

CONSOLIDATED COPY

which includes Bylaw Nos.

36/2003, 39/2003, 23/2004, 25/2004, 1/2005, 4/2005,
21/2005, 25/2005, 1/2006, 2/2006, 5/2006, 9/2006, 25/2006,
26/2006, 29/2006, ~~17/2007~~ (Repealed By Bylaw No.
12/2010), 3/2008, 4/2008, 6/2008, 7/2008, 9/2008, 14/2008,
15/2008, 21/2008, 22/2008, 23/2008, 26/2008, 27/2008,
28/2008, 29/2008, 31/2008, 33/2008, 34/2008, 35/2008,
36/2008, 4/2009, 5/2009, 6/2009, 7/2009, 12/2009, 20/2009,
33/2009, 34/2009, 35/2009, 4/2010, 5/2010, 7/2010, 8/2010,
3/2010, 12/2010, 13/2010, 27/2010, 32/2010, 34/2010,
35/2010, 42/2010, 3/2011

**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 14/2003

CONSOLIDATED COPY

which includes Bylaw Nos.

*** CONTRACT ZONING**

19/2004, 7/2005, 8/2005, 9/2005
9/2007, 16/2007, 5/2008, 25/2008,
3/2009, 13/2009, 23/2009, 31/2009,
~~32/2009~~ (Repealed By Bylaw No.
17/2010), 36/2009, 17/2010

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN
TO REGULATE THE USE OF LAND AND THE LOCATIONS AND USE OF
BUILDINGS AND OTHER STRUCTURES IN THE CITY OF YORKTON SO AS TO
PROVIDE FOR THE AMENITY OF THE CITY AND HEALTH, SAFETY AND
GENERAL WELFARE OF THE INHABITANTS.**

WHEREAS, the Council of the City of Yorkton wishes to adopt a Zoning Bylaw for the City of Yorkton; and

WHEREAS, the Council of the City of Yorkton is proceeding to adopt said bylaw in accordance with Section 207 of *The Planning and Development Act*;

NOW THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

1. **THAT** Schedule "A" attached to and forming part of this bylaw which may be cited as the Zoning Bylaw of the City of Yorkton and the Zoning Map attached thereto be adopted as the Zoning Bylaw for the City of Yorkton, until such time the bylaw be repealed.
2. **THAT** Bylaw No. 9/96 and all amendments thereto are hereby repealed, and Landscaping Bylaw No. 20/02 is hereby repealed.
3. This Bylaw shall come into force and take effect from the date on which it is approved by the Minister of Government Relations & Aboriginal Affairs.

MAYOR

CITY CLERK

Introduced and read a first time this 24th day of March A.D., 2003.

Read a second time this 24th day of March A.D., 2003.

Read a third time and adopted this 7th day of April A.D., 2003.



SCHEDULE A

ZONING BYLAW

City of Yorkton Municipal Zoning Bylaw

Bylaw No. 14/2003



CITY OF YORKTON
Box 400 – 37 3rd Avenue North
Yorkton, Saskatchewan S3N 2W3

Website Address: www.yorkton.ca

Email: gshaw@yorkton.ca

Table of Contents

ZONING BYLAW NO. 14/2003

PART A – Introduction & Administration

	PAGE
Section 1.0 INTRODUCTION	
Section 1.1 Title	1
Section 1.2 Purpose	1
Section 1.3 Metric System	1
Section 1.4 Scope	1
Section 1.5 Legislative Compliance	2
Section 1.6 Application of Regulations	2
Section 1.7 Severability	2
Section 1.8 Repeal of Bylaws	2
Section 1.9 Effective Date of This Bylaw	3
 Section 2.0 DEFINITIONS	
Section 2.1 General Definitions	4
Section 2.2 Land-use Definitions	15
 Section 3.0 ADMINISTRATION AND ENFORCEMENT	
Section 3.1 Authority and Responsibility of the Development Officer	24
Section 3.2 Development Permit Applications: Permitted Uses	24
Section 3.3 No Development Permit Required	25
Section 3.4 Minor Variances	26
Section 3.5 Development Permit Applications: Discretionary Uses	28
Section 3.6 Zoning Bylaw Compliance Certificate	29
Section 3.7 Amending the Zoning Bylaw	30
Section 3.8 Site Plan Development Standards	31
Section 3.9 Minor Site Plan	33
Section 3.10 Major Site Plan	34
Section 3.11 Subdivision Review Standards	35
Section 3.12 Major Subdivisions	36
Section 3.13 Minor Subdivision	37
Section 3.14 Development Agreements	37
Section 3.15 Contract Zoning	39
Section 3.16 Development Appeals Board	39
Section 3.17 Non-Conforming Buildings and Uses	39
Section 3.18 Offences and Penalties	40
Section 3.19 Enforcement	40

PART B – Provisions & Regulations

Section 4.0 GENERAL PROVISIONS	
Section 4.1 Frontage on Road	40
Section 4.2 Frontage for Irregular Sites	40
Section 4.3 Frontage for Through Sites	40
Section 4.4 Sight Triangle	41
Section 4.5 Accessory Uses	41

Section 4.6	Height Limitations Not Applicable	42
Section 4.7	Permitted Yard Encroachments	43
Section 4.8	Occupancy of Partially Completed Buildings Prohibited	44
Section 4.9	Substandard Sites	44
Section 4.10	Building Lines	44
Section 4.11	Minimum Site Area	44
Section 4.12	Location and Site of Buildings	44
Section 4.13	One Principal Building Per Site	44
Section 4.14	Basement or Cellar to Count As a Storey	45
Section 4.15	Satellite Dish Receivers/Solar Panels/Wind Chargers	45
Section 4.16	Outdoor Storage and Maintenance	45
Section 4.17	Salvage/Junk Yards	46
Section 4.18	Non-Ancillary Uses	46
Section 4.19	Noxious Uses/Federal and Provincial Acts & Regulations	47
Section 4.20	Waste Disposal	47
Section 4.21	Highway Access	47
Section 4.22	Vehicle Accommodation	47
Section 4.23	Grading and Leveling of Sites	47
Section 4.24	Excavation, Stripping and Grading	48
Section 4.25	Soil Erosion Control	48
Section 4.26	Utilities	50
Section 4.27	Storm Water Management	50
Section 4.28	Site Lighting	52
Section 4.29	Sidewalks & Pedestrian Access	52
Section 4.30	Sign Regulations	53
Section 4.31	Trash Enclosures	53
Section 4.32	Fences	53
Section 4.33	Single Detached & Duplex Residential Building Design	54
Section 4.34	Multi-Family/High Density Residential & Non-Residential Building Design	55
Section 4.35	Recreational Facilities	56
Section 4.36	Heritage Resources	57

Section 5.0 PARKING AND LOADING

PROVISIONS

Section 5.1	Off-street Parking – General Provisions	59
Section 5.2	Off-street Parking – Regulations	60
Section 5.3	Off-street Parking for the Physically Disabled	62
Section 5.4	Residential District Parking Regulations	62
Section 5.5	Commercial District Parking Regulations (C-1 to C-4)	63
Section 5.6	Off-Street Parking Regulations – C-1 Alternative Options	66
Section 5.7	Industrial District Parking Regulations	66
Section 5.8	Institutional/Parks & Recreation Parking Regulations	67
Section 5.9	Employee Parking Regulations	68
Section 5.10	Off-street Loading Regulations	69
Section 5.11	Passenger Drop-off / Loading Spaces for Schools	69

Section 6.0 LANDSCAPING PROVISIONS

Section 6.1	Purpose	71
Section 6.2	Applicability	71

Section 6.3	Landscape Plan Details	72
Section 6.4	Plant Material & Specifications	73
Section 6.5	Requirements for Residential Development	74
Section 6.6	Requirements for Non-Residential Uses	75
Section 6.7	Tree Preservation	77
Section 6.8	Performance and Maintenance Guaranty	77

Section 7.0 SPECIAL USE PROVISIONS

Section 7.1	Bed & Breakfast Homes	79
Section 7.2	Day Care Centres	79
Section 7.3	Family Child Care Homes	80
Section 7.4	Group Care Facilities	80
Section 7.5	Group Care Homes	81
Section 7.6	Home Based Businesses & Home Occupations	81
Section 7.7	Residential Care Facilities	83
Section 7.8	Residential Care Homes	83
Section 7.9	Service Stations	84

Section 8.0 ZONING PROVISIONS

Section 8.1	General Intent of Districts	85
Section 8.2	Classification of Districts	85
Section 8.3	Zoning Districts Map	86
Section 8.4	Determining Zoning District Boundaries	86
Section 8.5	Transitional Zoning Provisions	86
Section 8.6	Overlay Zoning Districts	87

PART C – Residential Zoning Districts (R)

Section 9.0	(R-1)	General Residential	88
Section 10.0	(R-2)	Low Density Residential	90
Section 11.0	(R-3)	Medium Density Residential	93
Section 12.0	(R-4)	High Density Residential	96
Section 13.0	(R-5)	Mixed Density Residential	99
Section 14.0	(R-6)	Manufactured Home Residential	102

PART D – Commercial Zoning Districts (C)

Section 15.0	(C-1)	City Centre Commercial	105
Section 16.0	(C-2)	Arterial Commercial	108
Section 17.0	(C-3)	Highway Commercial	111
Section 18.0	(C-4)	Neighbourhood Commercial	114

PART E – Industrial Zoning Districts (MI)

Section 19.0	(MI-1)	Light Industrial	117
Section 20.0	(MI-2)	Heavy Industrial	119

PART F – Municipal Zoning Districts

	Section 21.0	(IN)	Institutional District	121
	Section 22.0	(PR)	Parks and Recreation District	124
	Section 23.0	(AC)	Architectural Control Overlay	126
	Section 24.0	(ES)	Environmentally Sensitive Overlay	127
	Section 25.0	(FD)	Future Development Overlay	129
	Section 26.0	(CZ)	Contract Zones	131
(Bylaw No. 27/2008)	Section 27.0	(PUD)	Planned Unit Development	???
(Bylaw No. 36/2008)	Section 28.0	(CMI-1)	Commercial-Industrial Transitional	???
(Bylaw No. 12/2010)	Section 29.0	(CT-2)	Arterial Commercial (Transitional)	???

PART G – Additional Schedules

Schedule B	Development Fees
Schedule C	Development Permit Application
Schedule D	Zoning Bylaw Amendment Application
Schedule E	Certificate of Zoning Compliance Application
Schedule F	Minor Variance Application
Schedule G	Notice of Contravention
Schedule H	Stop Order
Schedule I	Application to Subdivide Land

Schedule Z-1	City of Yorkton Zoning Districts Map
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Section 1.0

INTRODUCTION - ZONING BYLAW NO. 14/2003

Section 1.1

TITLE

1.1.1

This Bylaw shall be know as “The City of Yorkton Zoning Bylaw” and may be referred to as the “Zoning Bylaw” or the “Bylaw”.

Section 1.2

PURPOSE

1.2.1

The purpose of this Zoning Bylaw is to regulate the use of land and the locations and use of buildings and other structures in the City of Yorkton so as to provide for the amenity of the City and the health, safety and general welfare of the inhabitants.

1.2.2

In all cases, this Zoning Bylaw is subject to the policies contained in the Development Plan and to the staging schedule of the Plan. No new zoning amendment will be permitted in any district except in accordance with those policies and the development staging schedule.

Section 1.3

METRIC SYSTEM

1.3.1

The System International (SI) Metric System of measurement is the final and binding system of measurement used in this Bylaw.

1.3.2

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

Section 1.4

SCOPE

1.4.1

No building or structure shall hereafter be erected or structurally altered, nor shall any building, structure, land or premises hereafter be used in whole or in part within the limits of the City, except in conformity with the provisions and regulations of this Zoning Bylaw.

1.4.2

Where this Bylaw sets out two or more regulations that could apply to a situation, the most restrictive regulation shall apply.

1.4.3

Where this Bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

Section 1.5
LEGISLATIVE COMPLIANCE

Compliance with the requirements of this Bylaw does not exempt any person from compliance with the requirements of any federal, provincial or municipal legislation, the requirements of any other Bylaw in force within the City or from obtaining any permit, license, permission, authority or approval required by this or any other Bylaw of the City in force from time to time. Nor does compliance exempt any person from compliance with any easement, covenant, agreement or contract affecting the development.

Section 1.6
APPLICATION OF REGULATIONS

1.6.1

The provision of this Zoning Bylaw shall not be so construed as to limit or interfere with the operation, replacement, and maintenance for public utility purposes, of water and gas pipes, mains and conduits, electric light and electric power transmission and distribution lines, oil pipe lines, sewer connections and sewer mains, and incidental appurtenances or the construction and installation of any such services on public road allowances.

1.6.2

Nothing in this Bylaw shall be interpreted so as to interfere with the use of land for the construction, maintenance and operation of any essential public service (Fire Department, Municipal Transit System, or Municipal, Provincial or Federal police service). However, the Development Officer shall require that administrative buildings and buildings accessory thereto constructed by the agencies noted in this section are generally compatible with properties in the vicinity in terms of height, setbacks, landscaping, and parking.

Section 1.7
SEVERABILITY

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

Section 1.8
REPEAL OF BYLAWS

Bylaw No. 9/96, as amended, is repealed as of the date of approval of this Bylaw.
Bylaw No. 20/02 is repealed as of the date of approval of this Bylaw.

Section 1.9
EFFECTIVE DATE OF THIS BYLAW

This Bylaw shall come into force when approved by the Minister.

Section 2.0 DEFINITIONS

Section 2.1 GENERAL DEFINITIONS

For the purpose of this Bylaw, unless a contrary intention appears, certain terms or words shall be interpreted as follows:

Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel" or "site". The term "shall" is always mandatory. The word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied".

Accessory Building or Use

A use, separate building or structure, normally incidental, subordinate, exclusively devoted to, and located on the same site as the principal use, building or structure and shall include private garages but shall not include a building or structure used for human habitation.

Act

The Planning and Development Act, 1983 and all amendments thereto.

Alteration

With reference to a building, structure or site means:

- a) A change or rearrangement in the structural parts or in the existing facilities in any building or structure;
- b) Any enlargement in any building or structure, whether by extending on a side or by increasing in building height; or
- c) The moving of any building or structure from one location or position to another.
- d) A change from one occupancy class to another.

Amenity Space

Refers to a land area set aside exclusively for the purpose of providing recreation space on the site (i.e. patio, balcony, terrace deck area, or internal building).

Applicant

A developer, landowner, or person with an enforceable proprietary interest, submitting an application for development.

Application for Development

Any application filed with any approving authority for any approval, authorization or permit which is a prerequisite to initiating development in the City.

Appellant

A person who, pursuant to Sections 96 of the *Planning and Development Act, 1983* has served a Notice of Appeal on the Development Appeals Board.

Approving Authority

The Council of the City of Yorkton.

Attached covered patio or deck

A single storey patio or deck which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is not integrated into the dwelling unit by virtue of the extension of the dwelling unit's heating or cooling system or the removal of the exterior door between the patio or deck and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the deck or patio. Typically an attached covered patio or deck would provide up to three-season accommodation and would not provide fully furnished liveable space.

Balcony

A platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing.

Basement

The portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.85m of its clear height which lies below the finished level of the floor directly above.

Board

The Development Appeals Board as established under this Zoning Bylaw and pursuant to Section 91 - 104 of the *Planning and Development Act, 1983*.

Buffer

A strip of land containing natural woodlands, earth mounds and/or planted screening material and separating one kind of land use or one property from another and which is more specifically identified in Section 6 of this Bylaw.

Building

Any structure constructed or placed on, in or over land, but does not include a public highway, and includes any structure covered by a roof and supported by walls or columns.

Building Bylaw

Any current bylaw of the City which regulates the erection, alteration, repair, occupancy or maintenance of buildings and structures.

Building Height

The vertical distance measured from the grade level in front of the building to:

- a) the highest point of a flat roof;
- b) the mean level between eaves and ridge of a pitched roof; or
- c) the deck line of a mansard roof.

Building Permit

A permit issued by the Building Inspection Officer under the *Building Bylaw7/92* of the City, authorizing the construction of all or part of any building.

Building Principal

A building which serves as the main or primary use of the site on which the building is situated.

Business Frontage

The property line abutting the street or road that designates the civic address of a legally subdivided lot or parcel.

City

The City of Yorkton.

Concrete Panel Construction

Concrete finish, pre-cast panel or tilt wall construction shall be painted, fluted, or exposed aggregate. Other architectural concrete finish is subject to approval by the Building Official. Smooth or untextured concrete finishes are not acceptable unless painted and maintained.

Council

The Council of the City of Yorkton.

Curb Cutting

The cutting or lowering of a curb, sidewalk or boulevard, or any of these to provide a driveway for vehicular or pedestrian access to the site.

Density

A measure of the intensity of development to the area of the site, including the number of units on a site measured in unit/area or floor area ratio, as the case may be.

Development

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

Development Plan (The Plan)

The Development Plan for the City of Yorkton.

Development Officer

The Officer appointed by Part A, Section 3.1 of this Bylaw and pursuant to Section 72(1)(b) of *The Planning and Development Act, 1983*.

Development Permit

A permit, issued by the Development Officer, that authorizes development or the use of a building or site for the purpose stated in the permit, but does not include a Building Permit.

Discretionary Use

The use of land, a building or other structure that may be permitted in a district only at the discretion of and only at the location or locations and under the conditions specified by Council.

District (Zoning District)

A defined area or district of the City as set out in this Bylaw and shown on the City of Yorkton Zoning Districts Map, Schedule Z-1.

Drive-in Business

A facility for providing on-site service to customers while in their motor vehicles.

Dwelling Unit

A complete building or self-contained portion of a building used as a household, containing sleeping, cooking, and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building. This use does not include a room in a hotel, motel, hostel or any other development where rooms are rented on a temporary basis.

Flanking

Refers to the side of a lot, parcel or site.

Floor Area

The total floor area of every room and passageway contained in a building, but not including the floor areas of basements, attics, walls, sheds, open porches or breezeways. Basement and attic floor areas shall be included only when they contain habitable rooms or storage.

Frontage

The width of a lot or a site where it abuts a street excluding a lane; in the case of a corner lot, the frontage shall be considered to be the narrowest portion abutting a street.

Garage – Private

A garage used for storage purposes only, where no business, occupation or service is conducted, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

Garage – Public

Any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

Garage – Storage

A garage exclusively used for the storage of motor vehicles and where no repair facilities are maintained.

Glass Walls

Includes glass curtain walls or glass block construction. A glass curtain wall shall be defined as an exterior wall which carries no structural loads, and which may consist of the combination of metal, glass, or other surfacing material supported in a metal framework.

Grade Level

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of single detached, semi-detached and duplex dwellings with a walk out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the sidewalls of the building.

Gross Floor Area

The total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street parking, loading, mechanical equipment, stairways or shafts.

Gross Floor Area (Leasable)

The gross floor area of the principal buildings exclusive of any parking area, common or public area, common loading area or common mechanical equipment area.

Gross Floor Space Ratio

The ratio of the gross floor area of the principal buildings exclusive of any parking area, divided by the site area.

Hard Surfacing

Asphalt, concrete, paving stone or similar material satisfactory to the Development Officer. Crushed, or compacted rock or gravel shall not be considered to meet the requirements of hard surfacing.

Hazardous Substance or Dangerous Goods

Any product, substance or organism which, because of its quantity, concentration or its physical, chemical or infectious characteristics, either individually or in combination with other substances is an existing or potential threat to the physical environment, to human health or to other living organisms, including:

- a) Explosives;
- b) Gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);
- c) Flammable and combustible liquids;
- d) Flammable solids (including substances liable to spontaneous combustion and substances, which on contact with water, emit flammable gases);
- e) Oxidizing substances and organic peroxides;
- f) Poisonous and infectious substances;
- g) Radioactive material;
- h) Corrosives; or
- i) Other miscellaneous substances of similar nature.

Historical Site

A site or a building designated to be of historical significance by the Government of Canada, Government of Saskatchewan, or the Council of the City of Yorkton.

Infill Development

Development or redevelopment occurring on a vacant site following completion of the initial development of the area.

Landscaping

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

- a) Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and
- b) Hard landscaping consisting of non-vegetative materials such as decorative stonework and paving, screening, berming and other materials used in landscape architecture.

Lane – Public (Alley)

A public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Loading Space

That part of a site or structure on which a single vehicle may be loaded or unloaded.

Lot

A parcel of land of a subdivision, the plan of which has been filed or registered in the *Land Titles Office* for the *Saskatoon Land Registration District* or the *Information Services Corporation (ISC)*.

Lot, Corner

A lot with at least two adjacent sides abutting upon intersecting streets or other public spaces.

Lot, Interior

A lot which either fronts on one street, or opposite sides of two streets, and any other lot which is not a corner lot.

Lot line (or Property Line)

A line of record bounding a lot that divides one lot from another or from a public street or any other public space.

Maintenance Guaranty

Any security acceptable to the City to assure that the maintenance of duly approved improvements installed by the developer after the final acceptance of the improvements and in accordance with this Bylaw.

Masonry Construction

All construction of stone material (including manufactured stone products), brick material, concrete masonry units, or concrete panel construction, which is composed of solid, cavity, faced, or veneered-wall construction. The standards for masonry construction types are as follows:

- a) *Stone Material:* Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock, and other hard and durable naturally occurring all weather stone. Cut stone, dimensioned stone, and manufactured stone products are acceptable.
- b) *Brick Material:* Brick material used for masonry construction shall be hard-fired (kiln fired) clay or slate material. Unfired or underfired clay, sand, or shale brick are not allowed.
- c) *Concrete Masonry Units:* Concrete masonry units used for masonry construction shall have an indented, hammered split face finish or other similar architectural finish, integrally coloured, subject to approval by the Building Official. Lightweight concrete block or cinder block construction is not acceptable as an exterior finish.
- d) *Concrete Panel Construction:* Concrete finish, pre-cast panel or tilt wall construction shall be painted, fluted, or exposed aggregate. Other architectural concrete finish is subject to approval by the Building Official. Smooth or untextured concrete finishes are not acceptable unless painted and maintained.

Metal Walls

Includes profiled panels, deep ribbed panels and concealed fastener systems. Exterior finish shall be film laminated or baked on enamel painted to the wall manufacturer's standards.

- a) The use of corrugated metal, plastic, or fibreglass panels is prohibited.
- b) The use of galvanized, aluminium coated, zinc, aluminium coated, or unpainted exterior metal finish is prohibited.

Minister

The Minister of the Executive Council to whom is assigned the administration of the Act.

Multiple Unit Dwelling

A building divided into three (3) or more dwelling units and shall include, among others, row houses and apartment buildings, as distinct from a boarding, lodging or rooming house, hotel or motel.

Municipality

The City of Yorkton

Navigable Water

Water capable of being traversed by pleasure craft.

Non-conforming building

A building that:

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

Non-Conforming Lot

A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of this chapter, but which fails to conform to the requirement of the zoning district in which it is located by reason of such adoption, revision or amendment.

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 of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective; and
- b) that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw 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 the Zoning Bylaw.

Nuisance

Anything that in the opinion of Council interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

Offensive or Objectionable

When used with reference to any use or development of any land, building or structure, means a use or development which, from its nature or from the manner of carrying on same, creates or liable to create, by reason of noise, vibration, smoke, dust or other particulate matter, odor, toxic or noxious matter, radiation hazards, fire or explosive hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of Council, may be or may become hazardous or injurious as regards health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure.

Open Space

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space, provided that such areas may be improved with only those buildings, structures and other improvements that are designed to be incidental to the natural openness of the land, but not including street, off-street parking areas, storm water facilities or any other areas required to be set aside for buffers or recreation areas by any other sections of this Bylaw.

Owner

Any individual, firm, association, organization, copartnership, corporation or trust having sufficient proprietary interest in the land to be developed in order to commence and maintain proceedings to subdivide the same under this Bylaw.

Overlay

Additional development regulations superimposed on specific areas of the Zoning Map, which supersede or add to the development regulations of the underlying zone. Proposed Overlays under this Bylaw include AC-Architectural Control Overlay, ES-Environmentally Sensitive Overlay, and FD-Future Development Overlay.

Parcel

Any quantity of land, consisting of one or more lots, that is capable of being described with such definiteness that its location and boundaries may be established.

Party Wall

A firewall on an interior lot line used or adapted for joint service between two buildings.

Parking – Off-Street

Accommodation for vehicle parking off the street consisting of lots, structures, parking stalls and access thereto.

Parking Lot, Commercial

Any lot or area other than a street which is devoted to the parking of automobiles, available for public use, whether in return for a fee or as an accommodation for clients or customers, and which is not directly operated by and on behalf of the use permitted in the zone in which located.

Parking Space (Stall)

A space exclusive of driveway, ramps or columns, but including convenient access to a public lane or street, for the parking of one (1) motor vehicle.

Performance Guaranty

Any security, in accordance with the requirements of this Bylaw, which may be accepted in lieu of a requirement that certain improvements be made before the town approves a plat, including performance bonds, escrow agreements, letters of credit and other similar collateral or surety agreements.

Permit

An official document or certificate issued by the authority having jurisdiction and authorizing performance of a specified activity.

Permitted Use

The use of land, a building or other structure that is permitted in a district by this Bylaw and which conforms to the regulations applicable to the district in which the land, building or other structure is located.

Principal Building

A building which:

- a) Occupies the major or central portion of a site;
- b) Is the chief or main building on a site; or,
- c) Constitutes, by reason of its use, the primary purpose for which the site is used.

Principal Use

The main purpose for which a building, structure or site is used.

Right of Way

The total width and length of the course of a street, watercourse, utility alignment or other way and within which all improvements and right of access are confined.

Roof

The top enclosure, above or within the vertical walls of a building.

Roof structure

Any enclosed structure on or above the roof of any part of a building.

Satellite Dish

A parabolic antenna utilized for the reception of satellite-transmitted television and radio waves.

Screening

The total or partial concealment of a structure or activity by a solid fence, wall, berm or soft landscaping.

Sight Triangle

The portion of land being bounded by the street lines for a distance of six (6)metres from their common point of intersection and the diagonal which joins the two extreme points.

Setback

The distance between the street line and the building line.

Setback Line

The line that is established a minimum horizontal distance from the lot line and beyond which the building or part of a building is not permitted to extend toward the lot lines. All setbacks from public streets shall be measured from the proposed right-of way width as shown on the adopted survey.

Sign

Any object, device, display, or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. "Signs" do not include the flag or emblem of any nation, organizations of nations, provincial, city or any fraternal organizations; merchandise, pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields.

Sign Bylaw (Sign Regulations)

City of Yorkton *Sign Bylaw No. 16/03* or any subsequent amendment thereto.

Site

An area of land as registered in the *Land Titles Office* or the *Information Services Corporation (ISC)* by Certificate of Title, having its principal frontage on a street and considered as a unit devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use, and the customary accessories and open space belonging to it.

Site Area

The area of the land contained within the boundaries of the site as shown on a plan.

Site – Corner

Site at the intersection or junction of two (2) or more streets and where a side site line may be separated from the street by a buffer strip.

Site Coverage

The combined area of all buildings or structures on the lot, measured at the greatest horizontal area of a building above grade within the outside surface of exterior walls, or within the outside surface of exterior walls and the centre line of firewalls.

Site Depth

The average distance between the front and rear site lines and, in the case of a triangular site, the perpendicular distance from the front site line to the apex of the angle formed by the intersection of the side site lines.

Site – Interior

A site other than a corner site.

Site Plan, Major

Any development plan of which one or more lots does not meet the definition of a “minor site plan”.

Site Plan, Minor

Any development of one or more lots which:

- a) Does not propose the new construction of or any addition to a structure or building which will result in the building coverage of a property involved to be in excess of 465m² (5,000 square feet).
- b) Does not require disturbance of more than 930m² (10,000 square feet) of land area.
- c) Does not include off-street parking for more than 15 vehicles.
- d) Contains the information reasonably required in order to make an informed determination whether the requirements established by this Bylaw for the approval of a minor site plan have been met.
- e) Does not include commercial or industrial development on more than three acres.

Site – Through

A site not more than one (1) lot in depth, having a frontage on two (2) streets more or less parallel.

Site Width

The average distance between the side site lines and, in the case of a triangular site, the perpendicular distance from the one side site line to the apex of the angle formed by the intersection of the front and rear site lines.

Storey

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

Storey, First (Main Floor)

The storey with its floor closest to grade and having its ceiling 1.5m or more above grade.

Storey, Half

A storey of which two (2) opposite exterior walls are not more than 1.2m in height.

Storey, Second

The storey located immediately above the first storey.

Street (Road)

A public thoroughfare, which affords the principal means of access to abutting properties. By type means:

- a) "*arterial street*", a street that serves major traffic flows between the principal areas of traffic generation with direct access to adjacent development being limited;
- b) "*collector street*", a street that serves traffic between local and arterial streets with access to adjacent development generally allowed;
- c) "*local street*", a street providing direct access to abutting properties along its length and not intended to carry through traffic, other than to adjoining streets;
- d) "*minor street*" means a local street not exceeding 500m in length (includes a cul-de-sac.)

Structure

Anything constructed or erected that is located on or in the ground or attached to something located on or in the ground but not including pavements, walks, curbs, open air surfaced areas or moving vehicles.

Subdivision

The division of a lot, tract or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale or development.

Subdivision, Major

Any subdivision not classified as a minor subdivision.

Subdivision, Minor

A subdivision of land for the creation of an aggregate of not more than four lots (three new lots plus the remaining lot), provided that such subdivision does not involve a planned development, any new streets or the extension of any off-tract improvements, and not being a further division of an original tract of land for which previous minor subdivisions have been approved by any board within the five years past and where the combination of the proposed and approved minor subdivisions constitute a major subdivision. Any readjustment of lot lines resulting in no new lots shall be classified as a minor subdivision.

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 as will 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.

Trash Enclosure

A refuse collection facility 1.8m high (plus or minus 200mm), constructed of masonry, cement, or concrete block with screened gates. The floor of the trash enclosure shall be a concrete pad which shall extend 1.5m feet beyond the opening of the trash enclosure.

Use

The purpose for which land, a building or other structure is arranged, designed or intended, or for which either land, a building or other structure may be occupied or maintained.

Watercourse

Means any natural depression with visible banks, or wetland with or without visible banks, which contain water at some time; and include any lake, river, stream, creek, spring, swamp, gulch or surface source of water whether containing fish or not; and include intermittent streams; and includes surface drainage works.

Yard

A part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted.

Yard – Front

A yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the building.

Yard – Rear

A yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the building.

Yard – Side

A yard extending across the front yard to the rear yard and situated between the side lot lines and the nearest portion of the building.

Zoning Districts Map

The map delineating the boundaries of the districts set out in this Bylaw and marked “Schedule Z-1 – City of Yorkton Zoning Districts Map”.

Section 2.2

LAND-USE DEFINITIONS

The use classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics.

2.2.1

The use classes of this section are used to define the range of uses which are permitted or discretionary within the various zoning districts of this Bylaw.

2.2.2

The following guidelines shall be applied in interpreting the use class definitions:

2.2.2.1 – The typical uses which may be listed in the definitions are not intended to be exclusive or restrictive. Reference should be made to the definition of the use class in determining whether or not a use is included within a particular use class.

2.2.2.2 – Where a specific use does not conform to the wording of any use class definition or generally conforms to the wording of two or more use class definitions, Council may deem that the use conforms to and is included in that use class which they consider to be the most appropriate in character and purpose.

Abattoir

Slaughterhouse or place where animals are butchered.

Adult Bookstore

An establishment having a substantial or significant portion of its stock-in-trade books, magazines, other periodicals, films and other viewing materials which are distinguished or characterized by their emphasis on matters

depicting, describing or relating to specified sexual activity, sexual conduct or specified anatomical areas.

Agricultural Sales and Service Facilities

A development used for the sale or rental of new or used tractors, combines, swathers, balers, seeders, and cultivators together with incidental maintenance services and the sale of parts and

accessories. Typical uses include farm implement dealerships.

Amusement Establishments – Indoors

A development providing facilities within an enclosed building for various table games or electronic games played by patrons for entertainment. Typical uses include billiard parlour, bowling alleys, roller skating rinks, simulated golf, electronic game arcades, and bingo halls. This class does not include, Participant Recreation - Indoors, or:

- a) such establishments which sell such devices, provided that such devices are not available on the premises for use on a commercial basis by the public;
- b) establishments where such devices are made available as an accessory use provided that the floor area occupied by the device does not exceed five percent (5%) of the total leasable floor area of the establishment, but in no case shall the number of devices accessory to another use exceed four (4).

Amusement Establishments - Outdoors

A permanent development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. This use class does not include drive-in motion picture theatres, go-cart or motorcycle tracks, carnivals or circuses. Typical uses include amusement parks, golf driving ranges and miniature golf establishments.

Apartments

A multiple unit dwelling containing five (5) or more dwelling units arranged in a vertical or horizontal manner, which has a common entrance. This use class does not include rowhouses or townhouses.

Apartments – Main Floor Commercial

A development consisting of one (1) or more dwelling units contained within a building in which the dwelling units are arranged in a horizontal or vertical configuration with the first or main floor used for commercial purposes only.

Apartments – Senior Citizens

A development consisting of five (5) or more dwelling units contained within a building in which the dwelling units are arranged in a horizontal or vertical manner and is designed for and used

exclusively by senior citizens (Age 55+). Furthermore defined by the following classes:

a) Nursing Home:

Any government or private multiple unit dwelling targeted to senior citizens in which residents require a full-time level of care and service provision (i.e. meals, laundry, medications, care, etc.).

b) Seniors Assisted Living Facility:

Any type of government or private multiple unit dwelling targeted to senior citizens in which individual units do not have full kitchen facilities, and are provided with programs and services which are a component of both the lifestyle and the cost of living in the facility (i.e. meals, laundry, recreation, on-call assistance etc.)

c) Seniors Independent Living Facility

Any type of government or private multiple unit dwelling targeted to senior citizens in which each unit contains, bathroom, kitchen and living facilities, and where the inhabitant would not require any additional services (i.e. meals, on-call assistance) in order to function.

Assembly Plant or Facility

A facility where products are assembled for sale or distribution via an arrangement of machines, equipment, and/or workers in which work passes from operation to operation in direct line until the product is assembled.

Auctioneering Establishments

A development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.

Auto & Minor Recreation Sales & Rentals

A development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services, sales of parts, automotive accessories, accessory recreational equipment and supplies. This use class typically includes but is not limited to automobile dealerships, car rental agencies and motorcycle dealerships. This use class does not include dealerships for the sale or rental of exclusively trucks or exclusively motor homes

with a gross vehicle rating of 4,000 kilograms or greater.

Automotive Maintenance

A development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, detail shops, muffler shops, tire shops, automotive glass shops, and automotive upholstery shops. This use class does not include auto body repair and paint shops.

Autobody Repair and Paint Shops

A development for the repairing and painting of automobiles.

Auto Wrecking / Junk Yards

A development in which vehicles or materials are stored, parted out, crushed, compacted, or where parts from vehicles or materials are re-sold.

Bakery

A place for baking or selling locally baked goods, including but not limited to breads, pastries, and cakes.

Bed and Breakfast

A dwelling in which the proprietor supplies room and a breakfast meal for compensation to one or more persons, as distinct from a hotel, motel or apartment building.

Boarding, Lodging or Rooming House

A dwelling in which the proprietor supplies either room, or room and board, for compensation to no more than four (4) persons and which is not open to the general public, as distinct from a hotel, motel or apartment building.

Bottling Plants / Breweries

A development in which beverages are processed and or packaged for shipment and distribution.

Building Materials Sales and Storage

A development which is used for the storage and sale of building, construction and hardware materials. Typical uses include hardware stores, and retail building material supply stores.

Bulk Fuel Depots

A development where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors, and includes the storage of hazardous substances / dangerous goods, as defined by the *Transportation of Dangerous Goods Act* and the *Major Industrial Accidents Council of Canada (MIACC)*. The Development may include facilities for cleaning, blending or packaging of bulk oil, fuel, or chemicals, but does not include manufacture of the products.

Broadcasting and Television Studios

A development used for the production and/or broadcasting of audio and visual programming typically associated with radio/television.

Business Support Services

A development used to provide support services to businesses that are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film-processing establishments, janitorial firms and office equipment sales and repair establishments.

Car Wash

A building or portion of a building, which is used for the washing of vehicles, including full service, automatic and hand, operated facilities, but does not include facilities for the washing of vehicles with a gross vehicle weight of more than 5000 kg.

Casino

Any establishment where games of chance are regularly played as defined and licensed through the *Saskatchewan Gaming Corporation Act*.

Cemeteries

A development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cinerarium, columbarium, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.

Commercial Education Facilities

A development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This use class does not include schools defined as public education or private education. Typical uses include computer training, secretarial, business, hairdressing, beauty culture, and dancing or music schools.

Community Facility

Any building which is available to the public for the purpose of assembly, instruction, culture or community activity and includes:

- a) auditoriums;
- b) churches;
- c) libraries;
- d) museums and art galleries;
- e) other similar uses at the discretion of the Development Officer.

Contractor Facilities

A development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales areas shall be accessory to the principal general contractor service use only. This use class does not include professional, financial and office support services.

Convention / Exhibition Facilities

A development which facilitates the gathering of people and portable products and facilities in one large or a series of connecting or adjacent rooms or open areas.

Crematorium

A development which facilitates the preparation and cremation of the deceased.

Day Care Centre

A provincially licensed establishment providing for the care, supervision, protection and or education of children, but does not include the provision of overnight supervision. Uses typically include daycare centres, day nurseries, kindergartens, nursery schools and play schools.

