

**Town of Warman**  
**Zoning Bylaw No. 2006-11**



Office Consolidation – November 29, 2010



**TOWN OF WARMAN**

**BYLAW NO. 2006-11**

A Bylaw of the Town of Warman to adopt a Zoning Bylaw.

Whereas the Council of the Town of Warman has, by resolution authorized the preparation of a Zoning Bylaw pursuant to Section 67 of *The Planning and Development Act, 1983*;

And Whereas, *The Planning and Development Act, 1983*, provides that Council may, by bylaw, adopt a Zoning Bylaw;

Therefore, the Council of the Town of Warman in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. That Bylaw No. 87-13 and all amendments thereto are hereby repealed.
2. This Bylaw may be cited as the "Town of Warman Zoning Bylaw".
3. "The Zoning Bylaw" of the Town of Warman is attached and forms part of this Bylaw.
4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

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MAYOR  
Wally Davis

SEAL

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ADMINISTRATOR  
Ivan Gabrysh

Certified a True Copy of  
Bylaw No. 2006-11, adopted by  
Council on the 24<sup>th</sup> day of  
July, 2006.

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Town Clerk



**TOWN OF WARMAN**  
**ZONING BYLAW No. 2006-11**



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## 1. INTRODUCTION

Under the authority granted by *The Planning and Development Act, 1983 or a successor thereto*, the Council of the Town of Warman, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

### 1.1 Title

This bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Warman.

### 1.2 Purpose

The purpose of this bylaw is to regulate development in the Town of Warman to provide for the amenity of the community and for the health, safety and general welfare of the inhabitants of the municipality.

### 1.3 Scope

Development shall hereafter be permitted within the limits of the Town of Warman only when in conformity with the provisions of this bylaw.

### 1.4 Severability

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

## 2. DEFINITIONS

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

**Accessory Use** - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

**Alteration** - any structural change or addition made to any building.

**Approved** - approved by the Council of the Town of Warman.

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

**Bare Land Condominium** - a condominium with bare land units as defined by *The Condominium Property Act, 1993* or any successor thereto.

**Bare Land Condominium Unit** – a bare land unit as defined by *The Condominium Property Act, 1993*, or any successor thereto.

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

**Building** - a structure constructed or placed on, in or over land but does not include a public highway.

**Building Accessory** - a subordinate detached building appurtenant to a principal building or principal use and located on the same lot, the purpose of which is to provide better and more convenient enjoyment of the principal building or principal use.

**Building Bylaw** - a bylaw of the Town of Warman regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

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

**Building Permit** - a permit, issued under the Building Bylaw of the Town of Warman, authorizing the construction of all or part of a building or structure.

**Building, Principal** - a building in which is conducted the main or primary use of the lot on which said building is situated.

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

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

**Carport** – a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by doors, windows and walls and is attached to the principal building.

**Club** - a service club or private club which involves recreational, social, cultural or athletic activities usually characterized by certain membership qualifications, payment of fees or dues, regular meeting, and a constitution or bylaws.

**Commercial Entertainment Establishment** - a recreation or amusement facility operated as a business and open to the general public for a fee such as but not limited to, an amusement arcade, bowling alleys, theatres, billiard parlour, and bingo hall licensed by the Saskatchewan Liquor and Gaming Authority.

**Communication Structure** - structures used for receiving and broadcasting radio, cellular phone or television signals.

**Community Centre** - a facility operated by the municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

**Condominium** – a condominium as defined by *The Condominium Property Act, 1993* or any successor thereto.

**Construction Trades** – Offices, shops, and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with the construction of buildings.

**Council** - the Council of the Town of Warman.

**Cultural Institution** – Establishments such as museums, art galleries, libraries and similar facilities of historical, educational, or cultural interest which are not commercially operated.

**Day Care Centre** - a facility which provides for the care of pre-school age children, and includes, but is not limited to:

- (a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act*; or
- (b) a nursery school for pre-school children.

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

**Development Officer** - the officer of the Town of Warman appointed pursuant to Section 3.1 to administer this bylaw.

**Development Permit** - a permit, issued by the Council of the Town of Warman or its designate that authorizes development but does not include a building permit.

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

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

**Dwelling Unit Group** - two or more single detached or semi-detached or multiple unit dwellings located on a single lot or parcel of land including bare land condominiums.

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

**Dwelling, Duplex** - a building divided horizontally into two dwelling units as herein defined.

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

**Dwelling, Multiple Unit - Apartment** - a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence and each unit not having its own entrance to the outside and as distinct from a hotel or rooming house.

**Dwelling, Multiple Unit – Townhouse** - a multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings, and units may be side by side, up and down or a combination thereof including bare land condominiums.

**Dwelling, Re-located** - a dwelling that is already existing and is currently or has been habitated in another location and is intended to be moved onto a vacant lot within the Town of Warman.

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

**Family Child Care Home** - a child care facility located in a building where the principal use is a dwelling unit, and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act*.

**Flankage** – The side lot line of a corner lot that abuts a street.

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

**Frontage** – The side of a lot abutting the street; however, in the case of a corner lot the shorter side shall be the frontage.

**Front Lot Line** – The property line that divides the lot from the street. In the case of a corner lot, the front lot line shall be the line separating the narrowest street frontage of the lot from the street.

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

**Garage, Private** - a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory and shall include a carport.

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

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

**Grade Level** - an average of the finished surface of the ground adjacent to the exterior walls of the building or structure.

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

**Health Care Clinic** – A facility or institution, whether public or private, principally engaged in the provision of services for health maintenance, diagnosis or treatment of human pain, injury or other physical condition.



**Home Based Business** – see ‘Home Occupation’.

**Home Occupation** - an occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory 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.

**Home Occupation, Non-traditional** – A home occupation which has the potential to produce offensive emissions such as noise, smoke, dust, odour or glare to an extent greater than normally produced in a residential neighbourhood.

**Home Occupation, Traditional** – A home occupation which does not have the potential to produce offensive emissions such as noise, smoke, dust, odour or glare to an extent greater than normally produced in a residential neighbourhood.

**Hotel** - buildings or structures or part thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses such as a restaurant or licensed beverage room.

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

a) Soft Landscaping consists of vegetation such as trees, shrubs, vines, hedges, flowers, and ground cover such as grass or mulch and;

b) Hard Landscaping that consists of concrete, unit pavers, brick pavers or quarry tile but does not include gravel, shale, or asphalt.

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

**Lot** - an area of land with fixed boundaries and which is of record in the Land Titles office by Certificate of Title.

**Lot Coverage** – That portion of a lot that is covered by buildings or structures.

**Lot Depth** – The average distance between the front lot line and the rear lot line, measured within the lot boundaries.

**Lot Line - Front** - the boundary that divides the lot from the street, in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot.

**Lot Line - Rear** - the boundary at the rear of the lot and opposite the front lot line.

**Lot Line - Side** - a lot boundary other than a front or rear lot line.

**Mayor** - the Mayor of the Town of Warman.

**Minister** - the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 1983 or a successor thereto*.

**Manufactured Home** - a dwelling unit:

- (a) that is used for permanent or year round living;
- (b) that is transported to a site where all signs of mobility including hitches, wheels, etc. are removed and the manufactured home is placed on a foundation capable of supporting it;
- (c) that is built off-site in a factory;
- (d) that has water faucets and a shower head or bathtub that may be connected to a water distribution system;
- (e) that has a wash basin and water closet that may be connected to a sewage system; and
- (f) which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.

**Manufactured Home Park** - any tract or parcel of land on which two or more occupied manufactured homes are permitted to be harboured 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 the manufactured home park, but does not include an industrial or construction camp or tourist campsite where a tent or trailer coach that is not a manufactured home is also harboured or is permitted to be harboured thereon.

**Manufactured Home Site** – An area of land in a manufactured home park for the placement of a manufactured home.

**Manufactured Home, Single Wide** - a manufactured home that is less than 6.1 metres (20 ft.) in width.

**Manufactured Home, Double Wide** - a manufactured home that is greater than 6 metres (20 ft.) in width.

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

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

**Motel** - buildings or structures or parts thereof consisting of a group of attached or detached living or sleeping accommodations, each unit with bathrooms, located on a lot or lots and designed for use by the public, and may include accessory uses such as a restaurant, licensed dining room or lounge.

**Municipality** – The Town of Warman.

**Non-Conforming Building** - a building:

- a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this bylaw or any amendment to the

bylaw affecting the building or land on which the building is situated or will be situated, becomes effective, and  
b) that on the date this or any amendment hereto becomes effective does not or when constructed will not comply with this bylaw.

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

- a) being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this bylaw or any amendment hereto becomes effective, and
- b) that on the date this bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this bylaw.

**Permitted Use** – A use or form of development other than a discretionary use specifically permitted in the zoning district and subject to the regulations of the zoning district.

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

- a) systems for the production, distribution or transmission of electricity;
- b) systems for the distribution, storage, or transmission of natural gas or oil;
- c) facilities for the storage, transmission, treatment, distribution or supply of water;
- d) facilities for the collection, treatment, movement or disposal of sewage and garbage;
- e) telephone or light distribution lines;
- f) microwave tower communication facilities;
- g) facilities for optical cable, or cable television services;
- h) facilities for the collection, treatment, movement, or distribution of storm water.

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

**Personal Service Establishment** - a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops and other similar uses.

**Principal Building** – The building in which is conducted the primary or main use of the property on which said building is situated.

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

**Rooming House** - a building containing more than one rooming unit.

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

**Row House** - see Town House

**Screening** – A fence, wall, berm or planted vegetation located so as to visually shield or obscure one use from another.

**Secondary Suite** – a self contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a single detached dwelling.

**Service Station** - a building or part of a building other than a private garage used for the retail sale of lubricating oils and motor fuels for vehicles, and automobile accessories, storage, care, repair, servicing, or equipping of motor vehicles, or where such vehicles are kept for remuneration, hire, sale, or display and which may include a cafeteria, but not including auto body repair or painting.

**Shipping Container**- a standardized re-sealable moveable transportation box for freight handling and storage, typically constructed of aluminium or steel.

**Shopping Centre** - a building or group of buildings on the same parcel in which a minimum of two (2) of the permitted and/ or discretionary uses of the zoning district are located together, each use having a separate entrance to the outside.

**Sight Triangle** - the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 3.0 metres (9.84 ft.) from the corner property pin to a similar point 3.0 metres (9.84 ft.) along the perpendicular or intersecting property line.

**Special Care Home** - a facility licensed pursuant to *The Housing and Special-Care Homes Act* which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.

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

**Strip Mall** - see "Shopping Centre".

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

**Structure, Temporary** - anything that is built, constructed, erected or placed, located on the ground, or attached to something located on or in the ground but that may be relocated or moved and is not of a permanent nature applicable for a defined period of time and not exceeding 6 months.

**Tourist Campground** - a tract or parcel of land which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

**Town** – the Town of Warman.

**Town House** - a side-by-side multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common vertical wall which has no openings.

**Town Manager** – the Manager of the Town of Warman.

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

**Yard** - any part of a lot unoccupied and unobstructed by any principal building or structure.

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

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

**Yard Required** – The minimum size of a front, side, or rear yard required under this Bylaw.

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

### 3. ADMINISTRATION

#### 3.1 Development Officer

The Development Officer of the Town of Warman shall be designated by Council and shall be responsible for the administration of this bylaw.

#### 3.2 Development Permit

- (1) Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A development permit cannot be issued in contravention of any of the provisions of this bylaw.
- (2) A development permit **is not required** for the following, but all other applicable provisions of this bylaw are to be followed in addition to obtaining a building permit where required:
  - (a) the maintenance of a public utility by the municipality or private corporation;
  - (b) the construction of a public utility by the municipality;
  - (c) the installation of public utility on any street or other public right-of-way by the municipality;
  - (d) maintenance and repairs that do not include structural alterations;
  - (e) the installation of fences in residential districts or accessory buildings under 9.3 square metres (100.11 sq. ft.).
- (3) A **building permit** shall not be issued unless a development permit, where required, has also been issued.
- (4) If the development or use authorized by a development permit is not commenced within six months from the date of its issue, and completed within twelve months of its issue, the permit is deemed void unless an extension to the period has first been granted.

