Unless a function of a government agency or public utility, storage yards are considered accessory to a business or other principal use.

**Veterinary Clinic / hospital:** concerned or connected with the surgical treatment of animals; especially domestic animals.

**Vocational School:** a school, especially one on a secondary level, that offers instruction and practical introduction experience in skilled trades such as mechanics, carpentry, plumbing, and construction.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Warehouse:** a building used for the storage and distribution of goods, materials, or merchandise.

**Warehouse Sales:** development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Typical uses include but are not limited to developments where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials. This use does not include developments used for the retail sale of food or a broad range of goods for personal or household use.

**Warehousing:** the use of a building and or site primarily for the storage and distribution of goods, materials, or merchandise, excluding dangerous or hazardous materials, derelict vehicles, or parts thereof, or any waste material. It includes moving companies, trucking terminals, inter-modal transfer areas, storage of recreational vehicles (indoor or outdoor, including boats and ATV's) and self-storage facilities.

**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 farmyard, or a manure storage area for an intensive livestock operation.

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

**Waste Management and Remediation Industry:** establishments primarily engaged in providing waste management services involving the collection, disposition, or processing of inert or organic waste materials, including but not limited to Solid Waste Disposal Facilities, Liquid Waste Disposal Facilities, Waste Transfer Stations, Land-Farms, Landfills, Snow Management Facilities, Clean Fill Operations, and Recycling Depots.

**Waterbodies:** normal mapping terminology for area topographical water features (lakes and ponds) of the Province, unless another term is specified.

**Watercourses:** normal mapping terminology for the topographical water features (rivers and streams) of the Province, unless another term is specified.

**Watershed:** The land area from which surface runoff drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.

**Wetland:** land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes ("water loving") vegetation, and various kinds of biological activity which are adapted to the wet environment.

## RM OF SHERWOOD NO. 159 ZONING BYLAW No. 18/17

### Definitions

Consolidated amendments up to January 24, 2020

**Wholesale Trade:** establishments primarily engaged in wholesaling merchandise and providing related logistics, marketing, and support services. The floor area for wholesale trade shall not exceed 3,250 m<sup>2</sup> on a site.

**Wildlife Habitat and Refuge:** land left in its natural state for the purpose of providing sanctuary, habitat, and breeding grounds for wild birds, animals, and plant-life and includes a forest reserve.

**Wind Energy Generation System:** any device or group of devices such as: wind charger, windmill or wind turbine that converts wind energy to electrical energy whether it is used for personal use or for generation of power for sale by an enterprise.

**Wind Energy Generation System, Commercial:** a wind energy generating system designed and built to provide electricity for commercial sale and distribution to the electricity grid.

**Wind Energy Generation System, On-Site Use:** a wind energy generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale

**Work Camp:** a temporary or seasonal residential accommodation of construction personnel or employees in the form of recreational vehicles, trailers, tents, or modular units providing sleeping, eating, and other basic living facilities. Accessory uses must also be temporary and may include such uses as an amenity, recreation, or convenience building, administration office, and/or storage, or parking of equipment and vehicles.

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

**Yard, Flanking:** the part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure and abuts a municipal road allowance or provincial highway.

**Yard, Front:** the part of a site which extends across the full width of a site between the front site line and the building front line.

**Yard, Rear:** the part of a site which extends across the full width of a site between the rear site line and the building rear line.

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

**Yard, Side:** the part of a site which extends from a front yard to the rear yard between the side line of a site and the building side line.