Dry Cleaner

An establishment involving the collection and distribution of articles of goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning or stain removing, or the pressing of any such articles or goods at an approved dry cleaner establishment.

Dwelling, Converted

A residential building which has been converted and or renovated for use as a commercial / retail office building, or alternative residential use.

Dwelling, Duplex

Development of a building that contains only two (2) dwelling units, with one being placed over the other in whole or in part with individual and separate entrances to each dwelling.

Dwelling, Rowhouse

Development of five (5) or more separate dwelling units joined side by side to one another with a common wall with individual and separate entrances to each dwelling.

Dwelling, Semi-Detached

Development of two (2) dwelling units joined side by side to one another with a common wall and each dwelling unit having at least one separate entrance.

Dwelling, Single Detached

A detached building consisting of not more than one (1) dwelling unit, but does not include a mobile / modular home.

Dwelling, Three or Four Unit

A detached building consisting of either three (3) or four (4) separate dwelling units, joined either side-by-side, and/or up and down by common walls, each with a separate entrance.

Dwelling, Townhouse

Development of five (5) or more separate dwelling units joined side by side, and with units being placed over top of other units in whole or in part, with common walls and individual and separate entrances to each dwelling.

Two Unit Dwelling

A detached building consisting of no more than two (2) separate dwelling units, either in the form of a semi-detached dwelling (side-by-side) or a duplex dwelling (top and bottom).

Dwelling Unit

A complete building or self-contained portion of a building used as a household, containing sleeping, cooking, and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building. This use does not include a room in a hotel, motel, hostel or any other development where rooms are rented on a temporary basis.

Entertainment / Drinking Establishment

An enclosed establishment in which a fee is charged to the public for the provision of a performance, or a minimum fee is charged for admission to the facility or sale of any item, food or beverages therein, which includes the provision of a performance and, without limiting the generality of the foregoing, may include movie theatres, live theatres, and night clubs, but does not include casinos, or bingo halls.

Equipment / Household Repair Shops

A shop for servicing, repairing, installing or renting articles and equipment, including but not limited to:

- a) household and carpenter tools;
- b) locks and keys;
- c) radios and televisions; and
- d) small appliances.

but does not include any type of automotive or industrial repair or maintenance.

Equipment Rentals

Development used for the rental of tools, appliances, recreation craft, office machines, furniture, home appliances, light construction equipment, or similar items, but does not include the rental of motor vehicles or industrial equipment.

Essential Public Services and Utilities

A system, works, plant, equipment or service, whether owned or operated by or for the City, or by a corporation under agreement with or under a franchise from the City or under a Federal or Provincial statute, which furnishes services and facilities available at approved rates to or for the use of all the inhabitants of the City, including but not limited to:

- a) systems for the production or distribution of electricity;
- b) systems for the distribution of natural gas or oil;
- c) facilities for the storage, transmission, treatment, distribution or supply of water;
- d) facilities for the collection, treatment, movement or disposal of sanitary sewage; or
- e) telephone or light distribution lines.

Family Child Care Home

The principal place of residence of a family child care provider and shall further mean a provincially licensed place where the care and supervision of not less than three and not more than twelve children, (including the children of the caretaker) who do not reside on the premises, is provided for less than 24 hours per day by a person or persons other than a parent or parents of said children, for compensation.

Farming

An agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes;

- a) the cultivation of land;
- b) the production of agricultural field crops;
- c) the production of fruit, vegetables, sod, trees, shrubs, and other speciality horticultural crops;
- d) the production of honey;
- e) the operation of agricultural machinery and equipment, including irrigation pumps.

Financial Institutions

A government recognized institution (i.e. chartered bank) used primarily for the banking or lending of money.

Fleet Services

A development using a fleet of vehicles for the delivery of goods or services, where such vehicles

are not available for sale or long-term lease. This includes taxi services, bus services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg (6,614 lb.)

Funeral Services

A development used for the preparation of the dead for burial or cremation, and the holding of funeral services, but does not include crematoriums.

Heavy Industrial Uses

A development used principally for one or more of the following activities:

- a) the processing of raw materials;
- b) the manufacturing or assembling of semi-finished or finished goods, products or equipment;
- c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
- d) the storage or transshipping of materials, goods and equipment;
- e) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales use classes defined in this Bylaw for resale to individual consumers; or
- f) the training of personnel in general industrial operations.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the general industrial use activities identified above.

Government Services

Development providing for Crown Corporation, municipal, provincial or federal government services directly to the public. Typical uses include but are not limited to taxation offices, courthouses, postal stations, manpower and

employment offices, and social service offices, which result in a significant client visitation. This does not include protective and emergency services, liquor stores, detention and correction services, and education services.

Greenhouses and Plant Nurseries

A development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products.

Group Care Facility

A facility for the temporary detention or open custody of persons pursuant to the provisions of *The Young Offenders Act (Canada)* or *The Summary Convictions Procedures Act (Saskatchewan)* or a community training residence as defined in *The Corrections Act (Saskatchewan)*, and is located in a facility in which the number of persons residing in the facility at any one time is seven (7) or more.

Group Care Home

The principal place of residence of a care provider, whose home is used for the temporary detention or open custody of persons pursuant to the provisions of *The Young Offenders Act (Canada)* or *The Summary Convictions Procedures Act (Saskatchewan)* or a community training residence as defined in *The Corrections Act (Saskatchewan)* and is located in a home in which the number of persons residing in the facility at any one time is not more than six (6).

Health Services

A development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, and diagnostic services.

Home Based Business

Any occupation, trade, profession or craft conducted for gain from a dwelling unit, which use is incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Home Occupation

Any occupation, trade, profession or craft conducted for gain in a dwelling unit by the resident or residents of the premises, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Hospital

An institutional development used to provide in-patient and out patient health care to the public. Typical developments include a community health centre and a full service hospital.

Hotel / Motel

A building or structure or part of a building or structure used or advertised as a place where sleeping accommodation (with or without meals) is provided for transient lodgers, where individual cooking facilities are provided in no more than 10% of the available suites, and where access to the accommodation is directly supervised by the management, but excluding a boarding, lodging or rooming house.

Kennels

Means development used for the accommodation, boarding, and/or breeding of small animals and uses associated with the shelter and care of small animals, such as grooming, training, and exercising.

Light Industrial Uses

Means development used for small-scale on-site production, processing, manufacturing, assembly of semi-finished or finished goods, products or equipment. All on-site production is contained within the confines of the principle building or its accessory buildings. This use would also include the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the small scale manufacturing process, where such operations have impacts that are not incompatible with the surrounding non-industrial uses. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the minor manufacturing use. Typical uses include, but are not limited to, musical instrument or toy manufacturing, gunsmiths, pottery or sculpture studios, tinsmith shop, carpentry or cabinet shops.

Livestock Sales Facility

A place for holding livestock and conducting sales of livestock where livestock are held no longer than 48 hours for any one sale.

Live Work Unit

A dwelling unit that is also used for work purposes, provided that no more than two persons other than the resident of the dwelling unit may work in the dwelling unit.

Amended
By
Bylaw No.
32/2010

Manufactured Home

A prefabricated detached dwelling unit that meets *Canadian Standards Association (CSA) Z240* and *A277* standards, and meets the requirements of the National Building Code. This definition applies to both single section and multi-section models, but does not apply to modular homes, RTM's, recreational vehicles or industrial camp trailers.

Manufactured Home Park

A parcel of land under single management for the placement of two (2) or more manufactured homes, the owners of which rent or lease a space on which to locate a manufactured home, and including any building, structure or enclosure used or intended to be used as part of the operation of the manufactured home park.

Manufactured Home Sales Facilities

A development used for the sale or rental of new or used manufactured homes, together with incidental maintenance services and the sale of parts and accessories.

Parking Lots / Facilities

A building, structure, or area of land designed and used for the parking of a number of vehicles.

Parkview Subdivision: that portion of land within the boundaries of Parkview Road and the lane serving Parklane Drive.

Amended
By
Bylaw No.
26/2006

Participant Recreation – Indoors

A development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include, but are not limited to, athletic clubs, health and fitness clubs, recreational courses or training, curling, roller-skating and hockey rinks, swimming pools, small bore rifle, pistol, or archery ranges, and racquet clubs.

Participant Recreation – Outdoors

A development providing facilities, which are available to the public at large for sports and active recreation, conducted outdoors. This use class does not include amusement establishments. Typical uses include, but are not limited to, golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, archery ranges, riding stables and fitness trails.

Personal Service Establishments

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. This use class includes barbershops, hairdressers, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops, minor appliance repair shops and dry cleaning establishments and laundromats.

Planned Unit Development (PUD)

A coordinated real estate development where common areas are shared and maintained by a single owner or company, an owner's association or other entity. PUDs are a special type of development that do not have to comply with all standard zoning and subdivision regulations. PUDs may be applied to residential, commercial, or industrial land development, and would permit mixed uses provided the uses are compatible with other proposed uses and would not impact property values in the surrounding neighbourhood.

Professional Offices

A development primarily used for the provision of professional services but does not include financial institutions and business support services, health services or government services. Typical uses include the offices of lawyers, accountants, financial advisers, engineers, architects and photographers.

Protective Services

A development, which is required for the public protection of persons and property from

injury, harm or damage, together with the incidental storage of emergency equipment and vehicles. An establishment in which vehicles equipped for transporting the injured or sick are stored and which may contain living quarters, offices, to assist in the delivery of the service. Typical uses include police stations, fire stations and ancillary training facilities.

Public Education Services

Means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This use class includes public and separate schools, community colleges, universities and technical and vocational schools, and their administrative offices. This use class does not include commercial education facilities.

Public Parks and Playgrounds

Means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping.

facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

Railway Facilities and Uses

An area containing a network of railway track and sidings for storage and maintenance of cars and engines. Includes spurs for loading and shipment of goods from adjacent commercial or industrial buildings.

Recreational Vehicle Sales / Rentals / Service

A development used for the sale or rental of new or used motorhomes and recreational vehicles, together with incidental maintenance services and the sale of parts and accessories.

Amended
By
Bylaw No.
27/2008

Recycling Depots

A development used for the buying and temporary storage of bottles, cans, newspapers, and similar household goods for reuse where all storage is contained within an enclosed building.

Rendering Plant

A plant operated for the disposal of bodies or parts of bodies of animals or fowl for use as packaged by-products such as oils, protein meal, fertilizers, pet food etc. Such a facility is expressly prohibited anywhere within the City.

Residential Care Facility

A licensed or approved care facility governed by Provincial regulations that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual in which the number of residents, excluding staff, is five (5) or more.

Residential Care Home

A licensed or approved care home governed by Provincial regulations which is the primary place of residence of the care provider, that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual in which the number of residents, excluding staff, does not exceed four (4).

Restaurants / Drinking Establishments

Means development where prepared food and beverages are offered for sale to the public from establishments which offer either eat-in, drive-through or take-out facilities. Typical uses include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands, take-out restaurants and catering services, fast-food eateries and banquet facilities.

Retail Store – Convenience

Means development used for the retail sale of those goods required by area residents or employees on a day-to-day basis. Typical uses include small food stores, drug stores, family video rental stores, souvenir stores, bakeries and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter, with a gross floor area not exceeding 371.0m².

Retail Store – General

Means development used for the retail sale of groceries, baked goods, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, family video rentals, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within general retail stores. This use class does not include developments used for the sale of gasoline, new or used vehicles, heavy agricultural and industrial equipment or second hand goods or developments defined as warehouse sales.

Retail Store - Grocery

Means development used for the retail sale of groceries, baked goods, beverages, produce, dairy and meat products, tobacco, pharmaceutical and personal care items with a gross floor area exceeding 371.0m². This use class does not include Retail Stores – Convenience or Retail Stores – General.

Riverside Subdivision: that portion of land within the boundaries of Mayhew Avenue, north of Morrison Drive and Darlington Street East and south of York Road East to the east boundary of the City excluding Riverside Terrace subdivision.

Amended
By
Bylaw No.
26/2006

Riverside Terrace Subdivision: that portion of land within the boundaries of the City east of Yorkton Creek.

Amended
By
Bylaw No.
26/2006

Secondary Suite

Means a self-contained, accessory dwelling unit located within a single detached dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit. This use does not include duplex dwellings, semi-detached dwellings, apartment housing, or boarding and rooming houses.

Service Station

A building or clearly defined space on a site for the retail sale of gasolines, lubricating oils and motor vehicle accessories, for the servicing and minor repairing of motor vehicles and for a restaurant or other eating establishment, but excluding motor vehicle sales lots as

principal uses. All sales and storage of motor vehicle accessories or repairing and servicing shall be conducted within a building.

Shopping Centre – Neighbourhood

A group of retail outlets, commercial business establishments or offices owned, developed and operated at a single location in a cluster, strip or mall type pattern, where off-street parking and other joint facilities are provided for mutual benefit. Typical uses include small food stores, drug stores and personal service shops with a maximum area of 3,000m². Shopping Centres may only contain uses which have been listed as permitted or approved as a discretionary use within the zoning district.

Shopping Centre – Community

A group of retail outlets, commercial business establishments or offices owned, developed and operated at a single location in a cluster, strip or mall type pattern, where off-street parking and other joint facilities are provided for mutual benefit. Typical uses include food stores, hardware, financial services and small department stores with a minimum area of 3,000m² and a maximum area of 10,000m². Shopping Centres may only contain uses which have been listed as permitted or approved as a discretionary use within the zoning district.

Shopping Centre – Regional

A group of retail outlets, commercial business establishments or offices owned, developed and operated at a single location in a cluster, strip or mall type pattern, where off-street parking and other joint facilities are provided for mutual benefit. Typical uses include major retail stores, department stores, food stores, professional and financial services and personal service shops with a minimum area of 10,000m². Shopping Centres may only contain uses which have been listed as permitted or approved as a discretionary use within the zoning district.

Southwest Subdivision: that portion of land within the boundaries south of Lakeview Road and west of Bradbooke Drive and Allanbrooke Drive to Queen Street and the most westerly limits of the City excluding Parkview subdivision and the area east of the lane serving Redwood Drive and south of Riverview Road.

Amended
By
Bylaw No.
26/2006

Storage Compounds / Facilities

A development used for the enclosed interior or screened and enclosed exterior storage of vehicles, personal items, or products.

Tourist Campgrounds

Means development of land that has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreation vehicles and is not used for year round storage, or accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

Truck Sales/Rentals/Service

Means development used for the sale or rental of new or used transport or industrial trucks and equipment, and automobiles together with incidental maintenance services and the sale of parts and accessories.

Veterinary Services

Means development used for the care and treatment of animals where the veterinary services primarily involve in-patient care and major medical procedures involving hospitalization for extended periods of time. This use class includes animal hospitals, shelters, and crematoriums.

Warehouse Facilities

A development used for the indoor storage and/or distribution of goods and merchandise, excluding any hazardous materials.

Warehouse Sales

Means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This use class also includes developments used for the retail sale of food or a broad range of goods for personal or household use.

Section 3.0

ADMINISTRATION & ENFORCEMENT

Section 3.1

AUTHORITY AND RESPONSIBILITY OF THE DEVELOPMENT OFFICER

3.1.1

A duly authorized Development Officer shall administer this Bylaw.

3.1.2

The Development Officer shall be the Manager of Community Planning. Additional employees of the Planning, Development and Building Services Department may be appointed or authorized in writing by the City Manager to act as a Development Officer for the purposes of this Bylaw and *The Planning and Development Act, 1983*.

Section 3.2

DEVELOPMENT PERMIT APPLICATIONS: PERMITTED USES

3.2.1

Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.

3.2.2

All applications for a development permit shall be submitted on the prescribed form (Schedule C). Applications shall include all required information, and a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

3.2.3

The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, other applicable City bylaws, the City of Yorkton Municipal Development Plan, and *The Planning and Development Act, 1983*, and all amendments thereto.

3.2.4

The Development Officer shall not issue a development permit if the proposed development does not meet the requirements of this Bylaw for the zoning district in which the development is located.

3.2.5

Where an application for a development permit for a permitted use is not approved, the applicant shall be notified accordingly of the reasons for refusal (in writing) and he shall be advised of any rights to appeal that refusal to the Development Appeals Board, subject to the Provisions of *The Planning and Development Act, 1983*.

3.2.6

No Development Permit shall be valid unless it conforms with the Zoning Bylaw and the provisions of *The Planning and Development Act, 1983*, and all amendments thereto.

3.2.7

A building permit shall not be valid unless a development permit, where such a permit is required, has been issued.

3.2.8

Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

3.2.9

The Development Officer is hereby authorized, after reasonable notice to the owner or occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purposes of inspection.

3.2.10

The Development Officer may revoke a development permit where:

- A) the development permit has been issued in error;
- B) an approved development is not being developed or operated in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit; or
- C) a development is subject to an agreement that has been canceled by Council pursuant to Sections 79 or 82 of *The Planning and Development Act, 1983*.

3.2.11

The Development Officer shall give the reasons for denying or revoking a development permit.

3.2.12

Any development listed as a permitted use shall be further processed in accordance with Section 3.4 of this Bylaw.

3.2.13

Any development listed as a discretionary use shall be further processed in accordance with Section 3.5 of this Bylaw.

3.2.14

A development permit shall be valid for a period consistent with the building permit, sign permit, portable sign license, or business license to which it applies. In the case of other forms of development permit, if the development authorized by a development permit is not commenced within one year from the date of issue, the permit shall be expired.

Section 3.3

NO DEVELOPMENT PERMIT REQUIRED

A development permit is not required for the following activities, subject to conformance with all applicable provisions of this and other City Bylaws and policies:

3.3.1

The construction of a single storey accessory building with a gross floor area of 10m² or less.

3.3.2

The erection of any fence or gate.

3.3.3

The development of a temporary building, the sole purpose of which is incidental to the erection, alteration, or marketing of a building for which a development permit has been issued and is still valid.

3.3.4

The carrying out of works of maintenance or repair to any building, if such works do not include structural **alteration or major works or renovations**.

3.3.5

The use of any building or land attached to or used in conjunction with a dwelling for any purpose incidental to the enjoyment of the dwelling as such.

3.3.6

The completion of a building which is lawfully under construction at the date of approval of this Bylaw, provided that it is completed in compliance with its building permit, and construction or reconstruction is commenced within twelve (12) months of the date of issuance of the permit relating thereto.

3.3.7

Construction required for operations for which a development permit has been issued, for the period of the operation.

3.3.8

Maintenance and repair of public works, services and utilities carried out by or on behalf of public authorities.

3.3.9

The establishment of a home occupation, or home based business, provided it complies with all other Bylaw requirements.

Section 3.4
MINOR VARIANCES

3.4.1

All applications for a Minor Variance shall be submitted on the prescribed form (Schedule F) and shall include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

3.4.2

The Development Officer is authorized to approve, deny, or approve with conditions, any applications for minor variances, pursuant and subject to Section 73.1 of *The Planning and Development Act, 1983* and subsequent amendments thereto. The conditions for doing so are outlined as follows:

- A) A minor variance may be granted for variation of:
 - 1) The minimum required distance of a building from the lot line; and
 - 2) The minimum required distance of a building to any other building on the lot.
- B) The maximum amount of the variance for the above shall be 10% of this Bylaw's requirements.
- C) The development shall conform to this Bylaw with respect to the use of land.
- D) The relaxation of this Bylaw shall not injuriously affect neighbouring properties.
- E) No minor variance shall be granted for a discretionary use or discretionary form of development, or in connection with an agreement on rezoning entered into pursuant Section 82 of *The Planning and Development Act, 1983*.

3.4.3

On receipt of an application for minor variance, the Development Officer may:

- A) approve the minor variance;
- B) approve the minor variance and impose terms and conditions;
- C) refuse the minor variance.

3.4.4

Where the Development Officer imposes terms or conditions on an approval pursuant to subsection 3.4.3, the terms and conditions shall be consistent with the general development standards of this Bylaw.

3.4.5

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.

3.4.6

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.

3.4.7

The written notice required pursuant to subsection 3.4.6 shall:

- A) contain a summary of the application for minor variance;
- B) provide a reason for and an effective date of the decision;
- C) indicate that an adjoining assessed owner may within twenty (20) days, lodge a written objection with the Development Officer; and
- D) where there is an objection described in clause (C), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.

3.4.8

The written notice required pursuant to subsection 3.4.6 shall be delivered by registered mail or personal service.

3.4.9

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

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

3.4.10

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 Development Officer respecting the approval of the minor variance within the time periods prescribed in subsection 3.4.9, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

- A) of the revocation of approval; and
- B) of the Applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving notice.

3.4.11

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

Section 3.5

DEVELOPMENT PERMIT APPLICATIONS: DISCRETIONARY USES

3.5.1

Council shall consider development applications for Discretionary Uses in accordance with the procedure set out in Section 74 of *The Planning and Development Act, 1983* and subsequent amendments thereto, and subject to the following regulations as outlined below.

3.5.2

All applications made for a development permit with respect to a Discretionary Use shall be submitted on the prescribed form (Schedule C) and include all required information, as noted in Section 3.3, and shall include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

3.5.3

The Discretionary Use application may be referred by the Development Officer to:

- A) any City Department for review and comment;
- B) the Municipal Planning Commission for consideration and recommendation to Council; and,
- C) Council for authorization to proceed with advertising and to establish a date for a public hearing to be held prior to final approval.

3.5.4

All Discretionary Use applications are required to be advertised once per week for two (2) successive weeks in a newspaper circulating within the City prior to final approval by Council. The first notice shall be published at least ten (10) days prior to the date set by Council for a public hearing regarding the application. In addition the effected property shall be posted with a public notice detailing the proposed use of the property at least ten (10) days prior to the date set by Council for a public hearing regarding the application. Public notice posted on the property shall be visible from the street frontage, be not less than 28 centimeters by 43 centimeters in size and located not more than 1 meter back of the front site line.

Amended By
Bylaw
No. 29/2006

3.5.5

All landowners within 60.0 metres (200 feet) of the site for which application is being made shall be notified by ~~registered~~ regular mail or personal service of the application, and the date on which Council will hold a public hearing regarding the application.

Amended By
Bylaw
No. 29/2006

Amended By
Bylaw
No. 4/2008

3.5.6

All public notification shall contain the following information:

- A) the legal description and civic address of the land which is the subject of the application;
- B) the purpose of the proposed application; and,
- C) the date, place, and time that Council will hold a public hearing on the application.

3.5.7

Council, after considering:

- A) any representations made at the public hearing; and,
- B) the Development Plan, or other regulatory plan or bylaw affecting the application and the provisions of this Bylaw;

- c) any other relevant information and documents, may proceed to:
- 1) reject the application;
 - 2) approve the application;
 - 3) approve the application for a limited time, or
 - 4) approve the application with specific development standards.

3.5.8

If Council refuses a Discretionary Use application, the City shall not accept another application on the same land for the same or similar purpose until six months have passed after the date of such refusal.

3.5.9

Where an application is received for multiple Discretionary Uses on the same site, the necessary advertising and review process may be completed together and concurrently at the discretion of the Development Officer. If however, in the opinion of the Development Officer the two uses require a separate review, they may be advertised and reviewed both separately, and/or consecutively.

3.5.10

Upon approval of a Discretionary Use by Council, the Development Officer shall issue a development permit for the discretionary use at the location or locations and under the conditions specified by Council in its approval.

3.5.11

Where Council does not approve an application for a development permit for a Discretionary Use, the decision by Council is final and binding, and the applicant shall be notified in writing of the decision by the Development Officer.

3.5.12

Where an application for a Discretionary Use has been approved by Council with prescribed development standards and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the Zoning Bylaw, the applicant may, within thirty (30) days of the date of Council's approval, appeal those development standards which have been prescribed to the Development Appeals Board.

3.5.13

Within any district, any existing use of land, building or structure which is listed as a Discretionary Use within the district shall not, as a result of the passage of this Bylaw, be non-conforming but shall be a permitted use at that location. The use of the land, building or structure at the location shall not be changed except in conformity with this Bylaw.

3.5.14

Discretionary uses shall comply with the Development Standards for each Zoning District, as well as the Special Use Provisions (where applicable) that apply to each use, building or structure.

Section 3.6
ZONING BYLAW COMPLIANCE CERTIFICATE

3.6.1

All applications for a Zoning Compliance Certificate shall be submitted on the prescribed form (Schedule E) and shall include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

3.6.2

The Development Officer may issue a Zoning Bylaw Compliance Certificate for any use, building or structure which is in conformance with this Bylaw or is deemed to be a legal non-conforming use, building or structure.

3.6.3

The applicant for a Zoning Bylaw Compliance Certificate may be required to provide the Development Officer with information regarding the existing and past use of the land or buildings on the property, and a real property report prepared by a registered Saskatchewan Land Surveyor.

Section 3.7
AMENDING THE ZONING BYLAW

3.7.1

Council may amend this Zoning Bylaw in accordance with the procedure set out in Sections 207 through 212, inclusive, of *The Planning and Development Act, 1983* and subsequent amendments thereto.

3.7.2

All applications for a Zoning Bylaw amendment shall be submitted on the prescribed form (Schedule D) and shall (if for a purpose other than a clarification of an existing provision of this Bylaw) include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*.

3.7.3

Applications for amendments to this Zoning Bylaw shall be submitted on the prescribed form, stating:

- A) reasons in support of the amendment;
- B) the legal description and civic address of the property as well as the contact information of the applicant and the registered owners of the property; and,
- C) information regarding the surrounding land uses.

3.7.4

At the discretion of the Development Officer, additional information may be required in order for Council to make a decision on the application.

3.7.5

The amendment application may be referred by the Development Officer to:

- A) any City Department for review and comment;
- B) the *Municipal Planning Commission* for consideration and recommendation to Council; and,
- C) Council for first and second reading and to establish a date for a public hearing to be held prior to third reading.

3.7.6

All amendment applications are required to be advertised once per week for two (2) successive weeks in a newspaper circulating within the City prior to third reading by Council. The first notice shall be placed no earlier than twenty-one (21) days prior to the date set by Council for a public hearing regarding the proposed amendment.

Amended By
Bylaw
No. 4/2008

3.7.7

If the amendment involves the rezoning of land to a different zoning district, all land owners within 60 metres of the site for which application is being made shall be notified by ~~registered~~ **regular** mail of the application, and the date on which Council will hold a public hearing regarding the application.

3.7.8

All public notification shall contain the following information:

- A) the legal description and civic address of the land which is the subject of the application (if applicable);
- B) the purpose of the proposed amendment;
- C) one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
- D) the date, place, and time that Council will hold a public hearing on the proposed amendment; and,
- E) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing.

3.7.9

Council, after considering any representations made at the public hearing, other relevant information and documentation, and/or the Development Plan, or other regulatory plan or bylaw affecting the application and the provisions of this Bylaw, may proceed to alter the proposed amendment, pass the proposed amendment, defer the amendment application for more information, or defeat the proposed amendment.

3.7.10

Any alterations to the amendment application are required to be re-advertised in accordance with Section 3.7.5 of this Bylaw, and Section 211(1) of the *Planning and Development Act, 1983*.

3.7.11

If Council refuses an application for an amendment, the City shall not accept another application on the same land for the same or similar purpose until six (6) months have passed after the date of such refusal.

3.7.12

If deemed necessary, and in accordance with the provisions of the *Act*, the City may initiate an amendment to this Bylaw affecting any parcel of land without the owner's consent.

3.7.13

Pursuant to Section 3.7.10, Council shall, prior to consideration of an application, notify the affected landowner in writing of the proposed amendment and provide a summary of the effects of the amendment.

Section 3.8

SITE PLAN DEVELOPMENT STANDARDS

3.8.1

The following types of developments shall provide informal site plans only, the details of which to be agreed upon between the Applicant and the Building Inspector prior to submission of an Application:

- A) Building permits for individual lot applications involving only a detached one- or two-unit dwelling.
- B) Accessory uses such as a private garage, unless it is part of an apartment or townhouse project.

Part C – Residential Zoning Districts

- C) Other buildings incidental to residential or agricultural land use, provided that the proposed use is not a roadside stand.

3.8.2

The following types of developments shall be classified as either major or minor according to site plans pursuant to the Definitions Section of this Bylaw:

- A) New commercial construction. This shall consist of all new construction of any type of retail sales establishment, professional or business offices, service establishments or any other use categorized otherwise herein.
- B) New industrial construction. This shall consist of all new construction of any industrial establishment as defined in this Bylaw.
- C) New institutional construction. This shall consist of all new construction of any institutional establishment as defined in this Bylaw.
- D) Residential housing. This shall consist of any residential building larger than a two-unit dwelling.
- E) Building alteration or addition. This shall consist of any building or group of buildings for which site plan approval has been previously granted which is being increased in gross floor area. Any building for which site plan approval has been previously granted and which is being increased by less values stated shall be considered exempt from the provisions of this chapter, except that this shall be restricted to only the first such enlargement after site plan approval. Also included in this category are any buildings or groups of buildings regardless of amount of increase in size, which have never previously obtained site plan approval.
- F) Use Change. This shall consist of all land areas and all buildings or groups of buildings not being increased in size but wherein a change of use is proposed and no previous site plan approval for the proposed use has ever been obtained, or where previous site plan approval has been obtained and the new use has a greater parking area requirement pursuant to this Bylaw.

3.8.3

In reviewing any major or minor site plan, the Development Officer shall consider the following:

- A) Pedestrian and vehicular traffic movement within and adjacent to the site with particular emphasis on the provision and layout of parking areas, off-street loading and unloading, movement of people, goods, and vehicles from access roads within the site, between buildings and vehicles. The Development Officer shall ensure that all parking spaces are usable and are safely and conveniently arranged. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site. All of the above shall be consistent with the City, Provincial, and Federal requirements.
- B) The design and layout of buildings and parking areas shall be reviewed so as to provide an aesthetically pleasing design and efficient arrangement. Particular attention shall be given to safety and fire protection, impact on surrounding development and contiguous and adjacent buildings and lands.
- C) Adequate lighting shall be provided to ensure safe movement of persons and vehicles for security purposes. Lighting standards shall be of a type approved by the Development Officer. Directional lights shall be arranged so as to minimize glare and reflection on adjacent properties.
- D) Buffering shall be located around the perimeter of the site to minimize headlights of vehicles, noise, light from structures, the movement of people and vehicles and to shield activities from adjacent properties when necessary. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees or combinations thereof to achieve the stated objectives.

- E) Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, sculpture, art and/or the use of building and paving materials in an imaginative manner.
- F) Signs shall be designed so as to be aesthetically pleasing, harmonious with other signs on the site and located so as to achieve their purpose without constituting hazards to vehicles and pedestrians.
- G) Storm drainage, sanitary waste disposal, water supply and garbage disposal shall be reviewed and considered. Particular emphasis shall be given to the adequacy of existing systems and the need for improvements, both on-site and off-site, to adequately carry run-off and sewage and to maintain an adequate supply of water at sufficient pressure.
- H) Environmental elements relating to soil erosion, preservation of trees, protection of watercourses, and resources, noise, topography, soil and animal life shall be reviewed and the design of the plan shall minimize any adverse impact on these elements.

Section 3.9

MINOR SITE PLAN

3.9.1

All minor site plans shall be required to complete a City of Yorkton Development Permit Application (Schedule C) in addition to a non-refundable application fee, in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*. Additionally, two (2) copies of the following information shall be provided:

- A) A written description of the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied. Description shall include the number of employees or members of nonresidential buildings; the proposed number of shifts to be worked and the maximum number of employees on each shift; hours of operation; and estimated vehicular traffic.
- B) A complete legal description and civic address of the subject property, as well as the contact information (names, addresses and telephone numbers) for the applicant and property owner.
- C) Drawings at a scale of one inch equals fifteen metres (1":50') for a tract up to forty acres in size; one inch equals thirty metres (1":100') for a tract between 40 and 150 acres, and one inch equals sixty metres (1":200') for a tract more than 150 acres.
- D) A north arrow, date, scale, and qualified professional engineer or architect who prepared the plan.
- E) The Block(s) and Lot(s) of the proposed development site and properties within a 60 metre (200') radius;
- F) Streets and lanes adjacent to the site;
- G) The dimensions of the site and the size, including all front, side and rear yard setback dimensions;
- H) Size, height, location and arrangement of all existing and proposed buildings, structures and signs.
- I) The location of all doorways, walkways and pedestrian circulation areas, on the site;
- J) Dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions, and room areas and dimensions; and,
- K) The location and size of all parking spaces, aisles, and vehicle circulation areas, loading spaces, entrances and exits to the site, and garbage receptacles.
- L) A scaled landscaping plan showing all physical features, including existing and proposed grades, the size and type of existing vegetation, the existing vegetation to be removed and retained. Also included shall be the size, type and location of plant material to be provided, the location of hard landscaping such as fences, retaining walls, walkways and curbs, and the details of the proposed irrigation system, including the location of outside

spigots. (See Section 6.0 – Landscaping Provisions for more detailed information and requirements).

- M) A signage plan which depicts the number, type, location, and dimensions of all proposed advertising signage. The plan shall depict a true graphic representation of the proposed signage, including proposed design and color scheme.
- N) A lighting plan which indicates the number, type, and location of proposed lighting as well as photometrics (isolux patterns) as required herein.
- O) The proposed location of all drainage (including calculations), sewage and water facilities with proposed grades, sizes capacities and types of materials to be used, including any drainage easements acquired or required across adjoining properties.

3.9.2

The Development Officer in the consideration of an application may require additional information be submitted. In the event of written objection by the applicant to the provision of the following, the Development Officer shall submit the application and written objection to Council and Council may require such additional information as Council, in its sole discretion, deems necessary, which may include, but is not limited to:

- A) A map showing topographic conditions of the site and adjacent properties.
- B) A map showing the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, and building encroachments.
- C) A map showing an outline to scale of adjacent buildings on adjoining sites, indicating building height, yard dimensions, the use of the building and any windows overlooking the new proposal.
- D) Copies of a plan of survey prepared by a Saskatchewan Land Surveyor showing the site to be developed and ownership and areas in square metres.
- E) Any plans, photographs, or other materials considered necessary to properly evaluate the proposed development.
- F) A detailed report showing:
 - 1) the impact of additional traffic resulting from the
 - 2) proposed development;
 - 3) the effect of wind and shadow produced by the proposed
 - 4) development; and or,
 - 5) an environmental impact assessment
- G) Front, rear and side architectural elevations which accurately depict the architectural design of the proposed building or structure.

3.9.3

If in the opinion of the Development Officer, the information provided, pursuant to Section 3.9.1, and Section 3.9.2 in relation to a development permit application is insufficient, incomplete, or unclear, the application may not be accepted and reviewed by the Development Officer until such time that the necessary information is provided.

3.9.4

The Applicant may request waivers from any of the required details based upon unique or particular conditions pertaining to the property or intended use. Such evidence shall be presented which shall indicate to the Development Officer that the requested waivers will not affect the Officer's ability to make informed decisions concerning the impact of the intended use upon the adjacent property owners, neighbourhood, utility systems and other elements of concern.

Section 3.10

MAJOR SITE PLAN

3.10.1

In addition to a City of Yorkton Development Application (Schedule C), an application fee in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*, and the detailed items proscribed for minor site plans in subsection 3.9.1, all major site plans shall be required to provide two (2) copies of the following information:

- A) A map which includes the following information (if one sheet is not sufficient to contain the entire site, the map may be divided into sections to be shown on separate sheets of equal sizes, with reference on each sheet to the adjoining sheets): boundaries of the property; North arrow; date, scale, zone district(s) in which the lot(s) are located; existing and proposed streets and street names: existing and proposed contour lines based on topographical surveys not older than two years, at one metre intervals inside the tract and within 200 feet of any paved portion of the tract; title plans; existing and proposed streams and easements; total building coverage in area and percent of lot; total number of parking spaces; all dimensions needed to confirm conformity with this Bylaw, such as but not limited to buildings, lot lines, parking spaces, setbacks and yards; a small key map giving the general location of the parcel to the remainder of the municipality; and the site relation to all remaining lands in the Applicant's ownership.
- B) Size, height, location and arrangement of all existing and proposed buildings, structures and signs in accordance with the requirements of this chapter, including a licensed architect's and/or engineer's drawing of each building or a typical building and sign show front, side, and rear elevations and the proposed use of all structures.
- C) Proposed circulation plans, including access streets, curbs, aisles and lanes, easements, fire lanes, driveways, parking spaces, loading areas, loading berths or docks, pedestrian walks and all related facilities for the movement and storage of goods, vehicles and persons on the site and including the location of lights, lighting standards and signs and driveways within the tract and within 30 metres of the tract. Sidewalk shall be provided from each building entrance/exit along expected paths of pedestrian travel, such as but not limited to access to parking lots, driveways or other buildings where pedestrian traffic can be expected to be concentrated.
- D) Existing and proposed wooded areas, buffer areas and landscaping shall be shown. The landscaping plan, including seeded and/or sodded areas, grading, retaining walls, fencing, signs, recreation areas, shrubbery, trees and buffer areas shall be in accordance with applicable requirements of this chapter. These plans shall show the location, species and caliper of plant material for all planted or landscaped areas. Landscaping plans shall incorporate the elements set forth in Section 6.0 of this Bylaw.
- E) Copies of a plan of survey prepared by a Saskatchewan Land Surveyor showing the site to be developed and ownership and areas in square metres.
- F) Any plans, photographs, or other materials considered necessary to properly evaluate the proposed development.
- G) A detailed report showing:
 - 1) the impact of additional traffic resulting from the proposed development;
 - 2) an environmental impact assessment
- H) Front, rear and side architectural elevations which accurately depict the architectural

3.10.2

If in the opinion of the Development Officer, the information provided, pursuant to Section 3.9.1, and Section 3.10.1 in relation to a development permit application is insufficient, incomplete, or unclear, the application may not be accepted and reviewed by the Development Officer until such time that the necessary information is provided.