#### 3.3 Application for a Development Permit

- (1) The application for a development permit shall be made, to the Development Officer, in the form established by Council. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.
- (2) Where the application is for a **Discretionary Use** the applicant shall also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

#### 3.4 Review of Applications

- (1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this bylaw and the policies contained in the Development Plan.
- (2) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.

### **3.5 Decision**

- (1) The decision on all applications shall be made in writing to the applicant, in the form established by Council.
- (2) Where the application is for a **Permitted use** the Development Officer shall, upon completion of the review:
  - (a) issue a development permit where the application conforms to all provisions of this bylaw; or
  - (b) issue the development permit specifying any special regulations or standards to which the development or use must comply, where the class of development or use is subject to special regulations, performance standards or development standards that are specified in this bylaw; or
  - (c) refuse the application where the provisions of this bylaw are not met, indicating to the applicant the reason for the refusal.
- (3) Where the application is for a DISCRETIONARY USE, subject to Section 3.8 the Council shall pass a resolution instructing the Development Officer to either:
  - (a) issue a development permit incorporating any special development standards prescribed by Council in accordance with the provisions of this bylaw; or
  - (b) refuse the application, indicating the reasons for the refusal.

### **3.6 Revocation of Decision**

### **3.7**

Where an approved development is not being developed in accordance with the provisions of this bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit.

### **3.8 Development Appeals**

- (1) A Development Appeals Board of the Town of Warman is appointed in accordance with *The Planning and Development Act, 1983 or a successor thereto*.
- (2) Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Warman.
- (3) Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED DEVELOPMENT STANDARDS pursuant to this bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Warman.

- (4) An application for a development permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7(2) as though the application had been refused at the end of the period specified in this subsection.
- (5) An application for a minor variance may be appealed to the Development Appeals Board of the Town of Warman in accordance with Sections 3.11(12) and (13).
- (6) A fee of \$50.00 shall be paid where an appeal is made to the Development Appeals Board.

### **3.9 Advertising of a Discretionary Use**

Prior to making a decision on a discretionary use application, Council shall provide notice to the public in the following manner:

- (1) In the case of an application for a home occupation, by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application.
- (2) In the case of a discretionary use application other than a home occupation in any residential district, by providing written notice to assessed owners of property within 100 metres of the land that is the subject of the application, and providing notice in one issue of a newspaper published or circulated in the Town of Warman at least one week prior to the public hearing date.
- (3) In the case of a discretionary use application in any other zoning district, by providing written notice to assessed owners of property on the same town block as the land that is the subject of the application, and providing notice in one issue of a newspaper published or circulated in the Town of Warman at least one week prior to the public hearing date.

### **3.10 Application Fees**

The following fees shall apply for processing applications:

- (1) *Amendment of the Zoning Bylaw* - Where a person requests Council to amend the zoning bylaw that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment.
- (2) *Discretionary Uses* - The applicant shall pay to the municipality a fee equal to the costs associated with providing notice to the public.
- (3) *Minor Variance* - The application fee for a minor variance shall be \$25.00.

### **3.11 Enforcement, Offences and Penalties**

- (1) In accordance with *The Planning and Development Act, 1983* the Development Officer may, at a reasonable time, and with the consent of the owner, operator, or occupant, enter any land, building, or premises for the purposes of inspection where the Development Officer has reasonable grounds to believe that any development or form of development on or in the land, building or premises



contravenes any provision of the zoning bylaw. Any steps to enforce the provisions of the zoning bylaw shall be followed as set out in *The Planning and Development Act, 1983*.

- (2) Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Planning and Development Act, 1983*.

### **3.12 Minor Variances to the Zoning Bylaw**

- (1) An application may be made to the Development Officer for a minor variance to the zoning bylaw in a form as prescribed by Council.
- (2) The Development Officer shall maintain a register as an appendix to the zoning bylaw of all minor variance applications.
- (3) The Development Officer may vary the requirements of the zoning bylaw subject to the following conditions:
  - (a) a minor variance may be granted for variation only of:
    - (i) the minimum required distance of a building from the lot line; and
    - (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 a 10% variation of the bylaw requirements of the zoning bylaw;
  - (c) the development shall conform to the zoning bylaw with respect to the use of land;
  - (d) the relaxation of the zoning bylaw shall not injuriously affect neighbouring properties;
  - (e) no minor variance shall be granted for 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*
- (4) On receipt of an application for a minor variance, the Development Officer may:
  - (a) approve the minor variance;
  - (b) approve the minor variance and impose terms and conditions on the approval;or
  - (c) refuse the minor variance.
- (5) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection (4), the terms and conditions shall be consistent with:
  - (a) minimizing adverse impacts on neighbouring properties;
  - (b) providing adequate separation between buildings for safety reasons; and
  - (c) avoiding encroachment into adjoining property.
- (6) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.
- (7) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.
- (8) The written notice required pursuant to subsection (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 20 days, lodge a written objection with the Development Officer; and
  - (d) indicate where there is an objection described in clause (c), the applicant will be notified of the right of appeal to the Development Appeals Board.
- (9) The written notice required pursuant to subsection (7) shall be delivered:
- (a) by registered mail; or
  - (b) by personal service.
- (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 23 days from the date the notice was mailed;
  - (b) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- (11) If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the municipality respecting the approval of the minor variance within the time period prescribed in subsection (8), the approval is deemed to be revoked and the Development Officer 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 30 days of receiving the notice.
- (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 30 days of the date of that decision.

## **4. GENERAL REGULATIONS**

### **4.1 All Zoning Districts**

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

#### **4.1.1 Licenses, Permits, and Compliance with Other Bylaws**

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

#### **4.1.2 Existing Buildings**

Where a building has been erected on or before the effective date of this bylaw on a lot having less than the minimum frontage or area, or having less than the minimum set-back or side yard or rear yard required by this bylaw, a development permit may be issued to enlarge, reconstruct, repair or renovate provided that:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this bylaw;
- (2) all other applicable provisions of this bylaw are satisfied.

#### **4.1.3 Building Lines**

Where a front building line in any district has been established by existing buildings in a block, and is less than the specified front yard requirement, new construction may conform to the established building line but a minimum front yard of not less than 4.5 metres shall be provided.

#### **4.1.4 Number of Principal Buildings Permitted on a Lot**

#### **4.1.5**

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, community centres, nursing homes, senior citizen homes, dwelling unit groups, multiple unit dwellings, manufactured homes in courts, and commercial and industrial properties that have a lot area in excess of 1,500 square meters.

#### **4.1.6**

#### **4.1.7 Building to be Moved**

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the Development Officer unless such building is exempted by this bylaw.

#### **4.1.8 Demolition of Buildings**

No building, residential or otherwise, shall be demolished within the area covered by this bylaw without obtaining a development permit from the Development Officer.

#### **4.1.9 Grading and Levelling of a Lot**

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage, which does not adversely affect adjacent property, in accordance with the requirements of the Town of Warman.

#### **4.1.10 Site Development**

The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs or reconstruction shall be to the satisfaction of the development officer in order that these shall be in general conformity in such matters with adjacent properties.

#### **4.1.11 Waste Disposal**

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

#### **4.1.12 Non-Conforming Uses and Non-Conforming Buildings**

Non-conforming uses and non-conforming buildings shall be subject to *The Planning and Development Act, 1983 or a successor thereto*,.

#### **4.1.13 Non-Conforming Structures and Lots and Metric Conversion**

No existing structure or lot shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the Metric System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

#### **4.1.14 Geotechnical Analysis Required**

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

#### **4.1.15 Satellite Dish, Radio Tower or Television Antenna for Personal Use**

The installation and operation of a free standing satellite dish, radio tower or television antenna and its supporting structure intended for personal use is permitted in all zoning districts provided that such structures is not located in any front yard or in the case of a corner lot, in any portion of the rear yard which is within 3 metres (9.8 ft.) of the side lot line adjacent to a flanking street.

## **4.2 Residential Districts**

### **4.2.1 Projections in Yards**

The following projections in yards may be permitted subject to the setback requirements of the National Building Code:

#### **(1) Front Yards**

The following features may project into a required front yard:

- (a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, fire escapes to a maximum projection of 0.61 metres (2 ft.);
- (b) unenclosed decks, cantilevered balconies, porches and steps to a maximum projection of 2.0 metres (6.56 ft.);
- (c) a satellite dish, radio tower or television antenna where attached to a principal dwelling to a maximum projection of 0.61 metres (2 ft.);
- (d) No projections shall be permitted within a front yard area required for parking where any portion of the said projection would be at an elevation lower than 2.5 metres (8.2 ft.) above the finished grade elevation measured at the corresponding front wall of the building.

#### **(2) Rear Yards**

The following features may project into a required rear yard:

- (a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (4.91 ft.);
- (b) unenclosed decks, balconies, porches, and steps to a maximum projection of 2 metres (6.56 ft.);
- (c) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.61 metres (2 ft.).

#### **(3) Side Yards**

- (a) The following features may project into a required side yard:
  - (i) bay windows, window boxes and sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.61 metres (2 ft.); and
  - (ii) cantilevered construction of fire escapes, chimney chases, bow windows, bookcases, fire places, built in cabinets, living space, balconies, and canopies to a maximum projection of 0.61 metres provided that the total area of all cantilevered features shall not exceed 2.5 square metres (26.9 sq. ft.) per floor level;
- (b) Unenclosed decks no higher than 0.61 metres (2 ft.) above the finished grade may project to the side property line, but not encroach onto neighbouring property.
- (c) No projections shall be permitted within a side yard required for vehicular access or parking where any portion of the said projection would be at an elevation lower than 2.5 metres (8.2 ft.) above the finished grade elevation measured at the corresponding side wall of the building.

- (d) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of .61 metres (2 feet).

**(4) Wheel Chair Ramps**

A wheelchair ramp may encroach into any required yard.

**4.2.2 Accessory Uses, Buildings, and Structures**

- (1) In all Residential Districts the following regulations shall apply to uses, buildings and structures including private garages, which are accessory and detached from the principal dwelling:

Side yard, minimum	- 1.0 metres (3.28 ft.) and no structure shall have a projection greater than 0.61 metres (2 ft.) beyond the main wall.
Rear yard, minimum	- 1.2 metres (3.94 ft.)
Front yard, minimum	- the front yard of the principal building of the specific zoning district shall apply.
Height, maximum, Permitted Approval	- 1 Storey
Discretionary Approval	- 2 storey
Interior Wall height, maximum	-10 ft. per storey
Distance from a principal building	- minimum 2 metres (6.56 ft.)
Rear yard lot coverage	- maximum 50% total rear yard coverage for all accessory buildings and structures

- (2) Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.
- (3) The following structures are allowed in a required yard and are not subject to setback regulations, except where a sight triangle is required:
  - (a) In all yards: sidewalks, uncovered driveways, lighting fixtures, and lamp posts.
  - (b) In rear yards; in addition to the structures listed in clause (a) above, recreation equipment, laundry drying equipment, and garbage stands.

**4.2.3 Secondary Suites**

The following regulations shall apply to secondary suites developed in any residential district:

- (1) Secondary suites may only be located in single detached dwellings and shall not occupy more than 45% of the gross floor area of the dwelling including the basement.
- (2) A single detached dwelling must have a minimum floor area of 100 square metres (1,076.42 sq. ft.) to accommodate a secondary suite.
- (3) No more than one secondary suite shall be located in a single detached dwelling.

- (4) One off-street parking space shall be provided for the secondary suite.
- (5) Where a secondary suite has a separate entrance from the outside, this entrance may only be located on a side or rear wall of the principal dwelling.
- (6) Secondary suites shall comply with all relevant requirements of the National Building Code.

