

City of Swift Current

Zoning Bylaw No. 4 - 2003

The purpose of this Zoning Bylaw is to control and regulate land use and development in order to provide for the amenity, health, safety, and general welfare of the inhabitants of the City of Swift Current.

The Zoning Bylaw serves as an administrative tool whereby the Development Plan Bylaw can be implemented by the City of Swift Current.



**CITY OF SWIFT CURRENT
ZONING BYLAW No. 4 - 2003**

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PART ONE INTERPRETATION OF BYLAW

1.1 Title

This Bylaw shall be known as the "City of Swift Current Zoning Bylaw". It shall be cited as the "Zoning Bylaw" or the "Bylaw" throughout this document.

1.2 Authority

Pursuant to Section 67 of *The Planning and Development Act, 1983*, the Council of the City of Swift Current hereby adopts Zoning Bylaw No. 4 – 2003.

1.3 Scope and Jurisdiction

All development within the corporate boundaries of the City of Swift Current, shall be in conformity with the provisions of this Bylaw.

1.4 Purpose

This is a Bylaw to control the use and development of the land in the City of Swift Current and assist in implementing the Development Plan Bylaw.

1.5 General Definitions

The following words or terms shall have the following meaning unless the context otherwise provides:

"Accessory Building or Use" means a "building" or "use" which:

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

"Act" means "*The Planning and Development Act, 1983*" and amendments thereto.

"Alteration" or "Altered" means any change in size, shape, or use of a building or structure and shall include changes in use from one type of occupancy to another; the building of additions; or the making of any structural changes.

"Amusement Arcade" means a facility where three (3) or more mechanical or electronic games are kept for the purpose of furnishing skill, entertainment or amusement to the public for a fee.

"Awning" means a temporary overhead shelter supported entirely by the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

"Balcony or Deck" means an unroofed platform elevated above grade, projecting from the face of a wall, cantilevered or supported by columns or brackets, and usually surrounded by a balustrade or railing.

"Basement or Cellar" means all of that portion of a building between two (2) floor levels which has one half (1/2) or more of the height of its walls, from finished floor to finished ceiling, below grade level.

"Bed and Breakfast" means a tourist home, as defined by this Bylaw, in which breakfast is provided to lodgers.

"Boarder" means a person who rents sleeping accommodations which have no individual cooking facilities, and who may be furnished with meals or other services as part of the consideration, but who is not a member of the family or household occupying the principal dwelling unit and is not the proprietor of a boarding house or boarding apartment. Includes those persons under the Approved Private-Service Home (APSH) Program. Saskatchewan Department of Social Services APSH Proprietor Manual.

"Boarding House" means a building or structure or part of a building or structure, other than a hotel or motel, kept, used, advertised as or held out to be a place where services and/or sleeping accommodation for more than five (5) persons but not more than fifteen (15) persons are provided, whether or not for remuneration or compensation.

"Building" means a structure used for the shelter or accommodation of persons, animals, goods, or chattels, having a roof which is supported by columns or walls.

"Building Line, Established " means the average distance from the front property line to the main front wall, or a line drawn between two (2) adjacent columns, or existing buildings, or projections thereof excluding permitted obstructions, on any side of any block.

"Building Line, Front" means the line of the wall of the building, or a line drawn between two (2) adjacent columns, of the building, or any projecting portion and its projection thereof, excluding permitted obstructions, which faces the front site line.

"Building Line, Rear" means the line of the wall of the building, or a line drawn between two (2) adjacent columns, or any projecting portion of the building and its projection thereof, excluding permitted obstructions, which faces the rear site line.

"Building Line, Side" means the line of the wall of the building, or a line drawn between two (2) adjacent columns, or any projecting portion of the building and its projection thereof, excluding permitted obstructions, which faces the side site line.

"Building Inspector" means the Building Inspector of the City of Swift Current and shall include any person designated to act in this capacity during the Building Inspector's absence or inability to act.

“Business Vehicle” (home-based business, residential office) means any vehicle utilized to service a home-based business or residential office operation whose gross weight does not exceed 2750 kilograms, the gross weight being the combined weight of the vehicle and the load.

"Canopy" means a permanent weather resistant roof-like structure extending from part or all of a building wall. Canopy includes in its definition, a marquee and fixed frame awning.

"Carport" means a roofed vehicle shelter, open on at least two (2) sides.

"City" means the City of Swift Current.

"Club, Lodge or Fraternal Organization, Private" means an association of persons who are bona fide members paying dues, which owns, hires, or leases the building or portion thereof, the use of such premises being restricted to members and their guests for social, recreational or athletic purposes.

“Commercial Entertainment Establishment” means a facility where the main use is entertainment provided to the public, either exclusively or in combination with other activities and may, without limiting the generality of the foregoing, include a night club, live theatre or cinema, but does not include a restaurant/drinking establishment, or bingo hall.

“Commercial Recreation Establishment” means a development where privately owned recreational facilities are provided to the public for a fee. Typical uses include bowling alleys and billiard parlours.

“Commercial School” means a school used for training and instruction in a specific vocation, for profit to the owner of the school. This use does not include schools offering an academic public or private education. Typical uses include hairdressing, business, secretarial, beauty, music and artistic schools.

"Convenience Store" means a store with a gross floor area of less than 300.0 square metres offering for sale primarily groceries and confectioneries.

"Council" means the Council of the City of Swift Current.

(Bylaw No. 4-2011)

“Custodial Care Facility” means either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of the *Youth Criminal Justice Act (Canada)* or *The Summary Offences Procedure Act, 1990 (Saskatchewan)*; or
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Service Act* in which the number of persons in detention, custody or residence does not exceed five.

(Bylaw No. 4-2011)

“Day Care Center” means an establishment for the placement, care and supervision for more than eight persons, but does not include overnight supervision.

"Development" means 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.

"Discretionary Use" means any development considered on its own merits and circumstances and permitted in a particular zoning district only by resolution of Council and only in locations specified in such a resolution.

"Dormitory" means any house or dwelling where more than five (5) persons currently active in a common fraternity, religious community or organization, or educational institution, are housed, accommodated, fed, or given residence.

"Dwelling" means a building or a portion thereof, designed or used exclusively for human habitation including one-unit, two-unit, and multiple-unit dwellings, but not including hotels, or motels.

"Dwelling, Multiple-Unit " means a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence of one (1) family or household but not including a boarding, lodging or rooming house, hotel or motel.

"Dwelling, Semi-Detached" means two (2) side by side dwellings as one (1) cohesive unit in terms of architectural design, appearance and construction material, with a common party wall which separates the dwelling units throughout the entire structure, without openings.

"Dwelling, Single-Detached" (one-unit) means a detached building consisting of one (1) dwelling unit as herein defined, and occupied or intended to be occupied as the permanent home or residence of one (1) family or household.

"Dwelling, Terrace" means a building developed to utilize existing natural topography and consisting of three (3) or more attached dwelling units located on more steeply sloping land such that individual dwelling units are located at different elevations.

"Dwelling, Two-Unit" means a building divided into two (2) dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence of one (1) family or household.

"Dwelling Group" means a group of two (2) or more one-unit, two-unit or multiple-unit dwellings or combinations thereof occupying the same site.

"Dwelling Unit" means one (1) or more habitable rooms constituting a self-contained independent unit and used or intended to be used for living and sleeping purposes for a family or household.

"Educational Institution" means a facility which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes. Typical uses include public and separate schools, community colleges, universities and technical/vocational schools. Commercial schools are not included within this definition.

"Elevation, Major" (of a building) means that elevation which, because of its orientation and relationship to site development and other factors, such as adjacent streets and development, is considered to be the principal frontage of the building. The major elevation of a building need not necessarily be parallel to the front site line.

"Elevation, Minor" (of a building) means that elevation which, because of its orientation and relationship to site development and other factors, such as adjacent streets and development, is not considered to be the principal frontage of the building.

"Erected" means built, constructed or reconstructed and includes:

- (a) the removal of a structure from one lot and relocating it on another lot; and/or
- (b) any physical operation such as excavating, filling, or draining, preparatory to commencing the work of erecting, building or constructing a structure.

"Family or Household" means one (1) or more persons whether or not related by blood, marriage, or adoption, occupying a dwelling unit as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, rooming house, hotel, motel or other similar facility.

"Fence" means a structure providing screening or delineation but not protection against the elements (as distinguished from a building).

"Financial Institution" means banks, credit unions, loan offices and similar financial institutions.

"Floor Area, Gross" means the total floor area in a principal building or structure measured between the exterior faces of the exterior walls at the level of each storey below, at and above grade, excluding the area used for off-street loading, parking, mechanical equipment, stairways or shafts. In the case of a residential dwelling, the floor area of a unfinished attic or unfinished basement shall not be considered as part of the gross floor area.

"Floor Area Ratio" means the quotient of the principal building floor area divided by its site area

"Frontage, Site " means the horizontal distance of that portion of the site fronting on a street between two (2) side site lines.

"Garage, Private" means a building or part of a building used or intended to be used for the storage of private motor vehicles owned by the occupant of each dwelling unit to which the garage is accessory.

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

"Garage, Storage" means a garage exclusively used for the storage of vehicles and where no repair facilities are maintained.

"Grade Level" means an average level of the finished surface of the ground adjacent to the exterior walls of a building or structure.

"Height, Building" means the vertical distance measured, unless otherwise indicated, from the highest finished grade level to the highest point of any parapet wall, if a flat roof; and to the highest ridge for a gable, hip, gambrel, mansard or shed roof.

"Home-Based Business" means an occupation, trade, profession or craft conducted entirely within a residential building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling, and does not change the character thereof.

"Hotel" means a building or structure or part of a building or structure kept, used, advertised as or held out to be a place where sleeping accommodation with or without services are provided for transient lodgers, and where a guest register or record is kept, and furnishing accommodation for periods including those of less than one (1) week, but does not include a motel, motor hotel, or boarding house.

"Industrial Mall" means a building or a group of buildings on the same site, in which two (2) or more of the permitted and/or discretionary uses are located together for their mutual benefit such as common access, off-street parking, and other joint amenities. For the purpose of "Industrial Malls", the definition of "site" shall include a parcel or parcels of land under single or joint ownership.

"Infill Development" means the moving in of previously occupied single-detached, semi-detached or two-unit dwellings into a designated area.

"Kennel" means any premises in which dogs or cats are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale but does not include a veterinary clinic or private dog kennel. **"Landscaping"** means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) "soft landscaping" consisting of vegetation such as trees, shrubs, hedges, grass and/or ground cover;
- (b) "hard landscaping" consisting of non-vegetative materials such as decorative brick, stone, concrete, asphalt, tile and/or wood.

"Lane or Alley" means a secondary public thoroughfare in the name of the Crown intended primarily to give access to the rear or side of the abutting site.

"Licence Inspector" means the Licence Inspector of the City of Swift Current and shall include any person designated to act in this capacity during the Licence Inspector's absence or inability to act.

"Loading Space" means that part of a site or structure which has been designated and is used exclusively for loading or unloading of a vehicle.

“Local Commercial” means a small scale local development compatible with residential neighbourhood such as doctor/dentist, drug store, professional offices, where it can be demonstrated there will be no negative impact.

"Lot" means a parcel of land in a subdivision, the plan of which has been filed or registered with Information Services Corporation of Saskatchewan. For the purposes of this Bylaw the words "corner lots"; "lot coverage"; "lot depth"; "interior lot"; "front lot line"; "rear lot line"; and "side lot line" shall have the same meaning as these words as defined under the respective "site" definitions.

“Market Garden” means an area used for the growing of fruits or vegetables and shall include any accessory buildings such as greenhouses and buildings to market the fruits or vegetables grown on the site.

"Mayor" means the Mayor of the City of Swift Current.

"Minister" means the Minister of Government Relations and Aboriginal Affairs in the Province of Saskatchewan.

"Mobile Home or Manufactured Home” means a single or multiple section dwelling (conforming to CSA certified standards) designed to be transported on its own wheels and chassis or to be towed or carried to a mobile home district, and may be supported on wood blocking, concrete piers or a permanent foundation, and is designed to be connected to service utilities so as to be suitable for permanent residential occupancy. This use does not include RTM’s, travel trailers, truck campers, fifth wheels or motor homes.

"Mobile Home Lot" means a lot, parcel or piece of land for the placement of a mobile or manufactured home and for the exclusive use of its occupants.

"Mobile Home Park" means any tract or parcel of land on which two (2) or more occupied mobile or manufactured homes are harbored or are permitted to be harbored whether or not a charge is made or paid for the use thereof, and includes any building or structure used or intended to be used as part of the equipment of such mobile home park, but does not include an industrial or construction camp or any such park if a tent or trailer coach that is not a mobile home is also harbored or is permitted to be harbored thereon.

"Mobile Home Subdivision" means any registered subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating mobile or manufactured homes in such a manner that each home is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenities form a contiguous area of development.

"Motel or Motor Hotel" means an establishment consisting of a group of attached or detached units located on a single site, intended for the use of travelers and tourists, each unit containing at least a bedroom and bathroom, and having convenient access to a parking space for each unit.

"Non-Conforming Building" means a building or structure existing at the effective date of this Bylaw (and not created for the purposes of evading the regulations of this Bylaw), which does not meet the requirements of the zoning district in which the building is located. This definition applies to both principal and accessory buildings.

"Non-Conforming Development" means 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 the use of any building or land in a manner that contravenes regulations of this Bylaw from the effective date of this Bylaw.

"Non-Conforming Lot" means a lot existing at the effective date of this Bylaw (and not created for the purposes of evading the regulations of this Bylaw) which does not meet the minimum area or frontage requirement of the zoning district in which the lot is located.

"Non-Conforming Use" means any use of land, building, or structure existing at the effective date of this Bylaw (and not created for the purpose of evading the regulations of this Bylaw) which does not comply with usage permitted or approved for the zoning district in which it is located.

"Office Support Service" means a facility providing administrative, professional, management or consulting services, not including health or government services. Typical uses include insurance firms, real estate offices, travel agencies and other offices offering employment, clerical and secretarial services.

"Open Space" means that part of a site not covered by buildings and which is not obstructed from the ground upward except by canopies.

"Outdoor Storage" means goods, machinery, vehicles, building materials, waste materials and/or other items not contained within a building.

"Owner" means a person recorded as such on official records and includes a duly authorized agent, purchaser and/or any person having a vested or contingent interest in the property.

"Parapet or Parapet Wall" means that portion of a building wall that rises above roof level.

"Park, Active" means an area designated to accommodate extremely competitive physical types of activities including football, softball, soccer, hockey, rugby, cricket, or track and field.

"Park, Passive" means an area designated to accommodate activities of a more sedate nature that involve visual, mental and/or physical effort including bird watching, walking, jogging, cycling, picnicing, social gatherings, cross country skiing, canoeing, croquet, or horseshoe pitching.

"Parking, Visitor" means any space, within a compound clearly marked for visitor parking. Driveway parking is not considered visitor parking stalls. This space shall not be used for long term storage of trailers, RV's, accessory vehicles or waste bins of residents or tenants.

"Parking Lot" means a site with its principal use being for the parking of private vehicles.

"Parking Space" means a space either indoors or outdoors in an area provided for the parking of one (1) vehicle and having access to a public lane or street.

"Person" means an individual or a corporate body and includes a partnership, a group of persons acting in concert or in association unless the context explicitly or by necessary implication otherwise requires.

"Personal Service Establishment" means a facility used primarily for the provision of personal services to an individual, which are related to the care and appearance of the body, or the cleaning and repair of personal effects. Typical uses include hairdressers, beauty salons, tailors, dressmakers, tanning salons, dry cleaners, laundry establishments, or shoe repair shops.

"Principal Building, Use or Structure" means the main building, structure or activity conducted on a site.

"Professional Office" means a facility which provide professional services but does not include financial, office support, health or government services. Typical uses include the offices of architects, engineers, lawyers, accountants or photographers.

"Public Place" means every sidewalk, street, lane, avenue, boulevard, driveway, and right-of-way, within the City to which the public have access as a right or by invitation expressed or implied.

"Public Works" means:

- (a) systems for the production or distribution of electricity;
- (b) systems for the distribution of natural gas or oil;
- (c) facilities for the storage, transmission, treatment, distribution or supply of water;
- (d) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (e) facilities for the collection, treatment, movement or disposal of storm sewage;
- (f) facilities for the collection, movement or disposal of solid waste;
- (g) telephone, cable television, or light distribution lines; or
- (h) any improvement of a structural nature or any other undertaking that is within the jurisdiction of Council and that is owned or operated by the Crown or the City.

"Religious Institution" means a facility used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, and related buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents or monasteries.

(Bylaw No. 4-2011)

"Residential Care Facility" means a facility licensed under provincial statute to provide, in a residential dwelling, long term residential, social, physical, personal, nursing, or special care including accommodation, meals, supervision or assistance for persons who have limits on ability for self-care and self supervision, who are unrelated to the operator or owner, but not including a Custodial Care Facility or Hospital.

(Bylaw No. 4-2011)

“Residential Care Facility Type I” means a Residential Care Facility in which the number of residents, excluding staff, does not exceed five.

(Bylaw No. 4-2011)

“Residential Care Facility Type II” means a Residential Care Facility in which the number of residents, excluding staff, is greater than five.

"Rooming Unit" means a room or suite of rooms rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom.

"Row House" means a building divided into three (3) or more dwelling units located side by side and sharing party walls.

"RTM" (Ready to Move Home) means a single-detached dwelling, which is manufactured off-site, is placed permanently upon a full-sized foundation, and does not include a mobile or manufactured home, a motor home or a tourist or camper trailer.

"Service Station" means a facility used or intended to be used for the sale of gasoline and may offer minor repairing, rental, washing, servicing or equipping of motor vehicles, but shall not including painting, body work or major repairs.

(Bylaw No. 13-2011)

"Shipping Container" means a container or box specifically constructed for the transport of goods by rail, ship or transport truck. When used for any other purpose other than transporting goods, a shipping container shall be considered a structure.

"Shopping Mall" means a building and accessory uses on the same site designed, developed and managed on a unitary basis consisting of at least five (5) permitted and/or approved uses such that amenities are shared for mutual use including off-street parking and interconnected indoor pedestrian walkways.

"Side Wall" means the external supporting or enclosing wall of a building or structure between finished grade level at the base and the coping, eaves or parapet at the top.

"Sight Triangle" means that triangular area where two (2) streets intersect, bounded by the street lines and a line joining the points on the street lines a distance of 10.0 metres from their point of intersection.

"Site" means an area of land considered as a unit devoted to a certain use and/or occupied by a building or permitted group of buildings, with or without accessory buildings, and including open spaces, having its front site line upon a public street.

"Site, Corner" means a site located at the intersection or junction of two (2) or more streets.

"Site, Depth of" means the average horizontal distance between the front and the rear site lines measured within the site boundaries.

"Site, Interior" means a site other than a corner site.

"Site, Through" means a site not more than one (1) lot in depth, having its front and rear site lines on two (2) near parallel streets.

"Site Coverage" means the percentage of the site area which is enclosed or covered by a building or buildings.

"Site Line, Front" means the boundary that divides the site from the street. In the case of a corner site, the front site line shall mean the boundary separating the narrowest legal street frontage of the lot, from the street.

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

"Site Line, Side" means any site boundary other than a front or rear site line.

"Storey" means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

"Storey, One-Half " means a storey of which two (2) opposite exterior walls are not more than 1.3 metres in height.

"Street" means a public thoroughfare which affords the principal means of access to abutting property.

"Strip Mall" means a building consisting of at least two (2) permitted and/or approved uses with off-street parking and other jointly used amenities located on-site.

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

"Tourist Campsite" means a site which provides for the temporary location of tents and recreational vehicles used by travellers and tourists for overnight accommodation.

"Tourist Home" means a private home or dwelling, other than a rooming house, boarding house, hotel or motel, in which not more than four (4) rooms are offered for rent to the travelling public for sleeping accommodation.

"Trailer Coach" means a travel trailer, truck camper, fifth wheel, motor home (recreational vehicle), or similar vehicle designed for temporary accommodation.

"Urban Reserve" means land that is protected from premature subdivision and development, which will be required for future urban development.

"Vehicle" means, anything as is defined by the *Motor Vehicles Act*, and includes motor vehicles, trailer coaches, motor cycles, semi-trailers, fire engines, fire department apparatus, road rollers, street sprinklers, steam, gasoline, or kerosene traction engines and all vehicles propelled by muscular power; but does not include vehicles running only upon rails, tracks or solely upon railway company property.

"Veterinary Clinic" means a facility for the medical care and treatment of animals and includes provision for their short-term accommodation.

"Yard" means any part of a site unoccupied and unobstructed by any building or structure.

"Yard, Front" means the area between the side site lines and from the front site line to the front building line.

"Yard, Rear" means the area between the side site lines, and from the rear site line to the rear building line.

"Yard, Required" means an area required by this Bylaw and within which no building or structure, or part of a building or structure, shall be erected, unless specifically permitted in this Bylaw.

"Yard, Side" means the area between the front and rear yards and from the side site line and the side building line.

1.6 **Sign Definitions**

“Animated Sign” means any sign which includes action or motion.

"Awning Sign" means a sign painted or stenciled on the covering surface material of an awning.

"Billboard" means any structure, panel, board, or object designed exclusively to support a pasted poster, painted sign, metallic sign, or any other object used to advertise goods or services available at a different location from where the sign is installed.

“Building Identification Sign” means a sign which contains only the name and/or address of a particular building, institution, business or person, but does not include any other advertising.

"Canopy Sign" means a sign attached to or constructed in or on a canopy.

"Directional Sign" means any sign which serves solely to designate the location or direction of any place or area and does not contain any advertising.

"Directly Illuminated Sign" means any sign designed to provide artificial light, either transmitted through exposed lighting (including tubing or lamps) on the sign face, or through transparent or translucent material from a light source within the sign.

“Electrical Sign” means any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

"Facia Sign" means a sign on, or attached to, an exterior building wall such that the sign does not extend more than 0.3 metres from the wall.

“Flashing Sign” means any sign which contains an intermittent or flashing light source.

"Freestanding Sign" means a sign supported independently of a building and permanently fixed to the ground.

“Height of Sign” means the vertical distance measured from the adjacent street grade or ground level, whichever permits the greatest height, to the highest point of said sign.

"Indirectly Illuminated Sign" means any sign which reflects light from an independent source intentionally directed upon it by means of floodlights, gooseneck reflectors or similar devices.

“Individual Letter Sign” means any sign made of self contained letters that are mounted on the face of a building, top of parapet, roof edge of a building or on a canopy or marquee.

"Portable Sign" means a sign mounted on a trailer, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location.

"Projecting Sign" means any sign, except a canopy or awning sign, which is supported by an exterior building wall and projects outward from the building wall by more than 0.3 metres.

"Real Estate or Property For Sale, Rent or Lease Sign" means any sign pertaining to the sale, lease or rental of land or buildings.

"Roof Sign" means any sign erected upon, against, or above a roof or on top of the parapet of a building.

"Rotating Sign" means a sign which moves in a revolving or similar manner.

"Sandwich Board" means a two (2) piece sign made of plywood or other suitable material that is designed to be set up to form a triangle.

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

"Support, Intermediate" (when used in reference to signs) means any support or means of support used to raise the sign above the surface on which such sign is mounted.

"Temporary Sign" means a sign which is not permanently anchored to the ground or permanently affixed to, or painted on a building or structure.

"Under-Canopy Sign" means a sign suspended below the ceiling or roof of a canopy.

"Window Sign" means any sign painted on, or affixed to, the inside or outside of a window, which can be identified from outside the premises. Window sign does not include merchandise on display.

1.7 Application of Regulations

- 1.7.1 No person shall erect, construct, locate, alter, or reconstruct any building or structure, or locate or carry on any industry, business, trade, calling, or use any land or building, within any district, save as hereinafter permitted within such district and subject to all the regulations provided therefore.
- 1.7.2 All buildings erected or constructed in any zoning district shall comply with standards and regulations set out in the City Building Bylaw and the National Building Code of Canada.
- 1.7.3 Nothing in this Bylaw shall be interpreted as to interfere with the carrying out of operations for the purpose of developing a public works including erecting structures and/or installing, inspecting, repairing, or renewing sewers, watermains, cables, pipes, wires, tracks or any other similar apparatus required in connection with any lawful use of buildings or land. Further, nothing in this Bylaw shall be interpreted so as to interfere with the carrying out of any operations for the purpose of improving, installing, inspecting and/or any other similar facilities provided for public use of public rights-of-way and/or any lands designated for public use.
- 1.7.4 No building shall hereafter be erected or altered:
 - (a) to exceed the height;
 - (b) to accommodate or house a greater number of dwelling units or rooming units;
 - (c) to occupy a greater percentage of site areas; or
 - (d) to have a narrower or smaller rear yard, front yard, or side yardsthan is specified herein for the district in which the building is located.
- 1.7.5 No part of a yard or open space used by a building shall be used by any other building for the purpose of complying with the requirements of this Bylaw.
- 1.7.6 No sign shall hereafter be erected, altered, moved, or enlarged unless in conformity with the uses and regulations specified for the district in which it is located and all other pertinent regulations of this Bylaw. Existing non-conforming signs may be maintained but in no case shall the non-conformity be increased.
- 1.7.7 No existing site, building or structure shall be deemed to be non-conforming by reason only of the conversion of a regulation contained in this Bylaw from the Metric System of measurement to the Imperial System of measurement where such non-conformity results from such conversion and is reasonably equivalent to the metric standard herein established.