3.10.3

Where the Applicant can clearly demonstrate that, because of peculiar or special conditions pertaining to the subject property or proposed use, the literal enforcement of one or more of these provisions is impractical or will exact undue hardship, the Applicant may request waivers. Such evidence shall be presented which shall indicate to the Development Officer that the requested waivers will not affect the Officer's ability to make informed decisions concerning the impact of the intended use upon the adjacent property owners, neighbourhood, utility systems and other elements of concern.

Section 3.11
SUBDIVISION REVIEW STANDARDS

3.11.1

All applications for subdivision shall be submitted on the prescribed *Schedule I: Application to Subdivide Land*, and include all required information, as noted in Sections 3.12. and 3.13, and shall include an application fee in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*

3.11.2

Upon receipt of a completed subdivision application, the Development Officer shall at a minimum, send a copy of the plan and application for comment to:

- A) Saskatchewan Power Corporation
- B) Saskatchewan Energy
- C) Saskatchewan Telecommunications
- D) Access Communication
- E) The City of Yorkton Public Works/Engineering Department

3.11.3

Where deemed appropriate, the Development Officer shall also send a copy of the subdivision for comment to the following:

- A) Department of Agriculture
- B) Department of Learning
- C) Department of the Environment
- D) Department of Health
- E) Department of Highways and Transportation;
- F) Department of Parks and Renewable Resources;
- G) Department of Rural Development;
- H) Department of Government Relations and Aboriginal Affairs;
- I) Saskatchewan Water Authority;
- J) Any other authority, agency, department, council or board that in the opinion of the Development Officer might be affected by the proposed subdivision.

3.11.4

The authorities from whom comments are requested by the Development Officer pursuant to sections 3.11.2 and 3.11.3 shall have forty (40) days to respond to the Development Officer after the day on which the comments are requested. The Development Officer may extend the time for submission of comments upon the written request of City Council. After the 40-day period, or the period of extension granted, have expired, the Development Officer shall submit the Application to City Council with a recommendation for approval or denial.

3.11.5

Within ninety (90) days of receiving a complete Subdivision Application, the City shall either issue a Certificate of Approval or a Reason for Denial to the Applicant.

Section 3.12
MAJOR SUBDIVISIONS

3.12.1

A major subdivision shall be classified as proposed subdivision which creates an aggregate of four lots or parcels of land (three new lots plus the remainder), or a subdivision which creates streets, lanes other public lands, or the need for off tract improvements.

3.12.2

All applications for major subdivisions shall be required to pay a fee in accordance with *Bylaw No. 11/2003 - Schedule 'A' Development Fees*. In conjunction with the *Act* and the requirements of this Bylaw, all major subdivisions shall incorporate the following:

- A) A plan on transparent material of good quality entitled "Plan of Proposed Subdivision" at a scale of 1:500, 1:1000, 1:2000, or 1:5000, whichever is most appropriate to clearly show the content of the plan. The Development Officer may accept a plan drawn to another scale if unique circumstances warrant departure from the standard scales described.
- B) Distances illustrated in metres and decimals thereof and areas in square metres or hectares, whichever is most appropriate to the scale of the plan and the areas involved.
- C) A bold dashed line around the land that is being subdivided outlined in a bold dashed line, along with the scale and the north point, the date of the preliminary survey, a full legal description and a clear five centimetre by eight centimetre space for the designated City signing authorities.
- D) The signature of the registered landowner or a person authorized to act on the owner's behalf, and a Saskatchewan Land Surveyor or a Professional Community Planner.
- E) All water courses and standing bodies of water with the bank and the level of water at the date of preliminary survey, the approximate outline of wooded areas, the location of existing permanent buildings and other developments and the approximate location of any existing or proposed bridges or road crossings over a water course.
- F) The location and dimensions of any adjacent subdivision of land record under a descriptive title or registered plan number including all streets, lanes, blocks and parcels with their designations;
- G) The location, dimensions and boundaries of:
 - 1) each new lot to be created;
 - 2) any dedicated land and area thereof
 - 3) existing or proposed utility lines and the right of way of each of those lines;
 - 4) every provincial highway or public highway; and
 - 5) streets, roads and lanes.
- I) The location of any existing or proposed railway lines or spur tracks.
- J) Provisions for the widening or eventual widening of a highway or street to the minimum widths specified in the Definitions Section of this Bylaw if the proposed subdivision abuts a provincial highway or street which is designated for widening by the Department of Highways and Transportation.
- K) Required subdivision features and amenities, such as but not limited to pedestrian-ways, lighting, landscaping, buffers, storm water facilities, and passive and active forms of recreation.

Section 3.13

MINOR SUBDIVISION

A minor subdivision shall be classified as any subdivision which is not a major subdivision (i.e. no more than three new parcels of land and does not affect streets, lanes or other public lands). Submission requirements for an minor subdivision shall be consistent with Section 3.11 above, to a minimum requirement which is sufficient to the Development Officer and *Land Titles (Information Services Corporation)*.

Section 3.14

DEVELOPMENT AGREEMENTS

3.14.1

Pursuant Section 55.4 of the *Planning and Development Act, 1983* a development agreement may contain provisions:

- A) authorizing the payment of development levies in installments;
- B) applying a variable rate development levy where the development is to be constructed in phases over a period of time;
- C) provide for letters of credit, assurance bonds or any other form of assurance the Council considers necessary to ensure that the development levies will be paid;
- D) requiring an owner to pay the costs of providing services or facilities that are either in addition to, or of a greater capacity than, those mentioned in a *Development Levy Bylaw*;
- E) providing for the reimbursement to an owner described in clause (D) who has paid development levies under an agreement for services and facilities, and any accrued interest on those levies, when other, subsequent owners in the benefiting area identified in the agreement are required to pay development levies for the development of the land in the benefiting area.
- F) Prescribing any other matter or thing that the Council considers necessary o facilitate the development agreement.

3.14.2

When deemed appropriate by the City, servicing agreements shall be established between the City and an Applicant to guarantee the construction of the following on-site services:

- A) area grading and levelling of land;
- B) graded, gravelled or paved roads, streets and lanes with sidewalks, boulevards, curbs, gutters, lighting, and name plates in, connecting to and around the area being subdivided;
- C) storm water sewers and facilities, sanitary sewers, drains, watermains, and laterals individual service connections, fire hydrants, and connections to existing services;
- D) landscaping of parks and boulevards;
- E) public recreation facilities; or
- F) any other public works that Council may require.

3.14.3

When deemed appropriate by the City, servicing agreements shall be established between the City and an Applicant to guarantee the construction of the following off-site services, which may be located within or outside the proposed subdivision and that directly serve the area:

- A) sewage, water, or drainage works;
- B) public highways and other municipal roads;
- C) parks;

- D) recreational facilities.

3.14.4

Pursuant Section 55.1 of the *Planning and Development Act, 1983* Council may authorize the use of development levies by adopting a Development Levies Bylaw. The purpose of the Development Levies Bylaw shall be to recover all or part of the municipality's capital costs of providing, altering, expanding or upgrading the following services associated, either directly or indirectly, with a proposed development:

- A) sewage, water, or drainage works;
- B) public highways and other municipal roads;
- C) parks;
- D) recreational facilities.

Section 3.15
CONTRACT ZONING

3.15.1

Council may enter into a zoning contract, pursuant to Section 82 and Sections 207 through 212, inclusive, of *The Planning and Development Act, 1983* and subsequent amendments thereto, and subject to the following regulations outlined below:

3.15.2

All applications for Contract Zoning shall be submitted on the prescribed Zoning Bylaw Amendment Application form (Schedule D) and include all required information, and shall include a non-refundable application fee, in accordance with *Bylaw No. 11/2003 – Development Fees*.

3.15.3

All applications for Contract Zoning are required to follow the same procedures as described in Sections 3.7.3 – 3.7.9

Section 3.16
DEVELOPMENT APPEALS BOARD

3.16.1

Council shall appoint a Development Appeals Board consisting of five members to hear appeals pursuant to and in accordance with the provisions of Section 71, and Sections 91 to 104, inclusive, of *The Planning and Development Act, 1983* and subsequent amendments thereto.

3.16.2

The Development Officer shall make available to all interested persons copies of the provisions of the *Act*, respecting decisions of the Development Officer and the right of appeal.

Section 3.17
NON-CONFORMING BUILDINGS AND USES

3.17.1

Any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold.

3.17.2

Any use lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued; but, where that use is discontinued for a period of at least six (6) consecutive months, any future use of the land or building shall conform with any current Zoning Bylaw.

3.17.3

A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations except those required by statute of bylaw are to be made to or in that building. Repairs, maintenance or installation that do not alter the size of the building or involve the rearrangement or replacement of structural supporting elements are not considered to be structural alterations.

3.17.4

Any non-conforming building may continue to be used and any structural alterations and additions, which conform to the requirements of this Bylaw, may be made, but the element of non-conformity is not to be increased by those alterations or additions.

3.17.5

Where the ~~extent~~ **extent** of damage to a non-conforming building is more than ~~50%~~ **75%** of the value of the building above its foundation, the building is not to be repaired or rebuilt except in accordance with this Bylaw.

Amended By
Bylaw
No. 17/2007
[75%]

Amended By
Bylaw
No. 12/2010
[extent]
Also, by error,
the 75% was
apart of this
Bylaw for
amending but
was previously
amended by
Bylaw
No. 17/2007.

**Section 3.18
OFFENCES AND PENALTIES**

3.18.1

All offences and penalties shall be subject to the provisions of Section 221 to 223 inclusive, of *The Planning and Development Act, 1983* and subsequent amendments thereto.

**Section 3.19
ENFORCEMENT**

3.19.1

The Development Officer is authorized to undertake necessary actions in order to ensure compliance with this Bylaw, pursuant to Section 220 to 220.1 inclusive, of *The Planning and Development Act, 1983* and subsequent amendments thereto.

Section 4.0 GENERAL PROVISIONS

Section 4.1 FRONTAGE ON ROAD

No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on an existing public road within the municipality that is developed and maintained to municipal standards. **Section 4.1 shall not apply to residential, commercial and industrial uses located within a condominium ownership development or Planned Unit Development.**

Amended
By Bylaw
No. 27/2008

Section 4.2 FRONTAGE FOR IRREGULAR SITES

The minimum site frontage on sites having a curved front site line shall be measured as the distance between the side site lines along a line drawn parallel to and six (6) metres from a tangent to the midpoint of the front site line.

Section 4.3 FRONTAGE FOR THROUGH SITES

Where in any district a site has more than one (1) frontage, the front yard requirement for that district shall apply only to both site lines.

Section 4.4 SIGHT TRIANGLE

In all residential districts, on all corner sites, and only with the sight triangle area situated thereon, being bounded by the street lines for a distance of six (6) metres from their common point of intersection and the diagonal which joins the two extreme points, no structure shall be erected, no driveway shall encroach, and no vegetation shall be permitted to grow to a height greater than 0.6 metres above the grade of the streets that abut the site.

Section 4.5 ACCESSORY USES

4.5.1

Any use accessory to a lawful use is a permitted use.

4.5.2

~~Detached accessory buildings located in residential main building side yards shall conform to all residential principal building regulations.~~

Amended By
Bylaw
No. 39/2003

4.5.2

On any corner site, no accessory building or structure shall be erected in or encroach on the required side yard which is adjacent to the street;

4.5.3

No accessory building or structure shall be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory. This provision may be waived by the authority having jurisdiction in the case of planned and approved staging of development.

4.5.4

An accessory building or structure on a site in a non-residential district which abuts a site in a residential district shall not be less than 1.5m from the boundary of the site in the residential district.

4.5.5

No accessory building may be placed in an area designated for required landscaping.

4.5.6

Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building and is not an accessory building or structure.

4.5.7

The installation and operation of a microwave satellite dish, solar collector, wind charger, and their supporting structures onto an accessory building shall be permitted in all zoning districts.

4.5.8

Regulations for accessory buildings in residential districts are as follows:

	ACCESORY REGULATIONS	ALL R, IN & C-4 DISTRICTS
Amended By Bylaw No. 9/2008 (Section 4.5.9.1) (as per details at end of section)	4.5.9.1 Max. Floor Area:	74.5m ² - (or 46m ² per unit in any multiple unit dwelling) Accessory building shall not have a floor area greater than the main floor area of the principal building.
	4.5.9.2 Max. Height:	4.0m to the underside of the eaves and 5.25m to the top of the roof
Amended By Bylaw No. 28/2008 (Section 4.5.9.3) (as per details at end of section)	4.5.9.3 Front Yard:	No Accessory Use permitted in the front yard of any building or use.
	4.5.9.4 Rear Yard:	1.5m if garage doors open on to lane, otherwise 0.3m
	4.5.9.5 Max. Rear Yard Coverage:	40%
	4.5.9.6 Side Yard:	3.0m on a corner site if garage doors open to the flankage street or lane, otherwise 0.3m and provided that overhanging eaves shall be not less than 0.15m from any site line.
Amended By Bylaw No. 39/2003	4.5.9.7 Attached Garage:	A garage or accessory structure which is attached to the principal building shall be considered as part of the principal building and be subject to the regulations of the principal building
	4.5.9.8 Detached Garage:	Shall be not less that 1.2m from the principal building.

NOTE: DETAILS

Bylaw No. 4/2009 – 31 Northfield Bay – Section 4.5.9.6, minimum side yard setback from 3.0m to 0.3m.

Amended By
Bylaw
No. 4/2009
(Section 4.5.9.6)

Section 4.6 HEIGHT LIMITATIONS NOT APPLICABLE

Amended
By Bylaw
No. 33/2008

The height limitations of this Zoning Bylaw shall not apply to church spires, belfries, cupolas, and domes, not used for human occupancy, nor to grain elevators, **heavy industrial uses**, chimneys, ventilators, skylights, water towers, bulkheads, monuments, flagpoles, solar energy facilities, windmills, radio communication antennae or similar features, and necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be erected only to such height or area as is necessary to accomplish the purpose they are to serve, and provided that such structures are compatible with uses in the immediate vicinity.

Section 4.7 PERMITTED YARD ENCROACHMENTS

The following yard encroachments are considered to be permitted, and shall not be considered in yard dimension determination or site coverage in any required yard:

4.7.1

The following yard encroachments are considered to be permitted, and shall not be considered in the yard dimension determination or site coverage in any required yard.

- A) Any steps or staircases which are 1.6 metres or less above grade level and which are necessary for access to a permitted building or for access to a site from a street or lane.
- B) Any trees, shrubs, walkways, trellises, or flag poles.

4.7.2

The following front yard encroachments are considered to be permitted, and shall not be considered in the yard dimension determination or site coverage in any required front yard.

- A) Lighting fixtures and lampposts.
- B) Raised patios and decks not more than 0.4 metres above grade.
- C) Overhanging eaves and gutters projecting not more than 1.0 metre into a required front yard.
- D) Raised patios and decks more than 0.4 metres above grade, projecting not more than 1.8 metres into a required front yard.
- E) Canopies or balconies projecting not more than 1.8 metres into a required front yard.
- F) Sills, belt courses, pilasters, or other similar vertical columns, cornices and chimneys projecting not more than 0.7 metres into a required front yard.
- G) **Bow and Bay windows may project 0.6 m (2 ft) into a required front yard. The rough opening for a Bow or Bay window shall not exceed 3.0 m (10 ft) without the approval of the Development Officer.**

Amended
By Bylaw
No. 35/2008

4.7.3

The following rear yard encroachments are considered to be permitted, and shall not be considered in the yard dimension determination or site coverage in any required rear yard.

- A) Raised patios and decks measuring not more than 0.6 metres above grade, provided they are located at least 3.0 metres from the rear site line.
- B) Raised patios and decks measuring more than 0.6 metres above grade, projecting not more than 3.0 metres into a required rear yard.
- C) Canopies and balconies projecting not more than 3.0 metres into a required rear yard.
- D) Accessory buildings, subject to all other requirements of this Bylaw.

- E) Overhanging eaves and gutters, sills, belt courses, pilasters or other similar vertical columns, cornices and chimneys, projecting not more than 1.0 metre into a required rear yard.
- F) On interior sites, enclosed private swimming pools when attached to the principal building, projecting not more than 3.0 metres into a required rear yard.
- G) Laundry drying equipment, recreational equipment, and private swimming pools and tennis courts, when open to the sky.
- H) **Bow and Bay windows may project 0.6 m (2 ft) into a required rear yard. The rough opening for a Bow or Bay window shall not exceed 3.0 m (10 ft) without the approval of the Development Officer.**

Amended
By Bylaw
No. 35/2008

4.7.4

The following front yard encroachments are considered to be permitted, and shall not be considered in the yard dimension determination or site coverage in any required side yard.

- A) Raised patios and decks not more than 0.6 metres in height above grade.
- B) Raised patios and decks more than 0.6 metres in height above grade, and canopies and balconies, provided they do not project more than 1.8 metres into a required side yard, nor into more than 25% of the width of a required side yard, whichever is less.
- C) Sills, belt courses, pilasters or other similar vertical columns, cornices, eaves and chimneys, projecting not more than 0.5 metres into a required side yard.
- D) Accessory buildings, subject to all other requirements of this Bylaw.
- E) Laundry drying equipment, recreational equipment, and private swimming pools and tennis courts, when open to the sky.
- F) **Bow and Bay windows may project 0.6 m (2 ft) into a required side yard. The rough opening for a Bow or Bay window shall not exceed 3.0 m (10 ft) without the approval of the Development Officer.**

Amended
By Bylaw
No. 35/2008

Section 4.8

OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS PROHIBITED

No building shall be occupied prior to the issuance of an Occupancy Permit by the Building Inspector. Such permit shall not be issued before the bearing walls and roof have been constructed and the external building finish and roofing have been completed and water, sanitary sewage and heating facilities are installed and operational.

Section 4.9

SUBSTANDARD SITES

Development may be permitted in any district on a site which is substandard with regard to width, depth or area provided that such site was legally registered and existing at the time of final passage of this Bylaw, and provided the development meets all other requirements of this Bylaw regarding that district.

Section 4.10 BUILDING LINES

Where a building line in any residential 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 provided that Council, by resolution or bylaw, permits conformation to the established building line.

Section 4.11 MINIMUM SITE AREA

No site area shall be so reduced that the yards shall be smaller than prescribed by this Zoning Bylaw; no portion of any yard shall provide any portion of a yard for any adjoining site.

Section 4.12 LOCATION AND SITING OF BUILDINGS

4.12.1

No principal building shall be located in any required front, side, or rear yard setback.

4.12.2

No accessory building or structure shall be located in any required front, side or rear yard setback.

Section 4.13 ONE PRINCIPAL BUILDING PER SITE

Every building hereafter erected shall be located on a site as herein defined; and in no case shall there be more than one (1) principal building on one (1) site, except for ~~dwelling groups~~ **condominium ownership developments, Planned Unit Developments**, shopping centres, industrial complexes, educational institutions, airports, and public parks and playgrounds.

Amended
By Bylaw
No. 27/2008

Section 4.14 BASEMENT OR CELLAR TO COUNT AS A STOREY

4.14.1

A basement or cellar shall be considered to count as a storey if:

- A) Any activities directly related to the principal use of the building are located in the basement or cellar where the principal use involves retail, commercial, office or multiple-unit residential uses; or
- B) The basement or cellar has more than one half of its height, from finished floor to finished ceiling, located above grade level.

4.14.2

A basement or cellar shall not be counted as a storey if:

- A) It is designed or used for ancillary activities such as long term storage, mechanical rooms, stairways, janitorial rooms, residence of a janitor or caretaker, or parking garage; and

- B) At least one half of the height of the basement or cellar, from finished floor to finished ceiling, is located below grade level.

Section 4.15

SATELLITE DISH RECEIVERS / SOLAR PANELS / WIND CHARGER

4.15.1

The installation and operation of a satellite dish, solar collector, wind charger, and their supporting structures onto a principal building shall be permitted in all zoning districts subject to the regulations outlined below.

- A) No side or front yard shall be used for the placement of a satellite-receiving dish that is greater than 0.92 metres in diameter in a residential district.
- B) No satellite-receiving dish with a diameter of greater than 0.92 meters shall be placed on the roof of any single detached, semi-detached and duplex dwelling, row house, mobile / modular home or accessory building.
- C) Any solar panels, wind chargers, or associated operating structures attached to a building in a residential, commercial, or industrial district shall not exceed a height of 1.0 metre above the highest point of the roof upon which it is located.
- D) In the case of a corner site, no satellite dishes with a diameter greater than 0.92m shall be permitted in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street unless appropriate screening is put in place to the satisfaction of the Development Officer.
- E) All structures, if freestanding, shall not exceed a height of 5.0 metres above grade level.
- F) In all residential, commercial and institutional districts, all structures, if attached to a principal building, shall not exceed a height of 1.0 metre above the highest elevation of the roof surface of a flat roof, the decking of a mansard roof, or the top of a gable, hip or gambrel roof.
- G) In all residential, commercial, and institutional districts, all structures, if attached to or erected upon an accessory building, shall not exceed a height of 2.0 metre above the highest elevation of the roof surface of a flat roof, the decking of a mansard roof, or the top of a gable, hip or gambrel roof.

Section 4.16

OUTDOOR STORAGE AND MAINTENANCE

4.16.1

In no case shall storage of materials as cited in this section be permitted in the front yard of any site.

4.16.2

This section shall not limit the customary display of any commodities or goods intended and permitted to be sold on the site, or the storage of fuel, oil or gas in tanks connected to a heating plant on the premises.

4.16.3

The regulations for outdoor storage and maintenance in residential districts are as follows:

- A) No side or front yards shall be used for the storage or collection of goods or commodities or other forms of materials.
- B) No yard or portion thereof shall be used for the storage of machinery.

4.16.4

In all commercial districts with the exception of C-3 Highway Commercial, all business shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.

4.16.5

In industrial districts, the outdoor storage of raw materials, finished or partially finished products, fuel, salvage materials, junk or waste on a site shall be concealed from sight from adjacent sites, streets or lands by a fence or wall of appropriate design, and sufficient dimension and position such that such materials are not visible from any point 1.5 metres or less above grade on any adjacent site, street or land.

Section 4.17
SALVAGE / JUNK YARDS

4.17.1

All salvage, junk, or scrap yards shall be enclosed by an opaque or solid perimeter fence at least 2.0 metres in height, and not more than 4.0 metres in height, with no material piled higher than the height of the perimeter fence.

4.17.2

The perimeter fence shall not be located in the required front yard. The required front yard shall be used only for landscaping and required driveway access to the site.

Section 4.18
NON-ANCILLARY USES

Amended By
Bylaw
No. 39/2003

Commercial vehicles between 4,500 and 9,000 kilograms are not ancillary to residential use. Such vehicles are only permitted to park on private property in residential areas once per seven days for no more than 48 hours and shall in no circumstance be permitted to idle for more than 15 minutes.

Section 4.19
NOXIOUS USES / FEDERAL AND PROVINCIAL ACTS & REGULATIONS

Notwithstanding any other relevant section of this Bylaw, no uses shall be permitted within the City, which, by their nature or the materials used therein, contravenes any applicable Federal or Provincial Acts or Regulations.

Section 4.20
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 sewer, aquifer, stream, creek, river, lake, pond, slough, intermittent channel or other body of water, onto any land or into the air. No use shall produce smoke, ash, dust, fumes, vapours, gases or other forms of air pollution which could cause damage to the health of any person, animal or vegetation or which could cause excessive soiling. All materials or wastes which might cause fumes or dust which constitute a fire hazard or which may be

edible or otherwise attractive to rodents or insects shall be stored indoors and enclosed in appropriate containers to eliminate such hazards.

Section 4.21

HIGHWAY ACCESS

Any development fronting on to a highway or arterial roadway may be required to include provisions for and development of a service road constructed adjacent and parallel to the highway or arterial roadway, at the discretion of the Development Officer, or the Ministry of Highways and Transportation where applicable.

Section 4.22

VEHICLE ACCOMODATION

At no location within City limits shall it be permitted that a car, truck, bus, motor home, or travel trailer be used for permanent human habitation, whether or not the vehicle is mounted on wheels, with the exception of the following:

- A) In an approved tourist campground;
- B) An approved trailer park;
- C) A district designated for annual or special festivals for a temporary period not to exceed fourteen consecutive days.

Section 4.23

GRADING AND LEVELLING OF SITES

Any site proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property. All lots being filled shall be cleared of debris, including brush and tree stumps, and shall be filled with a clean fill and/or topsoil to allow complete surface draining of the lot into local storm sewer systems or natural drainage rights of way. No construction shall be permitted which creates or aggravates water stagnation or a drainage problem on adjacent properties. No trees, brush, or debris shall be used as landfill or in lieu thereof, nor shall any land-filling operation be performed in such a manner as to cover existing trees and debris on any streets, lots, or otherwise.

Section 4.24

EXCVATION, STRIPPING AND GRADING

4.24.1

A development permit is required for the excavation of land.

4.24.2

For the purpose of determining what requires a development permit, excavation shall not include:

- A) Any excavation for construction or building purposes associated with a valid development permit or a valid certificate of approval for subdivision.
- B) Any excavation or the removal of vegetation for maintenance or landscaping purposes on a site where a development permit has previously been issued.

4.24.3

Excavation shall include, but is not limited to, sand and gravel extraction, topsoil stripping, the grading of land for drainage purposes, the grading of land and the clearing of vegetation from land without a valid development permit or valid certificate of approval for subdivision.

4.24.4

A person wishing to excavate, strip or grade land shall provide the following information in their application for a development permit:

- A) The location and area of the site on which the excavation, stripping or grading is to take place, and the existing land use and vegetation, including tree surveys where deemed appropriate by the Development Officer; and
- B) The amount and type of vegetation, soil or other material to be removed or relocated, and the condition in which the land is to be left when the excavation is complete.

4.24.5

The Development Officer shall issue a development permit when satisfied that the excavation is necessary for the interim use, development or maintenance of the subject land, prior to a final concept plan, subdivision, or development permit being approved for the area, and considering the conservation of important natural areas and vegetation, the maintenance of effective drainage patterns, and the health and safety of persons in the area.

Section 4.25
SOIL EROSION CONTROL

4.25.1

Rapid changes in land use to non-agricultural and urban uses have accelerated soil erosion and sediment deposition resulting in water pollution and damage to wildlife habitat as well as sewers, roads, stream channels, water bodies, and wetlands. Erosion control measures are therefore necessary to prevent or minimize soil erosion and sedimentation that may occur as a result of the construction of residential, industrial, and commercial development.

4.25.2

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than two (2) acres.

4.25.3

A soil erosion and sediment control plan shall not be required for a single-family dwelling which is not part of a subdivision of land.

4.25.4

A soil erosion and sediment control plan shall include the following:

- A) A schedule for grading and construction activities including timelines for:
 - 1) Stripping and clearing.
 - 2) Grading and construction activities.
 - 3) The installation and application of erosion and sediment control measures.
 - 4) Final stabilization of the project site.

- B) The design criteria, construction details, and installation or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
- C) Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

4.25.5

The applicant shall limit the surface area of erodible earth material exposed by clearing, grubbing, excavation, and fill operations, and permanent or temporary control measures shall be taken to prevent contamination of adjacent streams or other water courses, lakes, ponds, or other areas of water impoundment. Such work will involve the construction of temporary ditches, filters, dikes, dams, sediment basins, slope drains, and use of temporary mulches, mats, seeding or other control devices or methods necessary to control erosion and sedimentation.

4.25.6

The applicant shall incorporate all permanent erosion control features into the project at the earliest possible time. Except where future construction operations will damage slopes, the Contractor shall perform the permanent seeding and mulching and other specified slope protection work in stages, as soon as substantial areas of exposed slopes and final grades can be made available. If seeding or another vegetative erosion control method is used, it shall become established within two weeks or may require the site to be reseeded or a non-vegetative option employed.

4.25.7

Temporary control measures will be used when and as directed by the Director of Engineering to correct conditions that develop during construction that were not foreseen during the design stage; that are needed prior to installation of permanent control features; or that are needed temporarily to control erosion that develops during normal construction practices, but are not associated with permanent control features of the project.

4.25.8

The Director of Engineering shall limit the area of excavation and embankment operations in progress commensurate with the applicant's ability and progress in keeping the finished grading, mulching and seeding, and other such permanent control measures current in accordance with the accepted schedule. The amount of surface area of erodible earth material exposed at one time by clearing and grubbing, excavation, or fill shall not exceed thirty (30) acres without prior approval by the Director of Engineering.

Section 4.26
UTILITIES

The Applicant shall arrange with the applicable servicing utility agencies for the underground installation of the utilities distribution supply line and service connectors. The Applicant shall provide a written statement from each serving utility, which shall evidence compliance as stated herein. Streets which abut existing streets where overhead electric or telephone distribution supply lines have heretofore been installed may be supplied by any new service connections from these overhead lines, but any new service connection from the Utility's overhead lines shall be installed underground. In cases where the total electrical and telephone load and service cannot be determined in advance, such as industrial parks, shopping centres, etc., perimeter utility poles may be used, but service to buildings from poles shall be underground.

Section 4.27

STORM WATER MANAGEMENT

4.27.1

All streets shall be provided with storm water inlets and pipes where the same may be necessary for proper surface drainage. The system shall be adequate to store the storm water and carry off and/or store natural drainage water which originates beyond the development boundaries and passes through the development, calculated on the basis of maximum potential development as permitted in this Bylaw.

4.27.2

No storm water runoff or natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other lands without proper and approved provisions being made for taking care of these conditions, including off tract improvements. All drainage design and computation factors shall be submitted to the City's Director of Engineering for review and approval and should conform to the requirements of this subsection.

4.27.3

For all subdivisions, blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of storm water pools.

4.27.4

Detention basins shall be encouraged for all major site plans greater than two (2) acres and subdivisions larger than ten (10) units.

4.27.5

Detention basins shall comply to the following standards:

- A) On-site detention facilities are encouraged to enhance groundwater recharge of storm water and reduce development impact on downstream drainage structures.
- B) All detention basins shall be designed to detain the volume of storm water generated from the one-, two-, ten-, and fifty-year storms. The release rate from the basin shall not exceed the undeveloped conditions for any of the storms evaluated.
- C) The maximum water height obtained, along with the length of time to drain the detention basin, must be noted for each design storm event.
- D) In case the design storm is exceeded, an overflow spillway must be provided and a detail for said structure noted on the design plans.
- E) Low flow channels within the detention basin area shall be provided to assist in basin drainage once the storm event has ended.
- F) The bottom of the proposed detention basin shall be at least two feet above the seasonal high-water table.

4.27.6

Applicant's which incorporate detention basins into their development shall be required to comply with the following standards:

- A) An engineer's report shall be submitted to the Director of Engineering, which shall include the following information:
 - 1) A drainage design worksheet.
 - 2) Soil logs information.

- 3) Storage Calculations.
 - 4) A documented drainage design approach.
 - 5) Calculations related to hydrographs, storage equation, etc.
-
- B) Soil percolation will not be considered reducing the size of the storm water basin. However, a percolation test must show a percolation rate of no more than 40 minutes per inch to be considered for a basin.
 - C) The bottom layer of the proposed basin shall be at least five feet above any impervious soil information found in the soil logs. As an alternative, the impervious layer may be excavated or adequately penetrated with approved wells.
 - D) The bottom of the proposed basin shall be at least five feet above any impervious soil information found in the soil logs. As an alternative, the impervious surface may be excavated or adequately penetrated with approved wells.
 - E) A minimum of two soil borings shall be required for all detention, retention or other storm water facilities. For all basins with surface area ½ acre or more, borings will be required at a rate of one boring per each ½ acre in excess of the initial minimum of two borings per facility. All borings must extend five feet below the lowest invert elevation of the proposed storm water facility. The applicant shall notify the City Engineer at least five working days in advance prior to conducting the necessary borings.
 - F) The incorporation of riprap and headwalls to prevent soil erosion.
 - G) Side slopes on the basins which shall not exceed a ratio of three to one.
 - H) The incorporation of water tolerant species of vegetative cover.
 - I) Landscaping around the perimeter of the basin to provide a visual separation between the storm water facility and adjacent lands.
 - J) Responsibility for operation and maintenance of detention facilities, including periodic removal and disposal of accumulated particulate and debris, shall remain with the owner or owners of the property, with permanent arrangements that it shall pass to any successive owner. If portions of the land are to be sold, legally binding agreements shall be made to pass the basic responsibility to successors in title.

Section 4.28

SITE LIGHTING

4.28.1

Any development that includes outdoor lighting shall place and arrange such lighting so that spillover onto adjacent properties is minimized, and so that such lighting does not interfere with the safe operation of any nearby roadways or traffic control devices. Where required by the Development Office a lighting plan shall be incorporated into a major or minor site plan or a planned subdivision. Such a plan shall indicate the type, location, and height of all lighting fixtures, in addition to photometrics to illustrate the foot-candle patterns (isolux patterns).

4.28.2

Adequate lighting shall be provided to ensure safe movement of persons and vehicles for security purposes. All parking areas and walkways thereto and appurtenant passageways and driveways serving commercial, public, office, industrial, apartment or other similar uses having common off-street parking and/or loading areas and building complexes requiring lighting shall be adequately illuminated for security and safety purposes.

4.28.3

The lighting plan in and around parking areas shall provide for non-glare, color corrected lights focused downward. The light intensity provided at ground level shall be a minimum of .3 foot-

candle over the entire area, and shall be illuminated and shall average a minimum of .5 foot-candle over the entire area, and shall be provided by fixtures with a mounting height not more than 7.6m (25 ft) or the height of the building, whichever is less, measured from the ground level to the center line of the light source, spaced a distance not to exceed five times the mounting height.

4.28.4

Any other outdoor lighting, such as building and sidewalk illumination, driveways with no adjacent parking, the lighting of signs and ornamental lighting, shall be shown on the lighting plan in sufficient detail to allow determination of the effects to adjacent properties. Traffic safety and overhead light shall shine directly into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision. To achieve these requirements, the intensity of such light sources, the light shielding and similar characteristics shall be subject to site plan approval by the Development Officer.

Section 4.29

SIDEWALKS & PEDESTRIAN ACCESS

4.29.1

The review of all major site plans and planned subdivisions shall consider pedestrian access in the review process. Unless the Applicant can demonstrate unique conditions or circumstances which would prevent sidewalk installation, or which would deem it unfeasible or unnecessary, all such plans shall be required to incorporate sidewalk along their lot frontages. Where the subject is a corner property, the Applicant shall be required to incorporate such sidewalk on both frontages.

4.29.2

Additional sidewalk consideration shall be incorporated to accommodate pedestrian access around buildings and between parking and building areas.

4.29.3

Creative sidewalk design is encouraged (i.e. meandering pathways, use of cobblestone), however at a minimum, required sidewalks shall not be less than 1.2m wide, nor less than 125mm in thickness, except as driveways and aprons for commercial properties, which shall not be less than 180mm in thickness, and which shall comply with the City Engineer's specifications. The City Engineer shall inspect installed sidewalks for compliance and shall reject any concrete surface which has been defaced, marred or improperly finished.

Section 4.30

SIGN REGULATIONS

As per *Sign Bylaw No 16/03*, any amendments thereto, or any other sign Bylaw approved subsequent this Bylaw.

Section 4.31 TRASH ENCLOSURES

4.31.1

All development, except for residential structures up to four units, shall provide interior or exterior enclosures for all refuse containers, recycling containers, compactors, and refuse collection areas per the standard of the local trash service provider, unless this provider certifies that refuse is not generated at this site. The Development Officer may waive any of the following requirements or may approve an alternate design which will adequately screen and buffer the collection and/or compaction of refuse with the issuance of a development permit.

4.31.2

Exterior trash enclosures shall conform to the following:

- A) Walls shall be 1.8m high (plus or minus 200mm), constructed of masonry, cement, or concrete blocks, and shall have screened gates. The height may be waived, provided that letters of consent from adjacent property owners are obtained and the owner demonstrates that the height of the trash enclosure will completely screen the trash receptacles.
- B) The floor of the trash enclosure shall be concrete, and shall extend 1.5m beyond the opening of the trash enclosure.
- C) The gates of the trash enclosure shall be double-swinging and shall fully screen the interior of the enclosure.
- D) The enclosure shall be set back at least 15m from any residential development on an adjacent parcel. This requirement may be waived provided that letters of consent from adjacent property owners are obtained.
- E) A trash enclosure shall be located within 60m of each multi-family residential building within a development.

Section 4.32 FENCES

4.32.1 – Residential Districts (plus all non-commercial and non-industrial districts)

A person shall not construct a fence, gate, wall or other means of enclosure, or keep a hedge or shrubs on a site in a residential district (plus non-commercial and non-industrial districts) that is higher, measured from the general ground level 0.3 metres back of the property line on whichever side of the structure is lower, than:

- A) 2.0 metres for the portion of the structure that does not extend beyond the front wall of the principal building; and
- B) 1.0 metre for the portion of the structure that extends beyond the front wall of the principal building.
- C) Where a rear or side yard property line is adjacent to an arterial street, or to a municipal reserve which is adjacent to an arterial street, a fence height of 2.45 metres (8') shall be allowed for all that portion of the rear yard property line which is adjacent to the arterial street or the municipal reserve, as well as all that portion of the side yard property line that does not extend beyond the front wall of the principal building and is adjacent to the arterial street or the municipal reserve.
- D) **Where fencing is proposed in any residential district, such fencing shall be of a decorative nature. Decorative fence material may consist of wrought iron, faux wrought iron, brick, stone or board on board. Barbwire is prohibited in any residential district. Chain-link fence is prohibited in the Riverside Subdivision, Parkview Subdivision, and future proposed subdivisions and discouraged in all**

other residential subdivisions. Determination of an acceptable fence material shall be at the discretion of the Development Officer and shall be based on site characteristics of surrounding properties.