#### **4.2.4 Fences and Hedges**

#### **4.3 Fences may be constructed or hedges and shrubs grown, along a lot line only in conformance with the following regulations:**

- (1) No wall, fence, hedge or shrub (excluding trees) located along any side or rear lot line, shall exceed 2 metres (6.56 ft.) in height.
- (2) No wall, fence, hedge or shrub (excluding trees) located along any lot line in any required front yard, shall exceed 1 metre (3.3 ft.) in height.
- (3) In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1 metre (3.3 ft.) in height, measured above the grade of the streets that abut the lot or site, in an intersection sight triangle.

#### **4.3.1 Landscaping**

- (1) All front yards in any residential district shall be landscaped with common residential soft landscaping materials within 18 months of the dwelling being substantially completed.
- (2) A performance bond or letter of credit may be required in accordance with policies of the Town of Warman to ensure landscaping is completed.

#### **4.3.2 Storage**

- (1) No side or front yards shall be used for the storage or collection of goods, commodities or other forms of material.

#### **4.3.3 Prefabricated Homes**

- (1) Prefabricated homes shall be considered as single detached dwelling units and shall be subject to the same regulations as single detached dwelling units in the appropriate residential district where listed as a permitted or discretionary use.

### **4.4 Commercial and Industrial Districts**

#### **4.4.1 Projections in Yards**



In any Commercial or Industrial District, where minimum front or rear yards are required, such minimum requirement shall not apply to prevent the construction or location of chimney chases, fire escapes, steps, eaves and gutters of 0.61 metres (2 ft.) or less.

#### **4.4.2 Fences and Hedges**

Fences constructed or and hedges and shrubs planted in Commercial or Industrial Districts shall comply with the following regulations:

- (1) Except where required for screening, a fence, hedge or shrub (excluding trees) shall not exceed 3 metres (9.84 ft.) in height in industrial districts, and shall not exceed 2 meters (6.56 ft) in height in commercial districts.
- (2) In the case of corner lots, no fence, hedge, shrub, or tree shall be placed so as to create a visual obstruction in a sight triangle.

#### **4.4.3 Landscaping and screening**

- (1) Developments abutting a residential district shall be screened from view to the satisfaction of the development officer.
- (2) If permitted, outside storage areas of commercial and industrial materials and equipment shall be screened from adjacent sites and public streets.
- (3) In C1, C2, and M1 Zoning Districts the boulevard, where existing and a minimum of 10% of the site area shall be landscaped in accordance with a landscaping plan approved by the Development Officer.
- (4) Any trees or shrubs which die, that were planted in accordance with an approved landscaping plan shall be replaced the next planting season.

## **5. SPECIAL PROVISIONS**

This section addresses special provisions and specific development standards that apply to a development where allowed as a permitted or a discretionary use in a zoning district.

### **5.1 Development Standards – Discretionary Uses**

- (1) In approving a discretionary use, Council may prescribe specific development standards in excess of the Zoning District regulations that are intended to minimize land use conflict related to:
  - the nature, size, shape, elevation and surface drainage of the site;
  - the size, shape and arrangement of buildings;
  - access and traffic patterns for persons and vehicles on and off-site;
  - type and volume of vehicle traffic;
  - off-street parking and loading;
  - safeguards to prevent offensive emissions;
  - landscaping;
  - screening and fencing; and
  - lighting and signs.

### **5.2 Bed and Breakfast Lodging**

Bed and breakfast lodging, where allowed in a specific district, shall be subject to the following development standards:

- (1) Bed and breakfast lodging shall be located in a single detached dwelling used as the operator's principal residence.
- (2) Bed and breakfast lodging shall be licensed by the Department of Health and meet the requirements of the National Building Code and National Fire Code.
- (3) A maximum of two guest bedrooms shall be permitted in a dwelling operating as bed and breakfast lodging.
- (4) Off-street parking shall be provided in accordance with Section 7.2.
- (5) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the bed and breakfast lodging is permitted.

### **5.3 Home Occupations**

Home occupations, where allowed in a residential district, shall be subject to the following development standards:

- (1) No person or persons shall commence or operate a home occupation until a Home Occupation Application Form, as established by Council, is completed and permission is obtained from the Town to commence or operate the home occupation.
- (2) Home occupations may be located in a dwelling used as the owners own residence or in a building accessory to the dwelling.
- (3) Home occupations shall be conducted entirely within the dwelling or accessory building.

- (4) Home occupations shall not create any conflict with the residential area in terms of emissions including but not limited to noise, glare, dust or odour, which would be disruptive to the surrounding residential uses.
- (5) Home occupations shall not result in a prominent increase in traffic or parking needs in the residential area.
- (6) The home occupation shall not have any exterior display or storage of materials and no exterior variation from the residential character of the residence or its accessory building.
- (7) Persons employed in the home occupation shall be full time residents of the dwelling.
- (8) No more than 25 percent of the gross floor area of the principal building shall be used for the home occupation.
- (9) All permits issued for home occupations shall be valid for the period of time the property is occupied by the applicant.

#### **5.4 Service Stations and Gas Bars**

Service stations and gas bars, where allowed in a specific zoning district, shall be subject to the following development standards:

- (1) Fuel pumps and other accessory equipment shall be located at least 6 metres (19.69 ft.) from any street or lot line.
- (2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- (3) All business shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.
- (4) The arrangement of the proposed structure on the site shall be designed to reduce conflict with adjoining uses.
- (5) The access to the site shall be designed to reduce conflict with other vehicular and pedestrian traffic.
- (6) Any specific development standards imposed related to landscaping, screening, open spaces, parking and standing areas for vehicles shall be designed to reduce conflict with adjoining land uses and to ensure adequate areas for vehicles on the property.
- (7) The storage of fuel shall meet all provincial regulations.

#### **5.5 Personal Care Homes**

A personal care home shall be subject to the following development standards where developed in a single detached dwelling in a residential area:

- (1) The personal care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
- (2) A personal care home shall meet all of the regulations for a single detached dwelling as prescribed for the district in which it is located.
- (3) The operator of the personal care home shall be a permanent resident of the dwelling licensed as a personal care home.
- (4) A maximum of two personal care homes will be allowed in a block and may be located on the same side of the street or on opposite sides of the street.
- (5) The maximum number of residents allowed in a personal care home shall be 10 residents.

- (6) Any changes resulting in the increase in the number of residents to the maximum number set in clause (4) or an increase in the area devoted to a personal care home or alterations or additions to the structure used as a personal care home shall require a new development permit for a discretionary use.
- (7) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the personal care home is permitted.
- (8) Off-street parking shall be provided in accordance with Section 7.2.

**5.6 Bare Land Condominium Plans**

The following regulations shall apply to all bare land condominium plans:

Bare land condominium plans shall be considered a single lot for the purpose of regulations under this bylaw:

Distance of Principle buildings to condominium plan property lines:

- Yard, front - minimum - subject to applicable Zoning District regulations;
- Yard, rear - minimum - Subject to applicable Zoning District regulations;
- Yard, side - minimum - 6 metres (19.69 ft.) or half the average wall height whichever is greater;

- Lot coverage - maximum - 60% coverage for all buildings and structures with calculations not including internal roadways or required parking areas;

- Distance between buildings:
  - minimum distance between side walls of buildings within the condominium plan shall be 3 metres (9.84 ft.) or half the average wall height of both buildings combined whichever is greater.
  - minimum distance between rear walls of buildings within the condominium plan shall be 12 metres (39.37 ft.)

Distance of Principle buildings to internal roadways and parking areas:

- minimum distance from an internal roadway to the nearest foundation wall of a principal building shall be 3 metres (9.84 ft.).

- Other Applicable regulations - Other applicable Zoning District regulations shall apply to bare land condominium plans.

## 6. SIGN REGULATIONS

### 6.1 Definitions

Terms and words used in this bylaw regarding the regulations of signs, unless the context otherwise requires, are defined as follows:

**Changeable Copy** – a portion of a sign which allows copy to be changed either manually through the use of attachable characters or automatically through electronic switching, lamp banks or illuminated tubes. Changeable copy includes mechanically controlled time and temperature displays.

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

**Sign Structure** – is any structure that supports a sign, including materials used to conceal or improve the visual appearance of the structural parts.

**Sign, Abandoned** – any sign which is on-premises or off premises that has either intentionally or unintentionally been allowed to fall into a state of disrepair, or a sign which is not in a readable state.

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

**Sign, Animated** – any sign or a portion of a sign having moving parts or electronically controlled colour changes or lights that depict action or give motion to the sign, and includes flashing lights.

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

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

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

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

**Sign, Directional** - any sign:

- a) displaying safety or warning messages;
- b) directing traffic or providing parking directions; or
- c) giving instructions, directions or orders to persons making use of premises.

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

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

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

**Sign, Identification** - a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant, but does not include any advertising copy.

**Sign, Illuminated** – any sign having lighting directed on the sign face or from a light source located within the sign which is transmitted through a transparent or translucent sign face.

**Sign, Inflatable** – is a sign made of a flexible material that can take on a three dimensional shape when filled with an inert gas. Commonly used as a temporary sign for special events or a promotion.

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

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

**Sign, Temporary** – an on-premises or off-premises sign that is relocatable or removable from a site and used for a defined period of time.

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

**Third Party Advertising** – a sign or portion of a sign which advertises goods or services sold on another property.

## 6.2 The Need for a Sign Permit

- (1) Except as otherwise provided, a sign permit is required for erecting, enlarging, changing or structurally altering a sign. A sign shall not be erected, altered, enlarged or maintained upon any property, lot or street in any district, by any person, except in conformity with the regulations outlined in the following sections:
- (2) Applications for a sign permit must be made in writing in the proscribed form to the Development Officer by the owner, lessee, or authorized agent of the premises that the sign is to be located on. The Development Officer will require plans, specifications and construction details and other information as deemed necessary to determine the nature and location of the intended sign or billboard.

- (3) The provisions of these regulations shall not be construed as to limit or interfere with the erection and maintenance of signs on public streets, public lanes or public places or signs which are designed and intended for the safety or protection of the health and general welfare of the public, which are essentially for the maintenance and protection or efficient operation of public service and public property or which are primarily intended for direction of the public and identification of establishments or places of public service which are clearly not operated for the purpose of gain.
- (4) A sign permit is not required for the following, however, general regulations must be complied with where applicable:
- (a) Government signs where signs erected by a duly constituted government body or organization is for the purpose of providing information by:
    - (i) a public service by the Town;
    - (ii) an agency supplying a public utility;
    - (iii) the Provincial or Federal Government; and
    - (iv) a committee or local authority established by the Town.
  - (b) Directional signs having a maximum facial area of 1 square metre (10.76 sq. ft.).
  - (c) Event signs which are unlighted signs having a maximum facial area of 3 square metres (32.29 sq. ft.) displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a civic philanthropic, educational, or religious organization, to be removed within one (1) day after the event.
  - (d) Display window signs located on the surface of or inside display windows, lighted only by building illumination.
  - (e) Construction signs subject to the following regulations:
    - (i) two signs on the premises are permitted; and
    - (ii) the maximum sign facial area shall be 7.5 square metres (80.73 sq. ft.) for each sign permitted on site.
    - (iii) these signs must be removed within 14 days after the building is occupied.
  - (f) Real estate signs - one unlighted sign having a maximum facial area of 1.2 square metres (12.92 sq. ft.).
  - (g) Address designation signs - signs that denote a numerical civic address or occupant having a maximum facial area of 0.6 square metres (6.46 sq. ft.), and when illuminated, shall be continually lit.
  - (h) Tenant identification signs - signs located inside a building including tenant identification inside an enclosed shopping centre.
  - (i) Copy change on a lawful sign provided that the position, height, dimensions, lighting and structural framework of the sign are not altered.
  - (j) Election signs
  - (k) Banners
  - (l) Garage/yard sale signs subject to the following regulations:
    - (i) Garage/yard sale signs are permitted in residential districts;
    - (ii) Garage/yard sale signs shall not be located on Town property, including centre medians or traffic islands.