- 1.7.8 In the case of a proposed subdivision of an existing site or sites for which the existing title establishes the limits of that site by using the Imperial System of measurement, Council may approve a proposed subdivision notwithstanding its failure to conform to the regulations of this Bylaw regarding site size and area if such failure is due only to the process of rounding the Metric equivalent of the Imperial measurements.

1.8 Severability

If any section, subsection, sentence, clause, phrase or other portion of this Zoning Bylaw including maps, is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

PART TWO ADMINISTRATION

2.1 Person Responsible for Administration of Bylaw

The City Engineer or any person authorized to act on the City Engineer's behalf during any absence or inability to act, herein referred to as "the authority having jurisdiction", shall be responsible for the administration of this Bylaw.

2.2 Role of Authority Having Jurisdiction

The authority having jurisdiction shall:

- 2.2.1 receive, record and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, Development Permit conditions, and development and servicing agreements;
- 2.2.2 issue a Development Permit for a permitted use if the application otherwise conforms to the Zoning Bylaw, as specified in Subsection 76(2) of the *Planning and Development Act, 1983*;
- 2.2.3 maintain, for inspection by the public during office hours, a copy of this Bylaw, the Zoning Map and amendments, and ensure that copies are available for sale to the public at a reasonable cost;
- 2.2.4 make available, for inspection by the public during office hours, a register of all Development Permit and subdivision applications and decisions;
- 2.2.5 collect development application fees as outlined in Schedule 'D' of this Bylaw, or as set by Council from time to time;
- 2.2.6 receive, record, review and forward to Council:
 - (a) Development Permit applications for discretionary uses;
 - (b) rezoning amendment applications; and
 - (c) servicing agreements.
- 2.2.7 make recommendations to Council regarding the above noted applications and agreements; and
- 2.2.8 perform other duties as required by Council.

2.3 Role of Council

Council shall make all decisions regarding applications for discretionary uses, the content of development and servicing agreements, and amendments to the Development Plan and Zoning Bylaws.

2.4 Application For a Development Permit

2.4.1 Every person, before commencing any development within the City, shall apply to the authority having jurisdiction for a permit to carry out such development, unless exempt from the requirements. A Development Permit shall be valid for a period of six (6) months from the date of issue. In the case of planned and approved staging of development, a Development Permit may be valid for a period exceeding six (6) months from the date of issue at the discretion of, and for a period specified by the authority having jurisdiction. Where proposed development would be located in the Parkway District, applications shall be referred to the appropriate standing Committee of Council, for comments and/or recommendations.

2.4.2 No development shall commence until a permit to carry out such development has been obtained from the authority having jurisdiction, unless exempt from the requirements. For the purpose of administration, a Development Permit and a Building Permit shall be considered one and the same when an application is made respecting one-unit or two-unit dwellings.

2.5 Developments Not Requiring a Development Permit

The following developments shall not require a Development Permit, but shall conform to all other Bylaw requirements:

2.5.1 Public Utilities

Any operation for the purposes of installing, inspecting, repairing, or renewing sewers, watermains, cables, pipes, wires, tracks or similar public works as required by a public utility.

2.5.2 Accessory Uses

All accessory uses, except as otherwise required in this Bylaw.

2.5.3 Official Temporary Uses

The use of all or a part of a building as a temporary polling station, returning officer's headquarters, candidate's campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.

2.5.4 Signs

All signs for commercial or industrial uses.

2.5.5 Fences

The erection of a fence or gate provided that there is no contravention of this or any other Bylaw.

2.5.6 Satellite dishes

2.5.7 Home-based businesses or residential offices of convenience

2.5.8 Other

Any routine maintenance of and/or repairs to a building.

2.6 Development Permit Application Requirements

2.6.1 With every application for a Development Permit two (2) copies of a layout or site plan showing the dimensions of the site and the size and location of any development, shall be submitted for approval to the authority having jurisdiction together with such other information as may be required for the proper enforcement of this Bylaw.

2.6.2 The authority having jurisdiction shall refuse to accept a Development Permit application where the information required above has not been supplied or where, in the authority's opinion, the quality of the material supplied is inadequate to properly evaluate the application.

2.7 Approval

When the application is approved, one (1) copy of the layout or site plan shall be returned to the applicant bearing an appropriate indication that it has been approved; if the application is not approved, the layout or site plan shall be returned to the applicant with the reasons for refusal noted thereon and the applicant shall be advised of any right to appeal that refusal to the Development Appeals Board, subject to the provisions of *The Planning and Development Act, 1983*. An applicant has the right to appeal the conditions that Council may apply to the approval of a discretionary use.

2.8 Discretionary Uses

2.8.1 Proposed discretionary uses shall be considered by Council only upon receipt of a written application filed with the authority having jurisdiction.

2.8.2 The application referred to in Subsection 2.8.1 shall include:

- (a) a site plan in duplicate showing the legal description, the front, rear and side yards, if any;
- (b) the height of all buildings;
- (c) the floor area of all buildings;
- (d) the location and number of off-street parking and loading spaces;
- (e) any other physical alteration to the site, including landscaping;
- (f) the location and size of signs;
- (g) a statement of ownership of land and interest of the applicant;
- (h) a statement of uses;
- (i) evidence showing the proposed development will conform to the standards set forth in Subsection 2.8.4; and/or
- (j) any other information which the authority having jurisdiction or Council feels is pertinent.

2.8.3 Upon receipt of an application for a proposed discretionary use, the City Clerk shall give notice of the time and place at which Council shall publicly hear and determine the application and any written objections to the proposed use; such notice shall be by advertisement inserted at least once a week for two (2) successive weeks in a newspaper published within the City and by serving a copy of the said notice on all of the assessed property owners within a radius of 75.0 metres of the proposed discretionary use. The applicant seeking discretionary approval shall pay a fee as outlined in Schedule "D" of this Bylaw.

2.8.4 No proposed discretionary use shall be approved by Council unless:

- (a) the proposed discretionary use and accessory use conforms to the yard, open space, and all other applicable regulations of the district in which such discretionary use is located;
- (b) operations in connection with any discretionary use will not be objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights, nor shall they endanger public health, safety or general welfare; and
- (c) the establishment of the discretionary use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

2.8.5 Approval of a discretionary use shall be by resolution of Council.

2.9 Referrals

An application may be referred to other agencies, departments or committees to obtain comments or recommendations and to assist in determining proposal conformity with the Development Plan and Zoning Bylaws.

2.10 Other Permits

A developer shall obtain all other necessary permits and approvals, either prior to, or after obtaining a Development Permit, as specified by the authority having jurisdiction.

2.11 Council May Amend Zoning Bylaw

Council may amend this Bylaw at any time, upon its own initiative or upon request, provided that the amendments are in keeping with the intent of the Development Plan Bylaw.

2.12 Advertising Costs

Council shall require applicants requesting an amendment to this Bylaw, or approval of a discretionary use, to pay Council all of the cost associated with public advertisement of the application.

2.13 Notice of Decision

A "Notice of Decision" shall be forwarded to an applicant by regular mail service.

2.14 Development Appeals Board

2.14.1 Council shall appoint a Development Appeals Board in accordance with the provisions of Section 92 of *The Planning and Development Act, 1983*.

2.14.2 Appeals in writing may be made to the Development Appeals Board by any person who:

- (a) alleges that the Council or any person acting for or on behalf of the Council has misapplied the Bylaw in a particular case; or
- (b) claims that there are practical difficulties or unnecessary hardships in the way of carrying out the Bylaw by reason of exceptional narrowness, shortness, shape, topographic features or other unspecified unusual condition of a specified property.

- 2.14.3 A person who appeals under Subsection 2.14.2(b) shall not be entitled to have an appeal allowed if:
- (a) the unusual condition is the result of the appellant's or the property owner's own action;
 - (b) the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighboring properties in the same district; or
 - (c) a relaxation of the provisions of the Bylaw would be contrary to its purposes and intent and would injuriously affect the neighboring properties.
- 2.14.4 In making an appeal to the Development Appeals Board the provisions of Section 96 of *The Planning and Development Act, 1983*, shall apply.
- 2.14.5 No appeal shall be allowed where:
- (a) A Development Permit has been refused because it would contravene the use of land.
 - (b) Council refuses to rezone land, or;
 - (c) Council rejects an application of a discretionary use or form of development.

2.15 Non-Conformity

This Bylaw is subject to the provisions provided for non-conforming uses by Sections 113 to 118 inclusive of *The Planning and Development Act, 1983*.

2.16 Minor Variances

- 2.16.1 The authority having jurisdiction may vary the requirements of this Bylaw subject to the following conditions:
- (a) a minor variance may be granted for variation only of:
 - (i) the minimum required distance of a building from the lot line; or
 - (ii) the minimum required distance of a building to any other building on the lot;
 - (b) the maximum amount of minor variance shall not exceed 10% of the requirements of this Bylaw;
 - (c) the development shall conform to this Bylaw with respect to the use of land;

- (d) the relaxation of this Bylaw shall not injuriously affect neighboring properties; and
 - (e) no minor variance shall be granted for a discretionary use, a discretionary form of development or in connection with an agreement on rezoning entered into pursuant to Section 82 of *The Planning and Development Act, 1983*.
 - (f) no minor variances shall be granted for lots within the R1S – Single-Detached Small Lot Dwelling Residential District. (*Bylaw No. 4 – 2009*)
- 2.16.2 An application for a minor variance shall be made in conjunction with an application for a Building Permit.
- 2.16.3 An application for a minor variance shall be in a form prescribed by the authority having jurisdiction and shall be accompanied by an application fee as outlined in Schedule “D” of this Bylaw.
- 2.16.4 On receipt of an application for minor variance, the authority having jurisdiction may:
 - (a) approve the minor variance;
 - (b) approve the minor variance and impose terms and conditions on the approval; or
 - (c) refuse the minor variance.
- 2.16.5 Where the authority having jurisdiction imposes terms and conditions on an approval pursuant to Subsection 2.16.4(b), the terms and conditions shall be consistent with the general development standards in this Bylaw.
- 2.16.6 Where an application for a minor variance is refused, the authority having jurisdiction shall notify the applicant in writing of the refusal and provide reasons for the refusal.
- 2.16.7 Where an application for a minor variance is approved, with or without terms and conditions being imposed, the authority having jurisdiction shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant’s land that is the subject of the application.
- 2.16.8 The written notice required pursuant to Subsection 2.16.7 shall:
 - (a) contain a summary of the application for minor variance;
 - (b) provide a reason for and an effective date of the decision;
 - (c) indicate that an adjoining assessed owner may within twenty (20) days, lodge a written objection with the authority having jurisdiction; and

- (d) where there is an objection described in Subsection 2.16.8(c), advise the applicant of the right of appeal to the Development Appeals Board.
- 2.16.9 The written notice required pursuant to Subsections 2.16.6, 2.16.7 or 2.16.11 shall be delivered:
- (a) by registered mail; or
 - (b) by personal service.
- 2.16.10 A decision approving a minor variance, with or without terms and conditions, does not take effect:
- (a) in the case of a notice sent by registered mail, until twenty-three (23) days from the date the notice was mailed; or
 - (b) in the case of a notice that is delivered by personal service, until twenty (20) days from the date the notice was served.
- 2.16.11 If an assessed owner of property having a common boundary with the applicant's land objects, in writing, to the authority having jurisdiction respecting the approval of the minor variance within the time periods prescribed in Subsection 2.16.10, the approval is deemed to be revoked and the authority having jurisdiction shall notify the applicant in writing:
- (a) of the revocation of the approval; and
 - (b) of the applicant's right to appeal the revocation to the Development Appeals Board within thirty (30) days of receiving the notice.
- 2.16.12 If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within thirty (30) days of the date of that decision.
- 2.16.13 No application for a minor variance which has been refused shall be resubmitted for twelve (12) months from the date of the notice of the decision, except on grounds of new evidence which finds the original decision invalid.

2.17 Offenses and Penalties

Prosecution for breach of any of the provision of this Bylaw except Sections 3.24 and 3.25 shall come under Section 221 of the *Planning and Development Act, 1983*.

2.18 Former Bylaws Repealed

Bylaw No. 1 - 1988 of the City of Swift Current and amendments thereto are hereby repealed.

PART THREE GENERAL LAND USE REGULATIONS

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

3.1 Licences, Permits and Compliance with Other Bylaws

- 3.1.1 Nothing in this Bylaw shall exempt any person from complying with the requirements of, or from obtaining any permission required by this, or any other City Bylaw, or Provincial or Federal Act.
- 3.1.2 Where the provisions in this Bylaw conflict with those of any other City, Provincial or Federal requirement, the higher or more stringent standards shall prevail.

3.2 Infill Development

Infills shall be permitted only within the designated infill areas. These areas are indicated on the map entitled “Inner City Areas” - Schedule “C” of this Bylaw.

3.3 Mobile Homes/Manufactured Homes

Mobile Homes/Manufactured Homes shall be used or occupied only as permanent living or sleeping quarters in the Mobile/Manufactured Home District, subject to the regulations contained herein, except that in any Industrial District, one (1) mobile home or trailer coach may be used as accommodation for caretakers or watchmen, or persons similarly employed, Such mobile home or trailer coach shall be connected to a potable water supply, a sanitary sewer system or approved holding tank, and electric power.

3.4 Trailer Coaches

- 3.4.1 One (1) trailer coach for temporary overnight sleeping accommodation for guests of the principal family or household may be permitted in any Residential District and only in the side or rear yards on the site of the premises occupied by the principal family or household; provided that the trailer coach shall not be rented or made available for compensation and that the persons sleeping in the trailer coach shall, at all times, have the full use of the facilities and amenities of the dwelling on which site the trailer coach is located.
- 3.4.2 With respect to a Residential District, temporary overnight sleeping accommodation shall be deemed to mean a total time period not exceeding fourteen (14) days in any three (3) month period;

- 3.4.3 temporary accommodation of workers involved in construction on a site may be permitted on that site at the discretion of the authority having jurisdiction.

3.5 Tents

- 3.5.1 No tents shall be erected, used, or maintained for living quarters other than in a permitted tourist campsite, except that the use of one (1) tent for temporary overnight sleeping accommodation for members of the principal family or household, or their guests may be permitted in a Residential District only in the rear or side yards; provided, however, that the persons sleeping in such tent shall, at all times, have the full use of the facilities and amenities of the dwelling on which site the tent is located.
- 3.5.2 Temporary overnight sleeping accommodation shall be deemed to mean a total time period not exceeding fourteen (14) days in any three (3) month period.

3.6 Number of Principal Buildings on a Site

No more than one (1) principal building shall be allowed per site in R1, R1A, R2, and R5 -Districts.

3.7 Public Utilities

Public utilities shall be permitted in every zoning district, and unless otherwise specified by this Bylaw, no minimum site area or yard requirements shall apply. Notwithstanding the foregoing, the City require site specific development standards for the utility to ensure municipal matters are addressed.

3.8 Accessory Buildings

- 3.8.1 Subject to all other requirements of this Bylaw, an accessory building or structure is permitted in any district when it is an accessory to a principal building which is a permitted or discretionary use in that same district, and for which a Development Permit has been issued.
- 3.8.2 No accessory building or structure shall be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory. This provision may be waived by the authority having jurisdiction in the case of planned and approved staging of development.
- 3.8.3 Unless otherwise permitted:
 - (a) no accessory building or structure shall be erected in or encroach on the required front yard of the site;

- (b) no accessory building or structure shall, in any Residential or Commercial District, exceed 3.7 metres in height, measured from finished grade level to the highest point of the wall surface;
- (c) on a corner site, no accessory building or structure shall be erected in or encroach on the required side yard which is adjacent to the street; and
- (d) the maximum permitted coverage in a rear yard by a accessory buildings shall be determined by means of Graph No. 3.8.A which forms part of this Bylaw. For the purpose of calculation of rear yard coverage in the case of a dwelling group, as defined by this Bylaw, the total area of the rear yard may include that area of open space included in a courtyard located on the site.

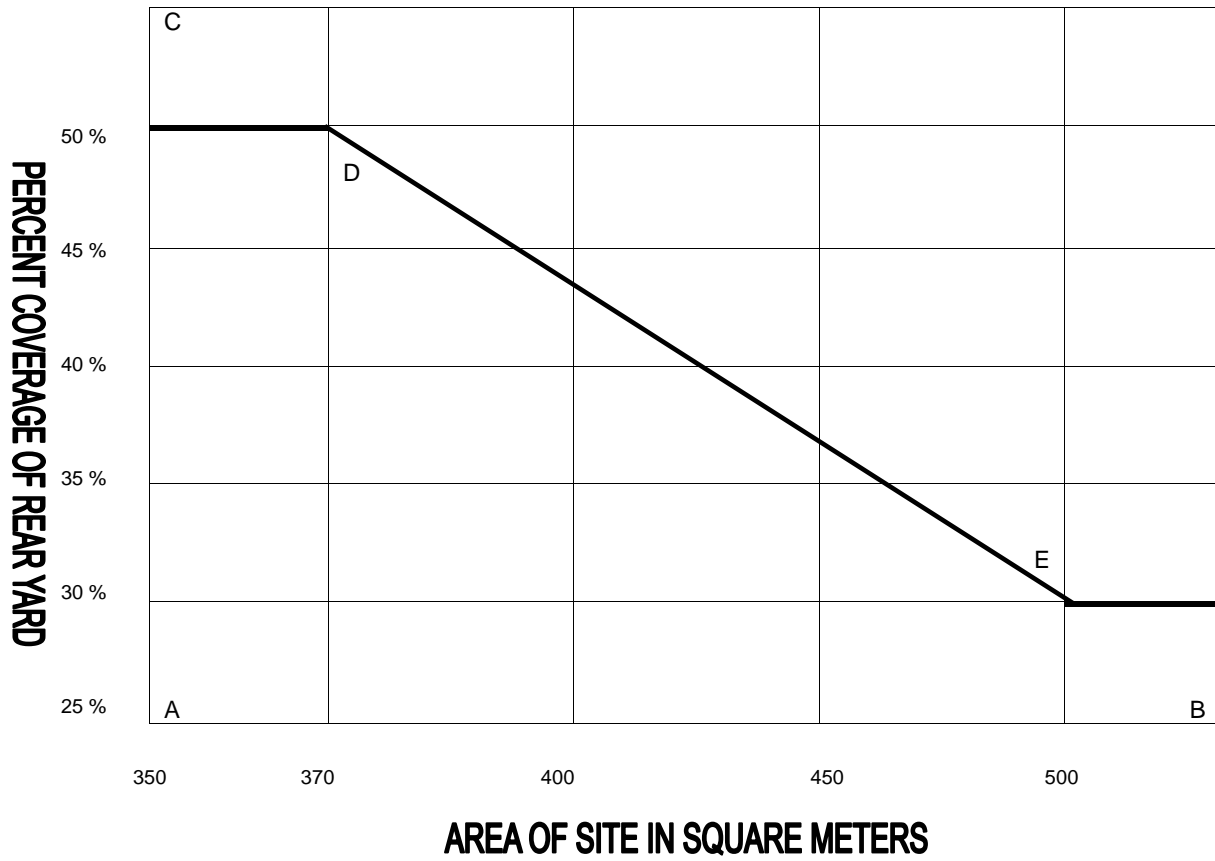
3.8.4 The following shall apply in the interpretation of the standards established in Graph No. 3.8.A:

- (a) the horizontal base line A-B represents site area in square metres from 350.0 to 500.0 square metres;
- (b) the vertical base line A-C represents percent coverage of rear yard for 25 to 50 %;
- (c) the maximum permitted rear yard coverage for sites between 370.0 and 500.0 square metres in area shall be determined by locating the vertical coordinate for the site on the line D-E and then establishing the values of the horizontal coordinate on the vertical axis as a percentage coverage of the rear yard.

3.8.5 For sites having an area more than 500.0 square metres no accessory building shall occupy more than 30 % of the area of a rear yard.

3.8.6 For sites having an area less than 370.0 square metres no accessory building shall occupy more than 50 % of the area of a rear yard.

GRAPH NO. 3.8.A



(Bylaw No. 13 – 2011)

3.8A Shipping Containers

3.8A.1 General Regulations for All Shipping Containers:

All shipping containers shall comply with the following regulations and site requirements:

- (a) The application for permit for all shipping containers shall be as prescribed by the Development Officer, and no shipping container shall be used, placed, or stored unless as approved by the Development Officer;
- (b) The application for permit shall be in writing to the City Engineering Department, accompanied by a fee as outlined in Schedule “D” of this Bylaw;
- (c) Shipping containers shall not create a safety hazard;
- (d) Shipping containers shall not be used as a dwelling;
- (e) Shipping containers shall be kept clean and well maintained, and placed in an orderly manner;
- (f) Shipping containers are prohibited for storage of junk, trash, or other forms of refuse;
- (g) Shipping containers shall not block or obstruct any exits, windows, required off-street parking spaces, driveways or access to public utilities and/or right-of-ways;
- (h) Shipping containers shall not be placed for the sole purpose of display or advertising;
- (i) Shipping containers shall not be used for the purpose of screening or fencing;
- (j) Shipping containers shall comply with any other regulation of the Zoning Bylaw and/or other bylaw, policy or statute as required.

3.8A.2 Shipping containers as a principal use, building or structure are permitted in an Industrial District only, and shall comply with the regulations of that district and any other bylaw, policy or statute as required.

3.8A.3 Temporary Use Shipping Containers:

The temporary use of shipping containers shall comply with the following regulations and site requirements:

- (a) The temporary shipping container(s) may be placed temporarily on a site in any district:
 - i. during construction on a site when the shipping container is utilized solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for construction on the site; or
 - ii. for the purpose of loading and unloading of items associated with the principal use, and for a period of not more than ten (10) days; the Development Officer may grant one (1) extension of up to ten (10) days for large-scale projects.
- (b) The temporary shipping container(s) must not be placed within 1.2 metres of the back of sidewalk or curb, or within 1.2 metres of the side or rear property lines.
- (c) The temporary shipping container(s) shall be removed from the site:
 - i. upon completion of the construction;
 - ii. upon expiration of the building permit;
 - iii. on expiration of the allowed time period; or
 - iv. no later than seven (7) days after notice to remove is issued by the Development Officer.

3.8A.4 Accessory Use Shipping Containers:

The accessory use of shipping containers shall comply with the following regulations and site requirements:

- (a) No shipping container(s) used as accessory buildings or structures shall be placed or stored on any site other than a site in an Industrial, Highway Commercial, Shopping Center Commercial, or Reserve District.
- (b) The accessory use shipping container(s) shall only be used for storage purposes accessory to the permitted or discretionary principal use of the site for which a Development Permit has been issued.
- (c) The accessory use shipping container(s) shall have an exterior finish to match or complement the exterior finish of other buildings on the site. If the exterior finish is not acceptable the Development Officer may require the container to be re-finished.
- (d) The accessory use shipping container(s) shall only be placed in a rear yard, or in a side yard but not project beyond the front building line of the principal building.
- (e) The accessory use shipping container(s) must comply with any minimum rear yard and side yard setbacks as required.

- (f) Accessory use shipping containers shall not be stacked one upon another.
- (g) The accessory use shipping container(s) shall have a concrete foundation and floor or equivalent acceptable to the Development Officer.
- (h) The maximum number of accessory use shipping containers on any site in a Commercial District is two (2); in Industrial Districts, the requirements of subsections 3.8.4, 3.8.5, and 3.8.6 shall apply.
- (i) No accessory use shipping container shall exceed 3 metres high, 3 metres wide and 12.5 metres long.
- (j) The accessory use shipping container(s) must be screened from view from any street or any adjacent residential, commercial, and/or institutional uses, and/or park or recreation facility; typical methods of screening may include exterior cladding, solid fencing, hedges or trees, or other similar barrier screen approved by the Development Officer.

3.9 Minimum Yards Required

No yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this Bylaw, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected.

3.10 Permitted Obstructions in Required Yards

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

3.10.1 In all required yards

- (a) steps or decks 1.5 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane;
- (b) trees, shrubs, walks, trellises or flag poles; and/or
- (c) cantilevered floor area, projecting not more than 0.6 metres into the required yard.

3.10.2 In required front yards:

- (a) eaves and gutters projecting not more than 1.0 metre into the required yard;

- (b) lamp posts or lighting fixtures;
- (c) canopies or balconies projecting not more than 1.3 metres into the required yard; and/or
- (d) sills, belt courses, pilasters, or other similar vertical columns, cornices or chimneys, projecting not more than 0.6 metres into the required yard.

3.10.3 In required rear yards:

- (a) accessory buildings/equipment, subject to all other requirements of this Bylaw;
- (b) canopies or balconies projecting not more than 1.3 metres into the required yard;
- (c) eaves and gutters, sills, belt courses, pilasters and other similar vertical columns, cornices or chimneys, projecting not more than 1.0 metres into the required yard;
- (d) laundry drying lines or umbrellas; and/or
- (e) private outdoor open air recreational facilities including swimming pools or tennis courts.