4.32.2 – Commercial / Industrial Districts

- A) A solid fence or screen, with a minimum height of 2.0 metres, and a maximum height of 2.45 metres shall be constructed where a commercial or industrial site abuts a residential district, or where a site is highly visible to the traveling or local traffic, to the satisfaction of the Development Officer.
- B) **Where fencing is proposed on any commercial property, or on industrial properties with high public exposure, such fencing shall be of a decorative nature. Decorative fence material may consist of wrought iron, faux wrought iron, brick, stone, or board on board. Barbwire may be permitted at the discretion of the Development Officer and if permitted shall be a minimum of 2.0 m from finished grade. Determination of an acceptable fence material shall be at the discretion of the Development Officer and shall be based on site characteristics of surrounding properties.**

Amended By
Bylaw
No. 26/2006

Section 4.33

SINGLE DETACHED & DUPLEX RESIDENTIAL BUILDING DESIGN

4.33.1

Except as provided in this Bylaw, not more than one construction permit shall hereafter be issued for any dwellings to be erected in a housing development consisting of two or more houses if it is substantially alike in exterior design and appearance with any neighbourhood dwelling situated on the same or opposite sides of the street within 45m of a dwelling then in existence or for which a construction permit has been issued or is pending. The distance between the street property lines of the respective properties.

4.33.2

Houses within such specified distance from each other shall be considered uniform in exterior design and appearance if they have any one of the following characteristics:

- A) The same basic dimensions and floor plans are used without substantial differentiation of one or more exterior elevations;
- B) The height and design of the roofs are without substantial change in design and appearance.
- C) The size and type of windows and doors in the front elevation are without substantial differentiation.

4.33.3

There shall be no fewer than two separate basic house designs in every housing development consisting of nine (9) to fifteen (15) houses; no fewer than five (5) basic house designs in every sixteen (16) to fifty (50) houses; no fewer than six (6) basic house designs in every housing development consisting of fifty-one (51) to seventy-seven (77) houses, and no fewer than eight (8) basic house designs in every housing development consisting of seventy-eight (78) or more houses.

4.33.4

To ensure conformity with the provisions of this chapter, no construction permit shall hereafter be issued for more than one dwelling unit in any housing development until the builder has submitted with the construction official the type and model of each house for which a construction permit is requested.

Metal ²																
Glass-tinted or reflected																
Glass block																
Wood siding (beveled, lap, TEG, batton)													None			
Finishes ³																

**Section 4.35
RECREATIONAL FACILITIES**

4.35.1

In developments which provide housing facilities for twenty-five (25) or more families, the Development Officer shall consider the need for open areas suitably approved for recreation of the intended project.

4.35.2

Standards to be utilized by the Development Officer in determining space needed for recreation shall be as follows:

FAMILIES TO BE SERVED IN DEVELOPMENT	ACRES OF GREEN SPACE
40 or less	1
41-80	1.5
81-120	2
121-160	2.5
161-200	3
201-240	3.5
241-299	4

4.35.3

Three hundred or more families shall be four acres for each additional forty (40) families; however, more than one playground area must be divided.

4.35.4

The Development Officer, the Director of Engineering, and the Director of Leisure Services shall determine the playground location or locations.

4.35.5

A detailed landscape plan showing the proposed landscape treatment of all portions of the project proposed to be developed as useable passive common open space shall be submitted for review to the Development Officer and Director of Leisure Services for review.

4.35.6

As a minimum requirement, the following facilities shall be provided, if not existing in the designated service area:

² Flat sheets and seamed or ribbed panels. Includes aluminum, porcelain, stainless steel, etc.

³ Includes cement plaster, stucco or similar materials. Such materials shall not be used where contact with vehicles may occur, such as parking areas, traffic ways, loading areas, adjacent to building walls, unless such walls are adequately protected to prevent wall damage.

Section 4.36

HERITAGE RESOURCES

4.36.1

Council will work with provincial government agencies, in particular the Provincial Department associated with culture and recreation (*Heritage Assessment Unit of Saskatchewan Culture Youth and Recreation*) to ensure the protection of significant heritage resources. Where a potential for impacting heritage sites exist, Council shall:

- A) Refer proposed land developments that are located in heritage sensitive areas and therefore may have a significant adverse impact on heritage sites to the Heritage Assessment Unit to determine if a heritage resource impact assessment study or other action is required pursuant to Section 63 of *The Heritage Property Act*, or
- B) Apply established screening criteria to determine if a heritage study or other action is required.

4.36.2

Council may defer issuing a permit for any development until such time as all the heritage resource impact assessment and mitigation requirements have been satisfactorily met:

- A) Development proposals on lands identified as heritage sensitive shall only be permitted subject to the following:
 - 1) Compliance with all regulatory requirements of the *Heritage Property Act* to protect heritage property, and
 - 2) Any further measures specified by Council to preserve, protect or otherwise manage heritage property.
- B) Council may prohibit developments over which it has approval authority where those developments if approved would irreparably damage or destroy significant heritage property.
- C) Council may refuse or temporarily defer an application decision where developments with adversely affect the long-term protection and conservation of heritage resources until such time as Council, in consultation with the *Heritage Assessment Unit* determines that the heritage resources are adequately managed.

NOTE:
DETAILS

Bylaw No. 9/2008 – 338 Fourth Avenue North – Section 4.5.9.1 - Current Requirements, are 74.5m² - this requirement has been increased to 111.52m².

Bylaw No. 28/2008 – 93 Haultain Avenue – Section 4.5.9.3 – Minimum front yard setback from 6.0m to 4.33m.

Section 5.0

PARKING AND LOADING PROVISIONS

Section 5.1

OFF-STREET PARKING – GENERAL PROVISIONS

5.1.1

A parking and vehicular circulation plan shall be submitted in connection with an application for a development permit for all proposed developments with the exception of single detached, semi-detached, duplex, and manufactured dwellings.

5.1.2

Where the calculation of parking and/or loading requirements produces a requirement which is not a whole number, the number shall be rounded up to the nearest whole number.

5.1.3

In all districts, notwithstanding the exceptions provided for in this section, the parking facilities shall be wholly provided on the same site as the building or use to be served, with the exception of the C-1 City Centre Commercial District. The latter may locate parking and loading spaces at a remote site, provided that it meets the conditions specified in subsection 5.6 of this Bylaw.

5.1.4

No person shall, within any district established by this Bylaw, erect, enlarge or extend any building or structure permitted under this bylaw, unless the required off-street parking and loading spaces as defined in each section are provided and maintained in connection with such building or structure, or the enlarged, substantially altered or extended portion thereof. When the intensity of the use of any building, structure, or premise is changed or increased through the addition of dwelling units, floor area, seating capacity, or other units of measurements specified herein, the required parking and loading facilities as required herein shall be provided for such increase in intensity of use.

5.1.5

Whenever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements of the existing use.

5.1.6

All required off-street parking shall be located on the same lot or premises as the use served, and parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided. Except for the provisions outlined in section 5.6, parking and loading facilities shall not be rented or leased to any off-site property owner, nor shall they be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.

5.1.7

Parking spaces may be on, above or below the surface of the ground. When parking spaces are provided within a garage or other structure, said structure shall adhere to the proper accessory or principal building setbacks, as applicable.

5.1.8

Where an application is received for a use which is permitted, but has no parking requirement listed, the parking requirement shall be determined by the Development Officer, and shall be similar to those of a similar facility in that district or any other district.

Section 5.2

OFF-STREET PARKING – REGULATIONS

5.2.1

Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:

- A) Continuous and raised poured concrete curbing of not less than 150mm in height shall be provided adjacent to all parking lot edges, traffic islands, and required landscaped areas. In addition, concrete curb stops shall be placed at the back of each parking stall that is located adjacent to a curb, to ensure that vehicles do not overhang boulevards, sidewalks, or required landscaped areas. Curbing shall also be required to clearly demarcate an internal roadway and the required portion of driveway leading to an internal roadway, aisle, ramp, parking space or loading space.
- B) All parking and loading spaces shall have adequate and appropriate storm water drainage and storage facilities.
- C) Hard-surfacing shall mean the provision of a durable, dust-free, properly drained hard surface constructed of concrete, or asphalt. Crushed, compacted gravel or rock will not be considered to meet the requirements for hard-surfacing. Hard-surfacing and curbing of off-street parking spaces shall conform to the following:
 - i. In all *residential districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb-crossing permit applies, shall be hard-surfaced if the number of parking spaces exceeds two (2) and if the access thereto is from a street or lane which is hard-surfaced.
 - ii. In all *commercial and institutional districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb-crossing permit applies, shall be hard-surfaced if the access thereto is from a street or lane which is hard-surfaced.
 - iii. In all *industrial districts*, every off-street parking and loading space and the access thereto, including the whole area contained within the municipal land to which the curb crossing permit applies, shall be hard-surfaced if the access thereto is available from a street or lane which is hard-surfaced, or if such area lies in front of the principal building, or under any other circumstances at the discretion of the Development Officer. Any off-street parking spaces at the rear or the side of the principal building need not be hard-surfaced, unless at the discretion of the Development Officer it is deemed necessary, and where it is not necessary it shall be of such surface as will minimize the carrying of dirt or foreign matter onto the street.
 - iv. At the discretion of Council, if the street or lane from which access is available to any required parking space is hard-surfaced after the time at which the parking space is provided or required, the person responsible for the construction or maintenance of such parking space shall forthwith hard-surface the parking space, the access thereto and the whole area contained

within the municipal land to which the curb crossing permit applies within one year of the completion of the hard-surfacing of the street or lane.

Amended By
Bylaw
No. 35/2010

- v. **The provision of continuous and raised poured concrete curbing and hard-surfacing of off-street parking areas shall be completed within 3 years of the issuance of a Development Permit for developments defined as Minor Site Plans, and shall be completed within 1 year of the issuance of a Development Permit for developments defined as Major Site Plans. The timing requirements shall only apply to those developments with an active Development Permit, as per Section 3.2.14 of the Bylaw.**

- D) All parking areas providing five or more parking spaces shall be lighted in accordance with the provisions specified in Section 4.28 of this Bylaw.
- E) In developments where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes.
- F) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions.
- G) Adequate access to and exit from individual parking spaces is to be provided at all times by means of unobstructed maneuvering aisles. Except for detached and two-family dwelling units, parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Aisles providing access to parking spaces shall have the following minimum dimensions. Where the angle of parking is different on both sides of the aisle the larger aisle width shall prevail.

Angle of Parking Spaces (degrees)	One-way Aisle	Two-way Aisle (feet)
90°	6.7m (22')	7.6m (25')
60°	5.5m (18')	6.1m (20')
45°	4.6m (15')	6.1m (20')
30°	3.6m (12')	5.5m (18')
Parallel	3.6m (12')	5.5m (18')

Amended By
Bylaw
No. 15/2008
(Section 5.2.1, H)
(as per details at
end of section)

- H) All parking stalls shall be a rectangular area measuring not less than 2.75 metres wide by 6.0 metres in length, exclusive of any access drives or aisles, ramps, or columns and shall have a minimum vertical clearance of 2.0 metres. For parallel parking, the minimum parking stall length shall be 6.7 metres.
- I) All parking space markings provided on paved surfaces shall be clearly demarcated, and maintained to the satisfaction of the Development Officer, to meet the minimum size requirements established by this Bylaw.

5.2.2

All required parking areas are required to provide landscaping in accordance with Section 6.0:

- A) Any parking lot having five or more parking spaces that is visible from an adjacent property, street, walkway, or public open space shall have perimeter planting. The location, spacing, thickness, and height of such perimeter planting at maturity shall be sufficient to provide substantial interruption of the view of the parking area from any adjoining zoning district or use, and enhance the view of the parking area from any adjacent public roadway or walkway.

- B) Each off-street parking area with ten or more spaces shall have a minimum area of landscaped islands equivalent to one parking space per every twenty parking spaces in the form of landscaped islands.
- C) One-half (½) of the said islands shall have shrubs and ground cover no higher than three feet and the other half (½) shall have trees with branches no lower than 1.83 metres (6'). Such islands shall be distributed throughout the parking area in order to break the view of long rows of parked cars in a manner not impairing visibility.
- D) All loading areas shall be landscaped and screened sufficiently to obscure the view of the loading platforms from any public street, adjacent residential districts or uses and the front yards of adjacent commercial and industrial uses. Such screening shall be a fence, wall, planting or combination of the three and shall not be less than 1.22m (4') in height.

Section 5.3
OFF-STREET PARKING FOR THE PHYSICALLY DISABLED

5.3.1

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

- A) Parking spaces for the physically disabled shall measure not less than 3.9 meters by 6.0 meters exclusive of access drives, aisles, ramps, or other obstructions, and shall have a vertical clearance of at least 2.0 metres.
- B) Parking spaces provided for the physically disabled shall be hard surfaced and level and located as close as possible to an entrance to the building or structure, to the satisfaction of the Development Officer.
- C) Parking spaces provided for the physically disabled shall be clearly demarcate for use by such persons.
- D) Where parking is being provided for special facilities for persons with physical disabilities, or for health care institutions, an increased number of parking spaces for the physically disabled may be required at the discretion of the Development Officer.
- E) The number of required parking spaces to be designated for the physically disabled shall be determined as follows:

	PARKING STALLS	DESIGNATED STALLS FOR PHYSICALLY DISABLED
(A)	Less than 25	1
(B)	26 – 50	2
(C)	51 – 75	3
(D)	76 – 100	4
(E)	101 – 150	5
(F)	151 – 200	6
(G)	201 – 300	7
(H)	301 – 400	8
(I)	401 – 500	9
(J)	501 – 1000	2%
(K)	over 1000	20 + 1% OF TOTAL

Section 5.4
RESIDENTIAL DISTRICT PARKING REGULATIONS

Provision shall be made for off-street vehicular parking or garage spaces for any development in a residential zone defined in this Bylaw, in accordance with the following standards:

5.4.1

Where an application is received for which two (2) or more uses are included on one site, the parking requirements for all uses shall be met.

5.4.2

Unless otherwise specified in this Bylaw, required parking and loading spaces shall be located in side or rear yards only.

5.4.3

Surface parking and loading spaces shall be located at least 3.0 metres from any part of a building entrance or outer edge of a balcony or window.

5.4.4

The minimum off-street parking standards for the residential districts are outlined below:

	FACILITY TYPE	REQUIRED PARKING STALLS (ALL RESIDENTIAL DISTRICTS)
5.4.4.1	Single Detached Dwellings Semi-Detached Dwellings Duplex Dwellings Three-Four Unit Dwellings	2 spaces on site per unit. Where a driveway provides access to a parking space not in the front yard, the driveway may be considered the second parking space in tandem.
5.4.4.2	Apartments Rowhouses Townhouses	1 space each per bachelor and 1 bedroom dwelling unit
		1.25 spaces per 2 bedroom dwelling unit
		1.5 spaces per 3 bedroom dwelling unit
		An additional 0.2 spaces per unit assigned to guest parking, readily available to an entrance of the building to be served and clearly identified as guest parking.
5.4.4.3	Apartments – Senior Citizens – Nursing Home	0.2 spaces per unit, readily available to an entrance of the building to be served and clearly identified as guest parking
5.4.4.4	Apartments – Senior Citizens – Assisted Living	0.5 spaces per unit plus an additional 0.1 spaces per unit assigned to guest parking, readily available to an entrance of the building to be served and clearly identified as guest parking.
5.4.4.5	Apartments – Senior Citizens – Independent Living Facility	1 space per unit plus an additional 0.1 spaces per unit assigned to guest parking, readily available to an entrance of the building to be served and clearly identified as guest parking.
5.4.4.6	Manufactured Homes	1 space per single width unit or 2 spaces per double width unit when located in a Mobile / Modular Home Park Subject to the Regulations of 5.5.4 (1) when located on an individual residential lot.
5.4.4.7	Home Occupations Home Based Businesses	Pursuant Subsection 7.6 of this Bylaw
5.4.4.8	Bed and Breakfast Homes	Pursuant Subsection 7.1 of this Bylaw
5.4.4.9	Family Child Care Homes Residential Care Homes Group Care Homes	1 Space per 2 units/Bed Rooms
5.4.4.10	Residential Care Facilities	1 Space per 40m ²

Amended By
Bylaw
No. 15/2008
(Section 5.4.4.9)
(as per details at
end of section)

**Section 5.5
COMMERCIAL DISTRICT PARKING REGULATIONS (C-1 to C-4)**

Provision shall be made for off-street vehicular parking or garage spaces for any development in a commercial district defined in this Bylaw, in accordance with the following standards:

5.5.1

Where an application is received for which two (2) or more uses are included on one site, the parking requirements for all uses shall be met.

5.5.2

All required parking spaces for any residential use in a commercial district shall be provided in the side or rear yard only.

Part C – Residential Zoning Districts

5.5.3

Required parking spaces for commercial and other non-residential uses may be located in front, side or rear yards.

5.5.4

All parking or loading spaces shall be at least 1.5 metres from any window serving residential rooms.

5.5.5

Where two different standards are given for parking requirements in Table 5.6.5, (i.e. 1 space per 20m² or 1 space per 10 seats) the greater of the two calculated parking stall requirements shall be the requirement for the proposed development.

5.5.6

Only in the C-1 Zoning District, the first 278.0m² and 5 employees, or forty (40) seats and five (5) employees, (whichever is applicable), of any development shall be exempted from the requirement of providing parking and/or loading spaces.

5.5.7

The minimum off-street parking standards for the commercial districts are outlined below:

	FACILITY TYPE	C-1 DISTRICT (GROSS LEASABLE FLOOR AREA)	C-2 to C-4 DISTRICTS (GROSS LEASABLE FLOOR AREA)
5.5.7.1	Agricultural Sales and Service Facilities	Not permitted	1 space per 30m ²
5.5.7.2	Amusement Establishments – Indoors	1 space per 15 seats or 1 space per 40m ²	1 space per 10 seats or 1 space per 20m ²
5.5.7.3	Amusement Establishments – Outdoors	Not permitted	1 space per 300m ² of site
5.5.7.4	Apartments	1 space per unit	Not Permitted
5.5.7.5	Apartments – Main Floor Commercial	1 space per unit	1 space per unit
5.5.7.6	Apartments – Senior Citizens – Nursing Home	0.2 spaces per unit	Not Permitted
5.5.7.7	Apartments – Senior Citizens – Assisted Living	0.5 spaces per unit	Not Permitted
5.5.7.8	Apartments – Senior Citizens – Independent Living Facility	1 space per unit	Not Permitted
5.5.7.9	Auto and Minor Recreation Sales & Rentals	1 space per each 15 vehicles (based on lot capacity)	1 space per each 10 vehicles (based on lot capacity)
5.5.7.10	Automotive Maintenance	2 spaces per each bay	3 spaces per each bay
5.5.7.11	Autobody Repair and Paint Shops	Not Permitted	3 spaces per each bay
5.5.7.12	Bakery	1 space per 40m ²	1 space per 20m ²
5.5.7.13	Broadcasting / Television Studios	1 space per 60m ²	1 space per 30m ²
5.5.7.14	Building Materials Sales and Storage	1 space per 40m ²	1 space per 20m ²
5.5.7.15	Business Support Services	1 space per 40m ²	1 space per 20m ²
5.5.7.16	Casinos	1 space per 40m ²	1 space per 20m ²
5.5.7.17	Commercial Education Facilities	1 space per 40m ²	1 space per 20m ²
5.5.7.18	Community Facilities	1 space per 15 seats or 1 space per 60m ²	1 space per 10 seats or

Part C – Residential Zoning Districts

			1 space per 30m ²
5.5.7.19	Convention / Exhibition Facilities	1 space per 15 seats or 1 space per 60m ²	1 space per 10 seats or 1 space per 30m ²
5.5.7.20	Crematoriums	1 space per 60m ²	1 space per 30m ²
5.5.7.21	Day Care Centres	1 space per 8 children	1 space per 4 children.
5.5.7.22	Dry Cleaner	1 space per 40m ²	1 space per 20m ²
5.5.7.23	Entertainment / Drinking Facilities	1 space per 6 seats or 1 space per 40m ²	1 space per 4 seats or 1 space per 20m ²
5.5.7.24	Equipment / Household Repair Shops	1 space per 60m ²	1 space per 30m ²
5.5.7.25	Equipment Rentals	Not Permitted	1 space per 20m ²
5.5.7.26	Financial Institutions	1 space per 40m ²	1 space per 20m ²
5.5.7.27	Fleet Services	1 space per fleet vehicle	1 space per fleet vehicle
5.5.7.28	Funeral Services	1 space per 15 seats or 1 space per 60m ²	1 space per 10 seats or 1 space per 30m ²
5.5.7.29	Government Buildings	1 space per 40m ²	1 space per 20m ²
5.5.7.30	Greenhouse & Plant Nurseries	Not permitted	1 space per 20m ²
5.5.7.31	Group Care Facilities	1 space per 2 units/bedrooms	1 space per 2 units/bedrooms
5.5.7.32	Health Services	1 space per 40m ² or 1 space per bed	1 space per 20m ² or 1 space per bed
5.5.7.33	Hotels & Motels	1 space per guest room	1 space per guest room
5.5.7.34	Kennels	Not Permitted	1 space per 20m ²
5.5.7.35	Manufactured Home Sales Facilities	Not permitted	1 space per unit on site (based on lot capacity)
5.5.7.36	Participant Recreation – Indoors	1 space per 40m ²	1 space per 20m ²
5.5.7.37	Personal Service Establishments	1 space per 40m ²	1 space per 20m ²
5.5.7.38	Professional Offices	1 space per 40m ²	1 space per 20m ²
5.5.7.39	Protective Services	1 space per 40m ²	1 space per 20m ²
5.5.7.40	Rec. Vehicle Sales / Rental / Service	Not permitted	1 space per 10 vehicles on site plus 1 space per bay
5.5.7.41	Recycling Facilities	Not permitted	1 space per 40m ²
5.5.7.42	Residential Care Facilities	1 space per 2 units/bedrooms	1 space per 2 units/bedrooms
5.5.7.43	Restaurants / Drinking Establishments	1 space per 6 seats or 1 space per 40m ²	1 space per 4 seats or 1 space per 20m ²
5.5.7.44	Retail Stores – Convenience	1 space per 40m ²	1 space per 20m ²
5.5.7.45	Retail Stores – Grocery	1 space per 40m ²	1 space per 20m ²
5.5.7.46	Retail Stores – General	1 space per 40m ²	1 space per 20m ²
5.5.7.47	Service Stations	1 auto stack-up space per pump	2 auto stack-up spaces per pump
5.5.7.48	Shopping Centre – Neighborhood	1 space per 40m ²	1 space per 20m ²
5.5.7.49	Shopping Centre – Community	1 space per 40m ²	1 space per 20m ²
5.5.7.50	Shopping Centre	1 space per 40m ²	1 space per 20m ²

Amended By
Bylaw
No. 15/2008
(Section 5.5.7.42)
(as per details at
end of section)

	– Regional		
5.5.7.51	Truck Sales/Rentals/Service	Not permitted	1 space per 10 vehicles on site plus 1 space per bay
5.5.7.52	Veterinary	1 space per 40m ²	1 space per 20m ²
5.5.7.53	Warehouse Sales / Facilities	1 space per 40m ²	1 space per 20m ²
5.5.7.54	All Other Uses	1 space per 40m ²	1 space per 20m ²

Amended By
Bylaw
No. 1/2005

**Section 5.6
OFF-STREET PARKING REGULATIONS – C-1 AND C-2 ALTERNATIVE OPTIONS**

Upon approval by Council, on-site parking requirements may be met through the following alternative methods:

5.6.1 – OFF-SITE PARKING

Where a business or person(s) is deficient in the required number of on-site parking spaces, the number of parking spaces needed to meet the requirement may be purchased or leased within 120 metres of the business operation, under the following conditions:

- A) The owner of the land used for off-site parking shall agree to covenant with the City by an agreement that the site on which the parking spaces are located shall be used for such purposes as long as it is required under the current Bylaw;
- B) The land purchased or leased in lieu of parking spaces must be in the C-1 Zoning District; and
- C) The Applicant can demonstrate that the walking route to the remote parking is considered to be pedestrian friendly and within a reasonable distance to the principle use and building.
- D) This provisions shall apply only to the C-1 Zoning Districts.

5.6.2 – PAYMENT IN LIEU

Pursuant to Section 75(1) of the Act, Council may exempt any person from the requirement of providing off-street parking spaces where that person pays or agrees to pay \$3,000.00 per exempted parking space, and subject to the following conditions:

- A) All monies paid to the City for exempted parking spaces shall be held in a separate account, and expended at Council’s discretion, only for the acquisition, construction, operation, or maintenance of parking facilities anywhere in the C-1 or C-2 Zoning District, and/or the capital costs of the transit system;
- B) Under no circumstances does payment of the \$3,000 per exempted parking space require the City to provide the person with parking near or adjacent to their building or use; and,
- C) This exemption shall apply only to the C-1 and C-2 Zoning District.
- D) Notwithstanding subsection 5.6.2(B), all monies acquired in the form of payment in lieu of parking spaces shall be held in a City account and utilized in accordance with the a future Downtown Redevelopment Plan in order to strategically locate parking lots in the downtown.

Amended By
Bylaw
No. 1/2005

**Section 5.7
INDUSTRIAL DISTRICT PARKING REGULATIONS (MI-1 to MI-2)**

Provision shall be made for off-street vehicular parking or garage spaces for any development in an industrial district defined in this Bylaw, in accordance with the following standards:

5.7.1

Where an application is received for which two (2) or more uses are included on one site, the parking requirements for all uses shall be met.

5.7.2

Required parking and loading spaces may be located in front, side and rear yards.

5.7.3

Any commercial use within the industrial district shall be subject to the parking requirements outlined in subsection 5.5.7. The minimum off-street parking standards for all other uses in the industrial district are set out in the following chart:

	FACILITY TYPE	MI-1 DISTRICT	MI-2 DISTRICT
5.7.3.1	All Uses	1 space per 3 employees (minimum 5 spaces per establishment)	1 space per 3 employees (minimum 5 spaces per establishment)

Section 5.8

INSTITUTIONAL AND PARKS & REC. PARKING REGULATIONS (IN, PR)

Provision shall be made for off-street vehicular parking or garage spaces for any development in an institutional district defined in this Bylaw, in accordance with the following standards:

5.8.1

Where an application is received for which two (2) or more uses are included on one site, the parking requirements for all uses shall be met.

5.8.2

Required parking and loading spaces may be located in front, side and rear yards.

5.8.3

All required parking and loading spaces shall be located at least 3.0 metres from any part of a building entrance, the outer edge of a balcony, or a window, serving residential rooms and for all other uses shall be 1.0 metre.

5.8.4

Where two different standards are given for parking requirements in Table 5.8.5, (i.e. 1 space per 20m² or 1 space per 10 seats) the greater of the two calculated parking stall requirements shall be the requirement for the proposed development.

Part C – Residential Zoning Districts

5.8.5

The minimum off-street parking standards for the institutional district are set out in the following chart:

	FACILITY TYPE	ALL IN, AND PR DISTRICTS
5.8.5.1	Apartments – Senior Citizens (Nursing Homes Only)	0.2 spaces per unit
5.8.5.2	Commercial Education Facilities	1 space per 20m ²
5.8.5.3	Community Facilities	1 space per 10 seats or 1 space per 20m ²
5.8.5.4	Day Care Centre	1 parking space per 4 children
5.8.5.5	Funeral Services	1 space per 10 seats or 1 space per 20m ²
5.8.5.6	Government Services	1 space per 20m ²
5.8.5.7	Greenhouse / Plant Nurseries	1 space per 20m ²
5.8.5.8	Group Care Facilities	1 space per 2 units/bedrooms
5.8.5.9	Health Services	1 space per bed or 1 space per 20m ²
5.8.5.10	Hospitals	1 space per bed
5.8.5.11	Participant Recreation – Indoor	1 space per 10 seats or 1 space per 20m ²
5.8.5.12	Participant Recreation – Outdoor	1 space per 300m ² of site
5.8.5.13	Protective Services	1 space per 20m ²
5.8.5.14	Public Education Services	1 space per staff member, plus 3 spaces per classroom - (Elementary Schools and Administrative Offices) 1 space per staff member, plus 5 spaces per classroom - (Secondary Schools)
5.8.5.15	Residential Care Facilities	1 space per 2 units/bedrooms
5.8.5.16	Tourist Campgrounds	1 space per each 5 available campsites
5.8.5.17	All Other Uses	1 space per 10 seats or 1 space per 20m ²

**Section 5.9
EMPLOYEE PARKING REGULATIONS (ALL DISTRICTS)**

Provision shall be made for off-street employee vehicular parking or garage spaces for all employees in any district defined in this Bylaw, in accordance with the following standards:

5.9.1

Where an application is received for which two (2) or more uses are included on one site, the employee parking requirements for all uses shall be met.

5.9.2

The minimum off-street parking standards for the employees is outlined below:

	FACILITY TYPE	C-1 DISTRICT	ALL OTHER DISTRICTS
5.9.2.1	All Uses	1 space per 5 employees	1 space per 3 employees

**Section 5.10
OFF-STREET LOADING REGULATIONS (ALL DISTRICTS)**

Provision shall be made for off-street loading spaces for any development in any district defined in this Bylaw, in accordance with the following standards:

5.10.1

Where an application is received for which two (2) or more uses are included on one site, the off-street loading requirements for all uses shall be met.

5.10.2

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

5.10.3

The minimum off-street loading requirement is set out below:

5.10.3.1 – Residential Districts

Each non-residential principal building with a building floor area greater than 2,000m² shall provide one off-street loading space.

5.10.3.2 – Commercial Districts

Each principal building or shopping centre shall provide at least one off-street loading space, however, in the C-1 District, no loading space is required for buildings with a building floor area less than 400m². Loading spaces may be located in front, side or rear yards.

5.10.3.3 - Industrial Districts

A minimum of one off-street loading space shall be provided for each principal building.

5.10.3.4 – Institutional Districts

Each non-residential principal building with a building floor area greater than 400m² shall provide one off-street loading space.

Section 5.11

PASSENGER DROP-OFF / LOADING SPACES FOR ELEMENTARY AND HIGH SCHOOLS

5.11.1

Public and private elementary and high schools shall provide passenger drop-off spaces in conjunction with the development of new schools or in conjunction with any addition with a design capacity of seventy-five (75) or more students to an existing school.

5.11.2

For the purposes of this section, “passenger drop-off space” means a full size parking space located on school property or a full size parking space approved by the Development Officer located on school property and accessed by a service road, which has at least two (2) access points.

5.11.3

Required on-site parking spaces shall not be used to satisfy the requirements for the provision of passenger drop-off spaces.

5.11.4

For elementary schools, passenger drop-off spaces shall be provided at the rate of at least eight spaces for the first one hundred (100) students and at least two spaces for each additional one hundred (100) students.

5.11.5

For high schools, passenger drop-off spaces shall be provided at the rate of at least eight spaces for the first one hundred (100) students, and at least one space for each additional one hundred (100) students.

5.11.6

Passenger drop-off spaces shall be located:

- A) within 50 metres of a school entrance;
- B) at least 3.0 metres from a driveway or marked cross-walk; and
- C) at least 15 metres from any intersection.

5.11.7

The Development Officer may reduce the number of required passenger drop-off spaces for additions to existing schools where there are demonstrated site constraints, which limit the number and location of spaces that may be provided.

Bylaw No. 15/2008 – 117 Third Avenue North – Section 5.4.4.9 & 5.5.7.42 shall not apply to the existing residential care facility; the number of parking spaces required for the existing residential care facility shall be 2 tandem parking spaces; 5.2.1 H) shall not apply to the Discretionary Use; the parking stall sizes shall be a minimum of 2.4m wide (8ft) by 5.8m (19ft) long for the first space, and 2.1m (7ft) wide by 5.18m (17ft) long for the second space nearest the building.

**NOTE:
DETAILS**

Section 6.0

LANDSCAPING PROVISIONS

Section 6.1

PURPOSE

6.1.1

The Landscaping provisions are intended to enhance the appearance of developments and preserve a sense of place throughout the City of Yorkton through the promotion of environmental stewardship via the enhancement, preservation, and protection of the urban forest and vegetation. This objective shall serve to protect the public health, welfare, environment, and aesthetics of the City of Yorkton by:

- A) Maintaining property values, the quality of life, and lifestyles valued and enjoyed by the community through the preservation of Yorkton's native vegetation;
- B) Providing visual relief from large expanses of parking areas and reduction of perceived building scale;
- C) Promoting city beautification and civic identity through diverse and creative landscape designs;
- D) Contributing to economic development through the maintenance of a regional identity that attracts tourism and new business, while promoting business retention;
- E) Improving air quality through the preservation of mature vegetation that removes carbon monoxide and filters dust and particulates from the air;
- F) Assisting in climate modification and reducing energy costs through the use of native vegetation to shade buildings, streets, sidewalks, and outdoor areas;
- G) Reducing heat islands in large impervious areas by providing shade;
- H) Retaining and reestablishing vegetative features of habitats that are important to biological diversity and native wildlife species;
- I) Minimizing soil erosion run-off, and drainage on abutting land through preservation or revegetation with native plants;
- J) Mitigating the adverse impacts of noise, and the appearance of deleterious uses, via buffers and screening.

Section 6.2

APPLICABILITY

6.2.1

The provision of landscaping, in accordance with this Bylaw, shall be a condition of a development permit issuance for all types of development in all zoning districts, with the exception of single-detached, semi-detached, and secondary suite housing, unless the said are proposed planned subdivisions which create more than four new parcels of land.

6.2.2

Every Application for proposed development shall include a landscape plan. The Development Officer shall not issue a development permit unless such a plan is provided, or unless pursuant section 6.3.2, the Development Officer has deemed that a Waiver from Landscape Plan or a particular Landscape Plan requirements is appropriate. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to Landscaping being installed.

6.2.3

If the required landscaping plan does not, in the opinion of the Development Officer, provide for an adequate or suitable degree of soft or hard landscaping necessary to enhance the visual

amenity of the site or provide a visual screen where required by this Bylaw, then a development permit shall not be issued

6.2.4

The provision of landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a Development Permit related to any existing site or development if the proposed development, as a consequence of the work that is the subject of the development permit is substantially enlarged or increased in capacity. This Bylaw shall not apply to developments that consist solely of interior alterations or improvements or change of use that does not alter the footprint or floor area of the building.

6.2.5

The Development Officer may, at his discretion, refer any Landscaping Plans for review and comment to any other City departments.

Section 6.3

LANDSCAPE PLAN DETAILS

6.3.1

The Landscape Plan to be submitted in conjunction with any Development Application shall be drawn as follows:

- A) At a scale of one inch equals fifteen metres (1":50') for a tract up to forty acres in size; one inch equals thirty metres (1":100'), for a tract between 40 and 150 acres, and one - inch equals sixty metres (1":200') for a tract 150 acres or more.
- B) A north arrow, date, scale, name of Applicant and those who prepared plan.
- C) The Block(s) and Lot(s) of the proposed development site and properties within a 60 metre (200') radius;
- D) The property lines, and dimensions of the Site, including setback requirements;
- E) The location of buildings, parking areas, building perimeters, and landscaping on adjacent sites;
- F) All existing and proposed streets, lanes, driveways, and vehicular entrances within a 60 metre (200') radius of or the proposed development;
- G) Parking lots and curbing including a clear delineation of parking spaces and total number;
- H) Surrounding amenities including sidewalks, street furniture, and boulevard trees;
- I) Overhead, surface and underground utilities, and limits of easement;
- J) The size, height, location and arrangement of all existing and proposed buildings, and structures;
- K) Building entrances, porches, decks, steps, walkways, hard-landscaping features, lighting, fencing, recreational facilities and garbage collection areas;
- L) Existing and proposed contour lines at ½ metre intervals inside the tract, and within 60 metres (200') of any paved portion of the tract to indicate site drainage;
- M) The location of existing and proposed trees, shrubbery, bushes, ground cover, perennials, annuals, seeded and/or sodded areas, mulch, and other soft-landscaping elements shall be illustrated on the plan. All plantings shall be differentiated between existing and proposed, and labeled or abbreviated by their common or botanical name. Sizes shall be graphically illustrated by the spread or canopy. Trees to be removed or relocated by the proposed construction with a caliper greater than 101mm (4 inches) shall be identified;
- N) A corresponding landscaping schedule, list, or key of proposed landscaping, identifying species by common and botanical name, quantity, size (caliper, height, and can), and the method of planting;
- O) The method of irrigation including the size and location of the water supply, sprinkler heads and underground pipes.

6.3.2

The Applicant may be granted a *Waiver* from providing a Landscape Plan or particular requirements of a Landscape Plan, at the discretion of the Development Officer, provided that either:

- i. The information provided by the Applicant is sufficient to show that the Landscaping provisions of the Bylaw can be met without the submission of a full Landscape plan.
- ii. The development is of such a minor nature that a full Landscape Plan is unwarranted.
- iii. The site is already sufficiently landscaped, such that the proposed development or alteration will have no significant visual or functional impact on the site or its surroundings.
- iv. There are special or unique circumstances associated with the site, which would warrant landscaping unfeasible.