- (iii) Garage/yard sale signs cannot be any larger than 0.6 square metres (6.46 sq. ft.).
- (iv) The signs may be posted for a maximum period of 48 hours and shall be removed immediately after the time period expires.

### **6.3 General Regulations**

- (1) No sign shall be located in any manner that would visually obstruct or jeopardize the safety of others.
- (2) Signs shall not interfere with traffic signs or lights, public utilities, landscaping or street furniture.
- (3) Free-standing signs and billboards shall not be placed or maintained within a sight triangle.
- (4) The Development Officer may allow a variance that allows the placement of a free-standing sign or a billboard wholly or partially within the sight triangle, where in the opinion of the Development Officer the distance between the property line and the sign does not impede vehicular traffic or interfere with traffic signals.
- (5) Where intermittent lights are deemed to be a safety hazard by Council, or a duly appointed police officer for the Town, such lights shall be converted to a steady source of illumination.
- (6) Where signs are to be placed adjacent to a provincial highway, they shall be subject to Saskatchewan Highways and Transportation regulations where applicable.
- (7) Converted vehicle and trailer signs are not permitted in the Town of Warman.
- (8) The exterior finish and construction of all signs shall be of an appearance satisfactory to the Development Officer.
- (9) All signs shall be kept in a safe, tidy and legible condition and may be required to be renovated or removed at the discretion of the Development Officer.
- (10) Signs with inappropriate or no content shall be ordered renovated or removed at the discretion of the Development Officer.
- (11) Inflatable signs shall not exceed the maximum building height of the Zone and shall be located within any required yard or setback.
- (12) A-board signs must be less than 0.6 square metres (6.46 sq. ft.) and be pedestrian oriented and rest on the ground.

### **6.4 Contraventions of the Sign Regulations Offences and Penalties**

- (1) When a person contravenes any of the provisions of this bylaw respecting signs, that person or persons shall be liable on summary conviction to the penalties provided for in this bylaw.

### **6.5 Removal or Repair of Signs**



**(1) If any sign is abandoned, erected without an approved permit, an approved permit lapses, or a sign no longer complies with the terms of an approved permit, the Development Officer may order the owner of the sign, the owner of the property on which the sign is erected or both, to remove, repair or modify the sign and the party or parties so notified shall:**

**(a) remove, repair or modify such sign and all related structural components in accordance with the terms of the notice within thirty (30) days from the date of receipt of such notice; and**

**(b) restore the immediate area around the sign, to the satisfaction of the Development Officer, including the ground or any building to which the sign was attached, as close as possible to its original form prior to the installation of the sign.**

## **6.6 Sign Regulations for Residential Districts**

The following regulations shall apply to signs allowed in any Residential District:

(1) One wall sign is permitted for a dwelling having a maximum facial area as follows:

- (a) multiple unit dwellings - 1 square metre (10.76 sq. ft.); and
- (b) all other dwellings - 0.5 square metre (5.38 sq. ft.).

(2) One additional sign for multiple unit dwellings may be erected as follows:

- (a) a free-standing sign having a maximum facial area of 2.3 square metres (24.76 sq. ft.) in area; or
- (b) a free-standing canopy or awning sign subject to subsection (3) and providing a minimum clearance of 2.45 metres (8 ft.) between the bottom of the canopy and sidewalk or ground.

(3) Free-standing signs shall be located at least 3 metres (9.84 ft.) from any lot line and not be located in a sight triangle.

(4) Non-residential uses in a residential district shall be subject to sign regulations for multiple unit dwellings.

(5) One real estate sign not exceeding 1.5 square metres (16.15 sq. ft.) in area to a maximum height of 2.5 metres (8.2 ft) in height.

(6) All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardise public safety.

## **6.7 Sign Regulations for Commercial and Industrial Districts**

The following regulations shall apply in any Commercial District or Industrial District:

### **6.7.1 General Regulations**

(1) Signs in commercial and industrial districts may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.

- (2) All signs shall provide a minimum clearance of 2.45 metres (8.2 ft.) between the bottom of the sign and a street or sidewalk.
- (3) Signs shall be located a minimum distance of 1 metre (3.28 ft.) from any lot line.
- (4) Signs advertising businesses no longer in operation shall be removed.

### **6.7.2 Animated and Illuminated Signs**

- (1) Animated and illuminated signs are permitted in commercial and industrial districts only, provided that:
  - (a) the sign is constructed in a way that any illumination from it is deflected away from any adjacent residential premise;
  - (b) any illumination from the sign does not impede vehicular traffic or interfere with traffic signals.
- (2) Only electric illumination is permitted and shall be constructed according to the provision of the Electrical Regulations of the Province of Saskatchewan.
- (3) When an illuminated sign is in operation, the outer edge of the faces of the sign or all those portions of the sign other than the outer edge shall be continually lit.
- (4) No animated or illuminated sign shall be permitted in a Residential District.

### **6.7.3 Freestanding Signs:**

- (1) One free standing sign may be permitted per site.
- (2) Notwithstanding subsection (1), a second free standing sign may be permitted at Council's discretion on C2 – Highway Commercial properties if a minimum 30 metre (98.43 ft.) separation from any other freestanding sign on the same site is provided.
- (3) The height of the sign may not exceed 9.1 metres (30 ft.).
- (4) The sign may not exceed 14 sq. metres (150.70 sq. ft.) in area, unless otherwise approved by Council.
- (5) A minimum of 30 metre (98.43 ft.) separation from any other sign along the same street must be maintained unless otherwise approved by Council.
- (6) Free standing signs that exceed 7.6 metres (24.93 ft.) in height above the adjacent finished ground shall be structurally designed by a Registered Architect or a Professional Engineer of the Province of Saskatchewan.
- (7) The foundations of freestanding signs that exceed 5 metres (16.4 ft.) in height shall be constructed with concrete.
- (8) The concrete foundations of free standing signs shall not project more than 1.5 metres (4.92 ft.) above grade.
- (9) Concrete foundations shall not be used for any subsequent sign except the original sign for which the foundations were installed, unless the foundations have been approved for another sign by a Registered Architect or a Professional Engineer of the Province of Saskatchewan.

#### 6.7.4 Portable Signs:

- (1) Except as may be permitted by the Development Officer, a portable sign shall not be located or encroach onto a public roadway, boulevard, or sidewalk.
- (2) Portable signs shall be prohibited where:
  - (a) They are located along the travelled portion of a public highway;
  - (b) They obscure or cause confusion with traffic lights and signs or in anyway endanger progress of traffic through the streets of the town;
  - (c) They are located less than 15.24 metres (50 ft.) from any residential dwelling unit.
- (3) No portable sign should occupy any space that is reserved for off-street parking unless the site contains surplus off-street parking which is in excess of that required by the Zoning Bylaw.
- (4) A portable sign shall not be located or erected for a period greater than 30 consecutive days. During this time the copy of the sign maybe changed as often as is necessary. After the time period expires, that location shall remain free of portable signs for a period of 30 consecutive days.
- (5) The maximum height of a portable sign shall be 2 metres (6.56 ft.).
- (6) The maximum sign facial area shall not exceed 3 square metres (32.29 sq. ft.).
- (7) No portable signs shall be located on Town property including centre medians or traffic islands without prior consent of the Town.
- (8) On any single site, a portable sign may not be located any closer than 15.24 metres (50 ft.) to another portable sign unless written approval from the Development Officer.
- (9) A portable sign that is advertising a special event in the form of a birthday or anniversary or other similar event that is being celebrated by the owner or lessee of the premises may be placed anywhere on the site, providing that such signs are erected for a period of not more than 48 hours.
- (10) Third party advertising is not permitted on portable signs with the exception of portable signs located within the Town of Warman Sign Corridor.
- (11) A portable sign shall not interfere with access to or from the site and shall not impair sight lines for traffic.
- (12) For multiple tenant development, such as shopping centres, with a frontage greater than 15.24 metres (75.5 ft.), one portable sign shall be allowed for each 15.24 metres (50 ft.) of frontage provided there is a separation space of 15.24 metres (50 ft.) between each sign. At no time shall there be more than four portable signs per site.
- (13) Portable signs shall have a permanent tag, label, plate or marking that identifies the ownership of the sign for enforcement purposes and shall be displayed in a visible location.
- (14) Portable signs may be illuminated but shall not have any flashing or animated lights.

#### **6.7.4.1 Portable Signs for Non Profit Organizations**

- (1) Organizations which are non-profit and community oriented may place portable signs provided that:
  - (a) Such signs may not stay on the site for more than 30 days.
  - (b) Signs may not display any form of advertising for commercial product or service.
- (2) Notwithstanding clause (b) above, Non Profit Organizations may have third party advertising on their sign, only to show who is sponsoring an event.
- (3) Any portable signs found which are in violation of this section will have 48 hours following notice from the Town, and may be removed and fined by the Town of Warman.

#### **6.7.5 Wall signs:**

- (1) A wall sign may not exceed 20% of the area of the face of the building to which the sign is attached or 14 square metres (150.70 sq. ft.) whichever is less, unless otherwise approved by Council.
- (2) The sign may not project more than 1 metre (3.28 ft.) above the roof or marquee.

#### **6.8 Signs Permitted at Council's Discretion**

The following signs may be allowed at Council's discretion in a CS-Community Service or UH-Urban Holding District where considered appropriate:

##### **6.8.1 Billboard Signs**

- (1) The billboard sign face regulations shall be as follows:
  - (a) maximum single face area - 20 square metres (215.29 sq. ft.)
  - (b) maximum total face area - 40 square metres (430.57 sq. ft.)
  - (c) maximum number of faces - 2
  - (d) double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction.
  - (e) maximum height above grade - 6 metres (19.69 ft.)
- (2) No billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary.
- (3) A billboard erected above grade that exceeds 4.5 metres (14.76 ft.) in height shall be constructed with a steel frame attached to concrete foundations and structurally designed by a Professional Engineer or an Architect Registered in Saskatchewan.
- (4) Billboards erected on the same street or highway that face the same direction shall not be placed closer than 90 metres (295.27 ft.) to each other.

- (5) Notwithstanding subsection (5), billboards erected in the Town of Warman Sign Corridor that face the same direction shall not be placed closer than 18 metres (59.06 ft.) to each other.
- (6) Billboards may be double faced and each side shall be considered as facing traffic flowing in the opposite direction.
- (7) An auxiliary sign or other material shall not be hung on, above or below a billboard unless that billboard has been designed by a Professional Engineer or an Architect Registered in the Province of Saskatchewan to handle the additional load.
- (8) If the back of a Billboard is visible, it shall be suitably painted or covered so as to present a clean and tidy appearance.
- (9) Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs.

### **6.8.2 Community Signs**

- (1) Community Signs shall be considered as any sign relating to the municipality of the Town of Warman including community identification signs, community event signs and any other signs determined by the Development Officer to be Community Signs.
- (2) In considering an application for a Community sign, Council may apply specific development conditions related to:
  - (a) location and orientation of the sign;
  - (b) size and height;
  - (c) proximity to residential land uses;
  - (d) proximity to other signs; and
  - (e) lighting, where the sign is to be illuminated.

## **7. OFF-STREET PARKING AND LOADING REGULATIONS**

### **7.1 General Regulations**

- (1) No person within any district shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with such development.
- (2) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, as specified for required parking and loading facilities, the number of parking and loading spaces shall also be increased in conformance with the provisions of this Bylaw.
- (3) Whenever the existing use of a building is changed the parking and loading spaces shall be provided as required for the new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number that the requirements for the new use exceed those of the existing use.

- (4) For any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion, or other cause to the extent of 50 percent or more of its assessed value and such building is reconstructed, repaired or re-established, off-street parking and loading facilities shall be provided in accordance with this Bylaw.

## **7.2 Off-Street Parking**

- (1) Off-Street parking shall be provided in accordance with the following schedule and regulations.