3.10.4 In required side yards:

- (a) canopies or balconies provided they do not project into more than 25% of the required yard;
- (b) sills, belt courses, pilasters and other similar vertical columns, cornices, eaves and gutters, bay windows, or chimneys projecting not more than 0.6 metres into the required yard; and/or
- (c) accessory buildings/equipment, subject to all other requirements of this Bylaw, underground parking structures, laundry drying lines or umbrellas, or private outdoor open air recreational facilities including swimming pools or tennis courts.

3.11 Outdoor Storage

- 3.11.1 No front yard shall be used for the storage or collection of goods, products, materials or equipment except as permitted in Subsections 3.11.2 and 3.11.3 and in Industrial Districts.
- 3.11.2 Subject to Subsection 3.11.3, this Section shall not prohibit the customary display of goods, products, materials or equipment intended and permitted to be sold or rented on a site.

- 3.11.3 Outdoor display of goods, products, materials or equipment for sale or rent shall be subject to the following requirements:
- (a) The display area shall be constructed in a manner consistent with other developments in the area; and
 - (b) Additional access, parking, screening or lighting shall be provided as required by the authority having jurisdiction.
- 3.11.4 Outdoor storage of goods, products, materials or equipment on a site in a Commercial or Industrial District shall be fenced or screened as required by the authority having jurisdiction.
- 3.11.5 Outdoor storage is permitted in a side or rear yard in any Residential District provided that the goods or materials being stored are clearly accessory and incidental to the principal use of the property and kept in a neat and tidy manner.
- 3.11.6 In Residential Districts, there shall be no outdoor storage of:
- (a) Inoperable, dilapidated, wrecked or dismantled motor vehicles; and/or
 - (b) More than two (2) unlicensed operable motor vehicle per site.

3.12 Storage of Hazardous Substances

The storage of chemicals, fertilizers and similar hazardous or combustible materials are subject to the requirements of the *Hazardous Substances Regulations* administered by Saskatchewan Environment. All necessary requirements and permits shall be met and/or obtained.

3.13 Development Standards Considerations

To achieve conformity with the requirements of the Development Plan and Zoning Bylaws, Council may establish and incorporate the following development standards for permitted and discretionary uses, subdivisions or discretionary forms of development on the Development Permits:

- 3.13.1 mitigating measures identified to address any potentially inappropriate environmental conditions which may be created or compounded by the development;
- 3.13.2 landscaping, buffering and screening to enhance the site and create a sensitive interface between differing land uses;
- 3.13.3 building sizes, shapes and layouts to reflect the character of the adjacent land uses and structures;

- 3.13.4 sufficient amenities (recreational, aesthetics, services) to address the needs of the individuals utilizing the development;
- 3.13.5 conservation, mitigative and rehabilitation measures to maximize critical wildlife habitats, heritage and archaeological areas; and/or
- 3.13.6 servicing agreements pursuant to Section 143 of *The Planning and Development Act, 1983*.

3.14 Site Access

- 3.14.1 Each site shall have direct vehicular access to a street.
- 3.14.2 The final location of all approaches and the number of site accesses shall be at the discretion of the authority having jurisdiction and conform to the City Sidewalk Crossing Bylaw.

3.15 Salvage Yards

Auto wreckers, auto repair shops, body shops, and similar uses containing salvage yards shall have such yards in conformance to the following development standards:

- 3.15.1 such uses shall not be located in the front yard setback;
- 3.15.2 such uses shall be totally hidden from the view of the travelling public, provincial highways, any public street or adjacent residential development by utilizing any of the following measures:
 - (a) distance and careful location;
 - (b) natural and planted vegetation;
 - (c) an earth berm;
 - (c) an opaque fence;
 - (d) a building; and/or
 - (f) other appropriate methods approved by Council.

3.16 Fire Pits and Barbecues

A outdoor fire pit, fixed barbecue, fireplace or stove shall require a permit from the City Fire Department and shall not be located in a front or side yard.

3.17 Satellite Dishes

A satellite dish larger than 1.0 metres in diameter shall require a permit from the City Engineering Department and shall not be located in a front yard.

3.18 Solid and Liquid Waste Disposal Facilities

Development and maintenance of a solid or liquid waste disposal facility will be subject to the following standards:

- 3.18.1 development and site maintenance shall be in accordance with Provincial environmental and health regulations;
- 3.18.2 solid waste disposal facilities shall be located at least 457.0 metres from any residence, and liquid waste disposal facilities shall be located at least 300.0 metres from any residence;
- 3.18.3 disposal areas shall be surrounded by a buffer strip containing trees, shrubs or a berm;
- 3.18.4 solid or liquid waste disposal facilities shall be fenced;
- 3.18.5 adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- 3.18.6 solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road; and
- 3.18.7 the development of new disposal sites shall take into consideration the direction of the prevailing winds.

3.19 Height of Certain Buildings

- 3.19.1 In districts where the maximum allowed height of buildings is less than 23.0 metres, a public or semi-public building, public utility building, hospital or school may be erected to a height exceeding 23.0 metres; provided, that it is a permitted use and if such buildings are located in a Residential District, shall be provided side yards, where the side yard is not adjacent to a street or lane, of a width not less than 6.0 metres, plus an additional 0.4 metres for every 0.3 metres by which the building exceeds the height limit of the district in which it is situated.
- 3.19.2 The height limitation of this Bylaw shall not apply to chimneys, towers, church spires, belfries, cupolas, mechanical penthouses, radio towers, monuments and necessary mechanical appurtenances usually carried above roof level.

Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve and shall not exceed in gross area more than 10% of the building roof area.

3.20 Non-Conforming Residential Lots

3.20.1 Intent

The City recognizes that there are many existing non-conforming residential lots in the older areas and that it is necessary to have special regulations to allow for development on these lots.

3.20.2 Regulations

The following special regulations apply to existing non-conforming residential lots:

- (a) Development of a single-detached dwelling shall only be allowed on non-conforming lots within the Inner City Area as set out in Schedule “C” of this Bylaw.
- (b) Non-conforming lots created prior to the adoption of this Bylaw, regardless of area or dimensions, may be used for any single-detached dwelling in an R2, R3 or R5 - District provided that the minimum setbacks as provided in each residential zone are adhered to, except as permitted in Subsections 3.20.2(c) and (d).
- (b) The minimum side yard shall be 1.2 metres except on a corner lot where the flanking street side yard shall not be less than 2.4 metres.
- (c) The minimum front yard shall be:
 - (i) 7.0 metres in an R2 - District;
 - (ii) 4.6 metres in an R3 - District;
 - (iii) 6.0 metres in an R5 - District; or
 - (iv) such front yard as allowed under Subsection 3.21.5 of this Bylaw.

3.21 Yard Regulations For Certain Buildings

3.21.1 A through site (one abutting a roadway on two (2) opposing sides) shall have one (1) of the site lines deemed to be the front yard by the authority having jurisdiction.

3.21.2 A building on a through site shall have a front yard not less than the front yard of the existing buildings in the block in which the building is located.

3.21.3 Where dwellings are erected above stores, or other commercial or industrial

uses, to a depth not exceeding two (2) rooms from front to rear, no side yards are required other than as specified for the principal building; provided however, that where dwellings are to a greater depth than two (2) rooms, side yards will be provided in accordance with the provisions relating to an R3District unless otherwise specified within the zoning district.

3.21.4 No cornice shall project over the street line more than 5% of the width of such street, and shall in no case project more than 1.3 metres.

3.21.5 The authority having jurisdiction may issue a Development Permit for a development or addition to an existing development in a Residential District where, a lot is situated between two (2) lots each containing a principal building with front yards less than the minimum requirement of the District, the front yard for the proposed development may be reduced to meet a line drawn from the nearest front corners of the adjacent principal buildings.

3.22 Off-street Parking and Loading Regulations

3.22.1 The off-street parking and loading provision of this Bylaw shall apply as follows:

- (a) All off-street parking stalls:
 - (i) required by this Bylaw shall be on the same site as the principal building or use; or
 - (ii) may be provided on a lot which is separate from that containing the building or structure for which it is provided. The said separate parking lot or area shall not be more than 150.0 metres away from such building or structure. There shall be recorded in the office of the City Clerk, a registerable agreement between the City and the owner of the lot, the said agreement shall be binding on the said owner, his heirs and successors restricting the use of the lot for the purpose of off-street parking so long as the main use or building for which the parking is provided exists. An interest shall be registered against the said lot with Information Services Corporation of Saskatchewan by the City.
- (b) No person shall, within any district established by this Bylaw, erect, enlarge or alter any building or structure permitted under this Bylaw, unless the required off-street parking and loading spaces as defined in each section are provided and maintained.
- (c) When the intensity of the use of any building, structure, or premise is increased through the addition of dwelling units, floor area, seating capacity, or other units of measurements, the additional required off-street parking and loading spaces as required herein shall be provided for such increase in intensity of use.

- (d) Whenever the existing use of a building or structure is changed to a new use, off-street parking and loading spaces shall be provided as required for such new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional off-street parking or loading spaces are mandatory only in the amount by which the requirements for the new use shall exceed those required for the existing use.
- (e) Subsections 3.22.1(c) and (d) do not apply to buildings and development existing prior to the effective date of this Bylaw and located within a C1 District.
- (f) Off-street parking and loading spaces shall be provided and satisfactorily maintained by the owner of the property as specified for the districts.
- (g) A parking space shall be a rectangular area measuring not less than 2.7 metres by 6.0 metres, exclusive of access drives or aisles, ramps, or columns and shall have a vertical clearance of at least 2.0 metres.
- (h) For parallel parking, the length of a parking space shall be 6.7 metres.
- (i) Whenever there is more than one (1) principal building developed on a site, each principal building will be required to provide off-street parking and loading spaces as specified under this Bylaw. While the parking areas can be attached, the total number of parking and loading spaces shall be the sum of the parking requirements for each principal building.
- (j) Where the number of off-street parking and loading spaces is determined by reference to a unit such as floor area or the number of seats, the next higher number shall be taken where the calculation results in a fractional number of 0.5 or more.

3.22.2 Parking Lot Layout

The minimum standards for parking lots are set out in Schedule "E" of this Bylaw.

3.22.3 Size of loading spaces

A loading space shall be a rectangular area measuring not less than 3.0 metres by 7.6 metres, exclusive of aisles and maneuvering space, shall have a vertical clearance of at least 4.0 metres and have adequate means of access to and from a public street or lane.

3.22.4 Paving/Marking of Parking

- (a) Where a City street abutting the development site is asphalt paved, all driveways and parking areas within the development site shall be hard surfaced with asphalt or concrete.
- (b) Where City streets abutting the development site are not asphalt paved at the time of development, the developer or property owner is required to pave all driveways and parking areas within the development at the same time that the City paves a street abutting the development site.
- (c) All parking spaces provided on paved surfaces shall be clearly demarcated to meet the minimum size requirements established by this Bylaw.

3.22.5 Parking for the Physically Challenged

Special provision shall be made for parking for the physically challenged as follows:

- (a) the number of required parking spaces to be designated for the physically challenged shall be determined as follows:

<u>TOTAL REQUIRED PARKING SPACES</u>	<u>NO. OF SPACES FOR THE PHYSICALLY CHALLENGED</u>
Less than 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% OF TOTAL
over 1000	20 + 1% OF AMOUNT OVER 1000

- (b) notwithstanding Subsection 3.22.1(g) hereof, a parking space for the physically challenged shall measure not less than 3.6 metres by 6.0 metres exclusive of access drives, aisles, ramps, or other obstructions, and shall have a vertical clearance of at least 2.8 metres;
- (c) parking spaces provided for the physically challenged shall be hard surfaced, level and located as close as possible to an entrance to the building or structure; and

- (d) parking spaces provided for the physically challenged shall be clearly marked for use by such persons with a pole or wall sign and pavement symbol.

3.22.6 Off-street Parking Standards

Off-street parking shall be provided in accordance with the following table:

TABLE 3.22.6

Zoning District	Use	Number of Spaces Required
R1, R1A, R1S, R2, R3, R4, R5	Single-detached, semi-detached, two-unit dwellings and mobile/manufactured homes	1 parking space for each dwelling unit
	Multiple-unit dwellings (exceeding 2 units)	1.5 parking spaces for each dwelling unit plus 1 visitor parking space for each 3 dwelling units.
	Boarding, lodging, rooming houses, or bed and breakfast facilities	1 parking space for the main dwelling unit plus 1 parking space for each boarding/lodging/rooming unit.
	Senior citizens apartments	1 parking space for each 3 dwelling units plus 1 visitor parking space for each 10 dwelling units but in no case less than 1 visitor parking space.
	Elementary schools, private schools, junior high schools, nursery and kindergarten	1 parking space for each classroom plus 4 additional spaces.
	Senior high schools	5 parking spaces for each classroom plus 1 space for each 10.0 square metres of assembly room floor area
	Dormitories, hostels and other similar uses	1 parking space for the main dwelling unit plus 1 space for each 2 rooming units
	Auditoriums, churches and other places of public assembly	1 parking space for each 10.0 square metres of building area devoted to public assembly or 3 parking spaces for each 10 seats provided for patrons, whichever is greater
	Hospitals	1 parking space for each 100.0 square metres of gross floor area
	Residential Care Facility	1 parking space for each 5 beds or dwelling units plus 1 parking space for each employee on shift
Bylaw No. 4-2011	Custodial Care Facility	1 parking space for each 5 beds or dwelling units plus 1 parking space for each employee on shift
Bylaw No. 4-2011	All other main buildings and uses	1 parking space for each 30.0 square metres of gross floor area

Zoning District	Use	Number of Spaces Required
C1	Retail stores and shops	1 parking space for each 20.0 square metres of sales floor area
	Restaurants and other eating and/or drinking establishments	1 parking space for each 4 seats or 1 parking space for each 10.0 square metres of floor area used for serving patrons, whichever is greater
	Hotels	1 parking space for each 2 guest units
	Theatres, clubs and other places of public assembly	1 parking space for each 4 seats provided for patrons
	Apartments	1 parking space for each dwelling unit
	Senior citizens apartments	1 parking space for each 3 dwelling units
	Wholesale stores	1 parking space for each 50.0 square metres of gross floor area
	All other main buildings and uses including government buildings	1 parking space for each 40.0 square metres of gross floor area
C2	Stores, shops and offices	1 parking space for each 30.0 square metres of sales floor area
	Restaurants	1 parking space for each 4 seats or 1 parking space for each 10.0 square metres of floor area used for serving patrons, whichever is greater
	Apartments	1 parking space for each dwelling unit
C3	Motels, motor hotels	1 parking space for each guest unit
	Restaurants and places of public assembly	1 parking space for each 4 seats or 1 parking space for each 10.0 square metres of floor area used for serving patrons, whichever is greater
	Schools	5 parking spaces for each classroom plus 1 space for each 10.0 square metres of assembly room floor area
	All other buildings or uses	1 parking space for each 28.0 square metres of gross floor area

Zoning District	Use	Number of Spaces Required
C4	Restaurants, cafes, lunch counters, beverage rooms, cocktail lounges and Coffee houses	1 parking space for each 4 seats or 1 parking space for each 10.0 square metres of floor area used for serving patrons, whichever is greater
C4	All other permitted uses	1 parking space for each 30.0 square metres of gross floor area
M1, M2	All main buildings or uses	1 parking space for each 100.0 square metres of gross floor area
T1	Day care centers	1 parking space for each play or class room plus 4 additional spaces
	Restaurants	1 parking space for each 4 seats or 1 parking space for each 10.0 square metres of floor area used for serving patrons, whichever is the greatest
	All other permitted uses	1 parking space for each 30.0 square metres of gross floor area

3.22.7 Parking Lots

The following regulations shall apply to all parking lots:

- (a) When a parking lot is located within a Residential District without the intervention of a street or lane, that portion of the parking lot nearest to a residential unit shall have a boundary wall or solid screen fence which is approved by the authority having jurisdiction and which shall not be less than 1.5 metres in height above grade level;
- (b) In addition to the requirements of Subsection 3.22.7(a), Council may increase the standards for fencing, buffer width or landscaping for parking lots associated with restaurants, lounges, taverns or other uses which generate a high volume of traffic or regularly attract clients outside of daytime hours;
- (c) All areas of the parking lots to which vehicles have access shall be hard surfaced to provide a dust-free surface, at the expense of the property owner; and
- (d) Parking lots shall provide adequate storm water drainage and storage as required by the authority having jurisdiction.

3.22.8 Payment In Lieu Of Required Off-Street Parking Spaces

- (a) Pursuant to Section 75 of *The Planning and Development Act, 1983*, Council may exempt any person who constructs a new building or structure in the C1-District from the requirement of providing the off-street parking spaces where, in lieu thereof said person, pays or agrees in writing to pay the City the sum as outlined in Schedule "D" of this Bylaw for each off-street parking space that would otherwise be required and that the entire payment in lieu thereof shall be adequate for the duration of the existence of the same level of use and amount of development of the building on the site. Subsequent changes in use and/or development are subject to Subsection 3.22.1(c) and (d).
- (b) The payment of or written agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.
- (d) A person who pays or agrees in writing to pay the sum required in lieu of providing off-street parking spaces shall not be required to provide those spaces and the buildings or structures in respect of which such payment or agreement is made shall be treated as having the required off-street parking spaces.

3.23 Kennels

- 3.23.1 Commercial kennels shall not be located closer than 150.0 metres to a Residential District.
- 3.23.2 In any Residential District, only one (1) private dog kennel to house a maximum of two (2) dogs shall be permitted on any one (1) site and it shall be situated not less than 18.5 metres from the street in front, 4.6 metres from any other street, 1.0 metre from any common property line and 5.0 metres from a neighbouring dwelling.
- 3.23.3 A private dog kennel shall be considered an accessory use.

3.24 General Sign Regulations

The intent of the sign regulations contained in this Bylaw are to protect property values, enhance the physical appearance of individual zoning districts, prevent potential traffic safety hazards that may be caused by distracting and obstructing signs, and to prevent potential pedestrian safety hazards that may be caused by signs projecting into a public right-of-way.

- 3.24.1 No person shall erect or structurally alter any sign without first obtaining a permit from the City.
- 3.24.2 Application for a permit, other than for a portable sign, shall be in writing to the City Engineering Department, accompanied by a fee as outlined in Schedule “D” of this Bylaw and by a drawing showing the dimensions, manner of suspension or erection, and other aspects sufficient to enable the authority having jurisdiction to obtain complete information with respect to the sign.
- 3.24.3 In compliance with the requirements set out for each respective zone and upon the authority having jurisdiction being satisfied with the information submitted that the erection or placing of the sign shall comply with this Bylaw, the authority having jurisdiction may issue a permit for the erection of the sign, said permit shall remain in force for a period of sixty (60) days from the date of issuance of same.
 - (a) If the work on the installation of a sign for which a permit has been issued is not completed within sixty (60) days from the date of issuance of the permit, such permit shall lapse and the permit holder shall not proceed with further work on the sign.
 - (b) The holder of a permit which has lapsed may, upon showing good cause why any work or installation has not been completed, be granted an extension of time for a period to be determined by the authority having jurisdiction.

- (c) The authority having jurisdiction shall have the right to revoke any permit prior to the expiration of the said sixty (60) day period, if, in the authority's opinion, the sign is being erected in a manner other than set out in the application or drawings submitted or for non-compliance with the provisions of this or any other Bylaw.
 - (d) The Notice of Revocation shall be in writing and issued to the applicant either by registered mail or personal service at the address given in the application for the permit. If service is by registered mail, the receipt from the Post Office for such registered letter shall be sufficient proof of such service.
- 3.24.4 Except as expressly permitted in a City Billboard Bylaw, billboard signs shall not be permitted in the City.
- 3.24.5 In addition to the requirements set out in Subsection 4.15.11 provisions and regulations of this Section shall apply to all fascia, awning and rooftop signs and all canopies, with or without signs in all Commercial, Industrial and Transitional Districts.
- (a) Signs may cover up to 30% of the area of each building face. Every building face that is visible on a building is allowed the 30% coverage. If one building extends above another building the visible area of the taller building face may be used for signage, provided that the property owner of the lower building gives written permission, with the 30% coverage applying to the visible face of the building that extends above the other building.
 - (b) There shall be no limit to the number of signs on any building face providing that the total area of all signs on a building face does not exceed 30% of the area of that building face.
 - (c) The area of a sign shall be the area of a polygon drawn around the complete sign including logos, figures, emblems or pictures used on the sign. The area of a sign using individual letters shall be the area of a polygon drawn around all of the letters.
 - (d) The sign area of an awning, canopy or projecting sign shall be included in the 30% sign coverage on the face of the building from which the awning, canopy or sign projects.
 - (e) The area of a window sign shall be included in the 30% sign coverage on the face of the building where the window is located.
 - (f) A roof sign shall not project more than 2.0 metres above the roof or parapet of a building. The area of a roof sign shall be included in the 30% sign coverage of that face of the building in which direction the sign faces. The area of the roof sign shall not be included in the building face area.

- 3.24.6 Signs may be permitted on awnings, canopies or marquees provided that:
- (a) no sign shall extend beyond the bottom portion of such canopy or marquee;
 - (b) signs are illuminated by indirect lighting; and
 - (c) the lighting shall not be intermittent or flashing.
- 3.24.7 Provisions of this Bylaw shall not apply to signs erected or required by governmental agencies, including legal notices, identification, informational or directional signs.
- 3.24.8 A fascia sign shall not project more than 0.3 metres beyond a building wall.
- 3.24.9 A balloon or inflatable sign shall only be permitted in a Commercial District provided that it is of a temporary promotional nature and would not create a hazard with respect to its proximity to surrounding land uses and development.
- 3.24.10 Sandwich Board Signs.
- (a) Only one (1) sandwich board sign per business shall be allowed on the sidewalk abutting the said business.
 - (b) The sandwich board sign shall be of sturdy construction, meeting the approval of the authority having jurisdiction.
 - (c) Sandwich board signs shall be placed in such a position as not to impede the flow of pedestrian traffic or parked vehicles.
 - (d) Sandwich board signs shall be a maximum of 1.2 metres wide and 1.0 metres high.
 - (e) Sandwich board signs shall be weighted so they do not move in the wind.
- 3.24.11 The following regulations apply to signs at service stations in addition to other sign regulations of this Bylaw:
- (a) Free Standing Canopies:
 - (i) signs may cover up to 30% of the area of each face of the canopy.
 - (b) Pump Island Signs:
 - (i) shall not exceed 2.0 metres in height or have an area exceeding 0.3 square metres.
- 3.24.12 Frame or metal signs advertising the goods sold within the premises or designating trade name of the business may be attached flat to the wall or other adequate supports approved by the authority having jurisdiction.

- 3.24.13 As a condition of erecting, installing or continuing the use of any sign, the owner thereof or his agent shall keep the frame and sign painted and in a good state of repair. Any sign which, in the opinion of the authority having jurisdiction is in a dangerous or defective condition shall be immediately repaired or removed as the authority having jurisdiction may direct.
- 3.24.14 Unless approved by Council, no person shall place or attach any poster, bill, garage sale sign or announcement of any kind on any fence, bridge, building, utility pole, or other public property including a public roadway, City owned right-of-way, boulevard or sidewalk.
- 3.24.15 When a business is discontinued the existing sign may continue in use if the new business conducted therein is of the same nature, but if the new business is of a different nature, the existing sign shall be removed and the operator of such new business shall apply to install a new sign advertising the new business.
- 3.24.16 The installer and owner of a sign shall agree to hold harmless and indemnify the City, its officers, agents, and employees from any and all damages and claims of negligence resulting from the erection, alteration, relocation or maintenance of a sign.
- 3.24.17 (a) The owner of any sign hereafter erected in contravention of this Bylaw shall remove such sign on fourteen (14) days written notice or order given by the authority having jurisdiction.
- (b) If any existing sign has fallen into a state of disrepair or has become a potential hazard or danger to the safety of the public, the sign shall, upon fourteen (14) days written notice or order given by the authority having jurisdiction, be either removed or repaired by the owner to the satisfaction of the authority having jurisdiction.
- (c) The notice or order referred to in Subsections 3.24.17(a) and (b) shall be served on the owner, by registered mail at his last known address and the date on the receipt from the Post Office shall constitute sufficient evidence of such service, or, where the owner resides in the City, such notice or order may be delivered by personal service.
- (d) If the owner fails to comply with the notice or order within the fourteen (14) day period, the sign may be removed by the City and the costs of removal shall be payable by the owner of the sign.
- 3.24.18 Any person who obstructs the City from removing a sign or violates any other provision of Section 3.24 of this Bylaw is guilty of an offence and is liable to a voluntary payment of not less than \$50.00 and not more than \$200.00.
- 3.24.19 Where the City incurs any costs in removing a sign under Subsection 3.24.17(d) hereof, a residing Magistrate or Justice of the Peace may adjudge payment of the costs of removal in addition to the fine, as the case may be.