Section 6.4

PLANT MATERIAL AND SPECIFICATIONS

6.4.1

The following specifications shall apply to all proposed plant material:

- A) That plant material shall be of a species "hardy" to the Yorkton region, and shall be of a nursery stock free of insects and disease.
- B) All plant materials shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock", produced by the Canadian Nursery Trade Association.
- C) The proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50.
- D) The following mix of tree sizes shall be used:
 - i. 50% of required deciduous trees shall be a minimum of 50mm caliper and 50% shall be a minimum 75 mm caliper;
 - ii. 75% of required coniferous trees shall be a minimum of 1.8 metres (6') in height and 25% shall be a minimum 2.5 metres (8') in height.
- E) All shrubs provided for planting shall:
 - i. Be a minimum of two gallon size at the time of planting;
 - ii. Be a minimum height or spread of 600mm (24 inches).
- F) Ground cover shall be planted and spaced to result in total coverage of the required landscape area by utilizing:
 - i. Four-inch pots, at 400mm (18 inches) on center, or;
 - ii. One gallon or greater sized containers at 600mm (24 inches) on center.
- G) Grass may be used as ground cover in landscape areas provided that the grass area:
 - i. Is at least five feet wide at the smallest dimension;
 - ii. Constitutes no more than 30 percent of landscape areas.
- H) Landscape areas shall be covered with at least two inches of mulch to minimize evaporation.
- I) All areas set aside for plant materials and turf shall be provided with an underground sprinkler irrigation system or other adequate means of irrigation, with at least one outside spigot for each principal building.

Section 6.5

REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS

6.5.1 – LANDSCAPE PLANS REQUIRED

With the exception of single-detached, semi-detached, and secondary suite housing subdivisions of four or less parcels, all residential subdivisions and site plans shall be required to incorporate a landscape plan.

6.5.2 – SHADE AND ACCENT TREES

- A) In areas where no natural shade exists, and space permits, shade trees will be set a maximum 15 metres (50') on center along the lot frontage(s) of residential properties, a maximum of 3 metres (10') inside the property line. Where space permits and the Development Officer and the City deem appropriate, such trees may be incorporated into the public right-of-way. If the designated property is a corner lot (i.e. a lot adjacent two intersecting roadways) then both frontages shall be landscaped. In circumstances where curb cuts and driveway aprons interrupt the spacing of trees, variations in the plan may be accommodated.
- B) Foundation plantings are required around the dwelling unit, row house, or apartment building to provide visual interest and to soften edges, open walls, and building mass.

6.5.3 – BUFFERS AND SCREENING

- A) Where a proposed residential development will abut a pre-existing non-residential use or district, a landscaped buffer is required to safeguard the residents of the proposed development. Where no such buffer exists the Applicant shall provide it. Buffer areas shall be measured horizontally and be either perpendicular to straight lot and street lines, or radial to curved lot and street lines. Buffers shall be maintained and kept clear of all debris, rubbish, weeds, and tall grass. No above-surface structure, storage area, parking lot, or other activity, shall be permitted in the buffer area, and all buffer areas shall be planted and maintained with grass or ground cover, together with a dense screen of trees, shrubs, or other plant materials, meeting the following requirements:
 - i. Proposed residential developments abutting existing Agricultural or Industrial properties or districts shall contain a minimum of a 15 metre (50') landscaped buffer.
 - ii. Proposed residential developments abutting active Agricultural properties, or developed industrial properties, shall contain a minimum of a 30 metre (100') landscaped buffer.
 - iii. Proposed residential developments abutting Highway Commercial or General Commercial districts or uses shall contain a minimum of a 10 metre (32') landscaped buffer.
 - iv. Proposed residential developments abutting existing railway lines, highways, or other use having an adverse impact shall contain a minimum of a 15 metre (50') landscaped buffer.
 - v. At a minimum, landscaped buffers to mitigate adverse impacts of incompatible uses shall include a double alternating row of trees planted 3 metres on center. Such spacing may be adjusted based on site conditions at the discretion of the Development Officer. Additional shrubs, plant material, berming, and decorative fencing may be incorporated at the discretion of the Development Officer.
- B) Buffering shall be located around the perimeter of any site, which abuts a major highway or railway line. Such buffering shall serve the purpose to minimize headlights of vehicles, noise, and light from structures. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees, or combinations thereof to achieve the stated objectives.

- C) Where development abuts a major highway that does not contain curbing, the Applicant shall be responsible for the grading, seeding, filling, planting, and maintenance of ditches and areas adjacent the public right-of-way. The degree of landscaping required shall, at the discretion of the Development Officer, be based upon the unique features of the site and the surrounding area.
- D) Unsightly elements, *including but not limited to*, utility kiosks, utility meters, garbage containers, garbage compounds, storage and loading areas should be screened from view from on-site residential uses, adjacent properties, streets, walkways, and public open space. Such screen planting shall be maintained to sufficiently obscure the view of such elements from the ground to a height of 1.85 m (6').

6.5.4 – PARKING

- A) Parking space sizes and quantities for residential structures, other than single-detached, semi-detached, and secondary suite housing, shall be in accordance with Section 5.0 of this Bylaw.
- B) Any parking lot having five or more parking spaces that is visible from an adjacent property, street, walkway, or public open space shall have perimeter planting. The location, spacing, thickness, and height of such perimeter planting at maturity shall be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway or walkway.
- C) Parking islands shall be placed to provide visual relief and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer. Each off-street parking area with ten or more spaces shall have a minimum area of landscaped islands equivalent to one parking space per every twenty parking spaces in the form of landscaped islands. One-half (½) of the said islands shall have shrubs and ground cover no higher than three feet and the other half (½) shall have trees with branches no lower than 2.13 metres (7'). Such islands shall be distributed throughout the parking area in order to break the view of long rows of parked cars in a manner not impairing visibility.
- D) The undeveloped portion of any site must be graded, contoured and seeded, if not utilized for other purposes.

6.5.5 – FREESTANDING SIGNS

- A) All proposed freestanding signs shall incorporate a mixture of low-lying shrubs and groundcover. Berming may be utilized so long as it does not impede traffic visibility.

Section 6.6 REQUIREMENTS FOR NON-RESIDENTIAL USES

6.6.1 – SHADE AND ACCENT TREES

- A) In areas where no natural shade exists, and space permits, shade trees will be set a maximum 6 metres (20') on center along the lot frontage(s) of all non-residential properties, a maximum of 3 metres (10') inside the property line. Where space permits and the Development Officer deems it appropriate, such trees may be incorporated into the public right-of-way. If the designated property is a corner lot (i.e. a lot adjacent two intersecting roadways) than both frontages shall be landscaped.

- B) Foundation plantings are required around proposed buildings to provide visual interest and to soften edges, open walls, and building mass.

6.6.2 – BUFFERS AND SCREENING

- A) Where a proposed non-residential development will abut a pre-existing residential use or district, a landscaped buffer is required to safeguard the residents of the community. Where no such buffer exists the Applicant shall provide it. Buffer areas shall be measured horizontally and be either perpendicular to straight lot and street lines, or radial to curved lot and street lines. Buffers shall be maintained and kept clear of all debris, rubbish, weeds, and tall grass. No above-surface structure, storage area, parking lot, or other activity, shall be permitted in the buffer area, and all buffer areas shall be planted and maintained with grass or ground cover, together with a dense screen of trees, shrubs, or other plant materials, meeting the following requirements:
 - i. Proposed Highway Commercial and General Commercial developments shall provide a minimum of a 15 metre (50') landscaped buffer between residential uses and districts.
 - ii. Proposed Industrial Developments shall provide a minimum of a 30 metre (100') landscaped buffer between residential uses and districts.
 - iii. At a minimum, landscaped buffers to mitigate adverse impacts of incompatible uses shall include a double alternating row of trees planted 3 metres (10') on center. Such spacing may be adjusted based on site conditions at the discretion of the Development Officer. Additional shrubs, plant material, berming, and decorative fencing may be incorporated at the discretion of the Development Officer.
- B) Unsightly elements including utility kiosks, utility meters, garbage containers, garbage compounds, storage and loading areas should be screened from view from on-site residential uses, adjacent properties, streets, walkways, and public open space. Such screen planting shall be maintained to sufficiently obscure the view of such elements from the ground to a height of 1.85 m (6').
- C) Buffering shall be located around the perimeter of any site, which abuts a major highway or railway line. Such buffering shall serve the purpose to minimize headlights of vehicles, noise, and light from structures. Buffering may consist of fencing, evergreens, shrubs, bushes, deciduous trees, or combinations thereof to achieve the stated objectives.
- D) Where development abuts a major highway that does not contain curbing, the Applicant shall be responsible for the grading, seeding, filling, planting, and maintenance of ditches and areas adjacent the public right-of-way. The degree of landscaping required shall, at the discretion of the Development Officer, be based upon the unique features of the site and the surrounding area.
- E) If, at the discretion of the Development Officer screen planting is unfeasible due to particular site features, alternative-screening approaches such as berming, masonry walls, decorative fencing, or other man-made features may be permitted as an alternative.

6.6.3 – PARKING

- A) Parking space sizes and quantities shall be in accordance with Section 5.0 of this Bylaw.
- B) Any parking lot having five or more parking spaces that is visible from an adjacent property, street, walkway, or public open space shall have perimeter planting. The location, spacing, thickness, and height of such perimeter planting at maturity shall be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway or walkway.

- C) Parking islands shall be placed to provide visual relief and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer. Each off-street parking area with ten or more spaces shall have a minimum area of landscaped islands equivalent to one parking space (16.5m²) per every twenty parking spaces in the form of landscaped islands. One-half (½) of the said islands shall have shrubs and ground cover no higher than three feet and the other half (½) shall have trees with branches no lower than 2.13 metres (7'). Such islands shall be distributed throughout the parking area in order to break the view of long rows of parked cars in a manner not impairing visibility.
- D) The undeveloped portion of any site must be graded, contoured and seeded, if not utilized for other purposes.

6.6.4 – FREESTANDING SIGNS

- A) All proposed freestanding signs shall incorporate a mixture of low-lying shrubs and groundcover. Berming may be utilized so long as it does not impede traffic visibility.

Section 6.7 TREE PRESERVATION

6.7.1

Vegetation existing on the site shall be preserved and protected or replaced. It is not required to replace the existing vegetation if the development requires the permanent removal of the area of existing vegetation.

6.7.2

Stripping trees from a lot or filling around trees on a lot shall not be permitted unless it can be shown that grading or construction requirements necessitate removal of trees, in which case these lots shall be replanted with trees to reestablish the tone of the area and to conform to adjacent lots. Special attention shall be directed toward the preservation of major trees by professional means. Existed wooded areas shall not be cleared and converted to lawns except when directly associated with and adjacent to a proposed structure.

6.7.3

The Applicant shall replenish all trees with a caliper greater than four (4") (101 mm), which have been removed because of grading or construction requirements. Trees used for replanting shall be a minimum of 101mm (4") caliper. Replenishment of removed trees shall not account toward meeting any of the landscaping requirements noted in other sections of this Bylaw. The Development Officer shall determine whether these trees shall be planted on site, or applied in other locations within the immediate community.

Section 6.8 PERFORMANCE AND MAINTENANCE GUARANTY

6.8.1

Except as provided for in Section 6.2.1, the Development Officer shall require, as a condition of Development Permit approval, a performance and maintenance guaranty from the property owner to ensure that Landscaping is provided and maintained for two years from the time of planting. The following forms of security are acceptable:

Part B - Provisions and Regulations

- A) A cash value equal to 100% of the total landscaping cost;
- B) An irrevocable Letter of Credit in the amount of 100% of the Landscaping cost.

6.8.2

The projected cost of the landscaping improvements shall be provided by the Applicant, and be based on approved Landscape Plan. If, based on industry standards, the Development Officer determines that the Applicant's cost estimate is inaccurate it shall be adjusted accordingly by the Development Officer.

6.8.3

Cash performance and maintenance guaranties shall be held by the City in a non-interest bearing account, until the Development Officer has determined that all approved landscaping has been installed and maintained for the guaranty period. The applicant shall notify the Development Officer in writing when the landscape plan has been completed. If the Development Officer has determined that installed landscaping meets all the requirements of the Landscape Plan, the City shall provide a 75% refund to the Applicant, retaining 25% for two (2) years. If the landscaping has been well maintained for the required two (2) year maintenance period, the City shall provide a full refund of the remaining 25%.

6.8.4

Letters of Credit for performance and maintenance guaranties shall be in a form satisfactory to the Development Officer and the applicant shall notify the Development Officer in writing when the landscape plan has been completed. The letter of credit may be amended to 25% of the landscaping costs after the Development Officer has determined that the installed landscaping meets all the requirements of the Landscape Plan. Letters of Credit shall be released to the applicants if the landscaping has been well maintained for the required two-year maintenance period.

6.8.5

In instances where the Applicant has not maintained installed landscaping in a healthy condition over the maintenance period, the City may draw on the cash or security for such use.

6.8.6

In the event the Applicant has not completed the required Landscaping, or fails to maintain the Landscaping in a healthy condition for the maintenance period, and the cash or the proceeds from the Letter of Credit are insufficient for the City to complete the require work, then the owner shall pay such deficiency to the City immediately upon being invoiced. If payment is not submitted prior to December 31st in the year the work was completed this shall result in the City adding the costs to form part of the tax roll for the property.

Section 7.0 SPECIAL USE PROVISIONS

Section 7.1 BED & BREAKFAST HOMES

7.1.1

Bed and breakfast homes may be approved, where the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation, as an accessory use to a single detached dwelling or a semi-detached dwelling, and must meet the following regulations for approval:

- A) All bed and breakfast homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- B) One off street parking space for the dwelling and one off street parking space for every two (2) guest rooms shall be provided on the property.
- C) There shall be a minimum of two (2) exterior exits from the dwelling, and each room to be let shall have a minimum floor area of 10m².
- D) There shall be no kitchen facilities provided in any room to let, and only breakfast meals shall be served to guests lodging in the establishment.
- E) All bed and breakfasts shall be permitted to place one (1) sign on either the front of the building or in the front yard of the property. The sign shall not be illuminated in any way, shall have a maximum area of 0.5m², and in the case of a freestanding sign in the front yard, shall not have a height greater than one (1) metre above the general height of the front yard. All fascia signs shall be mounted in such a manner so that all parts of the sign shall be below the roofline and attached to the front wall of the house.
- F) As an accessory use, the site requirements for a bed and breakfast home shall be consistent with the specific district requirements for single detached dwellings.
- G) In addition to the development standards of the zoning district, bed and breakfast homes that are listed as discretionary uses shall be reviewed and considered in accordance with Section 3.5 of this Bylaw.

Section 7.2 DAY CARE CENTRES

7.2.1

Day care centres may be approved as an accessory use to any non-residential use, or as a principal use, and are subject to the following regulations.

- A) All day care centres must be licensed and approved under Provincial statutes.
- B) All day care centres must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) All day care centres shall provide at least 3.25m² of fenced on-site outdoor play space, suitably maintained, for each child present in the facility at any one time.

- D) In addition to the development standards of the zoning district, day care centres that are listed as discretionary uses shall be reviewed and considered in accordance with Section 3.5 of this Bylaw.

Section 7.3

FAMILY CHILD CARE HOMES

7.3.1

Family child care homes may be approved as an accessory use in a single detached dwelling, or a semi-detached dwelling, and are subject to the following regulations.

- A) All family child care homes must be licensed and approved under Provincial statutes.
- B) All family child care homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) All family child care homes shall provide at least 3.25m² of fenced on-site outdoor play space, suitably maintained, for each child present in the home at any one time.
- D) An operator of a family child care home may have up to two persons who reside outside the dwelling employed, with or without compensation, in the operation of the family child care home, provided that one parking stall for the dwelling and one parking stall for every two employees is provided on the property.
- E) In addition to the development standards of the zoning district, family child care homes that are listed as discretionary uses shall be reviewed and considered in accordance with Section 3.5 of this Bylaw.

Section 7.4

GROUP CARE FACILITIES

7.4.1

Group care facilities may be approved as an accessory use to any non-residential use, or as a principal use, and are subject to the following regulations.

- A) All group care facilities must be licensed and approved under Provincial statutes.
- B) All group care facilities must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling that would be inconsistent with the residential character of the building or property.
- D) Required parking spaces may be located in a required front yard. Tandem parking spaces may be permitted where the site has no access to a lane. Surface parking and loading spaces for group care facilities shall be located at least two (2) metres from any bedroom window and at least one (1) metres from all other windows, doors and balconies.
- E) No building or structure used for the purpose of a group care facility shall be used for the purpose of keeping boarders or lodgers.
- F) In addition to the development standards of the zoning district, group care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Bylaw.

Section 7.5 GROUP CARE HOMES

7.5.1

Group care homes may be approved as an accessory use in a single detached dwelling, or a semi-detached dwelling, and are subject to the following regulations.

- A) All group care homes must be licensed and approved under Provincial statutes.
- B) All group care homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92* or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling that would be inconsistent with the residential character of the building or property.
- D) Required parking spaces may be located in a required front yard. Tandem parking spaces may be permitted where the site has no access to a lane. Surface parking and loading spaces for Group Care Homes shall be located at least two (2) metres from any bedroom window and at least one (1) metres from all other windows, doors and balconies.
- E) No building or structure used for the purpose of a group care home shall be used for the purpose of keeping boarders or lodgers.
- F) An operator of a group care home may have up to two persons who reside outside the dwelling employed, with or without compensation, in the operation of the group care home, provided that one parking stall for the dwelling and one parking stall for every two employees is provided on the property.
- G) In addition to the development standards of the zoning district, group care homes that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Bylaw.

Section 7.6 HOME BASED BUSINESSES AND HOME OCCUPATIONS

Home based businesses and home occupations may be approved as an accessory use in a single detached dwelling, or a semi-detached dwelling, and are subject to the following regulations.

7.6.1

Permitted and prohibited home based businesses and home occupations are subject to the City of Yorkton Business Bylaw 7/97 and any subsequent amendments thereto.

7.6.2

The following development standards shall apply to all home based businesses.

- A) Home based businesses shall be conducted entirely indoors, and no more than 30% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 50m², may be occupied by home based businesses. Where more than one home occupation is approved for a dwelling unit, all the occupations together shall not exceed the 30% threshold.
- B) There shall be no exterior storage on the site in relation to the home-based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property.
- C) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.

Part B - Provisions and Regulations

- D) One hard-surfaced off-street parking space shall be required for non-resident employees, and this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of the Development Officer.
- E) No more than one business related vehicle with a gross vehicle weight of no more than 5,000kg and a total length of no more than six (6) metres may be stored on or in the vicinity of the site. An attached garage may be occupied by the home-based business provided that no required parking spaces associated with the principal use are occupied by home based businesses.
- F) No deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000kg, or by a vehicle with a total length of more than six (6) metres;
- G) No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.
- H) A home based business License is valid only for the address shown on the license application and is not transferable to any other address.
- I) In addition to the development standards of the zoning district, home based businesses that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Bylaw.

7.6.3

The following development standards shall apply to all home occupations:

- A) No persons other than residents of the dwelling shall be employed in the home occupation on the site, and no advertising that carries the address of the dwelling in which the home occupation is conducted, shall be permitted
- B) Home occupations shall utilize no more than 30% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 50m², may be occupied by the home occupation. Home occupations shall be conducted entirely indoors. Where more than one home occupation is approved for a dwelling unit, all the occupations together shall not exceed the 30% threshold.
- C) There shall be no exterior storage on the site in relation to the home occupation, and no exterior alterations or visual attachments shall be permitted that are not consistent with the residential character of the buildings and property.
- D) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home occupation shall be produced.
- E) There shall be no more than one business related vehicle with a gross vehicle weight of no more than 5,000kg and a total length of no more than six (6) metres on or in the vicinity of the site. An attached garage may be occupied by the home-based business provided that no required parking spaces associated with the principal use are occupied by home based businesses.
- F) Regardless of the number of home occupations that may be located on any one site, a total of no more than five client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than six (6) metres;
- G) No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home occupation.
- H) A home occupation license is valid only for the address shown on the license application and is not transferable to any other address.
- I) No goods, products or merchandise with the exception of home products, created and produced in the home shall be sold or displayed on the premises.

Section 7.7

RESIDENTIAL CARE FACILITIES

7.7.1

Residential care facilities may be approved as an accessory use to any non-residential use, or as a principal use, and are subject to the following regulations.

- A) All residential care facilities must be licensed and approved under Provincial statutes.
- B) All residential care facilities must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) In any residential area, no exterior alterations shall be undertaken to a dwelling or former dwelling that would be inconsistent with the residential character of the building or property.
- D) Required parking spaces may be located in a required front yard. Tandem parking spaces may be permitted where the site has no access to a lane. Surface parking and loading spaces for Residential Care Facilities shall be located at least two (2) metres from any bedroom window and at least one (1) metres from all other windows, doors and balconies.
- E) No building or structure used for the purpose of a residential care facility shall be used for the purpose of keeping boarders or lodgers.
- F) In addition to the development standards of the zoning district, residential care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Bylaw.

Section 7.8

RESIDENTIAL CARE HOMES

7.8.1

Residential care homes may be approved as an accessory use in a single detached dwelling, or a semi-detached dwelling, and are subject to the following regulations.

- A) All residential care homes must be licensed and approved under Provincial statutes.
- B) All residential care homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the *National Building Code* and the *City of Yorkton Building Bylaw 7/92*, or equivalencies as determined by the Development Officer, and are subject to re-inspection at any reasonable time thereafter.
- C) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling that would be inconsistent with the residential character of the building or property.
- D) Required parking spaces may be located in a required front yard. Tandem parking spaces may be permitted where the site has no access to a lane. Surface parking and loading spaces for residential care homes shall be located at least two (2) metres from any bedroom window and at least one (1) metres from all other windows, doors and balconies.
- E) No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- F) An operator of a residential care home may have up to two persons who reside outside the dwelling employed, with or without compensation, in the operation of the residential care home, provided that one parking stall for the dwelling and one parking stall for every two employees is provided on the property.

- G) In addition to the development standards of the zoning district, residential care homes that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Bylaw.

Section 7.9

SERVICE STATIONS

7.9.1

Service stations may be approved as a principle use, or an accessory use and must meet the following regulations for approval.

- A) Service stations shall only be permitted on corner lots, except where the access to the property is from a service road which services a highway or major roadway in the City, or where the service station is an accessory use to the principal building or use (i.e. – on a Regional Shopping Centre site).
- B) The site shall be separated from any residential site by a fully landscaped six (6) metre buffer strip of plants, trees, shrubs and/or grass. The buffer strip shall not be used for parking, and no private or public lanes shall be considered in the calculation of the 6.0m.
- C) Pumps shall be located at least six (6) metres from the front and side site lines (such requirement does not limit the ability of the City to require additional or greater setbacks in individual zoning districts).
- D) Any canopies over pump islands shall be a minimum of three (3) metres from any property line. (such requirement does not limit the ability of the City to require additional or greater setbacks in individual zoning districts).
- E) All automobile parts, dismantled vehicles and similar articles shall be stored within a building, except those sites located in an industrial district. In industrial sites, all outdoor storage shall be appropriately screened by landscaping and or / fencing.
- F) In addition to the development standards of the zoning district, service stations that are listed as discretionary uses shall be reviewed and approved in accordance with subsection 3.5 of this Bylaw.
- G) Any pumps or dispensing equipment associated with above-ground fuel storage tanks shall be located at least three (3) metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- H) All above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- I) All above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- J) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a freestanding sign in the zoning district.
- K) Painted lettering or signage may be located on above-ground fuel storage tanks subject to the *City of Yorkton Sign Bylaw 16/03*.

Section 8.0 ZONING PROVISIONS

Section 8.1 GENERAL INTENT OF DISTRICTS

Where the general intent is outlined for any district and doubt as to the purpose or intent of the district arises, the specific uses listed as permitted uses shall over-rule any other written intent.

Section 8.2 CLASSIFICATION OF DISTRICTS

8.2.1

The area within the boundaries of The City of Yorkton shall be divided into zones identified in Table 8.2.2

8.2.2

The actual name of each zone provided for in this Bylaw is set out in Table 8.2.2, and the inclusion of the common names to the right is for convenience only.

	ACTUAL NAME	COMMON NAME
8.2.2.1	R-1	General Residential
8.2.2.2	R-2	Low Density Residential
8.2.2.3	R-3	Medium Density Residential
8.2.2.4	R-4	High Density Residential
8.2.2.5	R-5	Mixed Density Residential
8.2.2.6	R-6	Manufactured Home Residential
8.2.2.7	C-1	City Center Commercial
8.2.2.8	C-2	Arterial Commercial
8.2.2.9	C-3	Highway Commercial
8.2.2.10	C-4	Neighbourhood Commercial
8.2.2.11	M-1	Light Industrial
8.2.2.12	M-2	Heavy Industrial
8.2.2.13	IN	Institutional
8.2.2.14	PR	Parks and Recreation
8.2.2.15	AC	Architectural Control
8.2.2.16	ES	Environmentally Sensitive
8.2.2.17	FD	Future Development
8.2.2.18	CZ	Contract Zone
8.2.2.19	CMI-1	Commercial-Industrial Transitional
8.2.2.20	MXURB	Mixed Use Residential - Business

<p>Amended By Bylaw No. 1/2005 [8.2.2.19]</p>

<p>Amended By Bylaw No. 32/2010 [8.2.2.20]</p>
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8.2.3

The permitted and discretionary uses are outlined in table format within the specific regulations for each zoning district. The development standards for each use are also contained within each section. Both the uses and specific standards for any given use may vary from one district to the next. Additional development standards and other provisions may be located within other sections of the individual zoning district regulations, and within other relevant portions of the Bylaw. Any reference to a specific section within the General Provisions, or Special Use Provisions does not limit the applicability of other relevant sections of this Bylaw.

Section 8.3

ZONING DISTRICTS MAP

The zoning districts as designated in Section 8.2.2 are delineated on a map titled “Schedule Z–1 – City of Yorkton Zoning Districts Map”, and are hereby declared to be part of this Bylaw.

Section 8.4

DETERMINING ZONING DISTRICT BOUNDARIES

8.4.1

A district boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane.

8.4.2

A district boundary shown approximately at the centreline of a street or lane is at the centreline of the street or lane.

8.4.3

A district boundary shown within a lot, unless specifically noted, is fixed by the scale of the zoning map.

8.4.4

A district boundary shown following approximately a shoreline or the centreline of a creek, stream or channel follows the shoreline or centreline and moves with any change in such shoreline.

8.4.5

Where a district boundary falls along a lot line, the zoning map shall indicate the lot numbers between which the boundary falls, but the zoning map need not show the lot boundary.

8.4.6

In unsubdivided land, the district boundary shall be determined by the use of the scale of the zoning map.

8.4.7

Where a single site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.

Section 8.5

TRANSITIONAL ZONING PROVISIONS

8.5.1

Notwithstanding any differences in the regulations in the applicable zoning districts, for the purposes of interpreting the transitional provisions of Section 8.2, the following changes have been made to the zoning districts of Bylaw No. 9/96 have been renamed and reorganized in this Bylaw as provided below:

Part B - Provisions and Regulations

Zoning Bylaw 9/96	Change	New Zoning Bylaw
R1 Single Family Detached	Renamed	R-1 General Residential
R2 Two Unit Dwelling	Renamed	R-2 Low Density Residential
R2A Transitional Residential	Renamed	R-5 Mixed Density Residential
R3 Multiple Unit Dwelling	Renamed	R-3 Medium Density Residential
R4 High Rise Apartment	Renamed	R-4 High Density Residential
R5 Mobile Home Developments	Renamed	R-6 Manufactured Home Residential
C1 Central Business District	Renamed	C-1 City Centre Commercial
Combine portions of 9/96 districts along West Broadway (C1,C2,C3,C3A, C4, & R3)	New District	C-2 Arterial Commercial
C2 Arterial Commercial	Revised Development Standards	CT-2 Arterial Commercial (Transitional)
C2 Highway Commercial	Renamed	C-3 Highway Commercial
C3 General Commercial	Removed	Incorporated into new C-1, C-2 and C-3 Districts
C3A Transitional Commercial	Removed	Incorporated into new C-3 District
C4 Neighbourhood Commercial	Remains	C-4 Neighbourhood Commercial
M1 Light Industrial	Remains	M-1 Light Industrial
M2 Heavy Industrial	Remains	M-2 Heavy Industrial
I Institutional	Renamed	IN Institutional
PR Parks and Recreation	Remains	PR Parks and Recreation
	New District	AC Architectural Control (overlay)
Restricted Development	Renamed	ES Environmentally Sensitive (overlay)
Urban Reserve	Renamed	Future Development (overlay)
Contract Zone	Remains	Contract Zone

Amended By
Bylaw
No. 17/2007

Section 8.6 OVERLAY ZONING DISTRICTS

Overlay zoning districts apply additional regulations to specific lands and are indicated on the Zoning Districts Map. These regulations add to the regulations contained in the conventional zoning district applicable to a site. Where the conventional zoning district regulations applicable to a site appear to be in conflict with the overlay zone regulations applicable to a site, the overlay zone regulations shall take precedence.

Section 9.0 GENERAL RESIDENTIAL – R-1

Section 9.1 GENERAL RESIDENTIAL (R-1)

The General Residential designation is designed to establish and preserve neighbourhoods of primarily single detached dwellings, on standard small to medium sized lots, while allowing for a mix of other compatible accessory uses. The Permitted and Discretionary Uses in the R-1 District are outlined below:

Amended By Bylaw No. 5/2006

9.1.1	Permitted Uses	9.1.2	Discretionary Uses
9.1.1.1	Essential Public Services and Utilities	9.1.2.1	Bed and Breakfast Homes (Section 7.1)
9.1.1.2	*Home Occupations (Section 7.6)	9.1.2.2	Community Facilities
9.1.1.3	*Home Based Business (Section 7.6)	9.1.2.3	Family Child Care Homes (Section 7.3)
9.1.1.4	Public Parks And Playgrounds	9.1.2.4	Group Care Homes (Section 7.5)
9.1.1.5	Single Detached Dwellings	9.1.2.6	Semi-Detached Dwellings
9.1.1.6	Uses Accessory to Permitted Uses		
9.1.1.7	Uses Accessory to Discretionary Uses		
9.1.2.5	Residential Care Homes (Section 7.8)		

*Permitted and prohibited home occupations and home based businesses are prescribed in City of Yorkton Business License Bylaw # 8/06, or any subsequent amendments thereto.

Section 9.2 R-1 DEVELOPMENT STANDARDS

9.2.1 Minimum Lot Dimensions		WIDTH	DEPTH
USE			
9.2.1.1	Essential Public Services and Utilities	No minimum lot size	
9.2.1.2	Public Parks and Playgrounds	No minimum lot size	
9.2.1.3	Single Detached Dwellings – Interior	15.0m	34.0m
9.2.1.4	Single Detached Dwellings – Corner	6.5m	34.0m
9.2.1.5	Semi-Detached Dwellings	As per R-2 lot requirements	

9.2.2

Minimum Setback Requirements

Amended By
Bylaw Nos.
2/2006 and
26/2006

	<i>USE</i>	FRONT	SIDE	REAR
9.2.2.1	Essential Public Services and Utilities	No setback requirements		
9.2.2.2	Public Parks and Playgrounds	No setback requirements		
9.2.2.3	Single Detached Dwellings (general)			
	(A) 1 & 1.5 storey	6.0 m	1.2 m	6.0 m
	(B) 2 & 2.5 storey	6.0 m	1.8 m	6.0 m
	(C) Corner lot	6.0 m	3.0m where a garage facing the flanking street is constructed	4.5 m if a 3.0 m side yard is required otherwise 6.0 m
9.2.2.4	Single Detached Dwellings (Southwest Subdivision excluding Parkview Subdivision) As detailed in 9.2.2.3 except that front setbacks may be reduced to 4.5 m where the offset exceeds 2.0 m.			
9.2.2.5	Single Detached Dwellings (Riverside Terrace) (A) up to 2.5 storeys	7.5 m and attached garages shall be set back from the front façade by 1.0 m min. see clause 9.2.8 for additional setback requirements	3.0 m	7.5 m
9.2.2.6	Semi-detached Dwellings	As per R-2 lot requirements		

Amended By
Bylaw
No. 7/2008
(Section 9.2.2.3)
(as per details at end of section)

Amended By
Bylaw
No. 3/2008
(Section 9.2.2.5)

NOTE: DETAILS

Amended By Bylaw
No. 5/2009
(Section 9.2.2.3(B))

Bylaw No. 5/2009 – 75 Smith Street West – Section 9.2.2.3(B), minimum side yard setback from 1.8m to 1.0m.

9.2.3 – Maximum Height

The maximum principal building height is 10.5m or 2.5 storeys.

9.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 40%

9.2.5 – Minimum Floor Area

The minimum floor area per dwelling unit shall be as follows:

Amended By
Bylaw No.
26/2006

- A) Single Detached Dwelling, 78.0m²
- B) Single Detached Dwelling in the Parkview Subdivision, 112.0 m²**
- C) Single Detached Dwelling in the Riverside Terrace Subdivision, 190m², and**
- D) Semi-Detached Dwelling, 67.0m²

9.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

9.2.7 – Increased Site Coverage

The total permitted site coverage may be increased for attached covered patios and decks or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 50%.

~~9.2.8 – Architectural Controls for Riverside Terrace Subdivision~~

~~The minimum architectural controls shall be applied to the Riverside Subdivision:~~

~~a) Principal and accessory building façades:~~

- ~~i. The use of vinyl siding is prohibited;~~
- ~~ii. 100% of the façade may be covered in brick, stone, or other similar material;~~
- ~~iii. Stucco or other cement based cover may be used to a maximum of 60% of the building (excluding windows and doors) with the remainder consisting of brick, stone, or other similar material; and~~
- ~~iv. Approval of alternative materials not specifically provided for shall be at the discretion of the Development Officer.~~

~~b) Attached garages shall be set back from the front façade by a minimum of 1.0 m~~

~~c) Roof design may have features in addition to chimneys but such features (i.e. skylights, ventstacks, solar panels, satellite dishes) shall not be visible from the roadway frontage. Total skylight area is limited to 1.0 m of total glass surface.~~

~~d) Porches, balconies and verandas shall not extend beyond setback lines and the columns supporting such extensions shall be covered in brick, stone, stucco, or other similar material. Decorative wood features may be approved at the discretion of the Development Officer.~~

Amended By
Bylaw No.
26/2006

Amended By
Bylaw
No. 3/2008

9.2.8 - Architectural Controls and Design Guidelines for Riverside Terrace Subdivision:

a) Principal and accessory building façades:

- i. The use of vinyl siding is prohibited;
- ii. 100% of the façade may be covered in brick, stone, or other similar material; Alternatively, stone or brick shall be used as a complimentary finish, and shall comprise a minimum of 25% and blend in to create a uniform look of the main elevation and wrap each side elevation a minimum of .61 m (two (2') feet).
- iii. Stucco or other cement based cover may be used to a maximum of 60% of the building (excluding windows and doors) with the remainder consisting of brick, stone, or other similar material; and
- iv. Approval of alternative materials / proportions of materials not specifically provided for shall be at the discretion of the Development Officer.
- v. Acceptable colours are natural earth hues and muted pastels of brown, red, green, grey, blue or purple for the main body of the house. No bright colours will be approved. A Restrictive Covenant shall be registered on Title requiring the owner to obtain the written approval of the Department of Planning and Engineering if changes are requested to the colours originally approved by the City.
- vi. Varied roof lines and designs will be required in order to further define individual dwelling units. Roof design may have features in addition to chimneys but such features as vent stacks, satellite dishes, etc. shall not be visible from the roadway frontage. Total skylight area is limited to 3.0 m² of total glass surface, but the Development Officer may approve an increase in this limit.

- vii. **Garages may be constructed as either a front attached, rear attached, or detached double garage, must be designed to reflect the character of the principal dwelling unit, and must reflect the materials used on the front façade of the principal dwelling unit. The Development Officer may approve garages extending beyond the front wall of the principal dwelling provided the garage is turned so the front of the garage is a side elevation and is designed to reflect the architectural character of the principal dwelling. ~~Triple garages are permitted only as a rear attached or rear detached triple garage.~~ At least one parking space located within a required garage shall be 8 m in length to provide 2 m for storage of lawn, gardening equipment, snow removal equipment and garbage receptacles. The Development Officer may approve double attached garages to face the front elevation and extend beyond the façade of the dwelling when the dimensions of the lot do not permit the owner to provide side entrances. Front-facing garages must be designed to create the same building façade as the main residence and have architectural features that minimize the visual impact of the garage doors.**

Amended By
Bylaw
No. 5/2010

Amended By
Bylaw
No. 31/2008

- viii. **Porches, balconies and verandas shall not extend beyond setback lines and the columns supporting such extensions shall be covered in brick, stone, stucco, or other similar material. Decorative wood features may be approved at the discretion of the Development Officer.**
- ix. **Dwelling units which have the same or similar exterior (siding / trim / shingles) colour combination and / or façade, and the same general architectural design shall not be permitted, even if one building plan is "flipped" to create diversity.**
- x **The provision of basement walk-outs where lot contours permits (i.e., at the rear of houses located on lots backing onto the Yorkton Creek natural feature) is encouraged. All exposed basement walls where walk-out basements are installed shall be finished in a material and colour that complements the façade on the upper floors of the dwelling unit.**

b) Site Plan Control

Prior to the submission of an application for a building permit, the Purchaser shall:

- 1. Submit a Site Plan showing the building footprint of all buildings, lot dimensions, setback requirements, areas of paved and permeable surface to the Department of Planning and Engineering for approval;**
- 2. Submit front, rear and side elevation plans of the buildings to be constructed on the lot, at a minimum scale of 1 inch = 20 feet, indicating the materials to be used, and as closely as possible the colour of each material to the Department of Planning and Engineering for approval;**
- 3. Submit a landscaping plan for the entire lot showing the location of trees, shrubs, flowerbeds, garden ponds, rain gardens, patios, decks and other fixed structures to the Department of Planning and Engineering for approval; Front yard landscaping shall be completed by the builder or homeowner within 24 months from the**

start of construction. At least 25% of the front yard, excluding driveways, porches and other permitted encroachments, shall be landscaped. All front yards to the front corners of the house must be fully sodded. Rear yards must have a minimum of .15 m (six (6") inches) of topsoil. The contractor shall prepare all surfaces to final grade.