## Land Use

## Minimum Parking Spaces Required

### Residential Dwelling

- single detached
  - semi-detached and duplex
  - manufactured home
  - manufactured home parks

2  
2 per dwelling unit  
2 per dwelling unit  
As per requirements in the R4 Residential District

### multiple unit

- multiple units for senior citizen housing
- bed and breakfast lodging

1.25 per dwelling unit  
1 per 4 dwelling units  
1 per guest bedroom

### Institutional

- elementary school
- high school and collegiate
- hospital
- special care and nursing home
- community centre, auditorium places of worship
  
- personal care home
  
- library, cultural institution

1 per classroom  
4 per classroom  
1 per 3 beds, plus 1 for every 4 employees  
1 per 5 beds, plus 1 for every 4 employees  
1 per 4 seats provided for patrons  
  
1 where the number of personal care home residents exceeds 5  
1 per 35 seats provided for patrons

### Recreational

- theatre, churches
- curling rink
- billiard hall
  
- bingo hall, arena
- bowling alley
- lodge, fraternal order, club or gymnasium

1 per every 10 seats provided for patrons  
4 per sheet of ice  
1 per billiard table  
  
1 per 4 seats provided for patrons  
2 per alley  
1 for every 9 square metres (96.87 sq. ft.) of floor area

### Office

- business, professional, administrative

1 for every 37 square metres (398.28 sq. ft.) of floor area

### Retail Store

1 for every 40 square metres (430.57 sq. ft.) of floor area

### Shopping Centre and Mini-Mall

1 for every 30 square metres (322.93 sq. ft.) of floor area

### Restaurant, Cafe, Licensed Dining and Beverage Room

1 per every 5 square meters (53.82 sq. ft.) of floor area

### Hotel, Motel

1 per guest room or unit

### Lumber Yard, Home Improvement Centre

1 for every 50 square metres (538.21 sq. ft.) of floor area

### Industrial and Manufacturing Plants

1 for every 55 square metres (592 sq. ft.) of floor area or one for each employee which ever is greater

### Warehousing and Storage

1 for every 90 square metres (968.78 sq. ft.) of floor area

### Other

1 for every 30 square metres (322.93 sq. ft.) of floor area

- (2) All off-street parking spaces shall be a minimum of 2.5 metres in width by 5.5 metres in depth and shall have convenient access to a public street or lane.
- (3) Required off-street parking spaces in any Commercial or Industrial District may be located on a separate lot that is within a convenient walking distance to a maximum of 150 metres (492.13 ft.) of the principal building or use, provided such spaces are located within a Commercial or Industrial District.
- (4) In Residential Districts, off-street parking spaces shall be provided on the lot on which the principal use to which the parking pertains is located.
- (5) Where the necessary off-street parking space is provided on a lot that is separate from the principal use, there shall be recorded in the office of the Development Officer a register able agreement between the municipality and the owner of the lot on which the parking is to be located. The agreement shall be binding on the said owner and his heirs and successors restricting the use of the said lot for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; and a caveat based on the agreement shall be registered against the said lot in the appropriate Land Titles Office by the municipality.

### **7.3 Payment of Cash-In-Lieu of Required Off-Street Parking**

- (1) Pursuant to *The Planning and Development Act, 1983* the Development Officer may exempt any person who is required to provide off-street parking in a Commercial District from the requirement of providing the off-street parking facilities, where, in lieu thereof, he pays or agrees to pay the municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by \$750.00 per parking space.
- (2) The payment of cash-in-lieu of providing off-street parking shall satisfy the off-street parking requirement for the existence of the building on the lot except where the intensity of the use is increased or where the use is changed requiring additional off-street parking. Money paid as cash-in-lieu of off-street parking will not be refunded where the intensity is decreased or the use is changed requiring less off-street parking spaces or cash paid in lieu.
- (3) A person who pays, or agrees in writing to pay the required sum in lieu of providing off-street parking facilities and the buildings or structures in respect of which such payment is to be made, shall be treated as having met the off-street parking regulations.
- (4) All such sums of monies shall be paid to the municipality prior to the issuance of a development and/or building permit.

### **7.4 Off-Street Loading**

- (1) In any Industrial or Commercial District where the use of a building or lot involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading or unloading shall be provided on the lot in conformity with the following regulations:



Gross Floor Area

Number of Spaces

90 m <sup>2</sup> to 1,300 m <sup>2</sup> (969 ft. <sup>2</sup> to 13,993 ft. <sup>2</sup> )	1
Over 1,300 m <sup>2</sup> to 2,500 m <sup>2</sup> (over 13,993 ft. <sup>2</sup> to 26,910 ft. <sup>2</sup> )	2
Over 2,500 m <sup>2</sup> (over 26,910 ft. <sup>2</sup> )	2 plus 1 additional space for each 6,500 m <sup>2</sup> (69,965 ft. <sup>2</sup> ) over 2,500 m <sup>2</sup> (26,910 ft. <sup>2</sup> )

- (2) All off-street loading spaces shall be located on the lot and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a public roadway.
- (3) Off-street loading spaces shall be located on-site as to minimize conflict with residential land uses.

## **8. ZONING DISTRICTS AND ZONING MAP**

### **8.1 Classification of Zoning Districts**

For the purpose of this bylaw, the Town of Warman is divided into the following Zoning Districts, the boundaries of which are shown on the "Zoning District Map." Such districts may be referred to by the appropriate symbol.

<u>Districts</u>	<u>Symbols</u>
Residential-Single Detached	R1
Residential-Mixed	R2
Residential – Traditional	R2-T
Residential-Multiple Unit	R3
Residential-Manufactured Homes	R4
Community Service	CS
Central Business Commercial	C1
Arterial/ Highway Commercial	C2
Industrial-Light	M1
Industrial-Heavy	M2
Industrial-Unserviced	M3
Industrial – Discretionary	M4
Urban Holding	UH

### **8.2 The Zoning District Map**

The Zoning District Map attached and annexed hereto as Schedule "A" to Bylaw No. 2006-11 is hereby declared to be an integral part of this bylaw.

### **8.3 Boundaries of Zoning Districts**

The boundaries of such districts referred to together with an explanatory legend, notation and reference, are shown on the map entitled, "Zoning District Map". Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

### **8.4 Zoning District Schedules**

The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply are contained in the Zoning District Schedules in Section 9.

## 9. ZONING DISTRICT SCHEDULES

9.1 R1 - Residential District – The purpose of this district is to provide an area for residential development comprised of primarily single-detached dwellings along with compatible community service and public work uses.

### 9.1.1 Permitted Uses

The following are permitted uses in the R1 – Residential District:

- (1) Single detached dwellings
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses, sewage lagoon, landfill and storage yards)
- (4) Traditional Home occupations subject to the requirements of Section 5.3.

### 9.1.2 Discretionary Uses

The following are discretionary uses in the R1 – Residential District:

- (1) Family child care homes
- (2) Non-Traditional Home occupations subject to the requirements of Section 5.3.
- (3) Personal care homes

### 9.1.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

### 9.1.4 Regulations

#### (1) Single Detached Dwellings

- |                        |   |
|------------------------|---|
| Lot area - minimum     | - 464 square metres (4,994.6 sq. ft.)   |
| Lot frontage - minimum | - <u>rectangular lots</u> : 15 metres (49.21 ft.);<br>- <u>non-rectangular lots</u> : 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line. |
| Yard, front - minimum  | - 6.0 metres (19.69 ft.)  |
| Yard, rear - minimum   | - 7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).                                |
| Yard, side - minimum   | - 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).   |
| Lot coverage - maximum | - 40%   |
| Floor area - minimum   | - 105 square metres (1130.25. ft.)  |

Building Height - maximum - 10.5 metres (2.5 storeys)

(2) All Other Uses (except public utilities)

Lot area - minimum - 464 square metres (4,994.6 sq. ft.)  
Lot frontage - minimum - rectangular lots: 15 metres (49.21 ft.);  
- non-rectangular lots: 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line.  
Yard, front - minimum - 6.0 metres (19.69 ft.)  
Yard, rear - minimum - 7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).  
Yard, side - minimum - 3 metres (9.84 ft.) or half the building height, whichever is greater.  
Lot coverage - maximum - 40%  
Building Height - maximum - 9.0 metres (2 storeys)

**9.1.5 Development Standards for Personal Care Homes**

Section 5.5 shall apply to personal care homes located in a single detached dwelling.

**9.1.6 Signs**

Section 6 regulations shall apply in the R1 – Residential District.

**9.1.7 Storage**

Subsection 4.2.6 regulations shall apply in the R1 – Residential District.

**9.2 R2 - Residential District – The purpose of this district is to provide an area for a broader range of densities of residential development along with the opportunity for smaller residential lots and compatible community service and public works uses.**

**9.2.1 Permitted Uses**

The following are permitted uses in the R2 - Residential District:

- (1) Single detached dwellings
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses, sewage lagoon, landfill and storage yards)
- (4) Traditional Home occupations subject to the requirements of Section 5.3.

**9.2.2 Discretionary Uses**

The following are discretionary uses in the R2 – Residential District:

- (1) Semi-detached dwellings
- (2) Duplex dwellings
- (3) Rooming houses
- (4) Multiple Unit – Townhouse, subject to the requirements of Section 9.4.4(3)
- (5) Re-located single detached dwellings
- (6) Modular Homes
- (7) Secondary suites
- (8) Places of worship, religious institutions
- (9) Lodges, fraternal organizations, clubs
- (10) Day care centres
- (11) Family child care homes
- (12) Non-Traditional Home occupations subject to the requirements of Section 5.3.
- (13) Personal care homes
- (14) Bed and breakfast subject to the requirements of Section 5.2.
- (15) Group care facilities
- (16) Communication towers
- (17) Neighbourhood Convenience Stores

**9.2.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.2.4 Regulations**

- (1) Single detached dwellings

Lot area - minimum - 372 square metres (4,004.31 sq. ft.)

- Lot frontage - minimum
  - rectangular lots: 12 metres (39.37 ft.);
  - non-rectangular lots: 9 metres (29.53 ft.) with a mean width of 12 metres over the first 30 metres (98.43 ft.) measured from the front lot line.
- Yard, front - minimum
  - 6.0 metres (19.69 ft.)
- Yard, rear - minimum
  - 6.0 metres (19.69 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
- Yard, side - minimum
  - 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).
- Lot coverage - maximum
  - 40%
- Floor Area – minimum
  - 93 square metres (1,001.08 sq. ft.)
- Building Height – maximum
  - 10.5 metres (2.5 storeys)

(2) Semi-detached dwellings

- Lot area (per dwelling unit)
  - minimum
    - 278 square metres (2,992.47 sq. ft.)
- Lot frontage - minimum
  - rectangular lots: 7.5 metres (24.61 ft.);
  - non-rectangular lots for which the rear lot line exceeds the front lot line by more than 25%: 5.5 metres (18.05 ft.) per unit subject to a minimum lot width of 7.5 metres (24.61 ft.) per unit at a setback of 6 metres (19.69 ft.) from the front lot line;
  - Other non-rectangular lots: 7.5 metres (24.61 ft.).
- Yard, front - minimum
  - 6.0 metres (19.69 ft.)
- Yard, rear - minimum
  - 6.0 metres (19.69 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
- Yard, side (per dwelling unit)
  - minimum
    - 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).
- Lot coverage (per dwelling unit)
  - maximum
    - 40%
- Floor Area – minimum
  - 75 square metres (807.32 sq. ft.)
- Building Height – maximum
  - 10.5 metres (2.5 storeys)

(3) Duplex dwellings and rooming houses

- Lot area - minimum
  - 464 square metres (4,994.6 sq. ft.)
- Lot frontage - minimum
  - rectangular lots: 15 metres (49.21 ft.);
  - non-rectangular lots: 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line.
- Yard, front - minimum
  - 6.0 metres (19.69 ft.)
- Yard, rear - minimum
  - 6.0 metres (19.69 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).