3.25 Portable Sign Regulations

- 3.25.1 Portable signs shall conform to the following regulations:
 - (a) No person including the sign owner shall display any portable sign before submitting an application indicating the location of sign and obtaining a sign permit from the City.
 - (b) Application for a permit shall be in writing made to the City Engineering Department and shall be accompanied by a fee as outlined in Schedule “D” of this Bylaw.
 - (c) Portable signs shall be permitted in Commercial and Industrial Districts. But, may be permitted in other zoning districts only on sites where commercial, recreational, institutional, historic and other non-residential uses are located.
 - (d) Portable signs shall be of sturdy construction, meeting the approval of the authority having jurisdiction and such signs shall not be greater than 3.0 square metres in area and the height shall not exceed 2.2 metres above grade level.
 - (e) No person shall place a portable sign on any property in a manner which conceals or interferes with official traffic signs or signals, vehicular traffic or pedestrian movement.
 - (f) Portable signs shall be located only on the site of the business obtaining the permit and the information on the sign shall apply to the said business.
 - (g) No part of a portable sign including electrical cords shall be located on a public roadway, including a City owned right-of-way, boulevard or sidewalk.
 - (h) No person including the sign owner shall display:
 - (i) more than one (1) portable sign for every 30.0 metres or part thereof of street frontage, or
 - (ii) a portable sign for a period exceeding one hundred and eighty (180) days in total during one (1) calendar year.
- 3.25.2 Portable signs shall be removed promptly at the completion of permit date, or the sign may be removed by the City. A charge of \$100.00 shall be payable by the owner of the sign or their agent for such removal.
- 3.25.3 Any person who obstructs the City from removing a sign or violates any other provision of Section 3.25 of this bylaw is guilty of an offence and is liable to a voluntary payment of not less than \$50.00 and not more than \$200.00

3.26 Awnings, Canopies or Marquees

Awnings, canopies and marquees shall comply with the following regulations:

- (a) the lowest portion of the projection frame shall not be less than 2.3 metres above the level of the sidewalk or the street over which it projects;
- (b) the lowest portion of the curtain of canvas awnings or the enclosure around the framework of canopies and marquees shall not be less than 2.2 metres above the level of the sidewalk or street over which it projects; and
- (c) the awning, canopy or marquee shall not extend beyond the outer edge of the sidewalk.

3.27 Home-Based Businesses

3.27.1 Intent

The City recognizes the need for some residents to use their place of residence for limited non-residential activities and that the concept of citizens working out of their residences is becoming much more accepted. At the same time, the City recognizes that there is a need to protect the integrity of residential areas from the adverse effect of non-residential activities. To balance these competing needs, the following regulations are provided to control business uses in Residential Districts and dwellings. Uses that will be allowed are those that:

- (a) are incidental to the use of the premise as a residence;
- (b) are compatible with residential uses;
- (c) are limited in extent; and
- (d) do not detract from the residential character of the district or dwelling.

3.27.2 Number of Home-Based Businesses Permitted

Only one (1) home-based business shall be approved for each dwelling unit.

3.27.3 Display or Storage of Merchandise or Materials

- (a) Home-based businesses shall be conducted entirely within the dwelling or an accessory building.
- (b) There shall be no exterior display or storage of any merchandise or material relating to the home-based business.
- (c) No merchandise shall be displayed or sold on the premises.

- (d) Interior storage is permitted if, in the opinion of the City Fire Chief, the said storage is not likely to result in a fire hazard.
- (e) No building shall be constructed solely for the purpose of storing goods, products, materials or equipment related to a home-based business.

3.27.4 Employees

Except for day care operations, no person other than a resident of the dwelling unit or the resident's immediate family shall be engaged in any home-based business as an employee or a volunteer.

3.27.5 Parking

- (a) The home-based business shall not cause or add to on-street parking congestion or cause an increase in traffic through Residential Districts
- (b) Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit.
- (c) No more than one (1) business vehicle, as defined in Section 1.5 of this Bylaw, for which off-street parking is provided, is allowed to be operated in connection with a home-based business.

3.27.6 Advertising

No advertising that carries the address of the dwelling in which the home-based business is conducted shall be placed in any media.

3.27.7 Signs

No advertising sign shall be allowed on the site or premise from which the home-based business is conducted.

3.27.8 Zero Impact

No equipment or process used in the home-based business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home-based business is located.

3.27.9 Suitability

A home-based business shall not be permitted if, in the opinion of the authority having jurisdiction, such use would be more appropriately located within a Commercial or Industrial District.

3.27.10 Exterior Alterations

No exterior alterations shall be made to accommodate or enhance the home-based business.

3.27.11 Customer Base

Home-based businesses shall not attract customers to the dwelling.

3.27.12 Mechanical/Electrical Equipment

No mechanical or electrical equipment that could change the fire load of the dwelling unit or cause interference which affects radio, television and similar equipment outside of the dwelling unit shall be permitted.

3.27.13 Procedural Requirements

- (a) No home-based business shall commence until application has been made to the authority having jurisdiction and a license for the home-based business has been issued.
- (b) A home-based business license is valid only for the address shown on the license.
- (c) A home-based business shall be permitted for the period of time the dwelling is occupied by the applicant.
- (d) A home-based business license may be revoked if, in the opinion of Council, the regulations in this Bylaw have not been complied with, or the use creates adverse effects for residents of the neighborhood.

3.28 Residential Offices of Convenience

3.28.1 Intent

The City recognizes the need of some residents for an office of convenience in their residence for the efficient operation of their business. In order to ensure that such offices are used as offices of convenience, application shall be made to the authority having jurisdiction and a licence shall be issued prior to establishing an office of convenience.

3.28.2 Allowable Uses

The residential office of convenience shall only be used for sending and receiving mail, telephone calls and faxes, maintaining records and other similar functions of a business who's operations take place outside the City's boundaries.

3.28.3 Location and Performance Requirements

The provisions of Section 3.27, respecting the operation of home-based businesses shall apply to the operation of offices of convenience.

3.29 Service Stations

3.29.1 Sites for service stations shall have a minimum frontage of 30.0 metres.

3.29.2 Where service stations occupy a corner site, only one (1) access crossing shall be located on the flanking street.

3.29.3 Accesses from frontage streets shall be governed by the City Sidewalk Crossing Bylaw.

3.29.4 Fuel pumps and other accessory equipment shall be located at least 6.0 metres from any street or lot line.

3.29.5 All vehicle parts, accessories, and similar articles shall be stored within a building.

3.29.6 All repair work shall be performed within a building.

3.29.7 Where a service station abuts a Residential District without an intervening street or lane, a landscaped buffer of not less than 3.0 metres shall be provided; the landscaping shall be approved by the authority having jurisdiction.

- 3.29.8 The service station shall be aesthetically complementary to buildings in the surrounding area.
- 3.29.9 Canopies shall be permitted over fuel pumps provided that the fuel pumps are located in conformity with this Bylaw. Canopies shall be setback a minimum of 3.0 metres from any site line.
- 3.29.10 Site Decommissioning
- (a) On any site where the operation of a service station is being or has been discontinued, the site shall be decommissioned prior to the reuse of the site for a different use.
 - (b) The decommissioning of the site shall be in accordance with the requirements and guidelines established by:
 - (i) Saskatchewan Environment; and
 - (ii) the City Engineering and Fire Departments.

3.30 Heritage Conservation

- 3.30.1 The following buildings and sites are designated as heritage properties:
- (a) Court House, 121 Lorne St. W.; S30' at 8 and 13, Block 114, Plan A3995;
 - (b) Funeral Home, 233 Lorne St. E.; Lots 11 to 14, Block 93, Plan AB368;
 - (c) First United Church, 233 3rd Ave. N.E.; Lots 9 and 10, Block 61, Plan K5486;
 - (d) Central School, 121 Dufferin St. W.; Parcel F, Plan 72SC08660;
 - (e) C.P.R. Dam, Parcel F, Plan H2058;
 - (f) Battleford Trail Wagon Tracks, North Service Road, Lot 2, Block 52, Plan 82SC10396.
- 3.30.2 Prior to the owner of a designated heritage property undertaking the demolition, or major alternations and/or additions to the heritage property, consent of Council shall be required before a permit is issued. Normal maintenance and repairs may be carried out at the owner's sole discretion provided that the characteristics that led to heritage designation are not significantly altered.
- 3.30.3 These properties are subject to the development review processes as defined by Sections 23, 24 and 25 of *The Heritage Property Act*.
- 3.30.4 Historical and archaeological sites identified pursuant to *The Heritage Property Act* shall be protected in accordance with the guidelines established therein.

3.31 Development Exceptions and Relaxations

- 3.31.1 Council may allow exemption or relaxations to specific development standards in order to achieve:
 - (a) optimal size utilization; and
 - (b) desirable design elements by which a developer provides for additional facilities and services for public use.
- 3.31.2 The conditions of approval of a exception or relaxation, shall be specified in a development agreement.
- 3.31.3 For the purpose of this Bylaw, "optimal site utilization" is defined as the combination of development standards which provides for orderly use and development of a site, with consideration given to additional amenities and/or services provided by the developer for public use and/or enjoyment. Optimal site utilization does not mean maximum site utilization, but rather, incorporates consideration of the inter-relationship of proposed design elements such that any exception or relaxation of a development standard will not be detrimental to surrounding land uses and will result in public benefit.
- 3.31.4 Development exceptions, and relaxations, are listed in "Schedule B" of this Bylaw.

3.32 Landscaping

For Residential, Commercial and Industrial Districts the following regulations apply:

- 3.32.1 All areas of a site not covered by buildings, permitted accessory buildings or uses, and parking or vehicular maneuvering areas shall be landscaped, including adequate provision of "soft landscaping", to at least the minimum area requirements as specified below:
 - (a) Residential Districts
 - 35% of the site area;
 - (b) Commercial Districts
 - C1 - any front yard or side yard;
 - C2 - the first 2.0 metres of the minimum required front yard calculated from the front property line;
 - C3 - the first 3.0 metres of the minimum required front yard calculated from the front property line;
 - C4 - the first 6.0 metres of the minimum required yard calculated from the property line, facing the major elevation of the principal building;

(c) Industrial Districts

the first 3.0 metres of the minimum required front yard calculated from the front property line.

(d) Transitional Districts

the total area of the front, side and rear yards, excluding parking stalls, loading stalls and driveways;

- 3.32.2 A landscaping plan shall be submitted, except in the case of single-detached, semi-detached and two-unit dwellings, indicating all physical features including both existing and proposed grades, planting and construction material;
- 3.32.3 Existing trees, shrubs, hedges, grass, and ground cover retained on a site may be considered in fulfillment of the total landscaping requirement;
- 3.32.4 The quality and extent of the landscaping shall be maintained in a neat and tidy condition on the site for the life of the development;
- 3.32.5 All plant materials shall be of a species capable of healthy growth on the site;
- 3.32.6 Whenever space permits, trees and/or shrubs shall be planted in groups;
- 3.32.7 The landscaping area shall be developed within one (1) year of the substantial completion of the development.
- 3.32.8 The owner of the property, or his successors shall be responsible for all landscaping and proper maintenance.
- 3.32.9 Council may require that an applicant for a development provide an irrevocable Letter of Credit in the amount of 100% of the estimated landscaping costs. If the landscaping is not completed in accordance with this Bylaw and the submitted landscaping plan within one (1) year of the completion of the development, the amount fixed in the Letter of Credit shall be paid to the City.
- 3.32.10 No Development Permit shall be issued prior to the approval of a required landscape plan.

3.33 Storage of Chemicals, Fertilizers, and Combustible Materials

The storage of chemicals, fertilizers or combustible materials is subject to the requirements of Saskatchewan Environment, Government Relations and Aboriginal Affairs, SaskPower, and Saskatchewan Industry and Resources.

3.34 Underground Storage Tanks

3.34.1 The installation of an underground storage tank requires a Development Permit.

3.34.2 The installation and maintenance of underground storage tanks are subject to the requirements of Saskatchewan Environment.

3.35 Human Habitation

Human habitation shall:

3.35.1 occur only in approved residential units and buildings; and

3.35.2 be prohibited in a car, truck, bus or train body and in similar structures.

3.36 Flood Zone (Bylaw #2 – 2005)

3.36.1 Intent

- (a) The purpose of the flood zone is to restrict development in areas of the City that, under current conditions, are subject to periodic flooding and accompanying hazards.
- (b) In doing so, the flood zone is intended to:
 - (i) protect life, health and property;
 - (ii) minimize expenditures of public funds for costly flood control projects;
 - (iii) minimize rescue and relief efforts;
 - (iv) minimize business interruptions and loss of local income;
 - (v) minimize damage to public facilities in the floodway such as water mains, sewer lines, streets and bridges; and
 - (vi) provide for public awareness of the flood hazards potential.
- (c) Additions, new construction or other improvements or developments that would obstruct or divert the flow of water within the flood zone will be prohibited.
- (d) Land uses with low flood-damage potential and no obstructing flood flows will be allowed to the extent that they are not prohibited by other legislation.

3.36.2 Application

The provisions of this Subsection shall apply to all areas of the City identified under the Canada/Saskatchewan Flood Damage Reduction Program, as shown on the Flood Hazard Map.

3.36.3 Permitted Uses

All permitted uses in the underlying district, unless prohibited in Subsection 3.36.5, shall be permitted.

3.36.4 Discretionary Uses

All discretionary uses in the underlying district, unless prohibited in Subsection 3.36.5, shall be discretionary.

3.36.5 Prohibited Uses

- (a) Prohibited development includes:
 - (i) excavation or fill; and
 - (ii) new construction.
- (b) Excavation or fill may be permitted where it is certified by a professional engineer licensed to practice in the Province of Saskatchewan that it will not obstruct or divert the flow of water within the flood zone.
- (c) New construction may be permitted where:
 - (i) it is certified by a professional engineer licensed to practice in the Province of Saskatchewan that it shall not increase flood levels during the occurrence of the 1:500 flood discharge;
 - (ii) it is certified by a professional engineer licensed to practice in the Province of Saskatchewan that the structure meets the requirements of proper flood proofing and is able to withstand the effects of floodwaters without experiencing flood damage; and
 - (iii) it is approved by the City Engineer.

3.36.6 Development Standards

The development standards shall be those in the underlying district.

3.37 Flood Fringe (Bylaw #2 – 2005)

3.36.1 Intent

- (a) The flood fringe is designed to reduce flood losses by prescribing performance regulations for the development of structures in the areas which could be subject to periodic flooding and accompanying hazards.

- (b) The flood fringe recognizes the area where meeting the 1:500 year event flood elevation may be impractical, and partial protection is provided by landscaping.
- (c) The flood fringe is intended to:
 - (i) protect life, health and property;
 - (ii) minimize expenditures of public funds for costly flood control projects;
 - (iii) minimize rescue and relief efforts;
 - (iv) minimize business interruptions and loss of local income; and
 - (v) provide for public awareness of the flood hazard potential.

3.37.2 Application

The provisions of this Subsection shall apply to all areas of the City identified under the Canada/Saskatchewan Flood Damage Reduction Program, and shown on the Flood Hazard Map.

3.37.3 Permitted Uses

All permitted uses in the underlying district shall be permitted.

3.37.4 Discretionary Uses

All discretionary uses in the underlying district shall be discretionary.

3.37.5 Development Standards

The development standards shall be those in the underlying district.

3.36.6 Additional Standards

- (a) Except as provided in Subsection 3.37.6(b), all new construction shall be constructed with the finished floor at the 1:500 year event flood elevation where practicable, at the discretion of the Building Inspector.
- (b) Recognizing that landscaping may not provide complete protection, new construction with the finished floor as close to the 1:500 year event flood elevation as practicable, at the discretion of the Building Inspector.
- (c) New construction, additions and substantial improvements which do not have a finished floor elevation at the 1:500 year event flood elevations shall comply with the flood proofing requirements of Subsection 3.36.5(c).

3.38 Flood Hazard Warning and Disclaimer of Liability (Bylaw #2 – 2005)

The degree of flood protection intended to be provided by this Bylaw is considered reasonable for regulatory purposes and is based on historical records and engineering and scientific methods of study for river and lakeshore settings. Larger floods may occur or the flood height may be increased by man-made or natural causes, such as ice jams

and bridge openings restricted by debris. This Bylaw does not imply that areas outside the flood hazard area boundaries will always be totally free from flooding or flood damages, nor shall this Bylaw create a liability on the part of or be a course of action against the City of Swift Current or any officer or employee thereof for any flood damages that may result from the reliance on this Bylaw.

3.39 Residential Care Facilities and Day Care Centers (Bylaw #4 - 2011)

3.39.1 The Residential Care Facility or Day Care Center shall be of a size, scale and outward appearance of any adjoining residential dwelling or otherwise shall be situated and screened in such a way as to not interfere with the neighbourhood character.

3.39.2 The Residential Care Facility or Day Care Center shall provide for landscaping that is compatible with the neighbouring residential properties and consistent with the character of the neighbourhood.

3.39.3 Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

3.40 Custodial Care Facilities (Bylaw #4 - 2011)

3.40.1 The Custodial Care Facility shall be of a size, scale and outward appearance of any adjoining residential dwelling or otherwise shall be situated and screened in such a way as to not interfere with the neighbourhood character.

3.40.2 The Custodial Care Facility shall provide for landscaping that is compatible with the neighbouring residential properties and consistent with the character of the neighbourhood.

3.40.3 Custodial Care Facilities shall not be permitted within 300 metres of a public park, school, day care, kindergarten, or nursery school.

3.40.4 Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

PART FOUR LAND USE DISTRICTS

4.1 Establishment of Districts

For the purpose of providing the amenity of the area, being the entire area within the limits of the City, and for the health, safety and general welfare of the inhabitants thereof, the City is hereby divided into the following types of districts:

Reserve

Urban Reserve	UR
Reserve Residential	R-R
Reserve Industrial	R-M
Reserve Commercial	R-C

<u>Parkway</u>	PW
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Residential

Single-Detached Dwelling Residential	R1
Single-Detached Dwelling Residential	R1A
Two-Unit Dwelling Residential	R2
Multiple-Unit Dwelling Residential	R3
Mobile/Manufactured Home Dwelling Residential	R4
Small Lot Dwelling Residential	R5

Commercial

Central Commercial	C1
Neighbourhood Commercial	C2
Highway Commercial	C3
Shopping Center Commercial	C4

Industrial

Light Industrial	M1
Heavy Industrial	M2

<u>Direct Control</u>	DC
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<u>Transitional</u>	T1
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<u>Contract Zone</u>	CZ
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4.2 **Zoning Map**

The said districts are bounded as shown on the Zoning Map, which forms an integral part of this Bylaw. The smaller grid maps have been included for information only and shall have no legal status.

4.3 **Interpretation of District Boundaries**

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning Map, the following rules shall apply:

- 4.3.1 Where district boundaries are indicated as approximately following the center lines or right-of-ways of streets or lanes, such center lines, or right-of-ways shall be construed to be such boundaries;
- 4.3.2 Where district boundaries are so indicated that they approximately follow the lot lines or quarter section lines, such lot lines or quarter section lines shall be construed to be the said boundaries;
- 4.3.3 Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the corner line or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map;
- 4.3.4 Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line;
- 4.3.5 Where the boundary of a district follows the shoreline of a river or other permanent body of water, the boundary line shall be construed as following the normal high water elevation; and
- 4.3.6 Where the boundary line or limit of a district appears on the Zoning Map to divide or be within an unsubdivided area of land or parcel, block, or lot as shown on a registered plan, and where this boundary line or limit of the district is not indicated by a specific dimension or descriptive note, then the boundary line or limit of the district shall be fixed by the scale of the Zoning Map.

4.4 UR - Urban Reserve District

4.4.1 Statement of Intent

To ensure that land required for future urban development is protected from premature subdivision and development until such time as urban development of the land can proceed in an orderly fashion consistent with the Development Plan Bylaw. Specifically, the district is intended to:

- (a) Provide for the orderly transition of agricultural land to other uses in areas planned for urban development;
- (b) Defer urban development until the City determines that adequate public facilities can be provided in an efficient and cost effective manner; and
- (c) Ensure that future urban development is in accordance with local land use policies.

4.4.2 Permitted Principal Uses

Subject to all other provisions of this Bylaw in a UR - District, only the following uses of land and buildings shall be permitted:

- (a) accessory buildings and/or uses including only one (1) single-detached dwelling accessory to the principal use and occupied by the owner, caretaker, or manager of the principal use;
- (b) curling rinks;
- (c) existing agricultural uses;
- (d) fair and/or exhibition grounds;
- (e) outdoor recreation including sports fields, parks, golf courses, skating rinks, and/or other similar uses ;
- (f) parking lots;
- (g) public works.

4.4.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) cemeteries;
- (b) crematoriums;
- (c) greenhouses;
- (d) gun clubs;
- (e) home-based businesses;
- (f) kennels;
- (g) market gardens;
- (h) tourist campsites;
- (i) religious institutions;
- (j) veterinary clinics;
- (k) veterinary hospitals.

4.4.4 Regulations

No future subdivision or development shall be permitted unless the subdivision or development is for one of the permitted uses or approved discretionary uses allowed in this district which, in the opinion of Council, will not prejudice the future economical subdivision, development or servicing of land. A written application including a site plan showing all buildings and structures shall be filed with the authority having jurisdiction prior to Council's consideration of the subdivision development.

4.4.5 Rezoning of Land

Proposed rezoning of land from UR - District to another land use shall be considered only where the rezoning would be in conformity with the Development Plan Bylaw and on the basis of an overall plan for the area. The proposed development in the opinion of Council shall constitute orderly and economic development with regard to adjacent land uses, and future service requirements such as roads, schools and utilities.

4.4.6 Signs

- (a) There shall be permitted only one (1) fascia sign or canopy sign on any building for each principal use therein. Such sign shall only advertise or display the principal use or products of the premises on which it is located, and shall not:
 - (i) have intermediate supports greater than 0.5 metres; nor
 - (ii) have a greater face area than 2.0 square metres.

- (b) There shall be permitted only one (1) freestanding sign other than directional signs. Such sign shall only advertise or display the principal use or uses of the site on which it is located, and shall not:
 - (i) exceed 7.6 metres in height;
 - (ii) be erected within 3.0 metres of any front or side site line; nor
 - (iii) exceed 6.0 square metres in total sign face area; provided, however, that no single face of such sign shall exceed 3.0 square metres in sign face area.

- (c) There shall be permitted only one (1) free standing sign designating parking area for each entrance or exit:
 - (i) such sign shall not exceed 2.0 metres in height; nor
 - (ii) have a greater face area than 0.4 square metres.

- (d) No sign shall project beyond the site line into a street, lane or alley.

(e) Signs may be illuminated by indirect lighting only, and the lighting shall not be intermittent.

4.4.7 The authority having jurisdiction shall determine development standards for yard setbacks, site width, area, building height, etc.

4.5 R - Reserve District {Residential (R), Commercial (C), Industrial (M)}**4.5.1 Statement of Intent**

To ensure that lands required for future urban development of an identified type of land use are regulated such that development of the intended usage may proceed in an orderly and well planned manner consistent with the Development Plan Bylaw. The type of intended future development is specified by a suffix to the Reserve District symbol prefix (for example: R-R, R-C, R-M).

4.5.2 Permitted Principal Uses

Subject to all other provisions of this Bylaw, in a R - District, only the following uses shall be permitted:

- (a) accessory buildings and/or uses including only one (1) single-detached dwelling accessory to the principal use and occupied by the owner, caretaker, or manager of the principal use;
- (b) existing agricultural uses;
- (c) outdoor recreation including sports fields, parks, golf courses, skating rinks, and/or other similar uses;
- (d) parking lots;
- (e) public works.

4.5.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) cemeteries;
- (b) crematoriums;
- (c) greenhouses;
- (d) gun clubs;
- (e) home-based businesses;
- (f) kennels;
- (g) market gardens;
- (h) resource extractions;
- (i) tourist campsites;
- (j) veterinary clinics;
- (k) veterinary hospitals;

4.5.4 Regulations

- (a) No future subdivision or development shall be permitted unless the subdivision or development is for one of the permitted uses or approved discretionary uses allowed in this district which, in the opinion of Council, will not prejudice the future economical subdivision, development or servicing of the land.

- (b) A minimum site area of 4.0 hectares is required.

4.5.5 Rezoning of Land

Proposed rezoning of land from a Reserve District to a Residential, Commercial, or Industrial District shall be considered only where the rezoning would be in conformity with the Development Plan Bylaw and on the basis of an overall plan for the area. The proposed development shall, in the opinion of Council, constitute orderly and economic development with regard to adjacent land uses, and future service requirements such as roads, schools, and utilities.

4.5.6 Signs

Signs shall be regulated according to standards prescribed in Subsection 4.4.6 of the UR - District.

4.6 PW - Parkway District

4.6.1 Statement of Intent

To recognize lands within the City designated for active and passive park uses and to regulate the use and development of these lands for active and passive park and recreation purposes.

4.6.2 Permitted Principal Uses

In a PW - District only the following uses of land and buildings shall be permitted:

- (a) accessory buildings and/or uses to existing residential, commercial or industrial buildings and/or uses;
- (b) bird watching areas;
- (c) bocci fields;
- (d) canoeing, non-motorized boating;
- (e) children's playgrounds;
- (f) cross country skiing trails;
- (g) croquet courts;
- (h) cycling paths;
- (i) gardening areas;
- (j) greenhouses;
- (k) golf courses;
- (l) horseshoe pitches;
- (m) lawn bowling greens;
- (n) nature areas;
- (o) picnicing areas;
- (p) social gathering facilities;
- (q) residential, commercial or industrial buildings and/or uses existing prior to the effective date of this Bylaw;
- (r) walking, hiking, and/or jogging trails.