4. The Purchaser shall submit a Site Grading and Drainage Plan showing the elevations of the final grade and proposed on-site drainage to the Department of Planning and Engineering for review and approval. The proposed Site Grading and Drainage Plan must conform to the Grading and Drainage Plan for the Riverside Terrace Subdivision; Engineering Services may approve changes that are not inconsistent with the overall Grading and Drainage Plan.

c) Minimum Square Footage / Building Footprint

The minimum square footage for a single detached bungalow, bi-level or split-level dwelling (not including garage) shall be 111.5 sq. m. (1,200 sq. ft.) above grade for Lots 4, 23 and 25; the minimum square footage for all other lots for a single detached bungalow, bi-level or split-level dwelling (not including garage) shall be 149 sq. m. (1,600 sq. ft.) above grade. The minimum size for a two-story dwelling shall be 130 sq. m. (1,400 sq. ft.) above grade for Lots 4, 23 and 25; the minimum square footage for all other lots for a two-story dwelling shall be 185.8 sq. m. (2,000 sq ft) above grade.

d) Fencing

The perimeter fencing along the rear lot lines of lots backing onto the Yorkton Creek natural area shall be installed by the City, at the lot owner's expense, to the standards established by the Department of Planning and Engineering (Types of fencing to be recommended by the homeowners association). Gates providing access by individual lot owners to the Yorkton Creek natural area shall be installed at the request of the lot owner by the City, at the lot owner's expense. The City shall fence pathways providing access to the Yorkton Creek natural area. Side yard fencing, other than fencing provided along access pathways, shall be the responsibility of each individual lot owner and should be of the same style as the fences installed by the City and built in conformance with the standard established by the City. Interior lot fencing should mimic natural wood, but may be made of non-wood materials (i.e., vinyl, manufactured lumber, wrought iron, or combinations of materials), subject to the approval of the Development Officer. Fence heights shall be 1.0 m for any fence in the front yard that extends beyond the front wall of the principal building, a maximum of 2.0 m for any fence that does not extend into the front yard, and a maximum of 2.0 m for any fence adjacent to an internal public walkway. All fencing shall be of a decorative nature. Fencing that extends beyond the front wall may vary from the fencing style for the side yards and rear yards, and may consist of wrought iron, faux wrought iron, brick, stone, or board on board. Chain-link fencing is prohibited in the Riverside Subdivision. Details on proposed fencing designs shall be included in front yard landscaping plans and is subject to the approval of the Department of Planning and Engineering.

e) Outdoor Lighting

All outdoor lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent property, including streets. In addition, lights shall be designed and installed to minimize as much as possible light pollution (i.e., Any adverse effect of artificial light including sky glow

f) Satellite Dish Receivers/Solar Panels/Wind Chargers

No satellite dish receivers shall be visible from the front lot line; on corner lots, every effort should be made to minimize the visual impact of satellite dish receivers as seen from the secondary roadway. If solar panels will be visible from secondary roads, the colour of the shingles should match the colour of the solar panels as closely as possible. Wind chargers are not permitted.

g) Outdoor Storage and Maintenance

No outdoor storage or collection of goods or commodities or other forms of materials shall be permitted. No yard or portion thereof shall be used for the outdoor storage of machinery, including recreational vehicles (i.e., motor homes, travel trailers, tent trailers, all-terrain vehicles, boats, utility trailers, horse trailers, etc.). However, storage of machinery, recreational vehicles, boats, etc. shall be permitted within a wholly enclosed garage.

h) Grading and Leveling of Site

The Purchaser shall be responsible for the final grading and leveling of the site, and shall have access to 4" to 6" of topsoil for the purpose of landscaping their property. The final grading shall conform to the Lot Grading and Drainage Plan for the subdivision, as prepared by the Department of Planning and Engineering.

i) Soil Erosion Control

Suitable soil erosion control techniques shall be installed by the Purchaser prior to the issuance of a building permit, to the satisfaction of the Department of Planning and Engineering. The provisions of Section 4.25 of Zoning Bylaw 14/2003 shall apply.

~~9.2.8~~ 9.2.9 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. "Day Care Centre (Section 7.2)", such notation shall specify that additional requirements pertaining to that use are located within the noted section.

~~9.2.9~~ 9.2.10 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29

Part C – Residential Zoning Districts

F)	Trash Enclosures	Section 4.31
G)	Fencing	Section 4.32
H)	Residential Building Design	Section 4.33 – 4.34
I)	Recreational Facilities	Section 4.35
J)	Accessory Buildings	Section 4.5
K)	Landscaping Requirements	Section 6.0
L)	Parking and Loading Requirements	Section 5.0
M)	Signage <i>City of Yorkton Sign Bylaw 16/03</i> (or subsequent amendments thereto)	

NOTE:
DETAILS

Bylaw No. 7/2008 – 216 Roslyn Ave. – Clause 9.2.2.3 – (B) front yard setback of 6.0m is hereby reduced to 4.7m.

Section 10.0 LOW DENSITY RESIDENTIAL – R-2

Section 10.1 LOW DENSITY RESIDENTIAL (R-2)

The Low Density Residential designation is designed to establish and preserve neighbourhoods of primarily semi-detached, and single detached dwellings, while allowing for a mix of other accessory and compatible uses. The Permitted and Discretionary Uses in the R-2 District are outlined below:

Amended By
Bylaw
No. 5/2006

Amended
By
Bylaw No.
29/2006
[10.1.2.9]

10.1.1	Permitted Uses	10.1.2	Discretionary Uses
10.1.1.1	Essential Public Services and Utilities	10.1.2.1	Bed and Breakfast Homes (Section 7.1)
10.1.1.2	*Home Occupations (Section 7.6)	10.1.2.2	Boarding or Lodging Homes
10.1.2.3	*Home Based Businesses (Section 7.6)	10.1.2.3	Community Facilities
10.1.1.4	Public Parks And Playgrounds	10.1.2.4	Duplex Dwellings
10.1.1.5	Semi-Detached Dwellings	10.1.2.5	Family Child Care Homes (Section 7.3)
10.1.1.6	Single Detached Dwellings	10.1.2.6	Group Care Homes (Section 7.5)
10.1.1.7	Uses Accessory to Permitted Uses	10.1.2.8	Three or Four Unit Dwellings
10.1.1.8	Uses Accessory to Discretionary Uses	10.1.2.9	Residential Care Facilities, maximum 10 residents excluding staff (Section 7.7)
10.1.2.7	Residential Care Homes (section 7.8)		

*Permitted and prohibited home occupations and home based businesses are prescribed in City of Yorkton Business License Bylaw # 8/06, or any subsequent amendments thereto.

Section 10.2 R-2 DEVELOPMENT STANDARDS

10.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
10.2.1.1 Essential Public Services and Utilities	No minimum lot size	
10.2.1.2 Public Parks and Playgrounds	No minimum lot size	
10.2.1.3 Single Detached Dwellings	As per R-1 lot requirements	
10.2.2.4 Three or Four Unit Dwellings	As per R-3 lot requirements	
10.2.1.5 Two-Unit Dwellings		
(A) Duplex Dwellings	17.0m	34.0m
Corner Lot	18.5m	34.0m
(B) Semi-detached Dwellings	8.5m per unit	34.0m
Corner Lot	40.0m 7.5m	34.0m

Amended By
Bylaw
No. 35/2009
[Section
10.2.1.5(B)]

10.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
10.2.3.1 Essential Public Services and Utilities	No setback requirements		
10.2.3.2 Public Parks and Playgrounds	No setback requirements		
10.2.3.3 Single Detached Dwellings	As per R-1 setback requirements		
10.2.3.4 Three or Four Unit Dwellings	As per R-3 setback requirements		
10.2.3.5 Two Unit Dwellings			
(A) Duplex Dwellings	6.0m	1.2m	7.5m 6.0m
1 & 1.5 Storeys	6.0m	1.2m	7.5m 6.0m
2 & 2.5 Storeys	6.0m	1.8m	7.5m 6.0m
(B) Semi-detached Dwellings	6.0m	1.2m	7.5m 6.0m
1 & 1.5 Storeys	6.0m	1.2m	7.5m 6.0m
2 & 2.5 Storeys	6.0m	1.8m	7.5m 6.0m
(C) All Corner Lots	6.0m	3.0m (Flanking Street)	4.5m

Amended By
Bylaw
No. 20/2009
(Section
10.2.3.5)

10.2.3 – Maximum Height

The maximum principal building height is 10.5m or 2.5 storeys.

10.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than ~~40~~ **45%**

10.2.5 – Minimum Floor Area

The minimum floor area per dwelling unit shall be as follows:

- A) Single Detached Dwellings, 78.0m²
- B) Semi-Detached Dwellings, 67.0m²
- C) Duplex Dwellings, 67.0m²

10.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

10.2.7 – Increased Site Coverage

The total permitted site coverage may be increased for attached covered patios and decks or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 50%.

10.2.8 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 9.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m²;
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.

Amended By
Bylaw
No. 8/2010

Part C – Residential Zoning Districts

- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity space shall be provided at the following standard, per unit:
 - i. Bachelor Unit, 4.5m² per unit
 - ii. One-bedroom Unit, 9.0m² per unit
 - iii. Two-bedroom Unit, 18.0m² per unit
 - iv. Three-bedroom Unit, 27.0m² per unit

10.2.9 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

10.2.10 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|---|
| N) Site Plan Development Standards | Section 3.8 – 3.10 |
| O) Subdivisions | Section 3.11– 3.13 |
| P) Excavation, Stripping, and Grading | Section 4.24 |
| Q) Soil Erosion Control | Section 4.25 |
| R) Sidewalk and Pedestrian Access | Section 4.29 |
| S) Trash Enclosures | Section 4.31 |
| T) Fencing | Section 4.32 |
| U) Residential Building Design | Section 4.33 – 4.34 |
| V) Recreational Facilities | Section 4.35 |
| W) Accessory Buildings | Section 4.5 |
| X) Landscaping Requirements | Section 6.0 |
| Y) Parking and Loading Requirements | Section 5.0 |
| Z) Signage | <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto) |

Section 11.0

MEDIUM DENSITY RESIDENTIAL - R-3

Section 11.1

MEDIUM DENSITY RESIDENTIAL (R-3)

The Medium Density Residential designation is designed to establish and preserve neighbourhoods of primarily multi-unit and higher density dwellings, while allowing for a mix of accessory and other compatible uses. The Permitted and Discretionary Uses in the R-3 District are outlined below:

Amended By
Bylaw
No. 5/2006

11.1.1	Permitted Uses	11.1.2	Discretionary Uses
11.1.1.1	Apartments	11.1.2.1	Bed and Breakfast Homes (Section 7.1)
11.1.1.2	Apartments – Senior Citizens	11.1.2.2	Boarding or Lodging Homes
11.1.1.3	Essential Public Services and Utilities	11.2.2.3	Community Facilities
11.1.1.4	**Home Occupations (Section 7.6)	11.1.2.4	Duplex Dwellings
11.1.1.5	**Home Based Businesses (Section 7.6)	11.1.2.5	Family Child Care Homes (Section 7.3)
11.1.1.6	Public Parks And Playgrounds	11.1.2.6	Group Care Homes (Section 7.5)
11.1.1.7	Rowhouses	11.1.2.7	*Health Services
11.1.1.8	Three of Four Unit Dwellings	11.1.2.8	*Professional Offices
11.1.1.9	Townhouses	11.1.2.9	*Personal Service Establishments
11.1.1.10	Uses Accessory to Permitted Uses	11.1.2.11	* ¹ Retail Store – Convenience
11.1.1.11	Uses Accessory to Discretionary Uses	11.1.2.12	Semi-Detached Dwellings
11.1.2.10	Residential Care Homes (Section 7.8)	11.1.2.13	Single Detached Dwellings
		11.1.2.14	Residential Care Facilities, maximum 10 residents excluding staff (Section 7.7)

Amended By
Bylaw No.
29/2006
[11.1.2.14]

*Only when attached and accessory to an Apartment or Apartment – Senior Citizens

¹ Both Commercial and Residential permitted on the main floor in the R-3 and R-4 District only, and where commercial access is from the exterior of the building only.

**Permitted and prohibited home occupations and home based businesses are prescribed in City of Yorkton Business License Bylaw # 8/06, or any subsequent amendments thereto.

Section 11.2

R-3 DEVELOPMENT STANDARDS

11.2.1	Minimum Lot Dimensions	WIDTH	DEPTH
USE			
11.2.1.1	Apartments	As per R-4 lot requirements	
11.2.1.2	Apartments – Senior Citizens	As per R-4 lot requirements	
11.1.2.3	Duplex Dwellings	As per R-2 lot requirements	
11.2.1.4	Essential Public Services and Utilities	No minimum lot size	
11.2.1.5	Public Parks and Playgrounds	As per R-1 lot requirements	
11.2.1.6	Row Houses	No minimum lot size	
11.2.2.7	Semi-Detached Dwellings	As per R-2 lot requirements	
11.2.2.8	Single Detached Dwellings	As per R-1 lot requirements	
11.2.1.9	Three or Four Unit Dwellings	17.0m	34.0m
11.2.1.10	Townhouses	No minimum lot size	

Amended By
Bylaw
No. 21/2008
(Section
11.2.2.7)
(as per details at
end of section)

**11.2.2
Minimum Setback Requirements**

Amended By
Bylaw
No. 7/2009
(Section
11.2.2.2)
(as per details at
end of section)

Amended By
Bylaw
No. 20/2009
(Sections
11.2.2.6,
11.2.2.9,
11.2.2.10)

USE	FRONT	SIDE	REAR
11.2.2.1 Apartments	As per R-4 setback requirements		
11.2.2.2 Apartments – Senior Citizens	As per R-4 setback requirements		
11.2.2.3 Duplex Dwellings	As per R-2 setback requirements		
11.2.2.4 Essential Public Services and Utilities	As per R-1 setback requirements		
11.2.2.5 Public Parks and Playgrounds	As per R-1 setback requirements		
11.2.2.6 Row Houses	6.0m	1.8m	7.5m 6.0m
11.2.2.7 Semi-Detached Dwellings	As per R-2 setback requirements		
11.2.2.8 Single Detached Dwellings	As per R-1 setback requirements		
11.2.2.9 Three or Four Unit Dwellings	6.0m	1.2m	7.5m 6.0m
11.2.2.10 Townhouses	6.0m	1.8m	7.5m 6.0m

Amended By
Bylaw
No. 27/2010

11.2.3 – Maximum Height
The maximum principal building height is ~~42.6m or 3.0 storeys~~ **16.8m or 4.0 storeys**.

11.2.4 – Maximum Site Coverage
The maximum land area that may be built upon shall be no more than:

Amended By
Bylaw
No. 8/2010

- A) 50% for all apartment, or apartment – senior citizens buildings
- B) ~~40~~ **45%** for all other uses

11.2.5 – Minimum Floor Area
The minimum floor area per dwelling unit shall be as follows:

- A) Single Detached Dwellings, 78.0m²
- B) Semi-Detached Dwellings, 67.0m²

11.2.6 – Mean Site Width
Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

11.2.7 – Increased Site Coverage
The total permitted site coverage may be increased for attached covered patios and decks or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 50%.

11.2.8 – Amenity Space
The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 9.0m².
- B) All private balconies, that are to be included as amenity space, shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space, shall have minimum dimensions of 6.0 metres by 3.0 metres.

Amended By
Bylaw
No. 7/2009

~~D) Except for balconies, amenity space shall not be located in any required front yard.~~

D) Except for balconies, and Apartments –Senior Citizens projects located on Lot 7 Alderwood Pl. as shown on Schedule ‘A’ attached hereto, amenity space shall not be located in any required front yard. All amenity spaces located in a front yard shall be screened from view by a decorative fence or vegetative border between the amenity area and the public street, to the satisfaction of the Development Officer.

E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.

F) Amenity space shall be provided at the following standard, per unit:

- i. Bachelor Unit, 4.5m² per unit
- ii. One-bedroom Unit, 9.0m² per unit
- iii. Two-bedroom Unit, 18.0m² per unit
- iv. Three-bedroom Unit, 27.0m² per unit

11.2.9 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.3)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

11.2.10 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

AA) Site Plan Development Standards	Section 3.8 – 3.10
BB) Subdivisions	Section 3.11– 3.13
CC) Excavation, Stripping, and Grading	Section 4.24
DD) Soil Erosion Control	Section 4.25
EE) Sidewalk and Pedestrian Access	Section 4.29
FF) Trash Enclosures	Section 4.31
GG) Fencing	Section 4.32
HH) Residential Building Design	Section 4.33 – 4.34
II) Recreational Facilities	Section 4.35
JJ) Accessory Buildings	Section 4.5
KK) Landscaping Requirements	Section 6.0
LL) Parking and Loading Requirements	Section 5.0
MM) Signage	<i>City of Yorkton Sign Bylaw #16/03 (or subsequent amendments thereto)</i>

NOTE:
DETAILS

Bylaw No. 21/2008 – 44 & 46 Clarke Avenue – Section 11.2.2.7 – Minimum lot width from 10.0m and 8.5m (corner lot and next in) , respectively to 7.6m; Minimum corner lot side yard setback from 3.0m to 1.4m.

Bylaw No. 7/2009 – 7 Alderwood Place – Section 11.2.2.2 – Minimum rear yard setback from 7.5m to 6.0m

Section 12.0 HIGH DENSITY RESIDENTIAL – R-4

Section 12.1 HIGH DENSITY RESIDENTIAL (R-4)

The High Density Residential designation is designed to establish and preserve neighbourhoods of primarily multi-unit and higher density dwellings, while allowing for a mix of accessory and other compatible uses. The Permitted and Discretionary Uses in the R-4 District are outlined below:

12.1.1	Permitted Uses	12.2.1	Discretionary Uses
12.1.1.1	Apartments	12.2.1.1	Community Facilities
12.1.1.2	Apartments – Senior Citizens	12.2.1.2	*Health Services
12.1.1.3	Essential Public Services and Utilities	12.2.1.3	*Professional Offices
12.1.1.4	**Home Occupations (Section 7.6)	12.2.1.4	*Personal Service Establishments
12.1.1.5	**Home Based Businesses (Section 7.6)	12.2.1.5	* ¹ Retail Store – Convenience
12.1.1.6	Public Parks And Playgrounds		
12.1.1.7	Rowhouses		
12.1.1.8	Townhouses		
12.1.1.9	Uses Accessory to Permitted Uses		
12.1.1.10	Uses Accessory to Discretionary Uses		

*Only when attached and accessory to an Apartment or Apartment – Senior Citizens

¹ Both Commercial and Residential permitted on the main floor in the R-3 and R-4 District only, and where commercial access is from the exterior of the building only.

**Permitted and prohibited home occupations and home based businesses are proscribed in City of Yorkton Business License Bylaw # 7/97, or any subsequent amendments thereto.

Section 12.2 R-4 DEVELOPMENT STANDARDS

12.2.1 Minimum Lot Dimensions USE	WIDTH	DEPTH
---	-------	-------

12.2.1.1 No minimum lot size

12.2.2 Minimum Setback Requirements USE	FRONT	SIDE	REAR
---	-------	------	------

12.2.2.1 Apartments & Apartments – Senior Citizens	7.5m	1.8m	7.5m
---	------	------	------

- (A) For each side of a building that contains main or living room windows, the minimum yard dimension, at right angles to such windows, shall be 7.5m.
- (B) For each side of a building that contains habitable room window, the minimum yard dimension, at right angles to such windows, shall be 4.5m or one half the height of the wall, whichever is greater.
- (C) For each side of a building that contains non-habitable room windows or blank walls, the minimum yard dimension, at right angles to such windows, shall be 1.8m, plus 0.6m for each additional storey.

Part C – Residential Zoning Districts

- (D) Where two or more buildings face each other or meet at an angle of less than 90 degrees, the sum of the minimum yard clearances required for each building shall be the minimum allowable distance between the buildings.
- (E) The minimum side yard on the flanking street of a corner lot shall be no less than 3.0m.

12.2.2.2	Essential Public Services and Utilities	As per R-1 setback regulations
12.2.2.3	Public Parks and Playgrounds	As per R-1 setback regulations
12.2.2.4	Rowhouses	As per R-3 setback regulations
12.2.2.5	Townhouses	As per R-3 setback regulations

12.2.3 – Maximum Height

The maximum principal building height is 25.2m or 6.0 storeys.

12.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

12.2.5 – Minimum Floor Area per Unit

There is no minimum main floor area per dwelling unit in the R-4 District

12.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

12.2.7 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 9.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity space shall be provided at the following standard, per unit:
 - i. Bachelor Unit, 4.5m² per unit
 - ii. One-bedroom Unit, 9.0m² per unit
 - iii. Two-bedroom Unit, 18.0m² per unit
 - iv. Three-bedroom Unit, 27.0m² per unit

12.2.8 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

12.2.9 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

NN)	Site Plan Development Standards	Section 3.8 – 3.10
OO)	Subdivisions	Section 3.11– 3.13
PP)	Excavation, Stripping, and Grading	Section 4.24
QQ)	Soil Erosion Control	Section 4.25
RR)	Sidewalk and Pedestrian Access	Section 4.29
SS)	Trash Enclosures	Section 4.31
TT)	Fencing	Section 4.32
UU)	Residential Building Design	Section 4.33 – 4.34
VV)	Recreational Facilities	Section 4.35
WW)	Accessory Buildings	Section 4.5
XX)	Landscaping Requirements	Section 6.0
YY)	Parking and Loading Requirements	Section 5.0
ZZ)	Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)	

Section 13.0

MIXED DENSITY RESIDENTIAL – R-5

Section 13.1

MIXED DENSITY RESIDENTIAL (R-5)

The Mixed Density Residential designation is designed to establish and preserve neighbourhoods of primarily multi-unit and mixed density dwellings, while allowing for a mix of accessory and compatible uses. The Permitted and Discretionary Uses in the R-5 District are outlined below:

Amended By Bylaw No. 5/2006		13.1.1 Permitted Uses		13.1.2 Discretionary Uses
	13.1.1.1	Apartments	13.1.2.1	Community Facilities
	13.1.1.2	Apartments – Senior Citizens	13.1.2.2	Bed and Breakfast Homes (Section 7.1)
	13.1.1.3	Duplex Dwellings	13.1.2.3	Boarding or Lodging Houses
	13.1.1.4	Essential Public Services and Utilities	13.1.2.4	Family Child Care Homes (Section 7.3)
	13.1.1.5	Home Occupations (Section 7.8)	13.1.2.5	Home Based Businesses (Section 7.6)
	13.1.1.6	Public Parks And Playgrounds	13.1.2.6	Residential Care Facilities, maximum 10 residents excluding staff (Section 7.7)
	13.1.1.7	Rowhouses		
	13.1.1.8	Semi-Detached Dwellings		
	13.1.1.9	Single Detached Dwellings		
	13.1.1.10	Three of Four Unit Dwellings		
	13.1.1.11	Townhouses		
	13.1.1.12	Uses Accessory to Permitted Uses		
	13.1.1.13	Uses Accessory to Discretionary Uses		
	13.1.2.6	Residential Care Homes (Section 7.8)		

Amended
By Bylaw
No. 29/2006
[13.1.2.6]

Section 13.2

R-5 DEVELOPMENT STANDARDS

13.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
13.2.1.1 Apartments	As per R-4 lot requirements	
13.2.1.2 Apartments – Senior Citizens	As per R-4 lot requirements	
13.2.1.3 Duplex Dwellings	As per R-2 lot requirements	
(A) Interior Lot	15.0m	34.0m
(B) Corner Lot	18.5m	34.0m
13.2.1.4 Essential Public Services and Utilities	No minimum lot size	
13.2.1.5 Public Parks and Playgrounds	No minimum lot size	
13.2.1.6 Row Houses	As per R-3 lot requirements	
13.2.1.7 Semi-Detached Dwellings	As per R-2 lot requirements	
(A) Interior Lot	7.5m per unit	34.0m
(B) Corner Lot	10.0m per unit	34.0m

Amended By
Bylaw No. 12/2009
[13.2.1.3,
13.2.1.7, 13.2.1.8]

Amended By
Bylaw
No. 14/2008
(Sections 13.2.1.7
& 13.2.1.8)
(as per details at
end of section)

13.2.8.2 – All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².

13.2.8.3 – A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.

13.2.8.4 – Except for private balconies, amenity space shall not be located in any required front yard.

13.2.8.5 – Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.

13.2.8.6 – Amenity space shall be provided at the following standard, per unit:

- A) Bachelor Unit, 4.5m² per unit
- B) One-bedroom Unit, 9.0m² per unit
- C) Two-bedroom Unit, 18.0m² per unit
- D) Three-bedroom Unit, 27.0m² per unit

13.2.9 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

13.2.10 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|---|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11– 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |
| H) Residential Building Design | Section 4.33 – 4.34 |
| I) Recreational Facilities | Section 4.35 |
| J) Accessory Buildings | Section 4.5 |
| K) Landscaping Requirements | Section 6.0 |
| L) Parking and Loading Requirements | Section 5.0 |
| M) Signage | <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto) |

NOTE:
DETAILS

Bylaw No. 14/2008 – 162 Ontario Avenue – Section 13.2.1.7, minimum lot depth from 34.0m to 28.0m; Section 13.2.1.8, minimum lot depth from 34.0m to 28.0m.

Bylaw No. 22/2008 – 97 Tupper Avenue – Section 13.2.2.8, minimum side yard setback from 1.2m to 0.91m and minimum setback only for the porch from 6m to 4.5m.

Amended
By Bylaw
No. 35/2008

Bylaw No. 35/2008 – Seventh Avenue North – Notwithstanding the provisions of the Mixed Density Residential R-5 Zoning District, a mixed use development with commercial uses on the ground floor and residential uses above is permitted on Lots 1 & 2, Blk. 2, Plan 01Y01012.

Amended By
Bylaw
No. 6/2009
(Section 13.2.1.8)

Bylaw No. 6/2009 – 98 Independent Street – Section 13.2.1.8 – minimum lot width from 15.0m to 13.1m.

Section 14.0

MANUFACTURED HOME RESIDENTIAL – R-6

Section 14.1

MANUFACTURED HOME RESIDENTIAL (R-6)

The Manufactured Home Residential designation is designed to establish and preserve neighbourhoods for mobile and modular residential developments, while allowing for individual lots where appropriate, and for a mix of accessory and other compatible uses. The Permitted and Discretionary Uses in the R-6 District are outlined below:

14.1.1	Permitted Uses	14.1.2	Discretionary Uses
14.1.1.1	Essential Public Services and Utilities	14.1.2.1	Bed and Breakfast Homes (Section 7.1)
14.1.1.2	*Home Occupations (Section 7.6)	14.1.2.2	Community Facilities
14.1.1.3	*Home Based Businesses (Section 7.6)	14.1.2.3	Duplex Dwellings
14.1.1.4	Manufactured Home	14.1.2.4	Family Child Care Homes (Section 7.3)
14.1.1.5	Manufactured Home Park (Section 14.3)	14.1.2.5	Group Care Homes (Section 7.4)
14.1.1.6	Public Parks And Playgrounds	14.1.2.6	Residential Care Homes (Section 7.8)
14.1.1.7	Uses Accessory to Permitted Uses	14.1.2.7	Retail Store - Convenience (Section 14.3.7)
14.1.1.8	Uses Accessory to Discretionary Uses	14.1.2.8	Single Detached Dwellings
		14.1.2.9	Semi-Detached Dwellings

*Permitted and prohibited home occupations and home based businesses are proscribed in City of Yorkton Business License Bylaw # 7/97, or any subsequent amendments thereto.

Section 14.2

R-6 DEVELOPMENT STANDARDS

14.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
14.2.1.1 Duplex Dwellings	As per R-2 lot requirements	
14.2.1.2 Essential Public Services and Utilities	No minimum lot size	
14.2.1.3 Manufactured Home – Interior Lot	15.0m	34.0m
14.2.1.4 Manufactured Home – Corner Lot	16.5m	34.0m
14.2.1.5 Public Parks and Playgrounds	No minimum lot size	
14.2.2.6 Single Detached Dwellings	As per R-1 lot requirements	
14.2.2.7 Semi-Detached Dwellings	As per R-2 lot requirements	

14.2.2 – Minimum Setback Requirements

USE	FRONT	SIDE	REAR
14.2.2.1 Duplex Dwellings	As per R-2 setback requirements		
14.2.2.2 Essential Public Services and Utilities	No setback requirements		
14.2.2.3 Manufactured Home – Interior Lot	As per R-1 setback requirements (Single Detached)		
14.2.2.4 Manufactured Home – Corner Lot	As per R-1 setback requirements (Single Detached)		
14.2.2.5 Public Parks and Playgrounds	No setback requirements		
14.2.2.6 Single Detached Dwellings	As per R-1 setback requirements		
14.2.2.7 Semi-Detached Dwellings	As per R-2 setback requirements		

14.2.3 – Maximum Height

The maximum principal building height is 10.5m or 2.5 storeys.

14.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 40%.

14.2.5 – Minimum Floor Area

The minimum floor area per dwelling unit shall be as follows:

- A) Single Detached Dwelling, 78.0m²
- B) Semi-Detached Dwelling, 67.0m²
- C) Manufactured Homes, 65.0m²
- D) Duplex Dwellings, 67.0m²

14.2.6 – Mean Site Width

Where minimum site width and depth measurements are required for a manufactured home on an individual lot, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

14.2.7 – Increased Site Coverage

The total permitted site coverage may be increased for attached covered patios and decks or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 50%.

14.2.8 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

14.2.9 – Foundation

All manufactured homes shall be required to be located on a foundation which is capable of handling the anticipated load of the building.

14.2.10 – Additions / Accessory

Any accessory buildings, additions, porches, or garages added to a manufactured home shall be required to have a final appearance and quality which is equivalent to the existing structure.

14.2.11 – Skirting

The undercarriage of all manufactured homes shall be required to be completely screened by way of the foundation, skirting, or material which is consistent with the exterior of the unit, and shall allow for the circulation of air beneath the unit.

14.2.12 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|--------------------|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11– 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |

H) Residential Building Design	Section 4.33 – 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)	

Section 14.3

DEVELOPMENT STANDARDS FOR MANUFACTURED HOME PARKS

All manufactured home parks developed after the date of adoption of this Bylaw shall be required to meet the following additional minimum development standards:

14.3.1 – Internal Roadway

Each manufactured home space in a mobile home park shall have a driveway with a minimum width of 4.5 metres, and shall abut an internal road that has a minimum width of 10 metres.

14.3.2 – Markers / Address

Each manufactured home space in a mobile home park shall be clearly defined on the ground by permanent markers and permanently addressed with a number.

14.3.3 – Minimum Area

Each manufactured home space in a mobile home park shall have a minimum area of 240m² with a minimum mean width of 10 metres.

14.3.4 – Stand

Each manufactured home space in a mobile home park shall be provided with a stand upon which a mobile / modular home may be suitably installed, and each stand shall be located:

- A) a minimum of 5 metres from any adjacent stand;
- B) a minimum of 3 metres from any park boundary;
- C) a minimum of 3 metres from any internal road;
- D) a minimum of 15 metres from any stand or permanent park structure located on the opposite side of a court street.

14.3.5 – Amenity Space

A minimum of 10 percent of the total area of a mobile / modular home park shall be provided in a suitable location for the recreational use and the enjoyment of the park occupants.

14.3.6 – Municipal Services

A manufactured home park shall be provided with adequate internal roadways, sidewalks, curbs, gutters, street lighting and other utility services (sewer, storm sewer, water) to the satisfaction of the Development Officer.

14.3.7 – Retail Stores – Convenience

A maximum of one (1) retail convenience store may be located within a manufactured home park that contains no less than 40 manufactured home stands. The store shall be limited to a maximum size of 371.0m² and shall be placed in a location within the manufactured home park subject to the approval of Council, pursuant to Section 3.2 of this Bylaw.

Section 15.0

CITY CENTRE COMMERCIAL C-1

Section 15.1

CITY CENTRE COMMERCIAL (C-1)

The purpose of this district is to establish and preserve a central community district that is convenient and aesthetically attractive for a wide range of retail, financial, community, professional and residential uses, as well as places of recreation in a setting conducive to and safe for a high volume of pedestrian traffic. See Section 5.4.3 for potential parking requirement relaxation in the C-1 District. The Permitted and Discretionary Uses in the C-1 District are outlined in the table below:

15.1.1	Permitted Uses	15.1.2	Discretionary Uses
15.1.1.1	Amusement Establishments - Indoor	15.1.2.1	Auto & Minor Recreation Sales / Rentals
15.1.1.2	*Apartments	15.1.2.2	Automotive Maintenance
15.1.1.3	Apartments – Senior Citizens	15.1.2.3	Building Materials, Sales and Storage
15.1.1.4	Apartments – Main Floor Commercial	15.1.2.4	Group Care Facilities (Section 7.4)
15.1.1.5	Broadcasting / Television Studios	15.1.2.5	Residential Care Facilities (Section 7.7)
15.1.1.6	Bakery	15.1.2.6	Service Stations (Section 7.9)
15.1.1.7	Business Support Services	15.1.2.7	Warehouse Sales and/or Facility
15.1.1.8	Car Wash		
15.1.1.9	Casinos		
15.1.1.10	Community Facilities		
15.1.1.11	Convention / Exhibition Facilities (except for industrial / agricultural uses)		
15.1.1.12	Commercial Education Facilities		
15.1.1.13	Day Care Centres (Section 7.2)		
15.1.1.14	Dry Cleaner		
15.1.1.15	Entertainment / Drinking Establishments		
15.1.1.16	Equipment / Household Repair Shops		
15.1.1.17	Essential Public Services and Utilities		
15.1.1.18	Financial Institutions		
15.1.1.19	Fleet Services		
15.1.1.20	Funeral Services		
15.1.1.21	Government Services		
15.1.1.22	Health Services		
15.1.1.23	Home Occupations (Section 7.6)		
15.1.1.24	Hotels / Motels		
15.1.1.25	Parking Lots / Facilities		
15.1.1.26	Participant Recreation – Indoors		
15.1.1.27	Personal Service Establishments		
15.1.1.28	Professional Offices		
15.1.1.29	Protective Services		
15.1.1.30	Public Parks And Playgrounds		
15.1.1.31	Restaurant / Drinking Establishments		
15.1.1.32	Retail Stores – Convenience		
15.1.1.33	Retail Stores – Grocery		
15.1.1.34	Retail Stores – General		

* Ground floor apartment buildings in the City Centre Commercial District, are only permitted as new buildings originally designed and constructed for residential purposes.

Amended
By Bylaw
No. 23/2008

15.1.1.35	Shopping Centres – Neighbourhood	
15.1.1.36	Shopping Centres – Community	
15.1.1.37	Shopping Centres – Regional	
15.1.1.38	Uses Accessory to Permitted Uses	
15.1.1.39	Uses Accessory to Discretionary Uses	
15.1.1.40	Single-Family Dwellings located in the CT-1 Zone	

Section 15.2

C-1 DEVELOPMENT STANDARDS

15.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
15.2.1.1 Essential Public Services and Utilities	No minimum lot size	
15.1.2.2 Hotels and Motels	30.0m	40.0m
15.2.1.3 Public Parks and Playgrounds	No minimum lot size	
15.1.2.4 Service Stations	30.0m	23.0m
15.2.1.5 All Other Uses	10.0m	23.0m

15.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
15.2.2.1 Essential Public Services and Utilities	No setback requirements		
15.2.2.2 Public Parks and Playgrounds	No setback requirements		
15.2.2.3 All other uses	No setback requirements provided that all other requirements of this bylaw have been met.		
15.2.2.4 Any Site Abutting a Residential District	All sites which abut a residential district shall have a minimum yard setback requirement of 1.5m. for the property line which abuts the residential property.		
15.2.2.5 Any Residential Dwelling Units	All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m (Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0m). All buildings which have habitable rooms on the main floor shall have minimum yard setbacks of 4.5m.		

15.2.3 – Maximum Height

The maximum principal building height is 33.6m or 8.0 storeys.

15.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

15.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a convenience store shall be 278.0m²

15.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

15.2.7 – Apartment Buildings

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor. Residential uses shall have a direct entrance from the street separate from that of the commercial use.

15.2.8 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity Space shall be provided to all apartments, apartments – senior citizens, and apartments – main floor commercial at a minimum rate of 6.0m² per unit.