Yard, side - minimum	- 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).
Lot coverage - maximum	- 40%
Floor Area – minimum	- 75 square metres (807.32 sq. ft.)
Building Height – maximum	- 10.5 metres (2.5 storeys)

(4) Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	- 464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	- 15 metres (49.21 ft.)
Yard front - minimum	- 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
Lot rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	- 3 metres (9.84 ft.) or half the building height, whichever is greater
Floor Area – minimum	- 90 square metres (968.78 sq. ft.)
Building Height – maximum	- 10.5 metres (2.5 storeys)

(5) All Other Uses (except public utilities)

Lot area - minimum	- no minimum
Lot frontage - minimum	- no minimum
Lot front - minimum	- 7.5 metres (24.61 ft.)
Lot rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	- 3 metres (9.84 ft.) or half the building height whichever is greater
Building Height – maximum	- 10.5 metres (2.5 storeys)

**9.2.5 Development Standards for Personal Care Homes**

Section 5.5 shall apply to personal care homes located in a single detached dwelling.

**9.2.6 Signs**

Section 6 regulations shall apply in the R2 - Residential District.

**9.2.7 Storage**

Subsection 4.2.6 requirements shall apply in the R2 - Residential District.

**9.3 R2-T - Residential District – The purpose of this district is to provide an area for housing on narrower lots than conventional housing with a traditional neighbourhood design objective.**

**9.3.1 Permitted Uses**

The following are permitted uses in the R2-T - Residential District:

- (1) Single detached dwellings
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses, sewage lagoon, landfill and storage yards)
- (4) Traditional Home occupations subject to the requirements of Section 5.3.

**9.3.2 Discretionary Uses**

The following are discretionary uses in the R2-T – Residential District:

- (1) Places of worship, religious institutions
- (2) Semi-detached dwellings
- (3) Street-front multiple unit - Townhouse
- (4) Family child care homes
- (5) Non-Traditional Home occupations subject to the requirements of Section 5.3.

**9.3.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.3.4 Regulations**

(1) Single detached dwellings

- Lot area - minimum - 362 square metres (3,904.25 sq. ft.)
- Lot frontage - minimum - rectangular lots: 10.363 metres (34 ft.);  
- non-rectangular lots: 9 metres (29.53 ft.) with a mean width of 12 metres over the first 30 metres (98.43 ft.) measured from the front lot line.
- Yard, front - minimum - 6.0 metres (19.69ft.)
- Yard, rear - minimum - 6.0 metres (19.69 ft.)
- Yard, side - minimum - 1.2 metres (3.94 ft.)
- Lot coverage - maximum - 50%
- Floor Area – minimum - 88.26 square metres (950 sq. ft.)
- Building Height – minimum - 1 storeys
- Building Height – maximum - 3 storeys

(2) Semi-detached dwellings

- Lot area (per dwelling unit)  
- minimum - 278 square metres (2,992.47 sq. ft.)



Lot frontage - minimum	- <u>rectangular lots</u> : 7.5 metres (24.61 ft.); - <u>non-rectangular lots for which the rear lot line exceeds the front lot line by more than 25%</u> : 5.5 metres (18.05 ft.) per unit subject to a minimum lot width of 7.5 metres (24.61 ft.) per unit at a setback of 6 metres (19.69 ft.) from the front lot line; <u>Other non-rectangular lots</u> : 7.5 metres (24.61 ft.).
Yard, front - minimum	- 3.0 metres (9.84 ft.)
Yard, rear - minimum	- 6.0 metres (19.69 ft.)
Yard, side - minimum	- 1.2 metres (3.94 ft.)
Lot coverage - maximum	- 50%
Floor Area – minimum	- 93 square metres (1,001.08 sq. ft.)
Building Height – minimum	- 1.5 storeys
Building Height – maximum	- 3 storeys

(3) Street-front multiple unit - Townhouse

Lot area (per dwelling unit) - minimum	- 278 square metres (2,992.47 sq. ft.)
Lot frontage - minimum	- <u>rectangular lots</u> : 7.5 metres (24.61 ft.); - <u>non-rectangular lots for which the rear lot line exceeds the front lot line by more than 25%</u> : 5.5 metres (18.05 ft.) per unit subject to a minimum lot width of 7.5 metres (24.61 ft.) per unit at a setback of 6 metres (19.69 ft.) from the front lot line; <u>Other non-rectangular lots</u> : 7.5 metres (24.61 ft.).
Yard, front - minimum	- 3.0 metres (9.84 ft.)
Yard, rear - minimum	- 6.0 metres (19.69 ft.)
Yard, side - minimum	- 1.2 metres (3.94 ft.)
Lot coverage - maximum	- 60%
Floor Area – minimum	- 93 square metres (1,001.08 sq. ft.)
Building Height – minimum	- 1.5 storeys
Building Height – maximum	- 3 storeys

(4) Places of Worship, Religious and Cultural Institutions

Lot area - minimum	- 464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	- 15 metres (49.21 ft.)
Yard front - minimum	- 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
Lot rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	- 3 metres (9.84 ft.) or half the building height, whichever is greater
Floor Area – minimum	- 90 square metres (968.78 sq. ft.)
Building Height – maximum	- 10.5 metres (2.5 storeys)

(5) All Other Uses (except public utilities)

Lot area - minimum	- no minimum
Lot frontage - minimum	- no minimum
Lot front - minimum	- 7.5 metres (24.61 ft.)
Lot rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater

- |                           |   |
|---------------------------|---|
| Yard side - minimum       | - 3 metres (9.84 ft.) or half the building height<br>whichever is greater |
| Building Height – maximum | - 10.5 metres (2.5 storeys)   |

### **9.3.5 Signs**

Section 6 regulations shall apply in the R2-T - Residential District.

### **9.3.6 Storage**

Subsection 4.2.6 requirements shall apply in the R2-T - Residential District.

**9.4 R3 - Residential District – The purpose of this district is to provide an area for higher density residential development of multiple housing types including semi-detached dwellings, duplex dwellings and multiple unit dwellings including townhouses and low-rise apartment style developments.**

**9.4.1 Permitted Uses**

The following are permitted uses in the R3 - Residential District:

- (1) Semi-Detached dwellings
- (2) Duplex dwellings, rooming houses
- (3) Multiple unit dwellings – Townhouse
- (4) Parks and playgrounds
- (5) Public utilities (excluding offices, warehouses, sewage lagoon, landfill and storage yards)
- (6) Traditional Home occupations subject to the requirements of Section 5.3.

**9.4.2 Discretionary Uses**

The following are discretionary uses in the R3 – Residential District:

- (1) Multiple unit dwellings - Apartments
- (2) Place of worship, religious institutions
- (3) Lodges, fraternal organizations, clubs
- (4) Day care centres
- (5) Family child care homes
- (6) Non-Traditional Home occupations subject to the requirements of Section 5.3.
- (7) Bed and breakfast subject to the requirements of Section 5.2.
- (8) Group care facilities
- (9) Special care homes
- (10) Communication towers
- (11) Neighbourhood Convenience Stores
- (12) Dwelling Unit Groups

**9.4.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.4.4 Regulations**

- (1) Semi-detached dwellings

Lot area (per dwelling unit)  
- minimum - 278 square metres (2,992.47 sq. ft.)

Lot frontage - minimum	- <u>rectangular lots</u> : 7.5 metres (24.61 ft.); - <u>non-rectangular lots for which the rear lot line exceeds the front lot line by more than 25%</u> : 5.5 metres (18.05 ft.) per unit subject to a minimum lot width of 7.5 metres (24.61 ft.) per unit at a setback of 6 metres (19.69 ft.) from the front lot line; <u>Other non-rectangular lots</u> : 7.5 metres (24.61 ft.)
Yard, front - minimum	- 6.0 metres (19.69 ft.)
Yard, rear - minimum	- 6.0 metres (19.69 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side (per dwelling unit) - minimum	- 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).
Lot coverage (per dwelling unit) - maximum	- 40%
Floor Area – minimum	- 75 square metres (807.32 sq. ft.) per dwelling unit
Building Height – maximum	- 10.5 metres (2.5 storeys)

(2) Duplex dwellings and rooming houses

Lot area - minimum	- 464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	- <u>rectangular lots</u> : 15 metres (49.21 ft.); - <u>non-rectangular lots</u> : 11 metres (36.09 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line
Yard, front - minimum	- 6.0 metres (19.69 ft.)
Yard, rear - minimum	- 6.0 metres (19.69 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
Yard, side - minimum	- 1.2 metres (3.94 ft.), except that where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 3 metres (9.84 ft.).
Lot coverage - maximum	- 40%
Floor Area – minimum	- 75 square metres (807.32 sq. ft.) per dwelling unit
Building Height – maximum	- 10.5 metres (2.5 storeys)

(3) Multiple Unit Dwellings

Lot area - minimum	- 55 square metres (592.03sq. ft.) plus 70 square metres (753.50 sq. ft.) for each ground floor dwelling unit in excess of 3, except that for townhouses 185 square metres (1,991.39 sq. ft.) for each dwelling unit shall be provided excluding area for roadways and lanes.
Lot frontage - minimum	- 18 metres (59.06), except that for townhouses the lot frontage minimum for each individual unit shall be 6 metres (19.69 ft.)

Yard, front - minimum	- 6.0 metres (19.69 ft.)
Yard, rear - minimum	- 6.0 metres (19.69 ft.)
Yard, side - minimum	- 1.5 metres (4.92 ft.) or half the average wall height whichever is greater.
Lot coverage - maximum	- 50 percent
Floor area - minimum	- 46 square metres (495.16 sq. ft.) per dwelling unit except for one bedroom units, in which case the minimum shall be 28 square metres (301.40 sq. ft.) per dwelling unit
Building Height – maximum	<b><u>Townhouse</u></b> - 10.5 metres (2.5 Storeys) <b><u>Apartments</u></b> – 21 metres (5 storeys)
Building Density – maximum	<b><u>Townhouse</u></b> - 12 units per acre <b><u>Apartments</u></b> – nil
Landscaping plan	- a landscaping plan shall be submitted for all multiple unit dwellings indicating all physical features including existing and proposed grades, planting and construction materials. - a minimum of 20% of the site area for multiple unit developments shall be landscaped, or developed in order that it may be utilized as an amenity area.

(4) Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	- 464 square metres (4,994.6 sq. ft.)
Lot frontage - minimum	- 15 metres (49.21 ft.)
Yard front - minimum	- 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
Yard rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	- 3 metres (9.84 ft.) or half the building height, whichever is greater
Floor Area – minimum	- 90 square metres (968.78 sq. ft.)
Building Height – maximum	- 10.5 metres (2.5 storeys)

(5) Dwelling Unit Groups

Lot Area-minimum	-900 Square Meters (9687.52 sq. ft.)
Lot Frontage-minimum	-30 meters (98.43 ft.)
Lot Depth-minimum	-30 meters (98.43 ft.)
Yard, front-minimum	-6.0 meters (19.69 ft.)
Yard, rear-minimum	-6.0 meters (19.69 ft.)
Yard, side-minimum	-3.0 meters (9.84 ft.), except where the side of the lot abuts any streets, in which case a side yard of at least 6.0 metres (19.69 ft. shall be provided.
Distance between structures	- 4.0 meters, or half the average wall height, whichever is greater
Lot Coverage-maximum	- 50 percent
Floor Area-minimum	-46 square meters (495.16 sq. ft.) per dwelling unit except for one bedroom units, in which case the minimum shall be 28 square meters (301.40 sq. ft.) per dwelling unit.
Building Height-maximum	- Townhouse-10.5 meters (2.5 stories) Apartments-21 meters (5 stories)

Building Density-maximum	-Townhouse-12 units per acre Apartments-nil
Landscaping requirements-	- a landscaping plan shall be submitted for all multiple unit dwellings indicating all physical features including existing and proposed grades, planting and construction materials. - a minimum of 20% of the site area for multiple unit developments shall be landscaped, or developed in order that it may be utilized as an amenity area.

(6) All Other Uses (except public utilities)

Lot area - minimum	- no minimum
Lot frontage - minimum	- no minimum
Lot front - minimum	- 7.5 metres (24.61 ft.)
Lot rear - minimum	- 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater
Yard side - minimum	- 3 metres (9.84 ft.) or half the building height whichever is greater
Building Height – maximum	- 10.5 metres (2.5 storeys)

**9.4.5 Signs**

Section 6 regulations shall apply in the R3 - Residential District.