4.6.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) archery ranges;
- (b) cricket fields;
- (c) curling rinks;
- (d) exhibition grounds;
- (e) field hockey fields;
- (f) football fields;
- (g) hospitals;
- (h) ice hockey rinks;
- (i) interpretive, recreational and/or cultural centers;
- (j) libraries;
- (k) rugby fields;

- (l) soccer fields;
- (m) softball and/or baseball fields;
- (n) shooting ranges;
- (o) tennis courts;
- (p) track and field facilities;
- (q) other recreational uses.

4.6.4 Development Regulations for Existing Residential and Industrial Uses

Development regulations respecting existing residential, commercial and industrial uses shall be as follows:

- (a) Residential - as specified in regulations of the R2 - District;
- (b) Commercial – as specified in regulations of the C1 – District;
- (c) Industrial - as specified in regulations of the M1 - District.

4.6.5 Minimum Site Area

A site area shall be provided of not less than 540 square metres.

4.6.6 Minimum Setbacks

All uses unless otherwise specified – no minimum

- (a) Residential – as specified in a R2 - District;
- (b) Commercial – as specified in a C1 - District;
- (c) Industrial – as specified in a M1 - District.

4.6.7 Height

For all buildings, unless otherwise specified, the maximum height permitted shall be 6.0 metres.

- (a) Residential – as specified in a R2 - District;
- (b) Commercial – as specified in a C1 - District;
- (c) Industrial – as specified in a M1 - District.

4.6.8 Signs

All signs shall be regulated by Council based on examination of plans submitted by the applicant. Council shall evaluate proposed signage based on proposed size, location on the site, and compatibility with surrounding land uses.

4.6.9 Fences

No wall, fence or other structure shall be erected either on any site line or within any required yard to a height more than 2.5 metres above the adjacent grade level, excluding the provisions of regulations in the City Fence Bylaw or if located in the site triangle.

4.6.10 Outside Storage

Any storage outside of a building shall be suitably screened from public view.

4.6.11 Landscaping

- (a) A landscaping plan shall be submitted indicating all physical features including both existing and proposed grades, planting, and construction material.
- (b) The quality and extent of the landscaping shall be maintained in a neat and tidy condition on the site for the life of the development.
- (c) Natural landscaping shall be retained where possible, and if natural landscaping is replaced it shall be replaced with a high standard of landscaping.
- (d) All plant materials shall be of a species capable of healthy growth in the local climate.
- (e) Coniferous trees should comprise a proportion of all trees.
- (f) Whenever space permits, trees and/or shrubs shall be planted in groups.
- (g) Large uninterrupted wall areas shall be softened in appearance by screening through the use of appropriate landscaping.
- (h) Large expansive parking lots shall be partially screened through the use of appropriate landscaping.
- (i) The landscaping area shall be developed within one (1) year of the substantial completion of the development.

4.6.13 Existing Residential and Industrial Uses

It is the City's intent to allow residential and industrial uses existing at the effective date of this Bylaw to continue and include their redevelopment.

4.7 R1 and R1A - Single-Detached Dwelling Residential District

4.7.1 Statement of Intent

To establish and preserve quiet, low density residential neighborhoods free from other uses except those which are compatible with such a district.

4.7.2 Permitted Principal Uses

In a R1 and R1A - District, only the following uses of land and buildings shall be permitted:

- (a) home-based businesses;
- (b) parks and/or playgrounds;
- (c) single-detached dwellings;
- (d) the keeping of not more than two (2) boarders.
- (e) Residential Care Facilities Type I. *(Bylaw #4-2011)*

4.7.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) educational institutions;
- (b) library and/or cultural institutions;
- (c) nursery schools, kindergartens and/or day care centers;
- (d) parking lots;
- (e) religious institutions.

4.7.4 Minimum Site Area

- (a) single-detached dwellings, nursery schools, kindergartens, day care centers and parking lots – 465.0 square metres.
- (b) recreational uses, institutional uses - 930.0 square metres.

4.7.5 Minimum Site Frontage

- (a) single-detached dwellings:
 - (i) rectangular lots - 15.0 metres with a minimum depth of 30.0 metres;
 - (ii) non-rectangular lots - 11.0 metres with a minimum mean width of 15.0 metres and a minimum mean depth of 30.0 metres.
- (b) nursery schools, kindergartens, day care centers and parking lots -15.0 metres.
- (c) recreational uses, institutional uses - 30.0 metres.

4.7.6 Minimum Front Yard

- (a) A front yard shall be provided of not less than:
 - (i) 9.0 metres in an R1 - District; or
 - (ii) 7.0 metres in an R1A - District.
- (b) For sites 33.0 metres or less in depth, or where the exceptional shape, contour, topographical features or any other unspecified condition of the site, the front yard may be reduced but in no case shall it be less than 6.0 metres in depth.
- (c) For residential lots having frontage curving inward with a radius of less than 28.0 metres, the actual minimum required front yard shall be calculated as follows but in no case shall it be less than 6.0 metres in depth:

$$A = M - [(C/T) \times (M - 6.0 \text{ metres})]$$

Where:

- A = Actual required front yard in metres
- M = Minimum required front yard in metres
(9.0 metres in an R1 - District) (7.0 metres in an R1A -District)
- C = Curved frontage distance in metres (length of the arc)
- T = Total frontage in metres

4.7.7 Minimum Side Yard

- (a) Single-detached dwellings, nursery schools, kindergartens and day care centers 1.5 metres except on a corner site along the flanking street a side yard shall not be less than 3.0 metres.
- (b) Parking lots - 1.0 metre.
- (c) All other permitted or discretionary uses - 3.0 metres or a distance one half (1/2) the height of the principal building whichever is greater.

4.7.8 Minimum Rear Yard

- (a) Single-detached dwellings:
 - (i) interior sites - 7.6 metres;
 - (ii) corner sites - 4.6 metres.
 - (iii) in the case of an attached garage, the rear yard for the said garage shall be not less than 1.5 metres.
- (b) Parking lots - none required.
- (c) All other permitted or discretionary uses - 7.6 metres or 25% of the depth of the site, whichever is greater.

4.7.9 Minimum Floor Area

The minimum floor area for a single-detached dwelling shall be not less than 80.0 square metres for a one (1) or two (2) bedroom dwellings and 9.5 square metres for each additional bedroom.

4.7.10 Height

The height of a principal building shall not exceed 11.0 metres, and shall not be more than two and one half (2 1/2) storeys except for buildings as permitted under Section 3.19 of this Bylaw.

4.7.11 Open Space

An open space shall be provided of not less than 60% of the area of the site; provided however, that where a roofed private swimming pool or patio, either attached to the principal building or as an accessory building is constructed, such space requirement may be reduced by the percentage of the area of the site covered by such roofed swimming pool or patio, but in no case shall the total open space be less than 50%.

4.7.12 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the provisions of Section 3.8 and the following:

- (a) A private garage or other accessory buildings exceeding 6.0 square metres in area shall require a minimum side yard and rear yard of 1.5 metres, unless otherwise permitted in this Section;
- (b) Private garages or other accessory buildings exceeding 6.0 square metres in area and situated not less than 3.0 metres behind the rear building line shall be permitted a minimum side yard of 0.7 metres, when constructed of concrete block, brick or protected frame. The protected frame construction shall be as follows:
 - (i) concrete footings and floor; and
 - (ii) the complete interior finished with two (2) layers of 12.7 mm gypsum wall board or one (1) layer of 16 mm fire resistant "Type X" gypsum wall board.

However, where the side yard abuts a flanking lane; concrete block, brick or protected frame shall not be required.

- (c) Private garages or other accessory buildings exceeding 6.0 square metres and not entered from the rear shall be permitted a minimum rear yard of 0.6 metres when constructed of concrete block, brick, or protected

frame. However, where the rear yard abuts a lane, concrete block, brick or protected frame shall not be required.

- (d) Non-commercial greenhouses, tool sheds for storage of household or maintenance tools and equipment or similar accessory buildings 6.0 square metres or less in area and situated not less than 3.0 metres behind the rear building line shall be permitted to be constructed with no minimum side or rear yard. Provided however, that no roof, eaves or gutters extend past the site line.
- (e) A roofed swimming pool or patio shall be considered as an accessory building or use;
- (f) Only one (1) private kennel shall be permitted subject to provisions of Subsection 3.23.2.

4.7.13 Residential Name Plate Identification

For residential buildings, there shall be permitted only one (1) name plate sign and such sign shall not exceed 0.1 square metres in sign face area for each dwelling unit, and shall indicate only the name and address of the occupant. On a corner site, two (2) such name plates or signs shall be permitted for each dwelling unit, one (1) facing each street.

4.7.14 Home-Based Business Signs

No advertising signs shall be permitted for home-based business.

4.7.15 Non-Residential Name Plate Identification Signs

For non-residential buildings, there shall be permitted only one (1) identification sign; such sign shall not exceed 1.2 square metres in sign face area and shall indicate only the name and address of the building. Such sign shall not be located closer than 2.5 metres to any site line.

4.7.16 For Sale and To Rent Signs

There shall be permitted only one (1) "for sale" or "to rent" sign per site pertaining to the sale or rent of the real property on which it is situated. No such sign shall exceed 0.6 square metres in area nor obstruct the view or movement of vehicle and pedestrian traffic.

4.7.17 Parking Area Signs

- (a) signs designating parking area accesses shall be limited to only one (1) sign for each entrance or exit and to a maximum sign face area of 0.2 square metres per sign.
- (b) there shall be permitted only one (1) sign per parking area; such sign shall designate only the conditions of use and/or the identity of such parking area and such sign shall be limited to a maximum sign face area of 1.0 square metre.

4.7.18 Church Bulletins

For religious institutions there shall be permitted only one (1) bulletin sign per site; such sign shall not exceed 1.2 square metres in sign face area, and shall not be located closer than 2.5 metres to any site line.

4.7.19 Sign Projections

- (a) no free-standing sign shall project higher than 2.0 metres above ground level to the top of the sign.
- (b) no sign shall project beyond the site line into a street, lane or alley, or adjoining property.
- (c) no sign shall be located in a sight triangle as defined by this Bylaw.

4.7.20 Sign Illumination

Signs may be illuminated by direct or indirect lighting, and the lights shall not be intermittent.

4.7.21 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.7.22 Location of Off-Street Parking

- (a) side and rear yards may be used for the purpose of providing required off-street parking spaces.
- (b) except for dwellings, front yards shall not be used for the purpose of providing required off-street parking spaces.

4.7.23 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

(Bylaw No. 4 – 2009)

4.7a R1S - Single-Detached Small Lot Dwelling Residential District

4.7a.1 Statement of Intent

To establish and preserve quiet, low density small lot residential neighborhoods free from other uses except those which are compatible with such a district.

4.7a.2 Permitted Principal Uses

In a R1S – District, only the following uses of land and buildings shall be permitted:

- (a) home-based businesses;
- (b) parks and/or playgrounds;
- (c) single-detached dwellings;
- (d) the keeping of not more than two (2) boarders.
- (e) Residential Care Facilities Type I. *(Bylaw #4-2011)*

4.7a.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) educational institutions;
- (b) library and/or cultural institutions;
- (c) nursery schools, kindergartens and/or day care centers;
- (d) parking lots;
- (e) religious institutions.

4.7a.4 Minimum Site Area

- (a) single-detached dwellings, nursery schools, kindergartens, day care centers and parking lots – 385.0 square metres.
- (b) recreational uses, institutional uses – 930.0 square metres.

4.7a.5 Minimum Site Frontage

- (a) single-detached dwellings:
 - (j) rectangular lots – 12.8 metres with a minimum depth of 30.0 metres;
 - (ii) non-rectangular lots – 9.0 metres with a minimum mean width of 12.8 metres and a minimum mean depth of 30.0 metres.

- (b) nursery schools, kindergartens, day care centers and parking lots – 15.0 metres.
- (c) recreational uses, institutional uses – 30.0 metres.

4.7a.6 Minimum Front Yard

- (a) A front yard shall be provided of not less than 6.0m.

4.7a.7 Minimum Side Yard

- (a) Single-detached dwellings, nursery schools, kindergartens and day care centers 1.2 metres except on a corner site along the flanking street a side yard shall not be less than 3.0 metres.
- (b) Parking lots – 1.0 metre.
- (c) All other permitted or discretionary uses – 3.0 metres or a distances one half (1/2) the height of the principal building whichever is greater.

4.7a.8 Minimum Rear Yard

- (a) Single-detached dwellings:
 - (i) interior sites – 7.6 metres;
 - (ii) corner sites – 4.6 metres;
 - (iii) in the case of an attached garage, the rear yard for the said garage shall not be less than 1.5 metres.
- (b) Parking lots – none required.
- (c) All other permitted or discretionary uses – 7.6 metres or 25% of the depth of the site, whichever is greater.

4.7a.9 Minimum Floor Area

The minimum floor area for a single-detached dwelling shall be not less than 80.0 square metres for one (1) or two (2) bedroom dwellings and 9.5 square metres for each additional bedroom.

4.7a.10 Height

The height of a principal building shall not exceed 11.0 metres, and shall not be more than two and one half (2 ½) storeys except for buildings as permitted under Section 3.19 of this Bylaw.

4.7a.11 Open Space

An open space shall be provided of not less than 50% of the area of the site; provided however, that where a roofed private swimming pool or patio, either attached to the principal building or as an accessory building is constructed, such space requirement may be reduced by the percentage of the area of the site covered by such roofed swimming pool or patio, but in no case shall the total open space be less than 45%.

4.7a.12 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the provisions of Section 3.8 and the following:

- (a) A private garage or other accessory buildings exceeding 6.0 square metres in area shall require a minimum side yard and rear yard of 1.5 metres, unless otherwise permitted in this Section;
- (b) Private garages or other accessory buildings exceeding 6.0 square metres in area and situated not less than 3.0 metres behind the rear building line shall be permitted a minimum side yard of 0.7 metres, when constructed of concrete block, brick or protected frame. The protected frame construction shall be as follows:
 - (i) concrete footings and floor; and
 - (ii) the complete interior finished with two (2) layers of 12.7 mm gypsum wall board or one (1) layer of 16 mm fire resistant "Type X" gypsum wall board.

However, where the side yard abuts a flanking lane; concrete block, brick or protected frame shall not be required.

- (c) Private garages or other accessory buildings exceeding 6.0 square metres and not entered from the rear shall be permitted a minimum rear yard of 0.6 metres when constructed of concrete block, brick, or protected frame. However, where the rear yard abuts a lane, concrete block, brick or protected frame shall not be required.
- (d) Non-commercial greenhouses, tool sheds for storage of household or maintenance tools and equipment or similar accessory buildings 6.0 square metres or less in area and situated not less than 3.0 metres behind the rear building line shall be permitted to be constructed with no minimum side or rear yard provided however, that no roof, eaves or gutters extend past the site line.

- (e) A roofed swimming pool or patio shall be considered as an accessory building or use;
- (f) Only one (1) private kennel shall be permitted subject to provisions of Subsection 3.23.2.

4.7a.13 Residential Name Plate Identification

For residential buildings, there shall be permitted only one (1) name plate sign and such sign shall not exceed 0.1 square metres in sign face area for each dwelling unit, and shall indicate only the name and address of the occupant. On a corner site, two (2) such name plates or signs shall be permitted for each dwelling unit, one (1) facing each street.

4.7a.14 Home-Based Business Signs

No advertising signs shall be permitted for home-based business.

4.7a.15 Non-Residential Name Plate Identification Signs

For non-residential buildings, there shall be permitted only one (1) identification sign; such sign shall not exceed 1.2 square metres in sign face area and shall indicate only the name and address of the building. Such sign shall not be located closer than 2.5 metres to any site line.

4.7a.16 For Sale and To Rent Signs

There shall be permitted only one (1) “for sale” or “to rent” sign per site pertaining to the sale or rent of the real property on which it is situated. No such sign shall exceed 0.6 square metres in area nor obstruct the view or movement of vehicle and pedestrian traffic.

4.7a.17 Parking Area Signs

- (a) signs designating parking area accesses shall be limited to only one (1) sign for each entrance or exit and to a maximum sign face area of 0.2 square metres per sign.
- (b) there shall be permitted only one (1) sign per parking area; such sign shall designate only the conditions of use and/or the identity of such parking area and such sign shall be limited to a maximum sign face area of 1.0 square metre.

4.7a.18 Church Bulletins

For religious institutions there shall be permitted only one (1) bulletin sign per site; such sign shall not exceed 1.2 square metres in sign face area, and shall not be located closer than 2.5 metres to any site line.

4.7a.19 Sign Projections

- (a) no free-standing sign shall project higher than 2.0 metres above ground level to the top of the sign.
- (b) no sign shall project beyond the site line into a street, lane or alley, or adjoining property.
- (c) no sign shall be located in a sight triangle as defined by this Bylaw.

4.7a.20 Sign Illumination

Signs may be illuminated by direct or indirect lighting, and the lights shall not be intermittent.

4.7a.21 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.7a.22 Location of Off-Street Parking

- (a) side and rear yards may be used for the purpose of providing required off-street parking spaces.
- (b) except for dwellings, front yards shall not be used for the purpose of providing required off-street parking spaces.

4.7a.23 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.8 **R2 – Low Density Multi-Unit Dwelling Residential District**

4.8.1 Statement of Intent

To establish and preserve quiet, medium density residential neighborhoods free from other uses except those which are compatible with such a district.

4.8.2 Permitted Principal Uses

In an R2 - District only the following uses of land and buildings shall be permitted:

- (a) home-based businesses;
- (b) library and/or cultural institutions;
- (c) multiple-unit dwellings not exceeding six (6) units;
- (d) parks and/or playgrounds;
- (e) Residential Care Facilities Type I; *(Bylaw #4-2011)*
- (f) religious institutions;
- (g) semi-detached dwellings;
- (h) single-detached dwellings;
- (i) the keeping of not more than five (5) boarders;
- (j) two-unit dwellings.

4.8.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bed and breakfasts;
- (b) cemeteries;
- (c) educational institutions;
- (d) funeral homes;
- (e) hospitals;
- (f) neighborhood grocery stores and confectioneries with or without a residence built on the premises;
- (g) nursery schools, kindergartens, and/or day care centers;
- (h) parking lots;
- (i) the keeping of more than five (5) boarders;
- (j) Residential Care Facilities Type II; *(Bylaw #4-2011)*
- (k) Custodial Care Facilities. *(Bylaw #4-2011)*

4.8.4 Minimum Site Area

- (a) single-detached and, two-unit dwellings – 370.0 square metres if served by a lane, otherwise 465.0 square metres.
- (b) semi-detached dwellings – 230.0 square metres per dwelling unit if served by a lane, otherwise 280.0 square metres per dwelling unit.

- (c) multiple-unit dwellings:
 - (i) up to four (4) units – 465.0 square metres;
 - (ii) five (5) or six (6) units – 560.0 square metres.
- (d) nursery schools, kindergartens, day care centers and parking lots – 465.0 square metres.
- (e) all other permitted and discretionary uses - 930.0 square metres.

4.8.5 Minimum Site Frontage

- (a) single-detached and two-unit dwellings:
 - (i) rectangular lots - 12.0 metres if served by a lane otherwise 15.0 metres;
 - (ii) non-rectangular lots - 11.0 metres with a minimum mean width of 15.0 metres;
 - (iii) where an existing lot is outside the Inner City Area and is non-conforming in the frontage and/or site area permit a lesser frontage and/or area than specified above but in no case shall the frontage be less than 11.0 metres nor the area less than 350.0 square metres;
 - (iv) where an existing lot is within the Inner City Area and is non-conforming, the City shall permit development of single-detached dwellings as indicated in Section 3.20 of this Bylaw, provided that the minimum setbacks as provided in Section 3.20 and in this district are adhered to.
- (b) semi-detached dwellings - 7.6 metres per dwelling unit where served by a lane, otherwise 11.0 metres.
- (c) multiple-unit family dwellings:
 - (i) up to four (4) units - 15.0 metres;
 - (ii) five (5) or six (6) units - 18.0 metres.
- (d) nursery schools, kindergartens, day care centers, parking lots -15.0 metres.
- (e) all other permitted or discretionary uses - 30.0 metres.

4.8.6 Minimum Front Yard

- (a) a front yard shall be provided of not less than 7.0 metres in depth.
- (b) for residential lots having frontage curving inward with a radius of less than 28.0 metres, the actual minimum required front yard shall be calculated as follows but in no case shall it be less than 6.0 metres in depth:

$$A = M - [(C/T) \times (M - 6.0 \text{ metres})]$$

Where:

- A = Actual required front yard in metres
- M = Minimum required front yard in metres (7.0 metres)
- C = Curved frontage distance in metres (length of the arc)
- T = Total frontage in metres

4.8.7 Minimum Side Yard

- (a) single-detached dwellings, two-unit dwellings, semi-detached dwellings, multiple-unit dwellings, nursery schools, kindergartens and day care centers - 1.5 metres except on a corner site along the flanking street a side yard shall not be less than 3.0 metres.
- (b) No side yard shall be required for the interior common walls separating the dwelling units in semi-detached dwellings.
- (c) parking lots – 1.0 metre.
- (d) all other permitted and discretionary uses - 3.0 metres or a distance one half (1/2) the height of the building whichever is greater.

4.8.8 Minimum Rear Yard

- (a) single-detached, two-unit, semi-detached and multiple-unit dwellings:
 - (i) interior sites - 7.6 metres;
 - (ii) corner sites - 4.6 metres;
 - (iii) in case of an attached garage, the rear yard for the said garage shall not be less than 1.5 metres.
- (b) parking lots - none required.
- (c) all other permitted or discretionary uses 7.6 metres or 25% of the depth of the site, whichever is greater.

4.8.9 Minimum Floor Area

- (a) single-detached, two-unit, and semi-detached dwellings shall have a minimum of 70.0 square metres for one (1) or two (2) bedroom dwellings and 9.5 square metres for each additional bedroom.
- (b) a multiple-unit dwelling shall have a minimum of 37.0 square metres for a one (1) bedroom dwelling unit and 9.0 square metres for each additional bedroom.

4.8.10 Height

The height of a principal building shall not exceed 11.0 metres and shall not be more than two and one half (2 1/2) storeys except for buildings as permitted under Section 3.19 of this Bylaw.

4.8.11 Open Space

An open space shall be provided of not less than 60% of the area of the site; provided, however, that where a roofed private swimming pool, or patio, either attached to the principal building or as an accessory building is constructed, such open space requirement may be reduced by the percentage of the area of the site covered by such roofed swimming pool or patio; but in no case shall the total open space be less than 50%.

4.8.12 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the provisions of Section 3.8 and the following:

- (a) A private garage or other accessory building exceeding 6.0 square metres in area shall require a minimum side yard and rear yard of 1.5 metres, unless otherwise permitted in this Section;
- (b) Private garages or other accessory buildings exceeding 6.0 square metres in area and situated not less than 3.0 metres behind the rear building line shall be permitted a minimum side yard of 0.7 metres, when constructed of concrete block, brick or protected frame. The protected frame construction shall be as follows:
 - (i) concrete footings and floor; and
 - (ii) the complete interior finished with two (2) layers of 12.7 mm gypsum wall board or one (1) layer of 16 mm fire resistant "Type X" gypsum wall board.

However, where the side yard abuts a flanking lane; concrete block, brick or protected frame shall not be required.

- (c) Private garages or other accessory buildings exceeding 6.0 square metres and not entered from the rear shall be permitted a minimum rear yard of 0.6 metres when constructed of concrete block, brick or protected frame. However, where the rear yard abuts a lane concrete block, brick or protected frame shall not be required.

- (d) Non-commercial greenhouses, tool sheds for storage or household or maintenance tools and equipment or similar accessory buildings 6.0 square metres or less in area and situated not less than 3.0 metres behind the rear building line shall be permitted to be constructed with no minimum side or rear yard. provided however, that no roof, eaves or gutters extend past the site line.
- (e) A roofed swimming pool or patio shall be considered as an accessory building or use;
- (f) Only one (1) private kennel shall be permitted subject to provisions of Subsection 3.23.2.

4.8.13 Signs

The provisions of Subsections 4.7.13 to 4.7.20 in an R1 –District respecting signs shall apply to similar uses in this district, with the exception that multiple-unit dwellings shall be permitted to use the sign standards of Subsection 4.7.15 for non-residential buildings in an R1 –District.

4.8.14 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.8.15 Location of Off-Street Parking

- (a) only side and rear yards may be used for the purpose of providing required off-street parking spaces;
- (b) with the exception that single-detached, semi-detached, or two-unit dwellings may use front yards for such purpose.
- (c) no required off-street parking space shall be permitted closer than 1.5 metres to any window serving habitable rooms in any basement.

4.8.16 Off-Street Loading

For hospitals and special care homes, at least one (1) off-street loading space shall be provided for each 1,850.0 square metres of building.