15.2.10 Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

15.2.11 Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|---|
| A) Site Plan Development Standards | Section 3.8 –3.10 |
| B) Subdivisions | Section 3.11– 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |
| H) Building Design | Section 4.34 |
| I) Recreational Facilities | Section 4.35 |
| J) Accessory Buildings | Section 4.5 |
| K) Landscaping Requirements | Section 6.0 |
| L) Parking and Loading Requirements | Section 5.0 |
| M) Signage | <i>City of Yorkton Sign Bylaw #16/03 (or subsequent amendments thereto)</i> |

15.2.12 Development Standards for CT-1 Zone

Amended
By Bylaw
No. 23/2008

- | | |
|---|---|
| 15.2.12.1 Minimum Lot Dimensions | As Per R-1 requirements for Single Detached Interior |
| 15.2.12.2 Minimum Setback Requirements | As Per R-1 requirements for Single Detached Interior |
| 15.2.12.3 Maximum Height | As Per R-1 requirements for Single Detached Interior |
| 15.2.12.4 Maximum Site Coverage | As per R-1 requirements |
| 15.2.12.51 Minimum Floor Area | As per R-1 requirements |
| 15.2.12.6 Mean Site Width | As per R-1 requirements |
| 15.2.12.7 Increased Site Coverage | As per R-1 requirements |
| 15.2.12.8 Special Use Provisions | As per R-1 requirements |
| 15.2.12.9 Additional Requirements | As per R-1 requirements |

Section 16.0 ARTERIAL COMMERCIAL - C-2

Section 16.1 ARTERIAL COMMERCIAL (C-2)

The primary purpose of this district is to provide a corridor for commercial development adjacent to Broadway Street W. from Highway #10 east to the C.N.R. tracks for uses serving the travelling public, as well as residents. This district is suited for uses requiring medium sized sites that have minimal impact on the adjacent residential neighborhoods. The Permitted and Discretionary Uses in the C-2 District are outlined in the table below.

16.1.1	Permitted Uses	16.1.2	Discretionary Uses
16.1.1.1	Amusement Establishments - Indoor	16.1.2.1	Building Materials Sales and Storage
16.1.1.2	Amusement Establishments - Outdoor	16.1.2.2	Community Facilities
16.1.1.3	Apartments	16.1.2.3	Service Stations (Section 7.9)
16.1.1.4	Apartments – Senior Citizens	16.1.2.4	Rec. Vehicle Sales/Rental Services
16.1.1.5	Apartments – Main Floor Commercial	16.1.2.5	Veterinary Services
16.1.1.6	Auto & Minor Recreation Sales / Rentals	16.1.2.6	Warehouse Sales
16.1.1.7	Automotive Maintenance		
16.1.1.8	Bakery		
16.1.1.9	Business Support Services		
16.1.1.10	Car Wash		
16.1.1.11	Casinos		
16.1.1.12	Commercial Education Facilities		
16.1.1.13	Community Facilities		
16.1.1.14	Convention/Exhibition Facilities		
16.1.1.15	Day Care Centres (Section 7.3)		
16.1.1.16	Dry Cleaner		
16.1.1.17	Entertainment / Drinking Establishments		
16.1.1.18	Equipment / Household Repair Shops		
16.1.1.19	Equipment Rentals		
16.1.1.20	Essential Public Services and Utilities		
16.1.1.21	Financial Institutions		
16.1.1.22	Funeral Services		
16.1.1.23	Government Services		
16.1.1.24	Health Services		
16.1.1.25	Home Occupations (Section 7.8)		
16.1.1.26	Hotels / Motels		
16.1.1.27	Parking Lots / Facilities		
16.1.1.28	Participant Recreation – Indoor		
16.1.1.29	Personal Service Establishments		
16.1.1.30	Professional Offices		
16.1.1.31	Protective Services		
16.1.1.32	Restaurants / Drinking Establishments		
16.1.1.33	Retail Stores – Convenience		
16.1.1.34	Retail Stores – Grocery		
16.1.1.35	Retail Stores – General		
16.1.1.36	Shopping Centres – Neighbourhood		
16.1.1.37	Shopping Centres – Community		
16.1.1.38	Uses Accessory to Permitted Uses		
16.1.1.39	Uses Accessory to Discretionary Uses		

Section 16.2
C-2 DEVELOPMENT STANDARDS

16.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
16.2.1.1 Essential Public Services and Utilities	No minimum lot size	
16.2.1.2 All Other Uses	30.0m	30.0m
16.2.1.3 (Transitional) Zoning District	13.0m	30.0m

Amended By
Bylaw
No. 17/2007
(as per details at
end of section)

16.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
16.2.2.1 Essential Public Services and Utilities	No setback requirements		
16.2.2.2 All other uses			
(A) With lot area less than 2,322.5m ²	3.0m	3.0m	3.0
(B) With lot area greater than 2,322.5m ²	4.5m	4.5m	4.5m
(C) (Transitional) Zoning District	0.00m	0.00m	3.0m
16.2.2.4 Any Residential Dwelling Units	All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m . Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0m. All buildings which have habitable rooms on the main floor shall have minimum yard setbacks of 4.5m.		

Amended By
Bylaw
No. 34/2008
(as per details at
end of section)

Amended By
Bylaw
No. 17/2007
(as per details at
end of section)

16.2.3 – Maximum Height

The maximum principal building height is 12.6m or 3.0 storeys. **Properties with front rear and side yard building setbacks greater than 9.14m are permitted to extend such height of 16.8m or 4.0 storeys.**

Amended
By Bylaw
No. 1/2006

16.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

16.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a convenience store shall be 371m²

16.2.6 – Apartment Buildings

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor except for apartment buildings – senior citizens, hotels, and motels. Residential uses shall have a direct entrance from the street separate from that of the commercial use.

16.2.7 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity Space shall be provided to all apartment buildings, apartment buildings -senior citizens, and apartments, main floor commercial at a minimum rate of 6.0m² per unit.

16.2.7 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

16.2.8 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

16.2.9 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|---|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11– 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |
| H) Building Design | Section 4.34 |
| I) Recreational Facilities | Section 4.35 |
| J) Accessory Buildings | Section 4.5 |
| K) Landscaping Requirements | Section 6.0 |
| L) Parking and Loading Requirements | Section 5.0 |
| M) Signage | <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto) |

**NOTE:
DETAILS**

Bylaw No. 17/2007 – Clauses 16.2.1.3 & 16.2.2.2 – Lots between Gladstone Ave. and Lincoln Ave. on the north side of Broadway St. W., and between Gladstone Ave. and Franklin Ave. on the south side of Broadway St. W., and the Contract Zone (CZ) Zoning District for the Lots indicated.

Bylaw No. 34/2008 – 418 Broadway Street West – Section 16.2.2.2 – Reduce Minimum Side Yard Setback for Accessory Uses from 4.5m to 0.3m

Section 17.0
HIGHWAY COMMERCIAL – C-3

Section 17.1
HIGHWAY COMMERCIAL (C-3)

The purpose of this district is to provide for commercial development in areas along major access routes at entry points to the City. The Permitted and Discretionary Uses in the C-3 District are outlined in the table below:

17.1.1	Permitted Uses	17.1.2	Discretionary Uses
17.1.1.1	Amusement Establishments – Indoor	17.1.1.1	Agricultural Sales and Service Establishments
17.1.1.2	Amusement Establishments – Outdoor	17.1.2.2	Community Facilities
17.1.1.3	Apartment - Seniors	17.1.2.3	Crematoriums
17.1.1.4	Auto & Minor Recreation Sales / Rentals	17.1.2.4	Greenhouses and Plant Nurseries
17.1.1.5	Automotive Maintenance	17.1.2.5	Kennels
17.1.1.6	Autobody Repair & Paint Shops	17.1.2.6	Participant Recreation - Indoors
17.1.1.7	Bakery	17.1.2.7	Truck Sales/Rentals/Service
17.1.1.8	Building Materials Sales and Storage		
17.1.1.9	Broadcasting/Television Studios		
17.1.1.10	Business Support Services		
17.1.1.11	Car Wash		
17.1.1.12	Commercial Education Facilities		
17.1.1.13	Crematoriums		
17.1.1.14	Dry Cleaners		
17.1.1.15	Entertainment/Drinking Establishments		
17.1.1.16	Equipment / Household Repair Shops		
17.1.1.17	Equipment Rentals		
17.1.1.18	Essential Public Services and Utilities		
17.1.2.19	Fleet Services		
17.1.1.20	Funeral Services		
17.1.1.21	Government Services		
17.1.1.22	Health Services		
17.1.1.23	Hotels and Motels		
17.1.2.24	Manufactured Home Sales Facilities		
17.1.1.25	Parking Lots / Facilities		
17.1.1.26	Participant Recreation Indoor		
17.1.1.27	Professional Offices		
17.1.1.28	Protective Services		
17.1.1.29	Recreation Vehicle Sales/Rentals/ Service		
17.1.1.30	Recycling Facilities		
17.1.1.31	Restaurants / Drinking Establishments		
17.1.1.32	Retail Stores – Grocery		
17.1.1.33	Retail Stores – Convenience		
17.1.1.34	Retail Stores – General		
17.1.1.35	Service Stations (Section 7.9)		
17.1.1.36	Shopping Centres– General		
17.1.1.37	Shopping Centres – Community		
17.1.1.38	Shopping Centres – Regional		
17.1.1.39	Trade Workshops		

17.1.1.40	Uses Accessory to Permitted Uses	
17.1.1.41	Uses Accessory to Discretionary Uses	
17.1.1.42	Veterinary Services	
17.1.1.43	Warehouse Sales and/or Facilities	

Section 17.2

C-3 DEVELOPMENT STANDARDS

17.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
17.2.1.1 Essential Public Services and Utilities	No minimum lot size	
17.2.1.2 All Other Uses	30.0m	35.0m

17.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
17.2.2.1 Essential Public Services and Utilities	No setback requirements		
17.2.2.2 All other uses	9.0m	4.5m	6.0m

17.2.3 – Maximum Height

The maximum principal building height is 12.6m or 3.0 storeys.

17.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this Bylaw have been met.

17.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a convenience store shall be 371.0m².

17.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

17.2.7 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

17.2.8 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage City of Yorkton Sign Bylaw #16/03 (or subsequent amendments thereto)	

Section 18.0 NEIGHBOURHOOD COMMERCIAL - C-4

Section 18.1 NEIGHBOURHOOD COMMERCIAL (C-4)

The purpose of this district is to accommodate shopping facilities for the day-to-day shopping requirements of residents in a neighbourhood. The variety and scale of the facilities provided in this district should not attract shoppers from other neighbourhoods. The Permitted and Discretionary Uses and in the C-4 District are outlined in the table below:

18.1.1	Permitted Uses	18.1.2	Discretionary Uses
18.1.1.1	Apartments – Main Floor Commercial	18.1.2.1	Community Facilities
18.1.1.2	Bakery	18.1.2.2	Participant Recreation - Indoors
18.1.1.3	Equipment / Household Repair Shops	18.1.2.3	Restaurants / Drinking Establishments
18.1.1.4	Essential Public Services and Utilities	18.1.2.4	Veterinary Services
18.1.1.5	Government Services		
18.1.1.6	Personal Services Establishments		
18.1.1.7	Health Services		
18.1.1.8	Professional Offices		
18.1.1.9	Retail Stores – Convenience		
18.1.1.10	Shopping Centre – Neighbourhood		
18.1.1.11	Uses Accessory to Permitted Uses		
18.1.1.12	Uses Accessory to Discretionary Uses		

Section 18.2 C-4 DEVELOPMENT STANDARDS

18.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
18.2.1.1 Essential Public Services and Utilities	No minimum lot size	
18.2.1.2 Service Stations	35.0m	35.0m
18.2.1.3 All Other Uses	15.0m	35.0m

18.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
18.2.3.1 Essential Public Services and Utilities	No setback requirements		
18.2.3.2 All other uses	1.5m	3.0m	3.0m

18.2.3 – Maximum Height

The maximum principal building height is 10.5m or 2.5 storeys.

18.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

18.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a convenience store shall be 371.0m².

18.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

18.2.7 – Apartment Buildings

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor. Residential uses shall have a direct entrance from the street separate from that of the commercial use.

18.2.8 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity Space shall be provided to all Apartments – Main Floor Commercial at a minimum rate of 6.0m² per unit.

18.2.9 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

18.2.19 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|--------------------|
| A) Site Plan Development Standards | Section 3.8 –3.10 |
| B) Subdivisions | Section 3.11– 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |

Part D – Commercial Zoning Districts

D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)	

Section 19.0

LIGHT INDUSTRIAL - MI-1

Section 19.1

LIGHT INDUSTRIAL DISTRICT (MI-1)

The purpose of this district is to establish and preserve areas for a wide range of industrial and manufacturing uses with some associated commercial and service establishments, but excluding incompatible uses which would create problems such as excessive noise, vibrations, odours or fumes. The Permitted and Discretionary Uses in the MI-1 District are outlined in the table below:

19.1.1	Permitted Uses	19.1.2	Discretionary Uses
19.1.1.1	Agriculture Sales and Service Facilities	19.1.2.1	Adult Book Store
19.1.1.2	Auto & Minor Recreation Sales / Rentals	19.1.2.2	Auto Wrecking / Junk Yards
19.1.1.3	Automotive Maintenance	19.1.2.3	Livestock Sales Facility
19.1.1.4	Autobody Repair & Paint Shops	19.1.2.4	Heavy Industrial Uses
19.1.1.5	Bottling Plants / Breweries		
19.1.1.6	Building Materials Sales and Storage		
19.1.1.7	Bulk Fuel Depots		
19.1.1.8	Business Support Services		
19.1.1.9	Car Wash		
19.1.1.10	Commercial Education Facilities		
19.1.1.11	Contractor Facilities		
19.1.1.12	Crematoriums		
19.1.1.13	Day Care Centre (Section 7.2)		
19.1.1.14	Drinking Establishments		
19.1.1.15	Equipment / Household Repair Shops		
19.1.1.16	Essential Public and Utility Services		
19.1.1.17	Fleet Services		
19.1.1.18	Funeral Services		
19.1.1.19	Government Services		
19.1.1.20	Greenhouses and Plant Nurseries		
19.1.1.21	Kennels		
19.1.1.22	Light Industrial Uses		
19.1.1.23	Manufactured Home Sales Facilities		
19.1.1.24	Participant Recreation – Indoor		
19.1.1.25	Protective Services		
19.1.1.26	Railway Facilities and Uses		
19.1.1.27	Recreation Vehicle Sales/Rentals/ Service		
19.1.1.28	Recycling Depots		
19.1.1.29	Restaurants / Drinking Establishments		
19.1.1.30	Service Stations (Section 7.9)		
19.1.1.31	Storage Compounds / Facilities		
19.1.1.32	Truck Sales/Rentals/ Service		
19.1.1.33	Uses Accessory to Permitted Uses		
19.1.1.34	Uses Accessory to Discretionary Uses		
19.1.1.35	Veterinary Services		
19.1.1.36	Warehouse Sales and/or Facilities		

Amended
 By
 Bylaw No.
 29/2006
 [19.1.2.4]

Section 19.2

MI-1 DEVELOPMENT STANDARDS

19.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
19.2.1.1 Essential Public Services and Utilities	No minimum lot size	
19.2.1.2 All Other Uses	30.0m	35.0m

19.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
19.2.2.1 Essential Public Services and Utilities	No setback requirements		
19.2.2.2 All other uses	9.0m	4.5m	7.5m
19.2.2.3 Any sites abutting a Railway	9.0m	1.5m	1.5m
19.2.2.4 Any site abutting a Residential District	9.0m	7.5m	7.5m

<p>Amended By Bylaw No. 26/2008 (19.2.2.2) (as per details at end of section)</p>

19.2.3 – Maximum Height

The maximum principal building height is 12.6m or 3.0 storeys.

19.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 60%

19.2.5 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

19.2.6 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

19.2.7 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage	City of Yorkton Sign Bylaw #16/03 (or subsequent amendments thereto)

NOTE:
DETAILS

Bylaw No. 26/2008 – 351 Fifth Avenue North – Clause 19.2.2.2 – Minimum front yard setback from 9.0m to 3.05m, minimum side yard setback from 4.5m to 0.0m, minimum rear yard setback from 7.5m to 0.3m

Section 20.0 HEAVY INDUSTRIAL – MI-2

Section 20.1 HEAVY INDUSTRIAL DISTRICT (MI-2)

The purpose of this district is to establish and preserve areas for industrial and manufacturing uses which, by the nature of their operations, may result in excessive noise, vibrations, odours or fumes which would be incompatible with adjacent land uses. The Permitted and Discretionary Uses in the MI-2 District are outlined in the table below:

Amended
By
Bylaw No.
27/2008
[20.1.2.2]

20.1.1	Permitted Uses	20.1.2	Discretionary Uses
20.1.1.1	Abattoirs	20.1.2.1	Livestock Sales Facility
20.1.1.2	Agriculture Sales and Service Facilities	20.1.2.2	Planned Unit Developments
20.1.1.3	Assembly Plants and Facilities		
20.1.1.4	Auctioneering Establishments		
20.1.1.5	Auto & Minor Recreation Sales / Rentals		
20.1.1.6	Automotive Maintenance		
20.1.1.7	Autobody Repair & Paint Shops		
20.1.1.8	Auto Wrecking / Junk Yards		
20.1.1.9	Bottling Plants / Breweries		
20.1.1.10	Building Materials Sales and Storage		
20.1.1.11	Bulk Fuel Depots		
20.1.1.12	Business Support Services		
20.1.1.13	Car Wash		
20.1.1.14	Commercial Education Facilities		
20.1.1.15	Contractor Facilities		
20.1.1.16	Crematoriums		
20.1.1.17	Equipment / Household Repair Shops		
20.1.1.18	Essential Public and Utility Services		
20.1.1.19	Fleet Services		
20.1.1.20	Funeral Services		
20.1.1.21	Heavy Industrial Uses		
20.1.1.22	Government Services		
20.1.1.23	Greenhouses and Plant Nurseries		
20.1.1.24	Kennels		
20.1.1.25	Light Industrial Uses		
20.1.1.26	Manufactured Home Sales Facilities		
20.1.1.27	Protective Services		
20.1.1.28	Railway Facilities and Uses		
20.1.1.29	Recreation Vehicle Sales/Rentals/ Service		
20.1.1.30	Recycling Depots		
20.1.1.31	Restaurants / Drinking Establishments		
20.1.1.32	Service Stations (Section 7.9)		
20.1.1.33	Truck Sales/Rentals/ Service		
20.1.1.34	Uses Accessory to Permitted Uses		
20.1.1.35	Uses Accessory to Discretionary Uses		
20.1.1.36	Veterinary Services		

Section 20.2

MI-2 DEVELOPMENT STANDARDS

20.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
20.2.1.1 Essential Public Services and Utilities	No minimum lot size	
20.2.1.2 All Other Uses	30m	35m

20.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
20.2.2.1 Essential Public Services and Utilities	No setback requirements		
20.2.2.2 All other uses	9.0m	4.5m	7.5m
20.2.2.3 Any sites abutting a Railway	9.0m	1.5m	1.5m
20.2.2.4 Any site abutting a Residential District	9.0m	7.5m	7.5m

20.2.3 – Maximum Height

The maximum principal building height is 21.0m or 5.0 storeys.

20.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 60%

20.2.5 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

20.2.6 – Additional Requirements

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

20.2.7 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage	<i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)

Section 21.0 INSTITUTIONAL – IN

Section 21.1 INSTITUTIONAL DISTRICT (IN)

The purpose of this district is to establish and preserve areas of community-wide administrative, cultural, institutional and utility uses. Permitted uses in the IN District typically attract visitors from all areas of the City and Region. The Permitted and Discretionary Uses in the IN District are outlined in the table below:

21.1.1	Permitted Uses	21.1.2	Discretionary Uses
21.1.1.1	Apartments – Senior Citizens (Nursing Homes only)	21.1.2.1	Cemeteries
21.1.1.2	Community Facilities	21.1.2.2	Commercial Education Facilities
21.1.1.3	Day Care Centres (Section 7.2)		
21.1.1.4	Essential Public and Utility Services		
21.1.1.5	Funeral Services		
21.1.1.6	Government Services		
21.1.1.7	Group Care Facilities (Section 7.4)		
21.1.1.8	Health Services		
21.1.1.9	Hospitals		
21.1.1.10	Participant Recreation – Indoor		
21.1.1.11	Protective Services		
21.1.1.12	Public Education Services		
21.1.1.13	Residential Care Facilities (Section 7.8)		
21.1.1.14	Uses Accessory to Permitted Uses		
21.1.1.15	Uses Accessory to Discretionary Uses		

Section 21.2 IN DEVELOPMENT STANDARDS

21.2.1

Minimum Lot Dimensions

USE	WIDTH	DEPTH
21.2.1.1 Essential Public Services and Utilities	No minimum lot size	
21.2.1.2 All Other Uses	25.0m	34.0m

21.2.2

Minimum Setback Requirements

USE	FRONT	SIDE	REAR
21.2.2.1 Essential Public Services and Utilities	No setback requirements		
21.2.2.2 Apartment Buildings – Senior Citizens	7.5m	1.8m	7.5m
(A)	For each side of a building that contains main or living room windows, the minimum yard dimension, at right angles to such windows, shall be 7.5m.		
(B)	For each side of a building that contains habitable room window, the minimum yard dimension, at right angles to such windows, shall be 4.5m or one half the height of the wall, whichever is greater.		

- (C) For each side of a building that contains non-habitable room windows or blank walls, the minimum yard dimension, at right angles to such windows, shall be 1.8m, plus 0.6m for each additional storey.
 - (D) Where two or more buildings face each other or meet at an angle of less than 90 degrees, the sum of the minimum yard clearances required for each building shall be the minimum allowable distance between the buildings.
The minimum side yard on the flanking street of a corner lot shall be no less than 3.0m.
- | | | | |
|-------------------|------|------------------------|------|
| All other Uses | 6.0m | 1.2m | 7.5m |
| (A) 1 & 1.5 Story | 6.0m | 1.2m | 7.5m |
| (B) 2 & 2.5 Story | 6.0m | 1.8m | 7.5m |
| (C) Corner Lot | 6.0m | 3.0m (Flanking Street) | 4.5m |

21.2.3 – Maximum Height

The maximum principal building height is 10.5m or 2.5 storeys.

21.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 40%

21.2.5 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

21.2.6 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 9.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity space shall be provided at the following standard, per unit:
 - i. Bachelor Unit, 4.5 m² per unit
 - ii. One-bedroom Unit, 9.0 m² per unit
 - iii. Two-bedroom Unit, 18.0 m² per unit
 - iv. Three-bedroom Unit, 27.0 m² per unit

22.2.7 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

22.2.8 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|------------------------------------|--------------------|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11– 3.13 |

C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)	

Section 22.0 PARKS AND RECREATION DISTRICT – PR

Section 22.1 PARKS AND RECREATION DISTRICT (PR)

The purpose of this district is to establish and preserve areas of both passive and active recreational opportunity, as well as community facilities and functions. The Permitted and Discretionary Uses in the PR District are outlined in the table below:

22.1.1	Permitted Uses	22.1.2	Discretionary Uses
22.1.1.1	Essential Public and Utility Services	22.1.2.1	Community Facilities
22.1.1.2	*Farming (Agriculture Field Crops Only)	22.1.2.2	Convention / Exhibition Facilities
22.1.1.3	Public Parks and Playgrounds	22.1.2.3	Greenhouses / Plant Nurseries
22.1.1.4	Uses Accessory to Permitted Uses	22.1.2.4	Participant Recreation – Indoor
22.1.1.5	Uses Accessory to Discretionary Uses	22.1.2.5	Participant Recreation – Outdoor
		22.1.2.6	Tourist Campgrounds

*All farming establishments within City limits shall be required to provide a full description of operations including application of fertilizers, pesticides, and any potentially hazardous chemicals.

Section 22.2 PR DEVELOPMENT STANDARDS

22.2.1 Minimum Lot Dimensions

USE	WIDTH	DEPTH
22.2.1.1 All uses	No minimum lot size	

22.2.2 Minimum Setback Requirements

USE	FRONT	SIDE	REAR
22.2.2.1 All uses	No setback requirements		

22.2.3 – Maximum Height

The maximum principal building height is 12.6m or 3.0 storeys.

22.2.4 – Maximum Site Coverage

The maximum land area that may be built upon shall be no more than 40%.

22.2.5 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

22.2.6 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

22.2.7 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage	<i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)

Section 23.0

ARCHITECTURAL CONTROL OVERLAY - AC

Section 23.1

ARCHITECTURAL CONTROL OVERLAY

23.1.1

The Architectural Control Overlay regulations, as displayed on the City of Yorkton Zoning Districts Map with the symbol 'AC', apply to all development or redevelopment of any lands or buildings, (Except for semi-detached, and duplex dwelling developments).

- A) Council shall delegate to the Development Officer the responsibility to exercise or carry out the powers and duties conferred or imposed on Council pursuant to Subsections 84.2(3) of the *Planning and Development Act, 1983* for all zoning districts within the Architectural Overlay.
- B) Development Permit applications, (prepared in accordance with Section 3.2 of this Bylaw) within the overlay district shall also conform to the guidelines specified in the City of Yorkton Development Plan.
- C) All buildings on a site should follow the same theme and exhibit a high standard of appearance. Exceptions may be made to accommodate corporate images.
- D) Developments shall conform to the general development regulations as specified in the applicable zoning district. Where the provisions of the overlay district conflict with other regulations of this bylaw the more restrictive provisions will take precedence.
- E) Where an application is made to the City for a development permit in the overlay district, the Development Officer and or Council may:
 - i. Issue the permit;
 - ii. Refuse to issue the permit; or
 - iii. Issue the permit with terms and conditions.
- F) Where the Development Officer or Council, pursuant to Subsection iii, imposes terms and conditions on a Development Permit, the terms and conditions shall be consistent with general development standards made applicable to architectural control of buildings by the Zoning Bylaw.
- G) An applicant for a Development Permit may appeal to the Development Appeals Board for:
 - i. The Development Officer's or Council's refusal to issue the permit;
 - ii. The Development Officer's or Council's failure to make a decision within thirty (30) days of receipt of an application where the application has been verified complete by the Development Officer; or
 - iii. Council's imposition of terms and conditions.

Section 24.0

ENVIRONMENTALLY SENSITIVE OVERLAY - ES

Section 24.1

ENVIRONMENTALLY SENSITIVE OVERLAY

The overlay regulations apply to the development or redevelopment of all lands and buildings covered by the Environmentally Sensitive Overlay as displayed on the City of Yorkton Zoning Districts Map with the symbol 'ES' in conjunction with any other zoning designation.

24.1.1 - Application

In addition to information normally required for a Development Permit as stated in Part A, Section 3.3, the following shall be submitted:

- A) A detailed site plan showing, where applicable, the leave strip relative to the property lines including the top of banks and location of the watercourse high water marks, and or the level of the water table at all locations on the proposed site.
- B) Proposed methods of erosion and sediment control and site development practices to be used.
- C) Applications to develop any building, structure, fence, sign, overhead line or similar development will be analyzed on an individual basis and may be refused, notwithstanding that a use is listed as permitted or discretionary, if it is deemed that such use or form of development will have an impact on any environmentally sensitive area identified on the City of Yorkton Zoning Districts Map or City of Yorkton Development Plan.
- D) The City may require the owner of land that is the subject of a development permit application to undertake an Environmental Impact Assessment, or any other environmental, engineering, or planning study to determine the potential impact of the proposed development, to the satisfaction of the City.
- E) The City may require the owner of land that is the subject of a proposed subdivision in an Environmentally Sensitive Area to provide part of that land, in any amount and in any location that the City, in consultation with the Saskatchewan Provincial Ministry or Corporation responsible for the administration of applicable legislation, considers necessary, as Environmental Reserve, where the land consists of:
 - i. a watercourse;
 - ii. a sub-surface aquifer identified by the City of Yorkton;
 - iii. land that is subject to flooding or is, in the opinion of the City, unstable; or
 - iv. the leave strip abutting the bed and shore of any watercourse for the purpose of:
 - v. the prevention of pollution;
 - vi. the preservation of the bank; or the protection of the land to be subdivided against flooding;
- F) Developments shall conform to the general development regulations as specified in the applicable zoning district. Where the provisions of the overlay district conflict with other regulations of this bylaw the more restrictive provisions will take precedence.
- G) Where an application is made to the City for a development permit in the overlay district, the Development Officer and or Council may:
 - i. Issue the permit;
 - ii. Refuse to issue the permit; or
 - iii. Issue the permit with terms and conditions.

H) An applicant for a Development Permit may appeal to the Development Appeals Board:

- i. The Development Officer's or Council's refusal to issue the permit;
- ii. The Development Officer's or Council's failure to make a decision within 30 days of receipt of an application where the application has been verified complete by the Development Officer; or
- iii. The Council's imposition of terms and conditions.

Section 25.0

FUTURE DEVELOPMENT OVERLAY – FD

Section 25.1

FUTURE DEVELOPMENT OVERLAY DISTRICT (FD-2)

The purpose of this overlay district is to ensure that specified undeveloped lands required for future municipal development (commercial, industrial, residential) may be utilized for non-intensive purposes, until such time that they are available for their designated development. In addition to the intended use(s) in the designated zoning district, those districts with a Future Development Overlay shall permit the following uses:

25.1.1	Permitted Uses	25.1.2	Discretionary Uses
25.1.1.1	Essential Public and Utility Services	25.1.2.1	Greenhouses / Plant Nurseries
25.1.1.2	Farming	25.1.2.2	Participant Recreation – Outdoor
25.1.1.7	Uses Accessory to Permitted Uses	25.1.2.3	Public Parks and Playgrounds
25.1.1.8	Uses Accessory to Discretionary Uses	25.1.2.5	Tourist Campgrounds

25.2

FD-1 DEVELOPMENT STANDARDS

25.2.1 Minimum Lot Dimensions USE	WIDTH	DEPTH
25.2.1.2 All Uses	Minimum 10 Acres	

25.2.2 Minimum Setback Requirements USE	FRONT	SIDE	REAR
25.2.2.1 All Uses	6.0m	6.0m	6.0m

25.2.3 – Maximum Height
The maximum principal building height is 10.5m or 2.5 storeys.

25.2.4 – Maximum Site Coverage
The maximum land area that may be built upon shall be no more than 5%.

25.2.5 – Mean Site Width
Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

25.2.6 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

A) Site Plan Development Standards	Section 3.8 – 3.10
B) Subdivisions	Section 3.11– 3.13
C) Excavation, Stripping, and Grading	Section 4.24
D) Soil Erosion Control	Section 4.25
E) Sidewalk and Pedestrian Access	Section 4.29
F) Trash Enclosures	Section 4.31
G) Fencing	Section 4.32
H) Building Design	Section 4.34
I) Recreational Facilities	Section 4.35
J) Accessory Buildings	Section 4.5
K) Landscaping Requirements	Section 6.0
L) Parking and Loading Requirements	Section 5.0
M) Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto)	

Section 26.0

CONTRACT ZONES - CZ

Section 26.1 CONTRACT ZONES (CZ)

26.1.1

Where a person applies to Council to have an area of land rezoned to permit a specified use, Council may enter into a Contract Zone agreement which sets out:

- A) A description of the proposal;
- B) Terms and conditions with respect to the uses of the land and building, and the site layout and design (parking, landscaping, traffic circulation, etc.);
- C) The time limits of which any parts of the proposal shall be carried out.

26.1.2

The procedure for implementing or voiding a Contract Zone agreement is specified in *Section 82* of the *Planning and Development Act, 1983*.

26.1.3

The following is a list of approved zoning contracts which have been entered pursuant this Bylaw:

Zoning Contract Number	Legal Description of Property	Civil Address of Property	Rate of Contract Approval
Bylaw No. 4/89	Lot G-1-60Y06981 Lot F-2-60Y06981 17 & 18-1-AA57778 39 & 40-2-AA5778	14 Clark 18 Clark 25 Clark 20 Clark	P.K. Bingo
Bylaw No. 20/89	11 – 3 – 36064	16 Laurier	McDonald’s Rest.
Bylaw No. 10/90	Repealed by Bylaw No. 27/2000	53 Sixth Avenue	Bymak Assoc. (Zebra Crossing)
Bylaw No. 15/92 (Amended 13/98)	Repealed by Bylaw No. 29/2001	113 Smith E.	Welcome Home Crafts Kirkman/Stachiw
Bylaw No. 16/92	Repealed by 2003 Zoning Bylaw	149 Broadway W. 147 Broadway W.	G.A. Construction
Bylaw No. 23/95	E ½ of 4, all of 5-10 - 20767	51 Smith E.	Zapshalla
Bylaw No. 12/98	Repealed by 2003 Zoning Bylaw	105 Darlington	Gladys Nykolaishen

Bylaw No. 27/2000	53 Sixth Avenue	Zebra Crossing
Bylaw No. 19/2004	516 Broadway St. W.	Melrose Place
Bylaw No. 7/2005	77 Broadway St. W.	Noah’s Ark Pets & Supplies
Bylaw No. 8/2005	399 Parkview Rd.	Gino Astolfi
Bylaw No. 9/2005	393 Parkview Rd.	Maciej Zychla
Bylaw No. 9/2007	198 Myrtle Avenue	Cameron Morrison
Bylaw No. 16/2007	196, 200, 201, 204, 208,	Dean Bakke, Corey
	212, 227, 235, 239, 243	Fransishyn and
	247, 251 Broadway St. W.	Michael Yaholnitsky

[NOTE: Bylaw No. 16/2007 was repealed by Bylaw No. 32/2010]

** continued on next page . . .

Bylaw No. 5/2008	209 Broadway St. W.	Ronald E. Chrabaszcz
Bylaw No. 25/2008	211, 219, 220, 223, 231 240, 256, 260, 263, 281 Broadway St. W.	Bradley Bloodoff, Lorna & LeVern Fenske, Hilda Syrota, Stefan & Crystal Bymak, James & Sharon Swain, Joseph Sass, Pearl Fedun Hilda Zorn, Ruth Slaferek, Albert Rutch
Bylaw No. 3/2009	31 Duncan Street West	Yorkton Parkland Housing Society
Bylaw No. 13/2009	259 Circlebrooke Drive	Dr. Oluwole Oduntan
Bylaw No. 23/2009	12 Parklane Drive	Collenne Becker
Bylaw No. 31/2009	214 Broadway Street West	Dr. Melanie Press
Bylaw No. 32/2009	345 Morrison Drive	101099756 Saskatchewan Ltd.
<i>[NOTE: Bylaw No. 32/2009 was repealed by Bylaw No. 17/2010]</i>		
Bylaw No. 36/2009	390 Maple Avenue	Family Brown Enterprises Ltd.
Bylaw No. 17/2010	345 Morrison Drive	Windsor Park Pointe Developments Ltd.

Section 27.0

PLANNED UNIT DEVELOPMENTS – PUD

Section 27.1

PLANNED UNIT DEVELOPMENTS (PUD)

Amended By
Bylaw
No. 27/2008

27.1.1

Council may approve a Planned Unit Development as a Discretionary Use in R-1, R-2, R-3, R-4, R-5, C-1, C-2, C-3, MI-1 and MI-2 Zoning Districts.

27.1.2

Planned Unit Developments are subject to the provisions of Section 3.5.

27.1.3

Planned Unit Developments may be applied to residential, commercial, or industrial land development, and would permit mixed uses provided the uses are compatible with other proposed uses and would not impact property values in the surrounding neighbourhood.

27.1.4

The following accessory uses are permitted on the same lot as a residential Planned Unit Development, but only to serve the residents or tenants of the residential Planned Unit Development:

- 27.1.4.1 bank machine**
- 27.1.4.2 community centre**
- 27.1.4.3 community health and resource centre**
- 27.1.4.4 convenience store**
- 27.1.4.5 medical facility**
- 27.1.4.6 office**
- 27.1.4.7 personal service establishment, but limited to a laundromat**

27.1.5

The uses permitted by Section 27.1.4 must:

- All be in one building;
- Not exceed a cumulative total floor area of 150 square metres;
- Be located on the same lot as the Planned Unit Development;
- Be located in such a way that there is no indication from the public street(s) that there is an accessory use(s) on the lot;

27.1.6

Principal uses and accessory uses shall not exceed the maximum height of the Zoning District where the Planned Unit Development is located.

27.1.7

The parking standards for the principal use and accessory use shall apply, but may be located anywhere in the Planned Unit Development and may take the form of common parking areas.

27.1.8

The density of development generally shall not exceed the density that would result from the normal subdivision process, but Council may approve a density variance by attaching the proposed Planned Unit Development Site Plan to the Discretionary Use approval and require the Planned Unit Development to be developed in accordance with the Site Plan.

27.1.9

Visitor parking, if provided, may be located as parallel parking on internal streets, and the minimum width of the internal street shall be:

- 8.5 metres to accommodate parking on one side of the road
- 11 metres to accommodate parking on two sides of the road
- 6 metres without parking

The length and design of roads will be determined by the number of units served and the number and location of access points to publicly maintained roads.

27.1.10

Clustered residential development, while not a requirement, is encouraged to maximize the open space available to residents and tenants.

27.1.11

The required setbacks along the periphery of the Planned Unit Development shall be at least equal to that of the adjacent zoning district. Council may lower the required setbacks along the periphery from the standard required in the adjacent zoning district to the extent deemed appropriate taking into account the design and construction features of the proposed development.