**9.4.6 Storage**

Subsection 4.2.6 requirements shall apply in the R3 - Residential District.

**9.5 R4 - Residential District – The purpose of this district is to provide an area for manufactured housing in subdivisions and parks or courts.**

**9.5.1 Permitted Uses**

The following are permitted uses in the R4 - Residential District:

- (1) Manufactured homes
- (2) Manufactured home parks
- (3) Parks and playgrounds
- (4) Public utilities (excluding sewage lagoons and landfills; offices, warehouses and storage yards)
- (5) Traditional Home occupations subject to the requirements of Section 5.3.

**9.5.2 Discretionary Uses**

The following are discretionary uses in the R4 – Residential District:

- (1) Non-Traditional Home occupations subject to the requirements of Section 5.3.
- (2) Neighbourhood convenience stores accessory to a manufactured home park.
- (3) Common social facility in a manufactured home park.

**9.5.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.5.4 Regulations**

(1) Manufactured home requirements

- a) manufactured homes shall have a foundation capable of supporting the maximum anticipated load of the manufactured home during all seasons;
- b) all manufactured homes shall have a minimum width of 4.2 metres (13.78 ft.);
- c) manufactured homes constructed more than ten (10) years prior to the date of the development permit application shall not be permitted;
- d) the undercarriage of each manufactured home shall be screened from view by the foundation or skirting within thirty (30) days of the placement of the manufactured home and hitches shall be removed or screened from view;
- e) all accessory structures including decks, porches, steps, patios, additions, skirting and storage facilities shall be factory prefabricated units or of an equivalent quality so that the design and construction will complement the home.
- f) Additions to a manufactured home shall have a foundation similar to the manufactured home.

(2) Manufactured homes on subdivided lots

Lot area - minimum	- 370 square metres (3,982.78 sq. ft.) for a manufactured home-single wide otherwise 464 square metres (4,994.60 sq. ft.)
Lot frontage - minimum	- <u>rectangular lots</u> : 12 metres (39.37 ft.) for a manufactured home-single wide, otherwise 15 metres (49.21 ft.); - <u>non-rectangular lots</u> : a mean width of 12 metres (39.37 ft.) over the first 30 metres (98.43 ft.) measured from the front lot line for a manufactured home-single wide, otherwise 11 metres (36.09 ft.) with a mean width of 15 metres (49.21 ft.) measured from the front lot line.
Yard, front - minimum	- 4.5 metres (14.76 ft.)
Yard, rear - minimum	- 4.5 metres (14.76 ft.)
Yard, side - minimum	- 1.5 metres (4.92 ft.) - 2.0 metres (6.56 ft.) where the principal entrance for the manufactured home is from the side yard; - 4.5 metres (14.76 ft.) for manufactured homes abutting the flankage street on corner lots
Lot coverage - maximum	- 40%
Floor Area – minimum	- 75 square metres (807.32 sq. ft.)
Building Height – maximum	- 6.5 metres (21.32 ft.) for manufactured homes

(3) Manufactured home park requirements

**Development permit application requirements:**

Prior to granting approval for a new manufactured home park or the expansion of an existing manufactured home park, the developer shall provide comprehensive information with regards to the following:

- the installation, operation, and maintenance of:
  - storm sewer, surface drainage and sanitary sewer
  - water
  - electricity and gas
  - roadways, sidewalks, walkways, curbs
  - snow removal
  - garbage collection
  - fire protection
  - parks, playgrounds and buffer areas
  - street lighting
- architectural controls
- landscaping and screening
- other matters as deemed necessary by the development officer

A site plan shall be submitted and to the satisfaction of the development officer for each manufactured home park. The site plan shall divide the manufactured home park into residential plots and shall show the location and boundaries of each plot.

A development permit shall be obtained before each manufactured home is placed in a manufactured home park.

Site area - minimum	- 0.8 hectares (2 acres)
Site area – maximum	- 12 hectares (30 acres)
Density – maximum	- 20 units per hectare



- Park coverage – maximum - 40% for manufactured homes and additions
- 15% for accessory buildings
- Park roadways - all roads in a manufactured home park shall be paved and constructed in accordance with Town specifications and standards
- internal pedestrian walkways shall have a minimum width of 1 metre (3.28 ft.) and be surfaced to the satisfaction of the Town of Warman
- each manufactured home shall abut a park roadway and have an access to the park roadway of a minimum of 4.3 metres (14.12 ft.)
- Parking - no on-street parking shall be permitted
- a minimum of one vehicle parking space shall be provided for each manufactured home
- a minimum of one parking space shall be provided for additional tenant parking requirements for every two manufactured homes
- visitor parking shall be a minimum of one off-street parking space for every three manufactured homes. Visitor parking shall be dispersed throughout the park and clearly identified
- Open space requirements - a 6 metre (19.69 ft.) buffer shall be provided around the boundary of the park. This buffer shall be landscaped and fenced.
- a minimum of 10% of the total area of a manufactured home park shall be set aside for an amenity area and/ or recreational use
- All areas of a manufactured home park not developed or occupied by community roads, walkways, driveways, buildings or other facilities shall be landscaped to the satisfaction of the Development Officer
- each manufactured home, attached structure and accessory building shall be located entirely within the boundaries of its plot
- Lighting - street lighting within the manufactured home park shall meet the requirements of the applicable National, Provincial and municipal standards
- Permitted signs - one park identification sign at each park entrance with a maximum sign area of 2.9 square metres (31.21 sq. ft.) and a maximum height of 2 metres (6.56 ft.)
- directional signs within the park
- Storage - a screened storage compound shall be provided for campers, travel trailers, boats, etc. at a location and in a manner satisfactory to the development officer
- no outside storage shall be permitted within the required open space areas or required buffer areas
- Future subdivision - the development officer should give consideration to the sizing of lots and internal roadways in order that the future subdivision of the manufactured home park may be possible

(4) Additional manufactured home requirements in manufactured home parks

Manufactured homes, including any attached structures and accessory buildings shall be located in accordance with the approved plot plan according to the following requirements:

- Lot frontage - minimum - 9.5 metres (31.17 ft.)
- Yard, front - minimum - 3 metres (9.84 ft.) from the park roadway
- Yard, rear - minimum - 6.0 metres (19.69 ft.) and may include the buffer area
- Yard, side - minimum - 2.29 metres (7.5 ft.)
- Floor Area – minimum - 75 square metres (807.32 sq. ft.)
- Building Height – maximum - 6.5 metres (21.32 ft.) for manufactured homes

**9.6 CS - Community Service District – The purpose of this district is to provide for and regulate development of institutional, recreational and other community service uses.**

**9.6.1 Permitted Uses**

The following are permitted uses in the CS - Community Service District:

- (1) Schools, educational institutions
- (2) Parks and playgrounds
- (3) Places of worship, religious institutions
- (4) Libraries and cultural institutions
- (5) Hospitals, medical clinics
- (6) Lodges, fraternal organizations, clubs
- (7) Fire halls
- (8) Curling and skating rinks
- (9) Community centres
- (10) Swimming pools
- (11) Nursing homes
- (12) Sports fields and parks
- (13) Group care facilities
- (14) Public utilities (excluding sewage lagoons and landfills; offices, warehouses, shops and storage yards)
- (15) Cemeteries
- (16) Day care centres
- (17) Governmental offices, police stations
- (18) Golf courses
- (19) Tourist campgrounds

**9.6.2 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.6.3 Regulations**

(1) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

- |                        |   |   |
|------------------------|---|---|
| Lot area - minimum     | - | 464 square metres (4,994.6 sq. ft.)   |
| Lot frontage - minimum | - | 15 metres (49.21 ft.)   |
| Yard front - minimum   | - | 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater |
| Yard rear - minimum    | - | 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater         |
| Yard side - minimum    | - | 3 metres (9.84 ft.) or half the building height, whichever is greater       |

(2) All Other Uses (except public utilities)

- |                    |   |            |
|--------------------|---|------------|
| Lot area - minimum | - | no minimum |
|--------------------|---|------------|

- Lot frontage - minimum - no minimum
- Yard front - minimum - 3.0 metres (9.84 ft.)
- Yard rear - minimum - 3.0 metres (9.84 ft.)
- Yard side - minimum - 3 metres (9.84 ft.) or half the building height  
whichever is greater

#### **9.6.4 Signs**

Section 6 regulations shall apply in the CS - Community Service District.

#### **9.6.5 Storage**

Section 4.2.6 requirements shall apply in the CS - Community Service District.

**9.7 C1 - Central Business District – The purpose of this district is to provide a concentrated area for retail commercial uses, office, financial institutions, personal services, as well as appropriate cultural and recreational facilities. The uses allowed in this district will generally require smaller sites as compared with arterial or highway commercial uses.**

**9.7.1 Permitted Uses**

The following are permitted uses in the C1 - Central Business District:

- (1) Banks, offices, studios
- (2) Bakeries with retail sales
- (3) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repair and similar types of personal service establishments
- (4) Medical and dental offices and clinics
- (5) Government Offices
- (6) Newspaper Offices
- (7) Museums,
- (8) Art galleries
- (9) Libraries, cultural institutions
- (10) Theatres, assembly halls
- (11) Parks and playgrounds
- (12) Restaurants, confectioneries and other places for the sale and consumption of food and related items
- (13) Retail and rental stores
- (14) Community centres
- (15) Commercial entertainment establishments
- (16) Undertaking establishments
- (17) Licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food
- (18) Radio and television stations
- (19) Public utilities excluding shops, warehouses and storage yards

**9.7.2 Discretionary Uses**

The following are discretionary uses in the C1 - Central Business District:

- (1) Bed and Breakfast establishments subject to the requirements of Section 5.2.
- (2) Day care centres
- (3) Hotels
- (4) Veterinary Clinics
- (5) Gas bars
- (6) Shopping Centres
- (7) Licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food
- (8) Multiple unit dwellings above the ground floor of a commercial building
- (9) Multiple unit dwellings – apartment style subject to the following additional regulations:

Lot coverage	maximum 50%
Yard front – minimum	6 metres (19.68 ft.)

- Yard rear – minimum 6 metres (19.68 ft.)
- Yard side – minimum 3 metres (9.84 ft.)
- Building height – minimum 2 storeys
- (10) An accessory dwelling unit attached to or part of commercial buildings subject to the dwelling unit:
  - (a) having a minimum floor area of 45 square meters (484.39 sq. ft.).
- (9) Outdoor Storage areas or yards

**9.7.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.7.4 Regulations**

- Lot area - minimum
  - All uses - 278 square metres (3,003.22 sq. ft.)
- Lot frontage - minimum
  - All uses - 7.5 metres (24.61 ft.)
- Yard front – minimum
  - All uses - nil
- Yard side - minimum
  - All uses - no minimum, except where the side of a lot in any C1-Central Business District abuts any Residential District without an intervening street or lane, a side yard of at least 3.0 metres (9.84 ft.) shall be provided
- Yard rear - minimum
  - All uses - 3.0 metres (9.84 ft.), except where the rear of a lot in any C1-Commercial District abuts any Residential District without an intervening street or lane, a rear yard of at least 6 metres (19.69 ft.) shall be provided
- Building height – maximum - 21 metres (5 storeys)

**9.7.5 Signs**

Section 6 regulations shall apply in the C1 - Central Business District.