4.8.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.9 R3 – High Density Multi-Unit Dwelling Residential District

4.9.1 Statement of Intent

To establish and preserve areas for high density residential development free from other uses except those which are compatible with such a district.

4.9.2 Permitted Principal Uses

In an R3 - District only the following uses of land and buildings shall be permitted:

- (a) all the buildings and/or uses permitted in Subsection 4.8.2 of an R2 - District;
- (b) boarding houses;
- (c) dormitories having not more than a total of fifteen (15) sleeping rooms, beds or rooming units;
- (d) dwelling groups;
- (e) educational institutions;
- (f) multiple-unit dwellings;
- (g) nursery schools, kindergartens and/or day care centers;
- (h) Residential Care Facilities, Type I and Type II; *(Bylaw #4-2011)*
- (i) private clubs;
- (j) terrace dwellings.

4.9.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bed and breakfasts;
- (b) dormitories having more than fifteen (15) sleeping rooms, beds, or rooming units;
- (c) funeral homes;
- (d) hospitals;
- (e) local commercial directly adjacent to and accessible from an arterial street so designated on the Transportation Pattern (Map No. 3) of the City Development Plan Bylaw.
- (f) neighbourhood grocery stores and/or confectioneries with or without a residence built above;
- (g) museums;
- (h) parking lots;
- (i) restaurants.
- (j) Custodial Care Facilities. *(Bylaw #4-2011)*

4.9.4 Minimum Site Area

- (a) single-detached and two-unit dwellings - 370.0 square metres if served by a lane, otherwise 465.0 square metres.
- (b) semi-detached dwellings - 230.0 square metres per dwelling unit if served by a lane, otherwise 280.0 square metres per dwelling unit.
- (c) multiple-unit dwellings:
 - (i) up to four (4) units – 465.0 square metres
 - (ii) five (5) or more units – 560.0 square metres
- (d) terrace dwellings - 745.0 square metres provided that the site area for each dwelling unit is not less than 185.0 square metres.
- (e) dwelling groups – 930.0 square metres.
- (f) all other permitted and discretionary uses – 465.0 square metres.

4.9.5 Minimum Site Frontage

- (a) single-detached and two-unit dwellings:
 - (i) rectangular lots -12.0 metres if served by a lane, otherwise 15.0 metres;
 - (ii) non-rectangular lots - 11.0 metres with a minimum mean width of 15.0 metres;
 - (iii) where an existing lot is outside the Inner City Area and is non-conforming in the frontage and/or site area the City may permit a lesser frontage and/or area than specified above but in no case shall the frontage be less than 11.0 metres nor the area less than 350.0 square metres;
 - (iv) where an existing lot is within the Inner City Area and is non-conforming, the City may permit development of single-detached dwellings as indicated in Section 3.20 of this Bylaw, provided that the minimum setbacks as provided in Section 3.20 and in this district are adhered to.
- (b) semi-detached dwellings - 7.6 metres per dwelling unit where served by a lane, otherwise 11.0 metres.
- (c) dwelling groups, schools, and educational institutions, hospitals and special care homes, museums, funeral homes - 30.0 metres.
- (d) terrace dwellings - 6.0 metres.
- (e) parking lots - 15.0 metres.
- (f) all other permitted and discretionary uses - 15.0 metres.

4.9.6 Minimum Front Yard

- (a) single detached and two-unit dwellings 7.0 metres
- (b) for all other uses a front yard shall be provided of not less than 4.6 metres in depth.

4.9.7 Minimum Side Yard

- (a) all permitted and discretionary uses shall be provided on each side of a building of a width not less than 1.5 metres or one quarter (1/4) the height of the side wall of the building, whichever is the greater; except on a corner site along the flanking street the side yard shall not be less than 3.0 metres.
- (b) no side yard shall be required for the interior common walls separating the dwelling units in semi-detached dwellings.
- (c) parking lots – 1.0 metre.

4.9.8 Minimum Rear Yard

- (a) All permitted or discretionary uses:
 - (i) interior sites - 7.6 metres;
 - (ii) corner sites - 4.6 metres;
 - (iii) in case of an attached garage, the rear yard for the said garage shall not be less than 1.5 metres.
- (b) parking lots - none required.

4.9.9 Minimum Floor Area

- (a) Single-detached, two unit, semi-detached and terrance dwellings shall have a minimum of 70.0 square metres for one (1) or two (2) bedroom dwellings and 9.5 square metres for each additional bedroom.
- (b) A multiple-unit dwelling shall have a minimum of 37.0 square metres for a one (1) bedroom dwelling unit and 9.0 square meters for each additional bedroom.

4.9.10 Height

The height of a principal building shall not exceed 15.0 metres except for buildings provided under Section 3.19 of this Bylaw.

4.9.11 Open Space

- (a) an open space shall be provided of not less than 50% of the area of the site.
- (b) included on every site or building used in whole or in part for residential occupancy, there shall be a total area allotted to outdoor recreational use of at least 4.6 square metres for each dwelling unit. Such area shall not be permitted in any required front yard nor used in whole or in part for off-street parking or loading purposes.

4.9.12 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the provisions of Section 3.8 and the following:

- (a) A private garage or other accessory buildings exceeding 6.0 square metres in area shall require a minimum side yard or rear yard of 1.5 metres, unless otherwise permitted in this Section;
- (b) Private garages or other accessory buildings exceeding 6.0 square metres in area and situated not less than 3.0 metres behind the rear building line shall be permitted a minimum side yard of 0.7 metres, when constructed of concrete block, brick or protected frame. The protected frame construction shall be as follows:
 - (i) concrete footings and floor; and
 - (ii) the complete interior finished with two (2) layers of 12.7 mm gypsum wall board or one (1) layer of 16 mm fire resistant "Type X" gypsum wallboard.

However, where the side yard abuts a flanking lane; concrete block, brick or protected frame shall not be required.

- (c) Private garages or other accessory buildings exceeding 6.0 square metres are not entered from the rear shall be permitted a minimum rear yard of 0.6 metres when constructed of concrete block, brick or protected frame. However, where the rear yard abuts a lane concrete block, brick or protected frame shall not be required.
- (d) Non-commercial greenhouses, tool sheds for storage or household or maintenance tools and equipment or similar accessory buildings 6.0 square metres or less in area and situated not less than 3.0 metres behind the rear building line shall be permitted to be constructed with no minimum side or rear yard. provided however, that no roof, eaves or gutters extend past the site line.
- (e) A roofed swimming pool or patio shall be considered as an accessory building or use;

- (f) Only one (1) private kennel shall be permitted subject to provisions of Subsection 3.23.2.

4.9.13 Signs

The provisions of Subsections 4.7.13 to 4.7.20 in an R1 - Districts respecting signs shall apply to similar uses in this district with the exception that multiple-unit dwellings shall be permitted to use the sign standards of Subsection 4.7.15 for non-residential buildings in an R1 - District.

4.9.14 Off-Street Parking

Off-street parking spaces shall be provided for in accordance with Section 3.22 of this Bylaw.

4.9.15 Location of Off-Street Parking

- (a) only side and rear yards may be used for the purpose of providing required off-street parking spaces;
- (b) with the exception that single-detached, semi-detached, or two-unit dwellings may use front yards for such purpose.
- (c) no required off-street parking space shall be permitted closer than 1.5 metres to any window serving habitable rooms in any basement.

4.9.16 Off-Street Loading

- (a) for hospitals and special care homes, at least one (1) off-street loading space shall be provided for each 1,850.0 square metres of building.
- (b) for all other permitted or discretionary uses, at least one (1) off-street loading space shall be provided for every building exceeding three (3) storeys in height.

4.9.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.10 R4 - Mobile/Manufactured Home Dwelling Residential District

4.10.1 Statement of Intent

To establish areas for mobile/manufactured home residential development free from other uses except those which are compatible with such a district.

4.10.2 Permitted Principal Uses

In an R4 - District, only the following uses of land and buildings shall be permitted:

- (a) campgrounds;
- (b) educational institutions;
- (c) library and/or cultural institutions;
- (d) mobile and/or manufactured homes;
- (e) mobile home parks;
- (f) nursery schools, kindergartens and/or day care centers;
- (g) parks and/or playgrounds;
- (h) religious institutions.
- (i) Residential Care Facilities Type I; *(Bylaw #4-2011)*

4.10.3 Minimum Site Area

- (a) mobile/manufactured home parks - 370.0 square metres for each dwelling unit.
- (b) mobile/manufactured home subdivisions – 370.0 square metres per lot where served by a lane, otherwise 465.0 square metres.
- (c) parks and playgrounds, nursery schools, kindergartens and day care centers – 465.0 square metres.
- (d) all other permitted uses - 930.0 square metres.

4.10.4 Minimum Site Frontage

- (a) mobile/manufactured home parks - 12.0 metres for each dwelling unit.
- (b) mobile/manufactured home subdivisions - 12.0 metres per lot where served by a lane, otherwise 15.0 metres.
- (c) parks and playgrounds, nursery schools, kindergartens and day care centers - 15.0 metres.
- (d) all other permitted uses - 30.0 metres.

4.10.5 Minimum Front Yard

- (a) mobile/manufactured homes - 4.6 metres.
- (b) all other permitted uses - 7.0 metres.

4.10.6 Minimum Side Yard

- (a) mobile/manufactured homes:
 - (i) where there is no entrance door on the side of a mobile/manufactured home facing a side lot line, the side yard shall be not less than 1.5 metres;
 - (ii) on a corner site along the flanking street the side yard shall not be less than 3.0 metres provided that no entrance door fronts on the flanking street.
 - (iii) where the main or secondary entrance door on the long side of the mobile/manufactured home faces a side lot line or flanking street the side yard shall not be less than 4.6 metres;
 - (iv) where the main entrance door of a mobile/manufactured home faces the front lot line and where no lane is provided, one side yard shall be not less than 4.6 metres;
- (b) nursery schools, kindergartens and day care centers - 1.5 metres;
- (c) all other permitted uses - not less than one half (1/2) the height of the building, but such side yard shall not be less than 3.0 metres.

4.10.7 Minimum Rear Yard

- (a) mobile/manufactured homes - 3.5 metres.
- (b) all other permitted uses - 7.6 metres or 25% of the site depth whichever is greater.

4.10.8 Minimum Floor Area

Minimum floor area - 65.0 square metres.

4.10.9 Height

The height of a principal building shall not exceed 11.0 metres, and shall not be more than two and one half (2 1/2) storeys except for buildings as permitted under Section 3.19 of this Bylaw.

4.10.10 Open Space

An open space shall be provided of not less than 50% of the area of the site.

4.10.11 Accessory Buildings or Structures

- (a) the following accessory buildings or structures are permitted:
 - (i) one (1) carport or private garage not exceeding 6.0 metres wide by 7.5 metres deep perpendicular to the access street;
 - (ii) one (1) private storage building not more than 2.5 metres high by 3.0 metres long, by 2.5 metres wide;
 - (iii) porch, canopy, fuel tank covering and mobile/manufactured home skirting any of which shall be of a quality, design, and construction complementary to the principal structure.
- (b) detached accessory buildings 6.0 square metres or less in area and situated behind the rear building line of the principal building shall be permitted to be constructed with no minimum side or rear yard. Provided, however, that no roof, eaves or gutters extend past the site line.

4.10.12 Additions

Every mobile/manufactured home may have additions, provided that:

- (a) the required yards are maintained, and;
- (b) the construction conforms to the City Building Bylaw.

4.10.13 Signs

The provisions of Subsections 4.7.13 to 4.7.20 in an R1 -District respecting signs shall apply to similar uses in this district.

4.10.14 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.10.15 Location of Off-Street Parking

- (a) only side and rear yards may be used for the purpose of providing required off-street parking spaces;
- (b) with the exception that mobile or manufactured homes may use front yards for such purpose;
- (c) no required off-street parking space shall be permitted closer than 1.5 metres to any window serving habitable rooms in any basement.

4.10.16 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.10.17 Screening

Screening in the form of fencing, trees and/or shrubbery shall be sufficiently provided surrounding mobile home parks and subdivisions to control access to the site.

4.11 R5 - Small Lot Dwelling Residential District

4.11.1 Statement of Intent

To provide for the renewal of residential areas on smaller sites in existing built-up areas free from other uses except those which are compatible with such a district.

4.11.2 Permitted Principal Uses

In an R5 - District only the following uses of land and buildings shall be permitted:

- (a) home-based businesses;
- (b) library and/or cultural institutions;
- (c) multiple-unit dwellings not exceeding six (6) units;
- (d) single-detached dwellings;
- (e) two-unit and/or semi-detached dwellings;
- (f) parks and/or playgrounds;
- (g) Residential Care Facilities Type I; *(Bylaw #4-2011)*
- (h) religious institutions;
- (i) the keeping of not more than five (5) boarders.

4.11.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bed and breakfasts;
- (b) educational institutions;
- (c) funeral homes;
- (d) hospitals;
- (e) nursery schools, kindergartens, and/or day care centers;
- (f) parking lots;
- (g) the keeping of more than five (5) boarders.
- (h) Residential Care Facilities Type II; *(Bylaw #4-2011)*
- (i) Custodial Care Facilities. *(Bylaw #4-2011)*

4.11.4 Minimum Site Area

- (a) single-detached and two-unit dwellings - 370.0 square metres.
- (b) semi-detached dwellings – 230.0 square metres per dwelling unit.
- (c) multiple-unit dwellings:
 - (i) up to four (4) units – 465.0 square metres;
 - (ii) five (5) or six (6) units - 560.0 square metres.
- (d) nursery schools, kindergartens, day care centers and parking lots – 465.0 square metres.
- (e) all other permitted and discretionary uses - 930.0 square metres.

4.11.5 Minimum Site Frontage

- (a) single-detached and two-unit dwellings:
 - (i) rectangular lots - 11.4 metres;
 - (ii) non-rectangular lots - 11.0 metres with a minimum mean width of 15.0 metres;
 - (iii) where an existing lot is outside the Inner City Area and is non-conforming in the frontage and/or site area the City may permit a lesser frontage and/or area than specified above but in no case shall the frontage be less than 11.0 metres nor the area less than 350.0 square metres;
 - (iv) where an existing lot is within the Inner City Area and is nonconforming, the City shall permit development of single-detached dwellings as indicated in Section 3.20 of this Bylaw, provided that the minimum setbacks as provided in Section 3.20 and in this district are adhered to.
- (b) semi-detached dwellings - 7.6 metres per dwelling unit where served by a lane, otherwise 11.0 metres.
- (c) multiple-unit dwellings:
 - (i) up to four (4) units - 15.0 metres;
 - (ii) five (5) or six (6) units - 18.0 metres.
- (d) nursery schools, kindergartens, day care centers and parking lots -15.0 metres.
- (e) all other permitted or discretionary uses - 30.0 metres.

4.11.6 Minimum Front Yard

A front yard shall be provided of not less than 6.0 metres in depth.

4.11.7 Minimum Side Yard

- (a) single-detached and two-unit dwellings - 1.2 metres except on a corner site along the flanking street a side yard shall not be less than 2.4 metres.
- (b) semi-detached and multiple-unit dwellings, nursery schools, kindergartens and day care centers - 1.5 metres except on a corner site along the flanking street, a side yard shall not be less than 3.0 metres.
- (c) no side yard shall be required for the interior common walls separating the dwelling units in semi-detached dwellings.
- (d) parking lots – 1.0 metre.
- (e) all other permitted and discretionary uses - 3.0 metres or a distance one half (1/2) the height of the building whichever is greater.

4.11.8 Minimum Rear Yard

- (a) single-detached and two-unit dwellings:
 - (i) interior sites - 6.0 metres;
 - (ii) corner sites - 4.6 metres;
 - (iii) in the case of an attached garage, the rear yard for the said garage shall be not less than 1.5 metres.
- (b) semi-detached and multiple-unit dwellings:
 - (i) interior sites – 7.6 metres;
 - (ii) corner sites -4.6 metres;
 - (iii) in the case of an attached garage, the rear yard for the said garage shall be not less than 1.5 metres.
- (c) parking lots - none required.
- (d) all other permitted or discretionary uses - 7.6 metres or 25% of the depth of the site, whichever is greater.

4.11.9 Minimum Floor Area

- (a) single-detached, two-unit, and semi-detached dwellings shall have a minimum of 70.0 square metres for one (1) or two (2) bedroom dwellings and 9.5 square metres for each additional bedroom.
- (b) a multiple-unit dwelling shall have a minimum of 37.0 square metres for a one (1) bedroom dwelling unit and 9.0 square metres for each additional bedroom.

4.11.10 Height

The height of a principal building shall not exceed 11.0 metres and shall not be more than two and one half (2 1/2) storeys except for buildings as permitted under Section 3.19 of this Bylaw.

4.11.11 Open Space

- (a) An open space shall be provided of not less than 50% of the area of the site;
- (b) included on every site or building used in whole or in part for residential occupancy, there shall be a total area allotted to outdoor recreational use of at least 4.6 square metres for each dwelling unit. Such area shall not be permitted in any required front yard nor used in whole or in part for off-street parking or loading purposes.

4.11.12 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the provisions of Section 3.8 and the following:

- (a) A private garage or other accessory building exceeding 6.0 square metres in area shall require a minimum side yard and rear yard of 1.5 metres, unless otherwise permitted in this Section;
- (b) Private garages or other accessory buildings exceeding 6.0 square metres in area and situated not less than 3.0 metres behind the rear building line shall be permitted a minimum side yard of 0.7 metres, when constructed of concrete block, brick or protected frame. The protected frame construction shall be as follows:
 - (i) concrete footings and floor; and
 - (ii) the complete interior finished with two (2) layers of 12.7 mm gypsum wall board or one (1) layer of 16 mm fire resistant "Type X" gypsum wallboard.

However, where the side yard abuts a flanking lane; concrete block, brick or protected frame shall not be required.

- (c) Private garages or other accessory buildings exceeding 6.0 square metres and not entered from the rear shall be permitted a minimum rear yard of 0.6 metres when constructed of concrete block, brick or protected frame. However, where the rear yard abuts a lane, concrete block, brick or protected frame shall not be required.
- (d) Non-commercial greenhouses, tool sheds for storage or household or maintenance tools and equipment or similar accessory buildings 6.0 square metres or less in area and situated not less than 3.0 metres behind the rear building line shall be permitted to be constructed with no minimum side or rear yard. provided however, that no roof, eaves or gutters extend past the site line.
- (e) A roofed swimming pool or patio shall be considered as an accessory building or use;
- (f) Only one (1) private kennel shall be permitted subject to provisions of Subsection 3.23.2.

4.11.13 Signs

The provisions of Subsections 4.7.13 to 4.7.20 in an R1 –District respecting signs shall apply to similar uses in this district with the exception that multiple-unit dwellings shall be permitted to use the sign standards of Subsection 4.7.15 for non-residential buildings in an R1 –District.

4.11.14 Off-Street Parking

Off-street parking spaces shall be provided for in accordance with Section 3.22 of this Bylaw.

4.11.15 Location of Off-Street Parking

- (a) only side and rear yards may be used for the purpose of providing required off-street parking spaces;
- (b) with the exception that single-detached, semi-detached, or two-unit dwellings may use front yards for such purpose.
- (c) no required off-street parking space shall be permitted closer than 1.5 metres to any window serving habitable rooms in any basement.

4.11.16 Off-Street Loading

For hospitals and special care homes, at least one (1) off-street loading space shall be provided for each 1,850.0 square metres of building.

4.11.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.12 C1 - Central Commercial District

4.12.1 Statement of Intent

To regulate and encourage development of the downtown area in a manner contributing to convenience and attraction for a wide variety of retail uses and businesses, government and professional offices, and entertainment facilities.

4.12.2 Permitted Principal Uses

In an C1 - District, only the following uses of land and buildings shall be permitted:

- (a) apartments located on floors above those occupied by the permitted and/or discretionary uses;
- (b) assembly halls;
- (c) bus terminal stations;
- (d) commercial recreational establishments;
- (e) financial institutions;
- (f) hotels;
- (g) meat markets excluding slaughter houses or smokehouses;
- (h) medical and/or dental clinics;
- (i) motor vehicle sales and service establishments including service stations;
- (j) newspaper and/or job printing plants;
- (k) offices of federal, provincial or municipal governments;
- (l) office support services;
- (m) parking lots;
- (n) personal service establishments;
- (o) professional offices;
- (p) public libraries;
- (q) recreational and/or sporting goods sales and service establishments;
- (r) restaurants;
- (s) retail stores not exceeding 1,000.0 square metres of gross floor area;
- (t) social clubs, fraternal societies, charitable and/or philanthropic institutions;
- (u) strip malls;
- (v) telegraph and/or express offices;
- (w) theatres;
- (x) trade workshops, but not including open storage;
- (y) wholesale stores.

4.12.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) amusement arcades (in accordance with the regulations set out in the City Licensing Bylaw);

- (b) apartment buildings;
- (c) art galleries;
- (d) bars and/or lounges;
- (e) bingo halls;
- (f) commercial schools;
- (g) day care centers;
- (h) funeral homes;
- (i) museums;
- (j) religious institutions;
- (k) retail stores exceeding 1,000.0 square metres of gross floor area;
- (l) senior citizens apartments;

4.12.4 Site Regulations

The site regulations listed below apply to all uses except for service stations, which shall comply with Section 3.29 of this Bylaw.

4.12.5 Minimum Site Area

- (a) A site area shall be provided of not less than 230.0 square metres. Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum frontage, site area, front, side, or rear yard required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:
 - (i) the enlargement, reconstruction, repair or renovation does not further reduce the front, side or rear yard that does not conform; and
 - (ii) all other applicable provisions of this Bylaw are satisfied.
- (b) parking lots – 465.0 square metres.

4.12.6 Minimum Site Frontage

A site frontage shall be provided of not less than 7.6 metres.

4.12.7 Minimum Front Yard

None required.

4.12.8 Minimum Side Yard

None required, except where the side yard of a site abuts any Residential District without an intervening street or lane, a side yard shall be provided of not less than 1.5 metres.

4.12.9 Minimum Rear Yard

A rear yard shall be provided of not less than 3.0 metres, except where a loading dock is constructed, the rear yard shall be large enough so that trucks do not extend past the property line.

4.12.10 Minimum Floor Area

Each dwelling unit in an apartment shall have a floor area of not less than 37.0 square metres.

4.12.11 Height

- (a) buildings up to five (5) storeys in height shall be permitted.
- (b) buildings exceeding five (5) storeys in height may be permitted at the discretion of Council, said height to be specified by resolution of Council.

4.12.12 Residential Standards

Apartments shall be provided with access separate from entrances to commercial areas.

4.12.13 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.12.14 Signs - Free Standing

- (a) Free standing signs shall only advertise or display the principal use of the premises or, in the case of a vehicle dealership, one (1) or more of the models sold. The number of such signs shall be as follows:
 - (i) on a corner lot there shall be permitted one (1) free standing sign per street frontage provided that the signs are not less than 23.0 metres apart. Measurements shall be taken parallel to the property lines.
 - (ii) on interior lots there shall be permitted one (1) free standing sign per 30.0 metres of frontage and provided that the signs are not less than 23.0 metres apart. Measurements shall be made parallel to the property lines.
- (b) The free standing signs shall not:
 - (i) exceed 9.0 metres in height above grade level.
 - (ii) for a single business have a face area exceeding 22.0 square metres provided, however, that no single face on such sign shall exceed 11.0 square metres.
 - (iii) for two (2) businesses have a face area exceeding 34.0 square metres provided, however, that no single face on such sign shall exceed 17.0 square metres.

- (iv) for three (3) or more businesses have a face area exceeding 46.0 square metres provided, however, that no single face on such sign shall exceed 23.0 square metres.
- (c) signs may be illuminated by direct or indirect lighting but shall not be intermittent.
- (d) signs shall be located wholly within the site and shall not project over any street, lane or adjoining property.

4.12.15 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.12.16 Off-Street Loading

- (a) Off-street loading requirements shall be a minimum of one (1) space for each building or as required in the opinion of the authority having jurisdiction.
- (b) Front or rear yards may be used for the purpose of providing off-street loading spaces.

4.12.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.13 C2 - Neighbourhood Commercial District

4.13.1 Statement of Intent

To accommodate commercial facilities catering to the day-to-day shopping and living requirements of residents of the neighborhood in which the facilities are located. The facilities provided should not necessarily attract clientele other than from the local neighborhood area, either by their design, variety, or scale.

4.13.2 Permitted Principal Uses

In a C2 - District only the following uses of land and buildings shall be permitted:

- (a) apartments located on floors above those occupied by the permitted and/or discretionary uses;
- (b) car washes;
- (c) financial institutions;
- (d) medical and/or dental offices;
- (e) office support services;
- (f) parking lots;
- (g) personal service establishments;
- (h) professional offices;
- (i) restaurants;
- (j) retail stores not exceeding 1,000.0 square metres of gross floor area;
- (k) service stations;
- (l) strip malls

4.13.3 Discretionary Uses

The following discretionary uses of land and building may be permitted:

- (a) bars and/or lounges;
- (b) retail stores exceeding 1,000.0 square metres of gross floor area.
- (c) car rental businesses. (Bylaw No. 25 - 2004)

4.13.4 Site Regulations

The site regulations listed below apply to all uses except for service stations, which shall comply with Section 3.29 of this Bylaw.