27.1.12

The minimum horizontal distance between the buildings shall be:

- (A) **Dwellings other than apartments over 2.5 storeys**
 1 & 1.5 storeys 2.4 m
 2 & 2.5 storeys 3.6 m
- (B) **Apartments over 2.5 storeys**
 Equal to one-half the height of the building
- (C) **Commercial and Industrial**
 As per the zoning district requirements for the site

27.1.13

Minimum Setback Requirements for all residential uses except apartments over 2.5 storeys:

- (A) **All Corner Lots** **3.0 m (Flanking Street)**
- (B) **Front Yard Setbacks** **3.0 m where carports and garages are attached or are integrated into the dwelling unit, otherwise 6.0m**
- (C) **Garage Setbacks** **No garage shall extend more that 1 m beyond the building façade of the dwelling unit, but in no case shall they encroach into the front yard setback**
- (D) **Rear Yard Setbacks** **6.0 m**
- (E) **Interior Side Yard Setback** **1.2 m, except Townhouses and Row Houses which shall be 1.8 m**

27.1.14

Minimum Setback Requirements for apartments over 2.5 storeys

- (A) **All Corner Lots** **3.0 m (Flanking Street)**
- (B) **Front Yard Setbacks** **7.5 m**
- (C) **Rear Yard Setbacks** **Minimum rear yard setback is 25% of the lot depth; however it need not exceed 7.5 m. For a yard that abuts a required rear yard on an abutting lot, the rear yard setback is 7.5 m.**
- (D) **Side Yard Setback** **3.0 m**

27.1.15

Setback requirements for Commercial and Industrial uses
As per the zoning district for the proposed site

27.1.16

All other requirements for the zoning district in which a proposed development is located shall apply to Planned Unit Developments.

27.1.17

Residential condominium ownership projects can be developed to the same standards as Planned Unit Developments, subject to Council approval of a Discretionary Use application. Notwithstanding 27.1.12 to 27.1.16 above, Council may approve a zoning amendment to reduce the setback and separation distance requirements for projects that incorporate superior amenities or architecturally and environmentally superior design and construction features.

6. Section 9.0 General Residential R-1, Section 9.1, subsection 9.1.2 Discretionary Uses is hereby amended by inserting a new clause 9.1.2.7 adding Planned Unit Developments as a Discretionary Use.
7. Section 10.0 Low Density Residential R-2, Section 10.1, subsection 10.1.2 Discretionary Uses is hereby amended by inserting a new clause 10.1.2.10 adding Planned Unit Developments as a Discretionary Use.
8. Section 11.0 Medium Density Residential R-3, Section 11.1, subsection 11.1.2 Discretionary Uses is hereby amended by inserting a new clause 11.1.2.15 adding Planned Unit Developments as a Discretionary Use.
9. Section 12.0 High Density Residential R-4, Section 12.1, subsection 12.1.2 Discretionary Uses is hereby amended by inserting a new clause 12.1.2.6 adding Planned Unit Developments as a Discretionary Use.
10. Section 13.0 Mixed Density Residential R-5, Section 13.1, subsection 13.1.2 Discretionary Uses is hereby amended by inserting a new clause 13.1.2.7 adding Planned Unit Developments as a Discretionary Use.
11. Section 15.0 City Centre Commercial C-1, Section 15.1, subsection 15.1.2 Discretionary Uses is hereby amended by inserting a new clause 15.1.2.8 adding Planned Unit Developments as a Discretionary Use.
12. Section 16.0 Arterial Commercial C-2, Section 16.1, subsection 16.1.2 Discretionary Uses is hereby amended by inserting a new clause 16.1.2.7 adding Planned Unit Developments as a Discretionary Use.
13. Section 17.0 Highway Commercial C-3, Section 17.1, subsection 17.1.2 Discretionary Uses is hereby amended by inserting a new clause 17.1.2.8 adding Planned Unit Developments as a Discretionary Use.
14. Section 19.0 Light Industrial MI-1, Section 19.1, subsection 19.1.2

Discretionary Uses is hereby amended by inserting a new clause 19.1.2.5 adding Planned Unit Developments as a Discretionary Use.

Amended By
Bylaw
No. 36/2008

Section 28.0 COMMERCIAL-INDUSTRIAL TRANSITIONAL CMI-1

Section 28.1 COMMERCIAL-INDUSTRIAL TRANSITIONAL (CMI-1)

The purpose of this district is to facilitate reinvestment in core commercial and light industrial areas of the city by firstly encouraging a wide range of commercial-oriented uses in new development and by secondly promoting the rehabilitation of existing light industrial structures and uses. The Permitted and Discretionary Uses in the CMI-1 District are outlined in the table below:

28.1.1	Permitted Uses	28.1.2	Discretionary Uses
28.1.1.1	Amusement Establishments - Indoor	28.1.2.1	Agriculture Sales and Service Facilities
28.1.1.2	Apartments – Main Floor Commercial	28.1.2.2	Auto & Minor Recreation Sales / Rentals
28.1.1.3	Broadcasting / Television Studios	28.1.2.3	Autobody Repair & Paint Shops
28.1.1.4	Bakery	28.1.2.4	Automotive Maintenance
28.1.1.5	Business Support Services	28.1.2.5	Building Materials, Sales and Storage
28.1.1.6	Car Wash	28.1.2.6	Bulk Fuel Depots
28.1.1.7	Casinos	28.1.2.7	Contractor Facilities
28.1.1.8	Community Facilities	28.1.2.8	Greenhouses and Plant Nurseries
28.1.1.9	Convention / Exhibition Facilities (except for industrial / agricultural uses)	28.1.2.9	Group Care Facilities (Section 7.4)
28.1.1.10	Commercial Education Facilities	28.1.2.10	Kennels
28.1.1.11	Day Care Centres (Section 7.2) Dry Cleaner	28.1.2.11	Light Industrial Uses
28.1.1.12	Entertainment / Drinking	28.1.2.12	Manufactured Home Sales Facilities
28.1.1.13	Equipment / Household Repair Shops	28.1.2.13	Planned Unit Developments
28.1.1.14	Essential Public Services and Utilities	28.1.2.14	Railway Facilities and Uses
28.1.1.15	Financial Institutions	28.1.2.15	Recreation Vehicle Sales/Rentals/ Service
28.1.1.16	Fleet Services	28.1.2.16	Recycling Depots
28.1.1.17	Government Services	28.1.2.17	Residential Care Facilities (Section 7.7)
28.1.1.18	Health Services	28.1.2.18	Service Stations (Section 7.9)
28.1.1.19	Home Occupations (Section 7.6)	28.1.2.19	Storage Compounds / Facilities
28.1.1.20	Hotels / Motels	28.1.2.20	Truck Sales/Rentals/ Service
28.1.1.21	Parking Lots / Facilities	28.1.2.21	Veterinary Services
28.1.1.22	Participant Recreation – Indoors	28.1.2.22	Warehouse Sales and/or Facility
28.1.1.23	Personal Service Establishments		
28.1.1.24	Professional Offices		
28.1.1.25	Protective Services		

28.1.1.26	Public Parks And Playgrounds
28.1.1.27	Restaurant / Drinking Establishments
28.1.1.28	Retail Stores – Convenience
28.1.1.29	Retail Stores – Grocery
28.1.1.30	Retail Stores – General
28.1.1.31	Shopping Centres – Neighbourhood
28.1.1.32	Uses Accessory to Permitted Uses
28.1.1.33	Uses Accessory to Discretionary Uses

Section 28.2

CMI-1 DEVELOPMENT STANDARDS

28.2.1 Minimum Lot Dimensions		WIDTH	DEPTH	
USE				
28.2.1.1	Essential Public Services and Utilities	No minimum lot size		
28.2.1.2	Hotels and Motels	30.0m	40.0m	
28.2.1.3	Public Parks and Playgrounds	No minimum lot size		
28.2.1.4	Service Stations	30.0m	23.0m	
28.2.1.5	All Other Discretionary Uses	30.0m	35.0m	
28.2.1.6	All Other Permitted Uses	10.0m	23.0m	
28.2.2 Minimum Setback Requirements		FRONT	SIDE	REAR
USE				
28.2.2.1	Essential Public Services and Utilities	No setback requirements		
28.2.2.2	Public Parks and Playgrounds	No setback requirements		
28.2.2.3	All other uses	No setback requirements provided that all other requirements of this bylaw have been met.		
28.2.2.4	Any Site Abutting a Residential District	All sites which abut a residential district shall have a minimum yard setback requirement equal to the setback requirement for the adjacent residential use		
28.2.2.5	Any Residential Dwelling Units	All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m (Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0m).		

28.2.3 – Maximum Height

The maximum principal building height for all uses is 12.6m or 3.0 storeys.

28.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

28.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a retail convenience store shall be 278.0m²

28.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

28.2.7 – Apartments with Main Floor Commercial

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor. Residential uses shall have a direct entrance separate from that of the commercial use.

28.2.8 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit mixed use commercial-residential developments:

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity Space shall be provided to all apartments, apartments – senior citizens, and apartments – main floor commercial at a minimum rate of 6.0m² per unit.

28.2.9 Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

28.2.10 Parking Requirements

Use specific parking requirements shall be consistent with the requirements outlined in Section 5.5.7. Additional parking requirements shall be consistent with the requirements outlined in Section 5.0

28.2.11 Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|---|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11 – 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |
| H) Building Design | Section 4.34 |
| I) Recreational Facilities | Section 4.35 |
| J) Accessory Buildings | Section 4.5 |
| K) Landscaping Requirements | Section 6.0 |
| L) Parking and Loading Requirements | Section 5.0 |
| M) Signage | <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto) |

Section 29.0

ARTERIAL COMMERCIAL (TRANSITIONAL) - CT-2

Section 29.1

ARTERIAL COMMERCIAL (TRANSITIONAL) (CT-2)

The primary purpose of this district is to ensure the continued utilization of EXISTING residential housing stock in the West Broadway commercial corridor, while encouraging the long term conversion of the subject properties to commercial uses provided for in the C-2 Arterial Commercial zone. The Permitted and Discretionary Uses in the CT-2 District are outlined in the table below.

29.1.1	Permitted Uses		29.1.2		Discretionary Uses
29.1.1.1	Permitted Uses in C-2 Zone		29.1.2.1		Discretionary Uses in C-2 Zone
29.1.1.2	Uses Accessory to Permitted Uses		29.1.2.2		Single Detached Dwellings
29.1.1.3	Uses Accessory to Discretionary Uses				

Section 29.2

CT-2 DEVELOPMENT STANDARDS

29.2.1 Minimum Lot Dimensions USE	WIDTH	DEPTH	
29.2.1.1 Essential Public Services and Utilities	No minimum lot size As per C-2 Requirements		
29.2.1.2 All Other Uses			
29.2.2 Minimum Setback Requirements USE	FRONT	SIDE	REAR
29.2.2.1 Essential Public Services and Utilities	No setback requirements		
29.2.2.2 Single Detached Dwellings	As per R-1 Requirements		
29.2.2.3 Residential Dwellings (more than 1 unit)	All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m . Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0m. All buildings which have habitable rooms on the main floor shall have minimum yard setbacks of 4.5m.		
29.2.2.4 All other uses	As per C-2 Requirements		

29.2.3 – Maximum Height

The maximum principal building height is 12.6m or 3.0 storeys. Properties with front, rear and side yard building setbacks greater than 9.14m are permitted to extend such height to 16.8m or 4.0 storeys.

29.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

29.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a convenience store shall be 371m²

29.2.6 – Apartment Buildings

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor except for apartment buildings – senior citizens, hotels, and motels. Residential uses shall have a direct entrance from the street separate from that of the commercial use.

29.2.7 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit residential development (except semi-detached and duplex dwellings):

- G) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- H) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- I) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- J) Except for private balconies, amenity space shall not be located in any required front yard.
- K) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- L) Amenity Space shall be provided to all apartment buildings, apartment buildings - senior citizens, and apartments, main floor commercial at a minimum rate of 6.0m² per unit.

29.2.7 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

29.2.8 – Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

29.2.9 – Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|---------------------------------------|--------------------|
| N) Site Plan Development Standards | Section 3.8 – 3.10 |
| O) Subdivisions | Section 3.11– 3.13 |
| P) Excavation, Stripping, and Grading | Section 4.24 |
| Q) Soil Erosion Control | Section 4.25 |
| R) Sidewalk and Pedestrian Access | Section 4.29 |
| S) Trash Enclosures | Section 4.31 |
| T) Fencing | Section 4.32 |

- U) Building Design Section 4.34
- V) Recreational Facilities Section 4.35
- W) Accessory Buildings Section 4.5
- X) Landscaping Requirements Section 6.0
- Y) Parking and Loading Requirements Section 5.0
- Z) Signage *City of Yorkton Sign Bylaw #16/03 (or subsequent amendments thereto)*

Amended By
Bylaw
No. 32/2010

Section 30.0 MIXED USE RESIDENTIAL- BUSINESS DISTRICT (MXURB)

Section 30.1 MIXED USE RESIDENTIAL- BUSINESS DISTRICT (MXURB)

The purpose of the MXURB District is to facilitate reinvestment in older areas of the City by encouraging mixed uses in new development as well as promoting the rehabilitation and adaptive re-use of existing buildings. This district is intended to provide opportunities for the flexible use of properties in residential areas that are in transition from residential to commercial. This district is further intended to encourage the rehabilitation or adaptive re-use of existing buildings, and to ensure that new structures are compatible in use, scale and design with surrounding uses. The Permitted and Discretionary Uses in the MXURB District are outlined in the table below:

30.1.1	Permitted Uses	30.1.2	Discretionary Uses
30.1.1.1	Amusement Establishments - Indoor	30.1.2.1	Apartments
30.1.1.2	Apartments – Main Floor Commercial	30.1.2.2	Bed and Breakfast Homes (Section 7.1)
30.1.1.3	Apartments – Senior Citizens	30.1.2.3	Boarding or Lodging Houses
30.1.1.4	Auto & Minor Recreation Sales/Rentals	30.1.2.4	Car Washes
30.1.1.5	Business Support Services	30.1.2.5	Commercial Parking Lots
30.1.1.6	Commercial Education Facilities	30.1.2.6	Service Stations
30.1.1.7	Community Facilities	30.1.2.7	Storage Compounds/Facilities
30.1.1.8	Day Care Centres		
30.1.1.9	Dry Cleaner		
30.1.1.10	Duplexes		
30.1.1.11	Entertainment/Drinking Establishment		
30.1.1.12	Equipment/Household Repair Shops		
30.1.1.13	Equipment Rentals		
30.1.1.14	Essential Public Services and Utilities		
30.1.1.15	Financial Institutions		
30.1.1.16	Government Services		
30.1.1.17	Health Services		
30.1.1.18	Home Based Businesses (Section 7.6)		
30.1.1.19	Home Occupations (Section 7.6)		
30.1.1.20	Hotels / Motels		

30.1.1.21	Live Work Units	
30.1.1.22	Personal Service Establishments	
30.1.1.23	Professional Offices	
30.1.1.24	Restaurant/Drinking Establishments	
30.1.1.25	Retail Stores - Convenience	
30.1.1.26	Row Houses	
30.1.1.27	Shopping Centres - Neighbourhood	
30.1.1.28	Single Detached Dwellings	
30.1.1.29	Secondary Suite	
30.1.1.30	Uses Accessory to Permitted Uses	
30.1.1.31	Uses Accessory to Discretionary Uses	

Section 30.2

MXURB DEVELOPMENT STANDARDS

30.2.1 Minimum Lot Dimensions			
USE	WIDTH	DEPTH	
30.2.1.1 Essential Public Services and Utilities	No minimum lot size		
30.2.1.2 Hotels and Motels	30.0m	40.0m	
30.2.1.4 Service Stations	30.0m	23.0m	
30.2.1.5 All Other Discretionary Uses	30.0m	35.0m	
30.2.1.6 All Other Permitted Uses	10.0m	23.0m	
30.2.2 Minimum Setback Requirements			
USE	FRONT	SIDE	REAR
30.2.2.1 Essential Public Services and Utilities	No setback requirements		
30.2.2.3 All other uses	No setback requirements provided that all other requirements of this bylaw have been met.		
30.2.2.4 Any Site Abutting a Residential District	All sites which abut a residential district shall have a minimum yard setback requirement equal to the setback requirement for the adjacent residential use.		
30.2.2.5 Any Residential Dwelling Units	All dwelling units with walls having habitable rooms which face the side yard shall have a minimum side yard of 9.0m (Where the side yard abuts a street or lane, half of the street or lane width may be used in calculating the 9.0 m).		

30.2.3 – Maximum Height

The maximum principal building height for all uses is 12.6m or 3.0 storeys.

30.2.4 – Maximum Site Coverage

There shall be no maximum site coverage provided that all other requirements of this bylaw have been met.

30.2.5 – Maximum Floor Area per Unit

The maximum gross floor area for a retail convenience store shall be 278.0m²

30.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

30.2.7 – Apartments with Main Floor Commercial

Where an apartment building is combined with commercial uses on the main floor, there shall be no dwelling units permitted on the main floor. Residential uses shall have a direct entrance separate from that of the commercial use.

30.2.8 – Amenity Space

The following provisions shall apply regarding amenity space for all multi-unit mixed use commercial-residential developments:

- A) Where grade level amenity space is required in this Bylaw, it shall have a minimum area of 36m², except in the case of amenity space designed and provided for the exclusive use of the occupants of an adjacent dwelling unit, in which case it shall have a minimum area of 6.0m².
- B) All balconies, that are to be included as amenity space shall have a minimum dimension of 2.0m and a minimum area of 6.0m².
- C) A roof terrace that is to be included as amenity space shall have minimum dimensions of 6.0 metres by 3.0 metres.
- D) Except for private balconies, amenity space shall not be located in any required front yard.
- E) Amenity space shall not be used for the purpose of parking, loading, vehicle storage or repair, garbage collection or maintenance buildings.
- F) Amenity Space shall be provided to all apartments, apartments – senior citizens, and apartments – main floor commercial at a minimum rate of 6.0m² per unit.

30.2.9 Special Use Provisions

Where an additional section of this bylaw is noted next to a permitted or discretionary use, i.e. “Day Care Centre (Section 7.2)”, such notation shall specify that additional requirements pertaining to that use are located within the noted section.

30.2.10 Parking Requirements

Use specific parking requirements shall be consistent with the requirements outlined in Section 5.5.7. Additional parking requirements shall be consistent with the requirements outlined in Section 5.0

30.2.11 Additional Requirements

Refer to the sections or bylaws indicated below for additional information on the following requirements:

- | | |
|--|---------------------|
| A) Site Plan Development Standards | Section 3.8 – 3.10 |
| B) Subdivisions | Section 3.11 – 3.13 |
| C) Excavation, Stripping, and Grading | Section 4.24 |
| D) Soil Erosion Control | Section 4.25 |
| E) Sidewalk and Pedestrian Access | Section 4.29 |
| F) Trash Enclosures | Section 4.31 |
| G) Fencing | Section 4.32 |
| H) Building Design | Section 4.34 |
| I) Recreational Facilities | Section 4.35 |
| J) Accessory Buildings | Section 4.5 |
| K) Landscaping Requirements | Section 6.0 |
| L) Parking and Loading Requirements | Section 5.0 |
| M) Signage <i>City of Yorkton Sign Bylaw #16/03</i> (or subsequent amendments thereto) | |

30.2.12 Live Work Units

The following development standards shall apply to all Live Work Units:

- A. There shall be no uses permitted that generate noxious fumes, vibration, smoke, heat, glare, electrical, television or radio interference detectable or other nuisances beyond the boundaries of the dwelling containing the live work unit.**
 - B. Work associated with a live work unit shall be conducted entirely indoors, and shall not be undertaken in any attached garage space necessary for required parking.**
 - C. There shall be no exterior storage on the site in relation to the live work unit, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property.**
 - D. The size and nature of the workspace shall be limited so that the building type may be governed by applicable building codes.**
 - E. The dwelling component of the live work unit shall not be less than 30% of the gross floor area of the live work unit. Any attached garage space necessary for required parking shall be excluded from the gross floor space ratio calculation.**
 - F. Signage requirements pertaining to live work units shall be those of the Sign Bylaw.**
 - G. Parking shall be limited to the existing driveway. The residential character of the building shall not be changed to accommodate parking.**
- Outdoor storage must be screened to the satisfaction of the municipality from view from any public streets.**

SCHEDULE B - FORMS



DEVELOPMENT FEES

PART 1.0 – The required fee, as set out in this Appendix shall accompany all Development Permit applications. The issuance of a Development Permit is conditional on the payment of the fees required by this section.

Part 1.1 – APPLICATION FEES

1.1.1 – Minor Variance Permit	\$100.00
1.1.2 – Discretionary Use Application	\$150.00
1.1.3 – Zoning Memorandum certificate (per property)	
A) Type 1A (real property report with less than 30 day old survey)	\$50.00
B) Type 1B (real property report with survey more than 30 days old)	\$100.00
C) Type 2 (real property report with history of property)	\$200.00
D) Type 3 (real property report with history on surrounding neighbours)	\$400.00
1.1.4 – Rezoning and Zoning Bylaw Amendment Application Fees	\$250.00
<i>(A refundable portion of 50% shall be returned to the applicant in the event that the application is cancelled or withdrawn prior to City Council's initial consideration of the application.)</i>	
1.1.5 – Development Plan Bylaw Amendment Application Fees	\$250.00
<i>(A refundable portion of 50% shall be returned to the applicant in the event that the application is cancelled or withdrawn prior to City Council's initial consideration of the application.)</i>	
1.1.6 – Signage Plan	\$25.00
<i>(Sign permits shall cost \$1 per square foot of surface area of a sign calculated and applied to one side of a double-faced sign only, but in no event less than \$25).</i>	
1.1.7 – Subdivisions (including Major and Minor Subdivisions)	\$125.00
<i>(In addition to the subdivision application fee, all applicants are required to pay \$125.00 for each lot resulting from the subdivision, and Major and Minor subdivisions shall be subject to review fees and require an escrow of \$500.00). Applicants are also responsible for any and all fees associated with the subdivision that have been charged by the Information Services Corporation – Land Titles.</i>	
1.1.8 – Informal Site Plan	
A) Accessory buildings / structures (i.e. swimming pools, garages, decks)	No Fee
B) One and Two-Unit Dwellings	No Fee
1.1.9 – Minor Site Plan:	
A) Three unit dwellings and above up to 600m ²	\$100.00
B) Non-Residential forms of development up to 600m ²	\$150.00
<i>(In addition to the above, <u>all</u> minor site plan applications shall be subject to review fees and require an escrow of \$750.00).</i>	
1.1.10 – Major Site Plan	
A) New forms of development and additions up to 600m ² which are classified as a major site plan	\$250.00
B) New forms of development and additions over 600m ² up to 1,000m ²	\$350.00
C) New forms of development and additions over 1,000m ²	\$500.00*
<i>(In addition to the above, <u>all</u> major site plan application fees</i>	

<p>Amended By Bylaw No. 36/2003</p>
--

shall be subject to review fees and require an escrow of \$750 for the first acre of the gross area or fraction thereof, plus \$150 for each additional acre or fraction thereof). \$750.00*

1.1.11 – Condominium Plan

- | | |
|---|-----------------|
| A) Condominium Plan for New Residential Developments or Non-Residential Condominium Conversion
<i>(In addition to the above, Condominium Plan application shall be subject to review fees and require an escrow of \$500.00.)</i> | \$125.00 |
| B) Residential Condominium Conversion
<i>(In addition to the basic application fee, all applicants are required to pay \$130.00 per unit approved. The fee for a Tenant Consent Survey where required, shall be \$1,000.00.)</i> | \$500.00 |
| C) Bareland Condominium Subdivisions
<i>(In addition to the basic Bareland Condominium Fee, all applicants are required to pay \$125.00 for each bareland unit resulting from the subdivision.)</i> | \$125.00 |

Amended By Bylaw No. 7/2010
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Part 2.0 – An escrow shall be deposited at the time of Application submission. Review fees shall be deducted at a rate of \$75.00 per hour for subdivision and site plans which require review from the City’s Administrative Professionals. When an escrow drops below 30% of the initial amount deposited, the applicant must deposit funds to replenish escrow to 100% of the initial amount deposited.

Part 3.0 – Where the required fee is not listed in Schedule A, the fee shall be consistent with those fees listed in the Fee Schedule for similar uses and developments within the same or similar use class.

Part 4.0 – Where an application is substantially revised, the applicant, prior to the reconsideration of the application, shall pay a fee equal to fifty percent (50%) of the initial application fee specified in the fee schedule, except that such additional fee shall not be required in instances where improvements suggested by the Development Officer result in substantial revision.

Part 5.0 – Where a development has commenced before a development permit being made and the applicant subsequently submits an application, the fee charged for the application shall be double the normal fee. Such Applications shall also be subject to the penalties and requirements of the Zoning Bylaw or any other related City Bylaw.

* Escrow fee (see Part 2.0)

SCHEDULE C - FORMS



APPLICATION NO. _____

DEVELOPMENT PERMIT APPLICATION

APPLICATION

1. Applicant Name: _____ Phone No: _____ Fax: _____
Address: _____

2. Property Owner(s): _____ Phone No: _____ Fax: _____
Address: _____

3. Property Affected Address: _____ Lot(s) _____ Block _____ Plan No. _____
Existing Land Use: _____ Current Zoning: _____
Proposed Development: _____

Proposed Use and/or Development: Permitted Discretionary Application Fee: _____ Receipt No. _____

4. Terms and Conditions:

I hereby make application for Development Permit under the provisions of Zoning Bylaw 11-2003 in accordance with the plans and supporting information submitted herewith and which form part of this application. The information listed on the back of this form shall be submitted with this application. I hereby acknowledge that I have read the Development Permit Application and declare the information contained therein correct. I agree to comply with all the City of Yorkton bylaws and further agree to conform to the conditions set out in the Development Permit. Where I am not the property owner, I have included a letter of authorization from the owner(s).

Signature of property owner/ applicant

Date

NOTICE OF DECISION

Development Permit Issuance: Approved Conditional Refused Development Permit No. _____

Date of issuance/ refusal: _____ Expiry Date of Development Permit _____

Conditions of Approval: _____

Reasons for Refusal: _____

Council Resolution: _____

Development Officer

Date

APPEAL

Pursuant to Sections 91-104, inclusive, of the Planning and Development Act, 1983, and all amendments thereto, the applicant may appeal the conditions or refusal of this Development Permit to the Development Appeals Board within 30 days of the date of issuance or refusal.

SCHEDULE D - FORMS



APPLICATION NO. _____ - 20____
ZONING BYLAW AMENDMENT APPLICATION

APPLICATION

Owner: _____ Address: _____
Phone #: _____ Fax #: _____
Applicant: _____ Address: _____
Phone #: _____ Fax #: _____

I, _____, HEREBY CERTIFY THAT:

- I am the registered owner of the said lands proposed for amendment;
- I am authorized to act on behalf of the registered owner; and that all the above statements are true.

Applicant Signature _____ Date _____

PROPERTY INFORMATION

Address: _____ Lot(s): _____ Block: _____ Plan: _____
Current Zoning: _____ Proposed Zoning: _____
Existing buildings and use: _____

Purpose of Amendment: _____

SURROUNDING LAND-USE

North: _____
South: _____
East: _____
West: _____

Have adjacent owners been contacted: YES NO Their comments, (ATTACH LETTERS)

FOR OFFICE USE ONLY

Bylaw No: _____
Council 1: _____ Council 2: _____ Council 3: _____
Advertising: _____
Fee: _____

SCHEDULE E - FORMS



STOP ORDER NO. _____

CERTIFICATE OF ZONING COMPLIANCE APPLICATION

DATE: _____

PROPERTY LOCATION:

MUNICIPAL ADDRESS: _____

LEGAL DESCRIPTION: LOT(S): _____ *BLOCK NO:* _____ *PLAN NO:* _____

APPLICANT/COMPANY NAME:

CONTACT PERSON'S NAME:

PHONE NO: _____ **FAX NO:** _____

MAILING ADDRESS:

CITY: _____ **PROVINCE:** _____ **POSTAL CODE:** _____

CHECK OFF THE APPROPRIATE REQUEST BOX:

COMPLIANCE CERTIFICATE FOR THE ABOVE NOTED PROPERTY.

*Please submit a clear copy of the Real Property Report with this request.
The fee for residential, commercial and industrial properties is \$65.00.*

COPY OF THE REAL PROPERTY REPORT.

METHOD OF PAYMENT: - CASH - CHEQUE

CHECK METHOD OF DELIVERY: - MAIL - FAX (*original to follow*) - PICK-UP

(If nothing indicated, requests will automatically be mailed out.)

**NOTE: PAYMENT IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE.
PLEASE ATTACH CASH OR CHEQUE TO THIS FORM WHEN APPLYING.**

SCHEDULE F - FORMS



APPLICATION NO. _____

MINOR VARIANCE APPLICATION

DATE: _____

PROPERTY LOCATION:

MUNICIPAL ADDRESS: _____

LEGAL DESCRIPTION: LOT(S): _____ *BLOCK NO:* _____ *PLAN NO:* _____

APPLICANT/COMPANY NAME:

CONTACT PERSON'S NAME:

PHONE NO: _____ **FAX NO:** _____

MAILING ADDRESS:

CITY: _____ **PROVINCE:** _____ **POSTAL CODE:** _____

PLEASE INDICATE SITE AND APPLICATION DETAILS

(also required to provide a sketch including dimensions, setbacks, existing structures, etc.)

METHOD OF PAYMENT: - CASH - CHEQUE

**NOTE: PAYMENT IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE.
PLEASE ATTACH CASH OR CHEQUE TO THIS FORM WHEN APPLYING.**

SCHEDULE G - FORMS



CONTRAVENTION NO. _____

NOTICE OF CONTRAVENTION

This to notify you, _____, as registered owner/person in possession / person responsible for the contravention, that on _____, 20 __, the Development Officer inspected your land and/or building located at (Street and Property Address) _____, Lot _____, Block _____, Registered Plan _____ or Certificate of Title _____ in the City of Yorkton. In the Development Officer's opinion the use of the above land and/or form of development is in **contravention** of the **City of Yorkton Zoning Bylaw No. 27-2001**, Section(s) _____, for the following reasons:

Failure to comply with the Bylaw by _____, 20 __, will result in the Development Officer referring the matter to the City's solicitors to take such steps as are necessary to ensure compliance with the Bylaw. All costs incurred to ensure compliance will be borne by the owner/or building. The owner or person in possession may also be liable to a fine of up to \$5,000 to an additional fine of not more than \$1,000 for each day during which the offence continues, or a judgement to remedy the contravention for which the fine was imposed. The owner/person addressed in this notification is advised of the right to appeal this order to the Development Appeals Board under Section 96 (1) c). Any appeal shall be made within 30 days of the date on this Notice, and shall be addressed to the Development Appeals Board Secretary, City of Yorkton.

City of Yorkton, Development Officer

Date

SCHEDULE H - FORMS



STOP ORDER NO. _____

STOP ORDER

This to notify you, _____, as registered owner/person in possession / person responsible for the contravention, that on _____, 20 __, the Development Officer inspected your land and/or building located at (Street and Property Address) _____, Lot _____, Block _____, Registered Plan _____ or Certificate of Title _____ in the City of Yorkton. In the Development Officer's opinion the use of the above land and/or form of development is in **contravention** of the **City of Yorkton Zoning Bylaw No. 27-2001**, Section(s) _____, for the following reasons:

In accordance with the Saskatchewan Planning and Development Act, Section 220.1, you are hereby ordered to:

_____ by _____, 20 ____.

Failure to comply with this order may result in Council, or a person(s) appointed by Council, entering the land and/or building to take any action required to carry out the order, a fine of up to \$5,000 to an additional fine of not more than \$1,000 for each day during which the offence continues, or a judgment to remedy the contravention for which the fine was imposed. The owner/person addressed in this notification is advised of the right to appeal this order to the Development Appeals Board under Section 96 (1) c). Any appeal shall be made within 30 days of the date on this Notice, and shall be addressed to the Development Appeals Board Secretary, City of Yorkton.

City of Yorkton, Development Officer

Date

SCHEDULE I - FORMS



DATE: _____

APPLICATION TO SUBDIVIDE LAND
(Pursuant Planning and Development Act, 1983)

<p>1 LOCATION OF LAND TO BE SUBDIVIDED: Municipality (City, Town, Village, R.M., N.S.A.R) _____ LEGAL DESCRIPTION: _____ ¼ Section Twp. Rge. Mer. _____ Lot(s) Block(s) Reg'd Plan No.</p>	<p>2 INTENDED SUBDIVISION IS SHOWN ON ENCLOSED:</p> <p><input type="checkbox"/> Sketch Plan</p> <p><input type="checkbox"/> Plan of proposed Subdivision</p>
--	---

<p>3 LEGAL & PHYSICAL ACCESS FROM THE SUBDIVISIONS:</p> <p><input type="checkbox"/> Urban Street <input type="checkbox"/> Main Farm Access <input type="checkbox"/> Highway <input type="checkbox"/> Road Allowance <input type="checkbox"/> Grid Road <input type="checkbox"/> Resource Road</p>	<p>4 LAND CHARACTERISTICS (These features Should also be shown on the sketch plan):</p> <p>(Flat, Rolling, Steep) _____ _____ (Brush, Sloughs, Creeks, etc.) _____ _____ (Sandy, Loam, Clay, etc.) _____ _____</p>
---	--

5 EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED:	
<p>A) Current use of proposed lot(s)</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>B) Intended land use of proposed lot(s)</p> <p>_____</p> <p>_____</p> <p>_____</p>

<p>6 A) WATER SUPPLY IS: <input type="checkbox"/> existing <input type="checkbox"/> proposed</p> <p><input type="checkbox"/> Municipal System <input type="checkbox"/> Lake <input type="checkbox"/> Municipal Well <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Private Well <input type="checkbox"/> Not Required</p>	<p>B) SEWAGE DISPOSAL IS: <input type="checkbox"/> existing <input type="checkbox"/> proposed</p> <p><input type="checkbox"/> Municipal Sewer <input type="checkbox"/> Pit Privy <input type="checkbox"/> Septic System <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Holding Tank <input type="checkbox"/> Not Required</p>
--	--

7	<p>UTILITY SERVICE REQUIRED Indicate all line locations on Sketch/Plan. Relocation/extensions must be negotiated with supplier.</p> <p>a) Electrical Power is: <input type="checkbox"/> existing; <input type="checkbox"/> proposed b) Telephone Service is: <input type="checkbox"/> existing; <input type="checkbox"/> proposed c) Natural Gas Service is: <input type="checkbox"/> existing; <input type="checkbox"/> proposed; <input type="checkbox"/> not available; <input type="checkbox"/> not required</p>
----------	---

8	<p>NOTE: If the Municipal Council or any other agency has already been contacted, please</p>
----------	--

SCHEDULE I - FORMS

Attach a copy of their comments to this application.

9 SURROUNDING LAND USES:
 If the proposed subdivision is in a Rural Municipality, are any of the following within km; or if in an Urban Municipality, are any of the following within 500m?

	Yes/No	If yes, state distance
1. Airport	_____	_____
2. Intensive Livestock Operation	_____	_____
3. Sewage Treatment Facility or Sewage Lagoon	_____	_____
4. Landfill	_____	_____
5. High Voltage Power Transmission Lines	_____	_____
6. High Pressure Gas Transmission Line, Oil Line (Specify) _____	_____	_____
7. Industrial, Commercial Operation (Specify) _____	_____	_____
8. National, Provincial, Regional Park	_____	_____
9. Residential Lot(s)	_____	_____
10. Stream or Water Body	_____	_____
11. Cemetery	_____	_____
12. School Bus Route	_____	_____
13. Urban Municipality	_____	_____
14. Water Treatment Plant/Reservoir	_____	_____
15. Other, Specify _____	_____	_____

10

<p>A. Name of Registered owner of land To be Subdivided:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Name: _____</td> <td style="width: 50%;">Name: _____</td> </tr> <tr> <td>Address: _____</td> <td>Address: _____</td> </tr> <tr> <td style="text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table> </td> <td style="text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table> </td> </tr> </table>	Name: _____	Name: _____	Address: _____	Address: _____	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table>			Telephone	Postal Code	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table>			Telephone	Postal Code	<p>B. Land Surveyor / Planner / Lawyer / Agent:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Name: _____</td> <td style="width: 50%;">Name: _____</td> </tr> <tr> <td>Address: _____</td> <td>Address: _____</td> </tr> <tr> <td style="text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table> </td> <td style="text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table> </td> </tr> </table>	Name: _____	Name: _____	Address: _____	Address: _____	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table>			Telephone	Postal Code	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table>			Telephone	Postal Code
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Telephone	Postal Code																												
Telephone	Postal Code																												

B. Registered owner or person acting on the owner's behalf:
 I, _____, hereby certify
 (Full name in block capitals)
 that I am the registered owner of the land proposed for subdivision.
 am authorized to act on behalf of the registered owner and that all the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Name: _____	Signature: _____				
Address: _____	Telephone: _____				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"> </td> <td style="width: 30%; border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="font-size: small;">Telephone</td> <td style="font-size: small;">Postal Code</td> </tr> </table>			Telephone	Postal Code	Date: _____
Telephone	Postal Code				

REPLIES ARE TO BE SENT TO: A , B or, C (Please Specify)

SCHEDULE Z-1



CITY OF YORKTON ZONING DISTRICTS MAP

See attached map titled "Schedule Z-1 – City of Yorkton Zoning Districts Map."

Amended By Bylaw Nos.

(Contract Zones)

- 19/2004,**
23/2004, 25/2004,
4/2005, 7/2005,
8/2005, 9/2005,
21/2005, 9/2006,
25/2006, 26/2006,
29/2006, 9/2007,
16/2007 (Repealed By
 Bylaw No. 32/2010),
17/2007, 5/2008,
6/2008, 23/2008,
25/2008, 27/2008,
29/2008, 35/2008,
36/2008, 3/2009,
7/2009, 13/2009,
23/2009, 31/2009,
32/2009 (Repealed By
 Bylaw No. 17/2010),
33/2009, 34/2009,
36/2009, 4/2010,
3/2010, 12/2010,
13/2010, 17/2010,
32/2010, 34/2010
34/2010, 3/2011