**9.8 C2 – Arterial/ Highway Commercial District – The purpose of this district is to allow for the development of commercial uses that require medium to large sites and/or good vehicular access and visibility to a highway or major arterial street. To provide flexibility, service commercial uses may be allowed as a discretionary use.**

**9.8.1 Permitted Uses**

The following are permitted uses in the C2 - Highway Commercial District:

- (1) Bus terminals
- (2) Commercial Entertainment Establishments
- (3) Hotels
- (4) Motels
- (5) Veterinarian hospitals, offices of veterinarians
- (6) Service stations
- (7) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, agricultural machinery, equipment and supplies
- (8) Car washing establishments
- (9) Community centres
- (10) Restaurants, confectioneries and other places for the sale and consumption of food and related items
- (11) Equipment and tool rental establishments
- (12) Government offices
- (13) Public utilities excluding shops, warehouses and storage yards
- (14) Retail Stores

**9.8.2 Discretionary Uses**

The following are discretionary uses in the C2 - Highway Commercial District:

- (1) Wholesale trade stores, offices and warehouses
- (2) Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings.
- (3) Gas bars
- (4) Tourist campgrounds
- (5) Shopping Centres
- (6) Licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food
- (7) Greenhouses
- (8) Laundromats
- (9) Tourist information centres
- (10) Day care centres
- (11) Lumber yards, Home improvement centres
- (12) An accessory dwelling unit attached to or part of stores or commercial establishments subject to the dwelling unit:
  - (a) Having a minimum floor area of 45 square meters (484.39 sq. ft.).

**9.8.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

#### 9.8.4 Regulations

##### Lot area - minimum

- Hotels, motels, shopping centres,  
service stations, lumber and  
building supply - 929 square metres (10,000 sq. ft.)
- Gas bars - 700 square metres (7,534.98 sq. ft.)
- All other uses - 929 square metres (10,000 sq. ft.)

##### Lot frontage - minimum

- Hotels, motels, shopping centres  
service stations, lumber and  
building supply - 30 metres (98.43 ft.)
- Gas bars - 23 metres (75.46 ft.)
- All other uses - 15 metres (49.21 ft.)

##### Yard front - minimum

- Hotels, motels, shopping centres,  
service stations, lumber  
and building supply - 15 metres (49.21 ft.)
- All other uses - 7.5 metres (24.61 ft.)

##### Yard side - minimum

- 3 metres (9.84 ft.)

##### Yard rear - minimum

- Gas bars - 10% of the depth of the lot
- All other uses - 3 metres (9.84 ft.) with lane; 6 metres (19.69 ft.)  
without lane

#### 9.8.5 Signs

Section 6 regulations shall apply in the C2 – Arterial/ Highway Commercial District.



**9.9 M1 – Light Industrial District – The purpose of this district is to accommodate industrial uses that will not create unacceptable levels of conflict in terms of emission of noise, glare, dust or odour, which would be disruptive to the surrounding land uses.**

**9.9.1 Permitted Uses**

The following are permitted uses in the M1 – Industrial District:

- (1) Lumber and building supply establishments
- (2) Service stations, gas bars
- (3) Establishments for the sale, storage and servicing of motor vehicles, trailers, farm machinery and equipment
- (4) Car washing establishments
- (5) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
- (6) Warehouses
- (7) Wholesale and packaging establishments
- (8) Railway and ancillary functions
- (9) Laundry and dry cleaning establishments
- (10) Printing plants and reproduction offices
- (11) Bakeries
- (12) Public utilities
- (13) Veterinary clinics
- (14) Tree nurseries and horticultural establishments

**9.9.2 Discretionary Uses**

The following are discretionary uses or forms of development in the M1 - Industrial District:

- (1) Auto body shops
- (2) Manufacturing, processing and packing plants
- (3) Machine shops, foundry works, boiler works
- (4) Truck, bus and other transport terminals and yards
- (5) Custom meat cutting and packaging establishments (no slaughtering on site)
- (6) Bulk petroleum sales and storage
- (7) Commercial Entertainment Establishments
- (8) An accessory dwelling unit for a Manager or Owner attached to or part of the principal building on the lot
- (9) Outdoor Storage areas and yards

**9.9.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.9.4 Regulations**

- (1) Lot Requirements

Lot area - minimum	
Service stations, and	
Discretionary Uses	- 929 square metres (10,000 sq. ft.)
All other uses	- 557 square metres (5,995.69 sq. ft.)
Lot frontage - minimum	
Service stations and	
Discretionary Uses	- 30 metres (98.43 ft.)
All other uses	- 20 metres (65.62 ft.)
Yard front - minimum	
Service stations and	
Discretionary Uses	- 7.5 metres (24.61 ft.)
All other uses	- 4.5 metres (15 ft.)
Yard side - minimum	- 3 metres (9.84 ft.) on each side
Yard rear - minimum	- 1.2 metres (3.93 ft.) with a rear lane otherwise 4 metres (13.12 ft.)

### 9.9.5 Signs

Section 6 regulations shall apply in the M1 - Industrial District.

**9.10 M2 – Heavy Industrial District – The purpose of this district is to accommodate industrial uses that may produce conflict in terms of emission of noise, glare, dust or odour, which would be disruptive to residential land uses. These uses would normally be located at a greater proximity from residential areas to reduce any potential conflict. Light industrial uses are also accommodated in this district.**

**9.10.1 Permitted Uses**

The following are permitted uses in the M2 - Industrial District:

- (1) Concrete manufacturing plants, and gravel yards
- (2) Public utilities
- (3) Fertilizer sales and storage
- (4) Grain elevators, feed mills, fertilizer and seed cleaning plants
- (5) All M1 – Industrial District permitted uses in Section 9.9.1

**9.10.2 Discretionary Uses**

The following are discretionary uses or forms of development in the M2 - Industrial District:

- (1) Abattoirs and stock yards with retail sales
- (2) Chemical refineries
- (3) Machine shops, foundry works, boiler works
- (4) Commercial Entertainment Establishments
- (5) Shipping Container

**9.10.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.10.4 Regulations**

(2) Lot Requirements

Lot area - minimum		
Service stations, and		
Discretionary Uses	-	929 square metres (10,000 sq. ft.)
All other uses	-	557 square metres (5,995.69 sq. ft.)
Lot frontage - minimum		
Service stations and		
Discretionary Uses	-	30 metres (98.43 ft.)
All other uses	-	18 metres (59.06)
Yard front - minimum		
Service stations and		
Discretionary Uses	-	7.5 metres (24.61 ft.)
All other uses	-	4.5 metres (15 ft.)

Yard side - minimum	-	3 metres (9.84 ft.) on each side
Yard rear - minimum	-	10% of the depth of the lot

### **9.10.5 Signs**

Section 6 regulations shall apply in the M2 - Industrial District.

### **9.10.6 Regulations-Shipping Containers**

1. The shipping container shall be located on a level hard surfaced base (i.e. gravel, asphalt, concrete, etc.)
2. The Height of the shipping containers is to be limited to one unit in height or a maximum of 3m.
3. The Shipping containers must be located in such a manner as they are not visible from Highway 11 North.
4. The applicant shall provide the Development Officer, with a site plan indicating the shipping container locations and setback distances from the containers and property lines. The policies contained within

**9.11 M3 – Dry Industrial District – The purpose of this district is to accommodate uses that do not require the need for infrastructure services such as potable water and sewer collection and that are suitable for the intended site.**

**9.11.1 Permitted Uses**

The following are permitted uses in the M3 - Industrial District:

- (1) Auction sale establishments which do not include the housing or sale of livestock or poultry
- (2) Gravel storage yards
- (3) Bulk oil, propane gas, fuel dealers, storage and sales
- (4) Wholesale establishments and warehouses
- (5) Truck, bus and other transport terminals and yards
- (6) Public utilities
- (7) Tree nurseries and horticultural establishments

**9.11.2 Discretionary Uses**

The following are discretionary uses or forms of development in the M3 - Industrial District:

- (1) Auto wrecking yards
- (2) Equipment maintenance and storage yards
- (3) Grain elevators, feed mills, fertilizer and seed cleaning plants

**9.11.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.11.4 Regulations**

(3) Lot Requirements

Lot area - minimum	-	4047 square metres (1 acre)
Lot frontage - minimum	-	30 metres (98.43 ft.)
Yard front - minimum	-	4.5 metres (15 ft.)
Yard side - minimum	-	3 metres (9.84 ft.) on each side
Yard rear - minimum	-	10% of the depth of the lot

**9.11.5 Signs**

Section 6 regulations shall apply in the M3 - Industrial District.

**9.12 UH - Urban Holdings District - The purpose of this District is to retain land areas for future urban growth in accordance with the Development Plan.**

**9.12.1 Permitted Uses**

The following are permitted uses in the UH - Urban Holdings District:

- (1) Agricultural crop farming and cultivation of land but not including poultry or livestock
- (2) Public Utilities

**9.12.2 Discretionary Uses**

The following are discretionary uses in the UH - Urban Holdings District:

- (1) Single detached dwellings
- (2) Recreational uses comprised of sports fields, parks, golf courses, and tourist campgrounds
- (3) Green houses, market gardens, horticultural supply, tree and plant nurseries
- (4) Cemeteries

**9.12.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

**9.12.4 Regulations**

Development shall conform to the following requirements:

- (1) Lot Area Minimum (except single detached dwellings)
  - (a) Agricultural uses - 16 hectares (39.54 a.)
  - (b) Public utilities and other permitted uses - no minimum
  - (c) Discretionary uses - 1 hectare (2.47 a.)
- (2) Single Detached Dwellings
  - (a) Lot area - minimum - 2 hectares (4.94 a.)
  - (b) Lot frontage - minimum - 30 metres (98.43)
  - (c) Yard front - minimum - 45 metres (147.64 ft.)
  - (d) Yard side - minimum - 1.5 metres (4.92 ft.)
  - (e) Yard rear - minimum - 7.5 metres (24.61 ft.)
  - (f) Floor area - minimum - 84 square metres (904 sq. ft.)

- (g) Lots for single detached dwellings shall front on a developed all weather public street or road.
- (h) Single detached dwellings shall not be constructed in locations that would prejudice future subdivision or urban servicing requirements.
- (i) The Council may require the submission of a possible street layout for an area designated for future development in consideration of a proposed single detached dwelling as a discretionary use.

**9.13 M4 – Discretionary Industrial District – The purpose of this district is to provide an area for development of a broad range of industrial uses to be approved at Council’s discretion.**

**9.13.1 Permitted Uses**

The following are permitted uses in the M4 – Industrial District:

- (1) Public Utilities

**9.13.2 Discretionary Uses**

The following are discretionary uses or forms of development in the M4 – Industrial District:

- (1) Concrete manufacturing plants, and gravel yards
- (2) Fertilizer sales and storage
- (3) Grain Elevators, feed mills, fertilizer and seed cleaning plants
- (4) Abattoirs and stock yards with retail sales
- (5) Chemical Refineries
- (6) Machine shops, foundry works, boiler works
- (7) Commercial Entertainment Establishments
- (8) All M1 – Industrial District permitted uses in Section 9.8.1
- (9) Other uses that are determined by Council to be similar in use to the accepted uses in this district.

**9.13.3 Accessory Uses**

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted and discretionary use, shall be permitted.

**9.13.4 Regulations**

- (1) Lot Requirements

Lot area – minimum -		929 square metres (10,000 sq. ft.)
Lot Frontage – minimum	-	30 metres (98.43 ft.)
Yard front – minimum -		7.5 metres
Yard side – minimum -		3 metres
Yard rear – minimum -		10% of the depth of the lot

**9.13.5 Signs**

Section 6 regulations shall apply in the M4 – Industrial District.



## **10. OVERLAY ZONING DISTRICT SCHEDULES**

**10.1 AC – Architectural Control Overlay District – The purpose of this district is to provide appropriate development standards in order to preserve the physical character of an area or to promote a selected theme for an area.**

### **10.1.1 Development Requirements**

- (1) Council may establish AC Overlay Districts pursuant to Section 84.2 of the Planning and Development Act, 1983 and Section 14.1.2 of the Development Plan.
- (2) No use or development of land or buildings is permitted in an AC Overlay District except in accordance with a Design Concept Plan that has been approved by Council and that is consistent with the provisions of Section 84.2 of the Planning and Development Act, 1983 and Section 14.1.2 of the Development Plan.
- (3) Where the provisions of an Architectural Control Overlay District are in conflict with the regulations of the Zoning District applicable to a site, the provisions of the Architectural Control Overlay District shall apply.