4.13.5 Minimum Site Area

- (a) a site area shall be provided of not less than 230.0 square metres;
- (b) parking lots which requires 465.0 square metres.

4.13.6 Minimum Site Frontage

- (a) parking lots - 15.0 metres.
- (b) all other permitted and discretionary uses 7.6 metres.

4.13.7 Minimum Front Yard

A front yard shall be provided of not less than 7.0 metres.

4.13.8 Minimum Side Yard

- (a) none required except where the side of a site abuts any Residential District without an intervening street or lane, a side yard shall be provided of not less than 1.5 metres.
- (b) not less than 4.6 metres along the flanking street on a corner site.

4.13.9 Minimum Rear Yard

A rear yard shall be provided of not less than 3.0 metres.

4.13.10 Minimum Floor Area

Each dwelling unit in an apartment shall have a floor area of not less than 37.0 square metres.

4.13.11 Height

The height of a principal or accessory buildings shall not exceed 12.0 metres.

4.13.12 Residential Standards

- (a) apartments shall be provided with access to an entrance separate from entrances to commercial areas.
- (b) off-street parking required for apartments shall be provided on the same site as the apartment.

4.13.13 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.13.14 Signs - Free Standing

The provisions and regulations respecting free standing signs in Subsection 4.12.14 of a C1 - District shall apply.

4.13.15 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.13.16 Off-Street Loading

- (a) off-street loading requirements shall be one (1) space for each building or as required in the opinion of the authority having jurisdiction.
- (b) front or rear yards may be used for the purpose of providing off-street loading spaces.

4.13.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.14 C3 - Highway Commercial District

4.14.1 Statement of Intent

To provide for the development of land uses adjacent to major routes entering the City which specialize in serving the touring public travelling from beyond the City and require medium to large sites to enable safe and convenient access of high volumes of motor vehicles.

4.14.2 Permitted Principal Uses

In a C3 - District only the following uses of land and buildings shall be permitted:

- (a) amusement arcades (in accordance with the regulations set out in the City Licensing Bylaw);
- (b) automated banking machines;
- (c) car washes;
- (d) commercial entertainment establishments;
- (e) commercial recreational facilities;
- (f) convention centers;
- (g) dry cleaning and/or laundry establishments; (Bylaw 16 – 2005)
- (h) financial institutions;
- (i) lawn and garden equipment and/or accessories sales and services, not exceeding 100 hp; (Bylaw 8 – 2004)
- (j) liquor stores;
- (k) medical and/or dental clinics with or without laboratories;
- (l) motels, hotels;
- (m) motor club and/or tourist information facilities;
- (n) motor vehicle rental establishments;
- (o) motor vehicle sales and services;
- (p) newspaper and/or job printing plants;
- (q) office support services;
- (r) parking lots;
- (s) personal service establishments;
- (t) professional offices;
- (u) restaurants, drive-in restaurants, beverage rooms, cocktail lounges, and/or refreshment stands;
- (v) retail stores not exceeding 1,000.0 square metres;
- (w) service and/or repair shops;
- (x) service stations;
- (y) souvenir, craft and/or antique merchandise stores.
- (z) strip malls. (Bylaw 5 – 2004)

4.14.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bingo halls;
- (b) community centers;
- (c) funeral homes;
- (d) professional training centers;
- (e) religious institutions;
- (f) retail stores exceeding 1,000 square metres of gross floor space;
- (g) schools, dormitories, school auditoriums and/or other allied buildings;
- (h) veterinary clinics;
- (i) casinos. (Bylaw 16 – 2005)

4.14.4 Site Regulations

The site regulations listed below apply to all uses except for service stations, which shall comply with Section 3.29 of this Bylaw.

4.14.5 Minimum Site Area

A site area shall be provided of not less than 900.0 square metres.

4.14.6 Minimum Site Frontage

- (a) motels, hotels - 30.0 metres.
- (b) all other permitted and discretionary uses - 22.0 metres.

4.14.7 Minimum Front Yard

- (a) service stations; motor vehicles sales and services; drive-in restaurants - 12.0 metres.
- (b) all other permitted and discretionary uses - 9.0 metres.

4.14.8 Minimum Side Yard

- (a) a side yard shall be provided of not less than 3.0 metres.
- (b) where a proposed building has walls built having a fire resistance rating of at least one hundred and twenty (120) minutes and roof built having a fire resistance rating of at least sixty (60) minutes and approved by the authority having jurisdiction, the building may be located without a side yard on one (1) side, provided that the side yard on the opposite side of the site is not less than 6.0 metres in width.
- (c) corner site - 4.6 metres adjoining the flanking street.

4.14.9 Minimum Rear Yard

A rear yard shall be provided of not less than 4.6 metres.

4.14.10 Height

- (a) Buildings up to 23.0 metres in height shall be permitted.
- (b) Buildings exceeding 23.0m metres in height may be permitted at the discretion of Council, said height to be specified by resolution of Council.

4.14.11 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.14.12 Signs - Free Standing

- (a) Free standing signs shall only advertise or display the principal use of the premises or, in the case of a vehicle dealership, one (1) or more of the models sold. The number of such signs shall be as follows:
 - (i) on a corner lot there shall be permitted one (1) free standing sign per street frontage provided that the signs are not less than 38.0 metres apart. Measurements shall be taken parallel to the property lines.
 - (ii) on interior lots there shall be permitted one (1) free standing sign per 45.0 metres of frontage and provided that the signs are not less than 38.0 metres apart. Measurements shall be made parallel to the property lines.
- (b) The signs shall not:
 - (i) exceed 25.0 metres in height above grade level.
 - (ii) for a single business have a face area exceeding 28.0 square metres provided, however, that no single face on such sign shall exceed 14.0 square metres.
 - (iii) for two (2) businesses have a face area exceeding 42.0 square metres provided, however, that no single face on such sign shall exceed 21.0 square metres.
 - (iv) for three (3) or more businesses have a face area exceeding 56.0 square metres provided, however, that no single face on such sign shall exceed 28.0 square metres.
- (c) Signs may be illuminated by direct or indirect lighting but shall not be intermittent.
- (d) Signs shall be located wholly within the site and shall not project over any street, lane or adjoining property.

- (e) Separate free standing signs shall be permitted to designate parking areas or entrances and exits.
 - (i) for free standing signs designating a parking area the face area shall not exceed 1.0 square metre.
 - (ii) for free standing signs designating entrances or exits the signs shall not exceed 2.5 metres in height and the face area shall not exceed 0.8 square metres.

4.14.13 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.14.14 Off-Street Loading

Off-street loading requirements shall be one (1) space for each use or as required in the opinion of the authority having jurisdiction.

4.14.15 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.14.16 Screening

All open storage shall be completely screened from view to the authority having jurisdiction's approval.

4.15 C4 - Shopping Center Commercial District

4.15.1 Statement of Intent

To accommodate a variety of commercial uses in areas where development of a building and accessory uses on the same site is designed and planned comprehensively, and is owned and managed on a unitary basis, such that permitted uses share amenities for mutual benefit including off-street parking and interconnected indoor pedestrian walkways.

4.15.2 Permitted Principal Uses

In a C4 - District, only the following uses of land and buildings shall be permitted, singly or as a combination:

- (a) shopping malls including stores and shops conducting a retail business similar to those listed below, including combinations of any or all:
 - (i) clothing and/or dry good stores;
 - (ii) department stores;
 - (iii) drug stores;
 - (iv) financial institutions;
 - (v) furniture and/or appliance stores;
 - (vi) grocery stores;
 - (vii) hardware stores;
 - (viii) home improvement centers conducted within the enclosed structure of shopping centers or shopping malls;
 - (ix) medical and/or dental clinics;
 - (x) parking lots;
 - (xi) personal service establishments;
 - (xii) photography studios;
 - (xiii) professional adult training centers;
 - (xiv) real estate offices
 - (xv) commercial recreation establishments;
 - (xvi) restaurants, cafes, lunch counters, beverage rooms, cocktail lounges and/or coffee houses;
 - (xvii) service stations as an accessory use in a separate building;
 - (xviii) shoe stores;
 - (xix) sporting goods stores;
 - (xx) travel agencies;
 - (xxi) variety and/or jewelry stores.

4.15.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bingo halls;
- (b) business offices;
- (c) public libraries.

4.15.4 Site Regulations

The site regulations listed below apply to all uses except for service stations, which shall comply with Section 3.29 of this Bylaw.

4.15.5 Minimum Site Area

- (a) a site area shall be provided of not less than 3.0 hectares.
- (b) the term "site" for the purpose of this Section shall mean either one (1) single parcel or several adjoining parcels of land, having a combined total area of not less than 3.0 hectares.

4.15.6 Minimum Site Frontage

A site frontage shall be provided of not less than 90.0 metres.

4.15.7 Minimum Front Yard

A front yard shall be provided of not less than 12.0 metres.

4.15.8 Minimum Side Yard

- (a) A side yard shall be provided of not less than 6.0 metres.
- (b) Where a proposed building has a common wall built having a fire resistant rating of at least one hundred and twenty (120) minutes, and either a roof built having a fire resistance rating of sixty (60) minutes or the building sprinklered throughout, the building may be located without a side yard on one (1) side provided that the side yard on the other side of the site is not less than 6.0 metres in width. (Bylaw No. 31 – 2004)

4.15.9 Minimum Rear Yard

A rear yard shall be provided of not less than 6.0 metres.

4.15.10 Height

- (a) Buildings up to 23.0 metres in height shall be permitted.
- (b) Buildings exceeding 23.0 metres in height may be permitted at the discretion of Council, said height to be specified by resolution of Council.

4.15.11 Signs

All exterior signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw. (Bylaw #2-2006)

4.15.12 Signs – Free Standing

- (a) One (1) free standing identification sign shall be permitted for a shopping mall, such sign shall only advertise or display the principal use of the premises on which it is located and shall not:
 - (i) exceed 25.0 metres in height above grade level.
 - (ii) exceed 190.0 square metres in total face area, and no single face of such sign shall exceed 95.0 square metres;
- (b) For each accessory use: One (1) free standing sign. Such sign shall advertise the principal use of the premises and shall not:
 - (i) exceed 11.0 metres in height above grade level.
 - (ii) exceed 33.0 square metres in total face area, and no single face of such sign shall exceed 16.0 square metres;
- (c) Signs shall be located wholly within the site and shall not project over any street, lane or adjoining property.

4.15.13 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.15.14 Off-Street Loading

- (a) Off-street loading requirements shall be a minimum of one (1) space for each 465.0 square metres of floor area or any portion thereof.
- (b) The off-street loading spaces shall not to be included in off-street parking spaces.

4.15.15 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.16 M1 - Light Industrial District

4.16.1 Statement of Intent

To establish and preserve areas for a range of industrial and manufacturing uses with related warehousing, office, commercial, and service establishments but not including any use which would be non-compatible with of other land uses.

4.16.2 Permitted Principal Uses

In an M1 - District, only the following uses of land and buildings shall be permitted:

- (a) business and/or professional offices;
- (b) commercial recreation establishments;
- (c) construction of RTM homes;
- (d) construction plants, yards and/or offices;
- (e) farm machinery sales and/or service;
- (f) financial institutions;
- (g) indoor repair, rental and/or servicing of any commodity which is permitted in this district;
- (h) indoor wholesale and/or retail sales of any goods, materials and/or commodities which are permitted in this district;
- (i) indoor storage of any goods, materials, and/or commodities excluding any hazardous materials;
- (j) manufacturing industries conducted wholly within a building;
- (k) parking lots;
- (l) railway and/or ancillary railway functions;
- (m) residential uses as required by full-time watchmen and their families;
- (n) restaurants, lounges and/or bars;
- (o) service stations including motor vehicle and/or mobile home storage, sales and servicing;
- (p) sheet metal, plating, and/or vehicle body repair facilities;
- (q) storage and/or sales of building materials, lumber and/or machinery;
- (r) veterinary clinics;
- (s) wholesale stores and/or warehouses.

4.16.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) bulk oil and/or gas storages;
- (b) creameries, dairy and cheese factories;
- (c) grain elevators and/or mills;
- (d) humane animal shelters and/or pounds;
- (e) industrial malls containing a combination of permitted uses;
- (f) religious institutions;
- (g) social clubs, fraternal societies, charitable and/or philanthropic institutions. (Bylaw #8 - 2007)

4.16.4 Uses Prohibited

All land and buildings or industrial processes that may be noxious, injurious or which constitute a nuisance by reason of the inherent production or emission of dust, smoke, refuse, matter, odor, gas, fumes, noise, vibration or other similar substances or conditions are prohibited. A description of proposed industrial processes to occur on-site shall be provided as part of an application for a Development Permit at the request of the authority having jurisdiction.

4.16.5 Site Regulations

The site regulations listed below apply to all uses except for service stations, which shall comply with Section 3.29 of this Bylaw.

4.16.6 Minimum Site Area

A site area shall be provided of not less than 700.0 square metres.

4.16.7 Minimum Site Frontage

A site frontage shall be provided of not less than 22.5 metres.

4.16.8 Minimum Front Yard

- (a) service station with pump island in front yard - 12.0 metres;
- (b) all other permitted and discretionary uses - 7.6 metres.

4.16.9 Minimum Side Yard

- (a) a side yard shall be provided of not less than 3.0 metres.
- (b) where a proposed building has walls built having a fire resistance rating of at least one hundred and twenty (120) minutes and a roof built having a fire resistance rating of at least sixty (60) minutes, and the fire resistance ratings are approved by the Authority Having Jurisdiction, the building may be located without a side yard on one (1) side, provided that the side yard on the other side of the site is not less than 6.0 metres in width.

4.16.10 Minimum Rear Yard

A rear yard shall be provided of not less than 3.0 metres in depth except where the site abuts railway trackage no rear yard shall be required.

4.16.11 Height

- (a) Buildings up to 23.0 metres in height shall be permitted.
- (b) Buildings exceeding 23.0 metres in height may be permitted at the discretion of Council, said height to be specified by resolution of Council.

4.16.12 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.16.13 Signs - Free Standing

The provisions and regulations respecting free standing signs in Subsection 4.12.14 of a C1 - District shall apply.

4.16.14 Performance Standards

- (a) An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
 - (i) noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
 - (ii) smoke - no process involving the use of solid fuel is permitted;
 - (iii) dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
 - (iv) odor - the emission of any odorous gas or other odorous matter is prohibited;
 - (v) toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
 - (vi) glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
 - (vii) external storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
 - (viii) industrial wastes - waste which does not conform to the standards established from time to time by City Bylaws shall not be discharged into any City sewers.
- (b) The onus of proving to the authority having jurisdiction and Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

- (c) In considering the application, the authority having jurisdiction or Council shall have regard to the intent of this Section, which is to establish use on the basis of:
 - (i) appropriate performance standards;
 - (ii) the methods, equipment and techniques of the applicant; and
 - (iii) the use of neighboring lands and Districts and the compatibility of the proposed use with neighboring lands and Districts.

4.16.15 Off-Street Parking

- (a) Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.
- (b) Front, side and rear yards may be used for the purpose of providing off-street parking spaces.

4.16.16 Off-Street Loading

- (a) One (1) off-street loading space shall be provided for each principal building.
- (b) Front, side and rear yards may be used for the purpose of providing required off-street loading spaces.

4.16.17 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.17 M2 - Heavy Industrial District

4.17.1 Statement of Intent

To establish and preserve areas for industrial and manufacturing uses which, by nature of their operations, could be non-compatible with other adjoining land uses, and therefore require separation.

4.17.2 Permitted Principal Uses

In an M2 - District, only the following uses of land and buildings shall be permitted:

- (a) all the buildings and uses permitted in Subsection 4.16.2 of the M1 - District;
- (b) gravel stockpiling;
- (c) manufacturing and/or processing of agricultural products;
- (d) manufacturing industries;
- (e) industrial warehousing and/or storage facilities;
- (f) parking lots;
- (g) sewage treatment and/or disposal plants.

4.17.3 Discretionary Uses

The following discretionary uses of land and buildings may be permitted:

- (a) all the buildings and uses permitted in Subsection 4.16.3 of the M1 - District;
- (b) junk yard and/or auto wrecking yards subject to the provisions of Subsection 4.17.5;
- (c) stockyards.

4.17.4 Regulations

All the buildings and uses permitted in this Section shall be subject to all the provisions and regulations specified in an M1 - District.

4.17.5 Fences

All junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

4.17.6 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.17.7 Signs - Free Standing

The provision and regulations respecting free standing signs in Subsection 4.12.14 of a C1- District shall apply.

4.17.8 Landscaping

Landscaping shall be provided in accordance with Section 3.32 of this Bylaw.

4.18 T1 - Transitional District

4.18.1 Statement of Intent

To provide a transitional use area consisting of a compatible mix of Commercial and Residential uses.

4.18.2 Permitted Principal Uses

In a T1 - District only the following uses of land and buildings shall be permitted:

- (a) day care centers;
- (b) dental and/or medical clinics;
- (c) handcraft and/or artisan workshops;
- (d) handcraft and/or artisan workshops in fully or partly converted existing residential buildings;
- (e) personal services;
- (f) personal services in fully or partly converted existing residential buildings;
- (g) professional offices;
- (h) professional offices in fully or partly converted existing residential buildings;
- (i) real estate offices;
- (j) residential dwellings as permitted in an R2 - District;
- (k) restaurants;
- (l) restaurants in fully or partly converted existing residential buildings;
- (m) retail stores;
- (n) retail stores in fully or partly converted existing residential buildings.

4.18.3 Minimum Site Area

The required minimum site area shall be as follows:

- (a) residential dwellings: regulations governing minimum site area of the R2 -District shall apply;
- (b) day care centers, real estate offices, restaurants, retail stores, handcraft and/or artisan workshops: 465.0 square metres;
- (c) all other permitted uses: 530.0 square metres.

4.18.4 Minimum Site Frontage

The required minimum site frontage shall be as follows:

- (a) residential dwellings: regulations governing minimum site frontage of the R2 - District shall apply;

- (b) day care centers, real estate offices, restaurants, retail stores, handicraft and/or artisan workshops: 30.0 metres;
- (c) all other permitted uses: 15.0 metres.

4.18.5 Minimum Front Yard

A front yard shall not be less than 7.0 metres.

4.18.6 Minimum Side Yard

A side yard shall be provided of not less than 1.5 metres, except on a corner site along the flanking street the side yard shall not be less than 3.0 metres.

4.18.7 Minimum Rear Yard

A rear yard shall not be less than 7.6 metres.

4.18.8 Height

The height of a building shall not exceed 11.0 metres and shall not be more than two and one half (2 1/2) storeys.

4.18.9 Signs

All signs except free standing signs, shall be regulated by Section 3.24 of this Bylaw.

4.18.10 Signs - Free Standing

The provisions and regulations respecting free standing signs in Subsection 4.12.14 of a C1 - District shall apply.

4.18.11 Off-Street Parking

Off-street parking spaces shall be provided in accordance with Section 3.22 of this Bylaw.

4.18.12 Off-Street Loading

- (a) Off-street loading requirements shall be one (1) space for each building or as required by the authority having jurisdiction.
- (b) Only rear yards may be used for the purpose of providing off-street loading space.

4.18.13 Landscaping

Landscaping shall be provided for in accordance with Section 3.32 of this Bylaw.

4.18.14 Screening

Except in the case of an existing residential dwelling, a site where a permitted use is to be conducted abutting a Residential District shall provide suitable screening in the following manner:

- (a) Fencing to a minimum height of 1.5 metres shall be erected and maintained; and/or
- (b) Landscaping using trees and/or shrubs along the abutting property line.

4.19 CZ - Contract Zone District

Council may enter into an agreement to accommodate a request for the rezoning of land to permit a specified proposal, where such proposal meets the following guidelines:

- 4.19.1 The use of land and buildings proposed for the site shall conform to the general land use intended for the area as indicated in the Development Plan Bylaw;
- 4.19.2 Specific use and/or development proposed is compatible with adjacent land uses;
- 4.19.3 The agreement for a Contract Zone District may set out:
 - (a) a description of the proposal;
 - (b) uses of the land and buildings or the forms of development;
 - (c) the site layout and external design, including parking areas, landscaping and accesses, but not including the color, texture or type of materials and architectural detail; and/or
 - (d) time limits within which any part of the described proposal or terms and conditions shall be carried out;
- 4.19.4 None of the land or buildings shall be developed or used except in accordance with the proposal, terms, conditions and/or time limits prescribed in the agreement;
- 4.19.5 A Contract Zone District may be considered where it is deemed that an existing building or lot could not be reasonably or practically utilized for a purpose allowed under the existing zoning because of its shape, size or other unusual condition;
- 4.19.6 A Contract Zone District may be designated only on:
 - (a) small or irregular shaped lots;
 - (b) lots restricted by physical barriers such as water courses, slopes, roadways, and railways;
 - (c) infill sites in higher density residential or mixed-use areas; or
 - (d) sites accommodating unique development opportunities.
- 4.19.7 Specific factors to be considered in evaluation of a Contract Zone District shall include, but not be limited to the following:
 - (a) the development's proposed use, height, bulk, density and site characteristics relative to those of adjacent land development;
 - (b) the effect that traffic generated by the proposed development will have on traffic volumes and flow in the vicinity of the proposed development;
 - (c) the servicing requirements of the proposed development;

- (d) the adequacy for off-street parking to meet the needs of any employees, customers, residents and/or visitors; and
- (e) the availability of existing land which is zoned to accommodate the type of proposed development;

4.19.8 The agreement establishing the required terms, conditions, and/or time limits shall be registered as an interest against the land after the Bylaw rezoning the property has been approved. This agreement shall be binding on the owners, their heirs, executors, administrators, successors and assigns;

4.19.9 Council may, on application by the person who entered into an agreement pursuant to this Section or by any person who is the subsequent owner of the land to which this agreement pertains:

- (a) vary the agreement;
- (b) enter into a new agreement; or
- (c) extend any time limit prescribed in the agreement.

4.19.10 Council may attach conditions to the agreement, which in its opinion, are necessary to ensure compatibility between the proposed development and surrounding land uses.

4.19.11 Council may by Bylaw declare an agreement void where:

- (a) the development is not undertaken in accordance with the terms of the agreement; or
- (b) the development is not completed within the prescribed time limit as specified in the agreement.

In this case the land reverts back to the district to which it was designated prior to the rezoning.

4.19.12 Council may require a performance bond from the developer prior to entering into any agreements respecting a Contract Zone District.

4.19.13 Contract Zone Districts are listed in "Schedule A" which forms part of this Bylaw.

4.20 DC – Direct Control District

4.20.1 Statement of Intent

Council may designate areas, in which they consider it desirable to exercise varying degrees of discretion and flexibility over the use and/or development of land or buildings, as a Direct Control District.

4.20.2 Direct Control District

Direct Control designation shall be added as a prefix to the regular district symbol (i.e. DC-C1) and the prescribed development standards of the regular district shall apply, unless special provisions have been agreed to and specified in a development agreement.

Approval of Council shall not be required where the use and/or development conforms to the permitted principal uses of the regular district.

4.20.3

- (a) The use of land and/or buildings proposed for the site shall conform to the general land use intended for the area indicated in the Development Plan Bylaw.
- (b) No development shall be undertaken in a Direct Control District unless Council has approved one or both of the following:
 - (i) the plans showing the location of all buildings to be erected, all facilities and works to be provided in conjunction with these buildings and all facilities and works required under Subsection 4.20.3(c); or
 - (ii) the drawings showing plan, elevation and cross-section views for each building to be erected, sufficient to display:
 - the massing and conceptual design or proposed buildings;
 - the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access;
 - the provisions of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, but not layouts of interior areas other than the interior walkways, stairs and escalators; and
 - the color, texture and type of materials, window details, construction details, architectural details and interior design.

-
- (c) As a condition to the approval of the plans and drawings referred to in Subsection 4.20.3(b) Council may require the applicant to enter into a development agreement with the City in respect of that land or building and the agreement may provide for:
- (i) the use of the land and any existing or proposed building;
 - (ii) the timing of construction of any proposed building;
 - (iii) the amenities required to be provided for public use or convenience within the building or on the land;
 - (iv) off-street loading and parking facilities;
 - (v) walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands;
 - (vi) walkways, including the surfacing of walkways and all other means of pedestrian access;
 - (vii) facilities for the lighting, including floodlighting, of the land or any building;
 - (viii) vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - (ix) the construction by or at the expense of the applicant, in whole or in part, of:
 - streets, sidewalks, landscaping and street lighting;
 - works, plants, pipelines or facilities for storm drainage, water supply and distribution or electrical distribution;
 - a system of collection and disposal of sewage; and/or
 - any other public utility;
 - (x) the payment of a sum of money to the City in lieu of any of the requirements of Subsection 4.20.3(c)(ix) to be used by the City for any of the purposed referred to in that Subsection; and/or
 - (xi) the maintenance, to the satisfaction of the City and at the risk and expense of the applicant, of any or all of the facilities or works mentioned in Subsection 4.20.3(c)(iii) and (ix).
- (d) A development agreement is deemed to bind the owner of the land affected by it and his heirs, executors, administrators, successors and assigns and no use of land or buildings located on that land or any development of that land is to take place except in accordance with that agreement.
- (e) The evaluation of proposed development in a Direct Control District shall include, but not be limited to, the following criteria:
- (i) the development shall provide for a compatible interface with adjacent land use and/or development;
 - (ii) the development shall provide for adequate vehicular and pedestrian access, giving consideration to surrounding traffic circulation patterns;
 - (iii) the development should contain amenity area for public use and enjoyment of the occupants (i.e. landscaping, recreational facilities);

- (iv) the development shall accommodate and be coordinated with all relevant public service facilities and operations (i.e. sanitation, snow removal, transportation, communication, energy, emergency services); and
- (v) the development shall be designed in a manner which is sensitive to applicable environmental concerns (i.e. pollution, noise, natural hazards, wind).

4.21 Inner City Areas

4.21.1 Statement of Intent

The Inner City Areas are the older areas designated to allow infill development as defined in this Bylaw and as stated in the Development Plan Bylaw policies.

4.21.2 Inner City Areas

The Inner City Area shall be that area as shown on Schedule "C" which forms part of this Bylaw.

4.21.3 Regulations

- (a) Single-detached, semi-detached and two-unit dwellings may be moved into the City only within the designated Inner City Areas.
- (b) All move-in dwellings shall be compatible in age and appearance with existing dwellings in the immediate area.
- (c) All move-in dwellings shall be inspected and approved by the Building Inspector before a moving permit is issued. The Building Inspector may impose conditions regarding repairs, upgrading, orientation and/or any other item deemed necessary.
- (d) The fee for the inspection of move-in dwellings shall be set by resolution of Council.
- (e) Mobile/manufactured homes shall not be permitted within the Inner City Areas.

PART FIVE EFFECTIVE DATE OF BYLAW

This Bylaw shall come into force on the date of final approval by the Minister of Government Relations and Aboriginal Affairs.

_____ MAYOR _____ CITY CLERK

INTRODUCED AND READ a first time this 20th day of January, 2003.

READ a second time this 20th day of January, 2003.

READ a third time upon the consent of Council members present and finally passed this 20th day of January, 2003.

Schedule A - Contract Zone Districts

Bylaw No. 6 - 1996
(March 18, 1996)
Entrepreneurial
Centre

Lot 14, Block 1, (Plan 96SC05539) as per the proposed subdivision plan prepared by the City of Swift Current Engineering Department dated January 29, 1996. Minerals in the Crown.

Schedule B
Exception/Relaxation to/of Development Standards

Pursuant to this Bylaw, the following sites have been granted exception to development standards:

1. Lots 62 - 78, Block 7, Plan 73SC05543
Relaxation: Minimum required front yard shall be 6.0 metres.

2. Lots 18 - 21, Block 14, Plan 83SC05874
Relaxation: Minimum required front yard shall be 6.0 metres.

3. Lot 8, and most Northerly 15 feet of the East Half of Lot 9, Block 73, Swift Current Plan K-5486
Except: Most Northerly 16 feet 8 inches in perpendicular width throughout of Lot 8.
Secondary: The most Southerly 33 feet 4 inches of the most Westerly 110 feet of Lot 8.
Relaxation: Minimum required frontage of 14.74 metres.

4. Lot 5, Block C, Plan 62SC03445
Relaxation minimum required front yard shall be 7.0 metres.

5. Lot 18, Block 53, Plan 82SC11611
Relaxation: Minimum rear yard shall be 4.0 metres for the sole purpose of enclosing the existing sundeck.

6. Bylaw No. 21 - 1994
(May 16, 1994)

Block Y, Plan 76SC00549
Relaxation: Minimum front yard setback shall be 9.0 metres for the sole purpose of connecting two (2) buildings on this site in order that a Laundromat may be developed within the facility.

7. Bylaw No. 13 - 1995
(May 1, 1995)

Lot 7, Block 53, Plan B4312, being part of duplicate certificate of title 65SC02284.

Relaxation: Allow a free standing sign 8.53 metres high with two (2) faces not exceeding a total of 22.0 square metres. The exception is granted because the total property area contained on the title is 4,942.0 square metres and fronts on three (3) streets.

8. Bylaw No. 30 - 1995
(August 8, 1995)

Lot 3, Block K, Plan DV1167 Relaxation: Minimum front yard shall be 2.75 metres and the east side yard shall be 0.9 metres. This exception is allowed solely for the addition to the existing house approved in July, 1995 and does not allow any further encroachments into the front or east side yard.

9. Bylaw No. 19 - 1996
(August 6, 1996)

Lot 3, Block H, Plan DV1167
Relaxation: Minimum front yard shall be 4.95 metres.

10. Bylaw No. 23 - 1996
(August 19, 1996)

Lots 11 and 12, and Lot C, Block 13, Plan I2432 and Lot 13, Block 14, Plan I2432
Relaxation: Minimum front yard shall be 2.0 metres.

11. Bylaw No. 10 – 1998
(April 6, 1998)

Lot 24, Block 140, Plan I2320
Relaxation: Minimum side yard shall be 1.5 metres.

12. Bylaw No. 35 – 1998
(September 21, 1998)

Lot 3, Block 139, Plan 65SC11260
Relaxation: Minimum side yard shall be 1.5 metres.

13. Bylaw No. 5 – 2005
(April 12, 2005)

Lot 26, Block 14, Plan 95SC05109
Relaxation: Minimum front yard shall be 3.0 metres.

14. Bylaw No. 3 – 2008
(March 31, 2008)

Parcel A, Plan N1700
To allow a second free standing message board and sign standing 8.5m high and 4m wide on the site of the Credit Union i-plex.

15. Bylaw No. 5 – 2009
(April 13, 2009)

Lot 19, Block 60, Plan 98SC16073

Relaxation: Minimum Site Area shall be 230 square metres and the Minimum Site Frontage shall be 7.6 metres

16. Bylaw No. 15 – 2009
(August 25, 2009)

Lot 27, Block B, Plan B4078

Relaxation: off-street parking requirement from seven (7) stalls to five (5) stalls

17. Bylaw No. 16 – 2009
(August 25, 2009)

Lot 11, Block 97, Plan AB368

Relaxation: the required 3.0m (10ft) flanking sideyard setback to 1.45m (4'-9")

18. Bylaw No. 1-2011
(January 10, 2011)

Lot 23, Block 57, Plan 98SC16073

To allow a free-standing sign to a height no greater than 4.2 metres on the site of the Great Plains College.

19. Bylaw No. 3-2011
(May 2, 2011)

Parcel PP, Plan 101779634 Ext 4; Parcel D, Plan 101779689 Ext 73;
Parcel B, Plan 101779677 Ext 22; Parcel A, Plan 101779656 Ext 14;
Parcel LL, Plan 101779599 Ext 6; Parcel G, Plan B4078 Ext 5; Parcel KK,
Plan 101779601 Ext 7

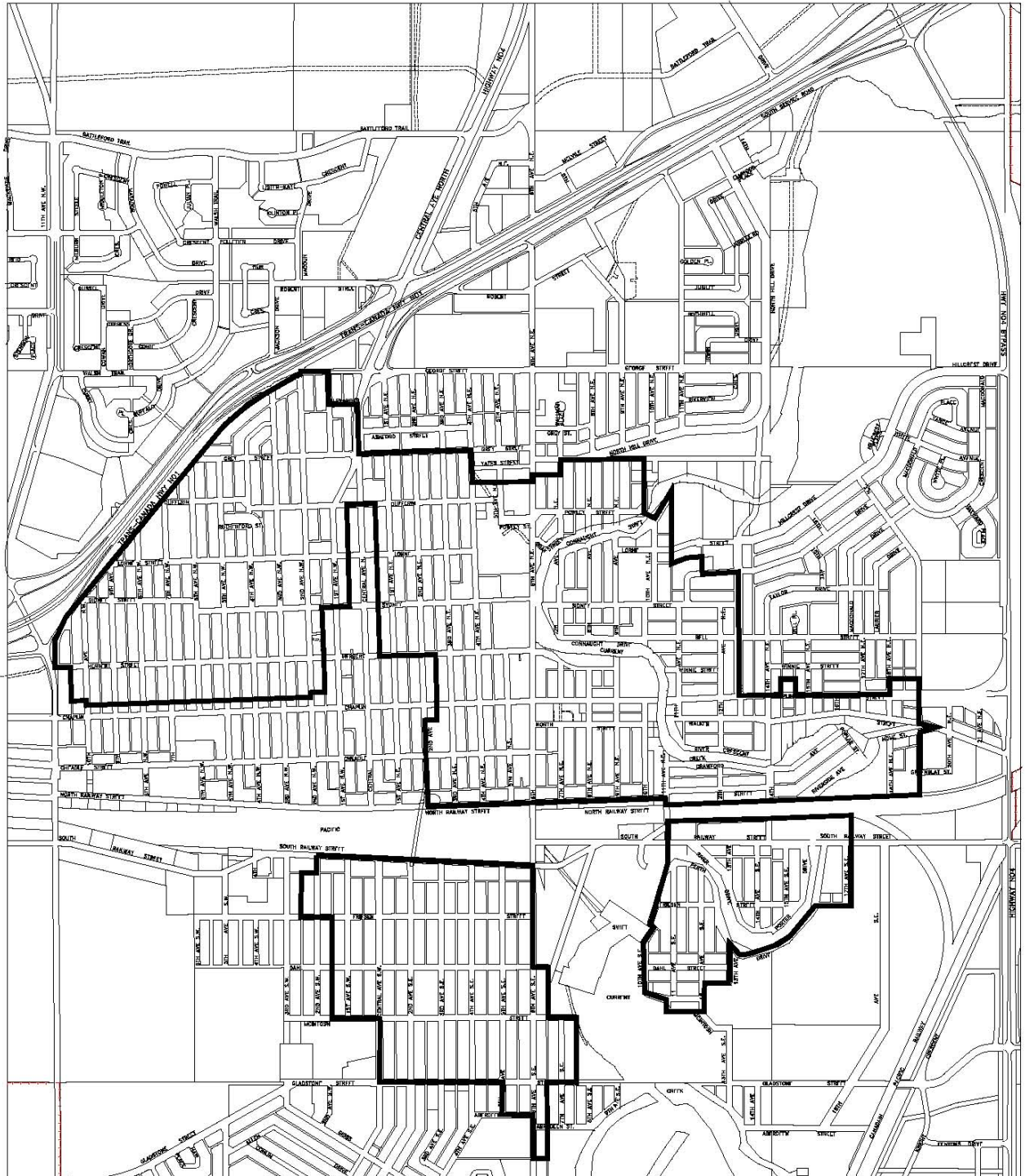
Relaxation: the minimum front yard setback from 7.6m to 0m

20. Bylaw No. 12 – 2011
(July 11, 2011)

Lots 34A and 34B, Block 38, Plan 101947541; Lot 35, Block 38, Plan 76SC12869; Lots 36A and 36B, Block 38, Plan 88SC06977; and Lots 37 to 39, Block 38, Plan 76SC12869

Relaxation: the minimum site frontage to 10.6m

Schedule C
In-Fill Areas



Schedule D

Development Fees

The following is a list of development application fees for the various forms of development in the City. An application shall not be considered complete until all fees have been paid.

Fees for Development Permit Applications:

- No charge, except for applicable Building Permit fees, as stated in the City Building Bylaw.

Zoning Applications/Bylaw Amendments/Discretionary Use Applications:

- \$400.00 + GST

Minor Variances:

- \$50.00

Conformity Certificates:

- \$10.00

Development Appeals:

- \$50.00

Moving Permits:

- \$15.00

Sign Permit (other than for a portable sign)

- \$15.00

Portable Sign Permit:

- \$25.00 as specified in Section 3.25.1(h)(ii)

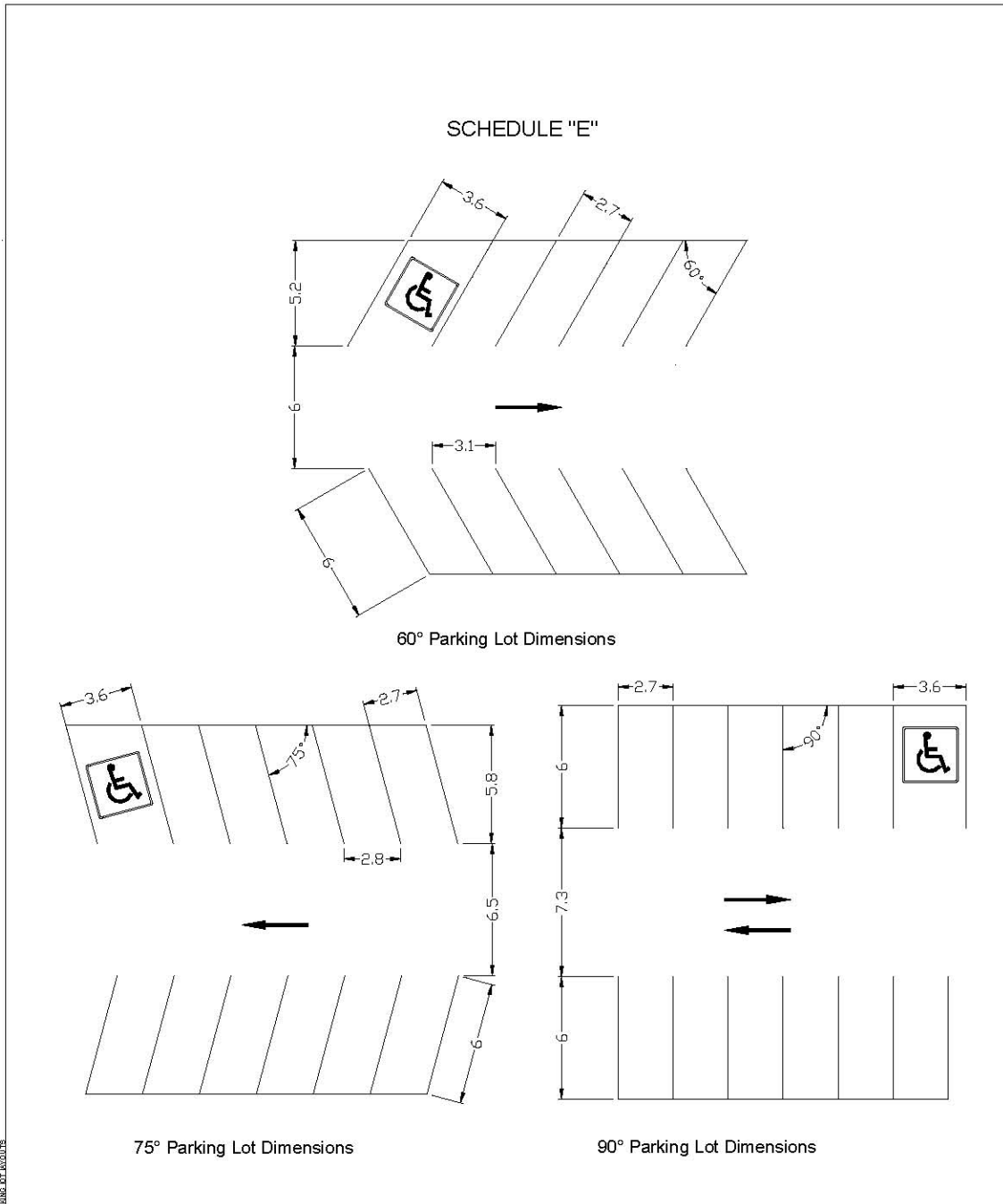
Payment In Lieu of Off-Street Parking Facilities:

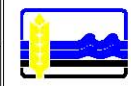

- \$2,000.00 for each off-street parking space

Shipping Container Permits: (Bylaw No. 13-2011)

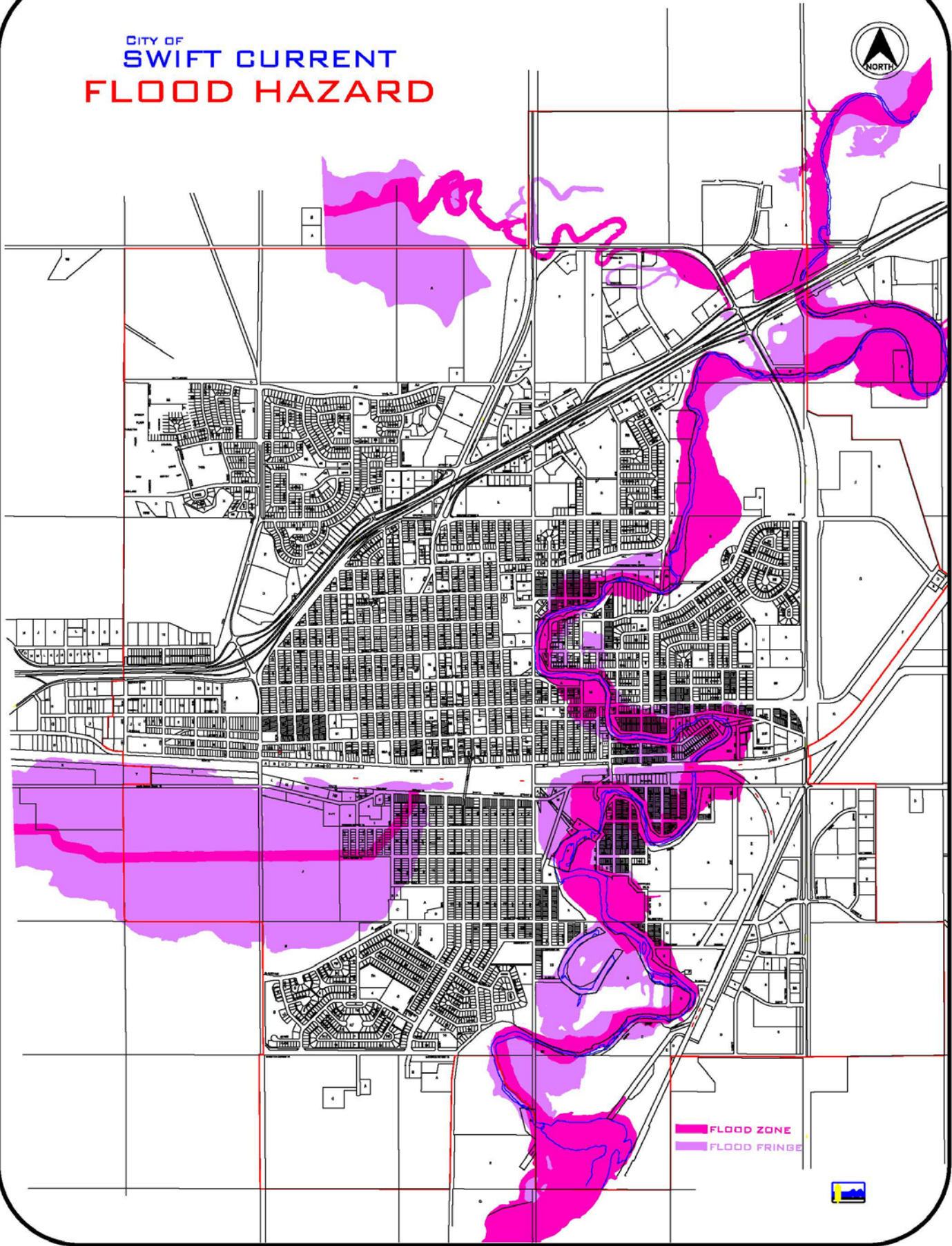
- Principal or Accessory: as per the permit fees specified in the Building Bylaw;
- Temporary: \$50.00
- Extension to Temporary: \$30.00

**Schedule E
Parking Lot Layout**



<p>NOTES:</p> <p>1. All dimensions are in meters.</p>	<p>Drawn By: C.D.C.</p>	<p>THE CITY OF SWIFT CURRENT ENGINEERING & PLANNING DEPARTMENT</p>	
	<p>Checked By: R.J.N.</p> <p>Date: MARCH, 2001</p> <p>Scale: 1:200</p> <p>Approved By:</p>		
	<p>City Engineer</p>	<p>DATE DRAWN NO. Parking Lot.dwg</p>	

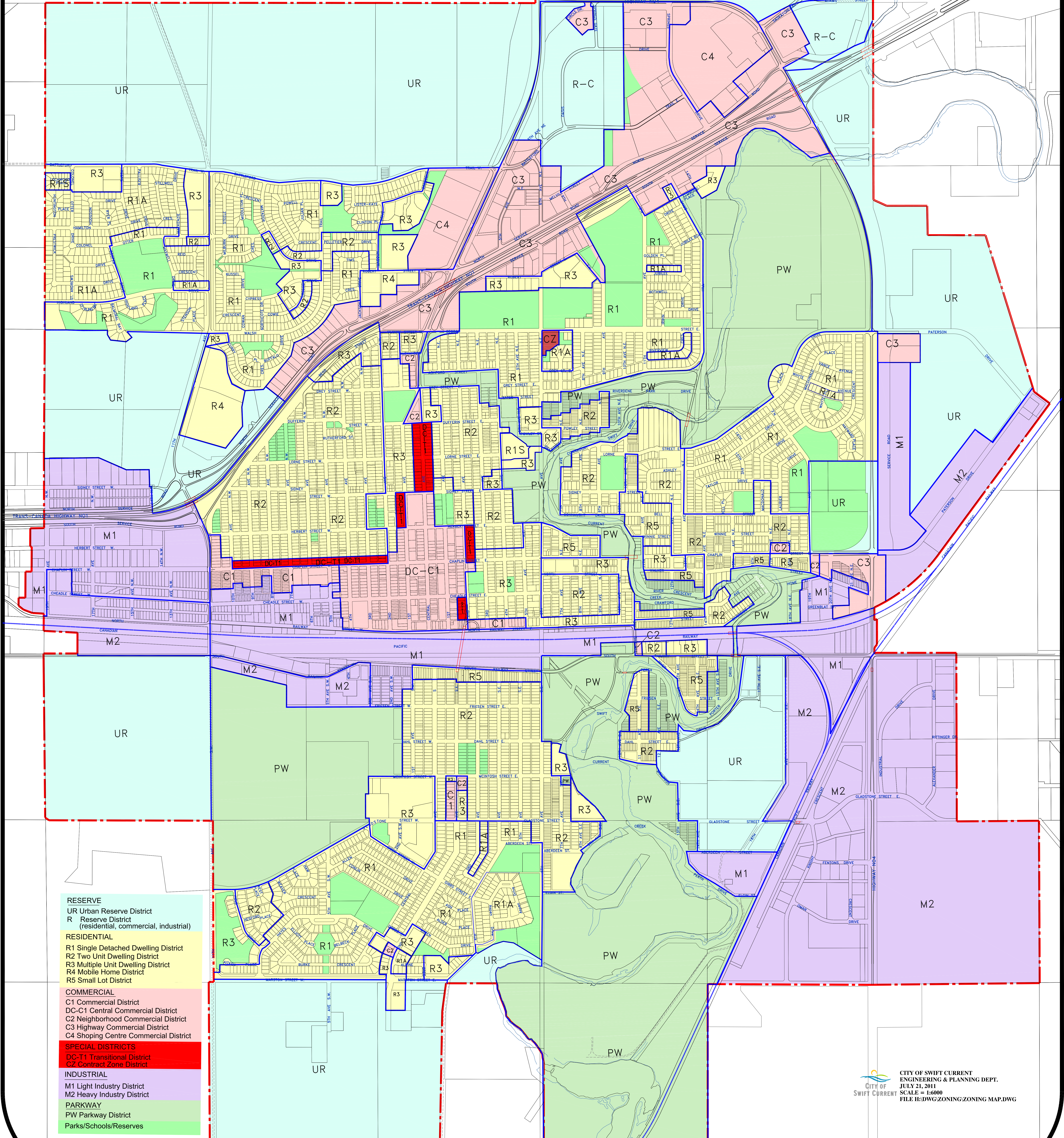
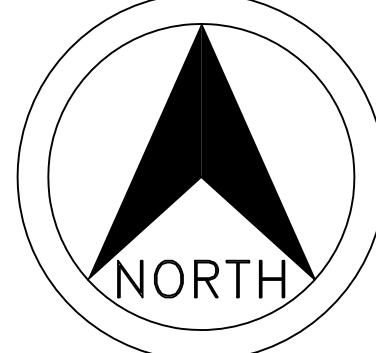
CITY OF
SWIFT CURRENT
FLOOD HAZARD



FLOOD ZONE
FLOOD FRINGE



CITY OF SWIFT CURRENT ZONING MAP



- RESERVE**
- UR Urban Reserve District
- R Reserve District (residential, commercial, industrial)
- RESIDENTIAL**
- R1 Single Detached Dwelling District
- R2 Two Unit Dwelling District
- R3 Multiple Unit Dwelling District
- R4 Mobile Home District
- R5 Small Lot District
- COMMERCIAL**
- C1 Commercial District
- DC-C1 Central Commercial District
- C2 Neighborhood Commercial District
- C3 Highway Commercial District
- C4 Shopping Centre Commercial District
- SPECIAL DISTRICTS**
- DC-T1 Transitional District
- CZ Contract Zone District
- INDUSTRIAL**
- M1 Light Industry District
- M2 Heavy Industry District
- PARKWAY**
- PW Parkway District
- Parks/Schools/Reserves