

Exhibit "B"

The Village of Paradise Hill Zoning Bylaw

Bylaw No. 02/2013

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1. INTRODUCTION

This bylaw was written under the guidance of the Village of Paradise Hill and its Council and Administration by Keith Folkersen in Consultation with SARM Community Planning Services to ensure compliance with *The Planning and Development Act, 2007*.

Under the authority provided by *The Planning and Development Act 2007*, the Council of the Village of Paradise Hill, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1.1 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Village of Paradise Hill.

1.2 Purpose

This bylaw has been created to regulate development in the Village of Paradise Hill in order to provide for the amenity of the area as well as for the health, safety and welfare of the inhabitants of the Village.

1.3 Scope

All development hereafter shall be permitted within the limits of the Village of Paradise Hill only when in conformity with the provisions within this bylaw.

1.4 Severability

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

1.5 Referencing the Municipality in this document

The Village of Paradise Hill shall be referred to as either "the Village" or its full title "the Village of Paradise Hill." Any reference to "the Village" will be assumed to refer to the Village of Paradise Hill unless the context clearly and specifically states otherwise.

2. INTERPRETATION

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

Abattoir (Slaughterhouse) – a building for butchering. The abattoir houses facilities to slaughter of animals; dress, cut and inspect meats; and refrigerate, cure, and manufacture by-products.

Accessory Building or Use – a use or building that:

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

Accessory Building, Large – an accessory building exceeding a height of 5 meters or having a floor area of greater than 90 square meters.

Act – means the *The Planning and Development Act, 2007*, as amended, unless the context provides otherwise.

Adjacent – contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

Administrator – the Administrator of the Village of Paradise Hill.

Agricultural – a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural activity.

Alteration – any structural change or addition made to any building or structure. This includes any structural change including but not limited to an addition to the area or height of a building, any changes to the structure or supports of a building, or the addition or expansion of a deck raised more than 16 inches above grade.

Apartment – a building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel, motel, townhouse or rooming house.

Apartment House – means a building divided into three or more dwelling units, as herein defined, with shared main entrances and other essential facilities and services.

Applicant – means a developer or person applying for a subdivision, bylaw amendment or development permit under this bylaw.

Approved – means approved by the Council of the Village of Paradise Hill or the development

officer of the Village depending on the nature of the application in question.

Auction Mart/Market – a building, structure and/or lands used for the storage of goods, materials and any other items, including produce and livestock, which are to be sold on the premises by public auction and for the sale of said goods, materials and livestock by public auction on an occasional basis.

Auto Wrecker – an area where motor vehicles are disassembled, dismantled or junked, or where inoperable machinery, equipment, vehicles or parts are stored for sale, salvage or any other reason.

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

Bare Land Condominium – means a condominium divided into bare land units, as defined in *The Condominium Property Act, 1993*.

Bare Land Unit – means a bare land unit as defined in *The Condominium Property Act, 1993*.

Basement – The portion of a building between two floor levels, which is partly underground and has not more than one half its height from the finished floor above grade level.

Basement Suite – means a suite within the basement of a single-detached dwelling that has a legal bedroom with the appropriate windows as well as cooking and toilet facilities.

Bed-and-Breakfast Home – a bed-and-breakfast facility in a single detached dwelling, licensed as an itinerant use accommodation under The Public Accommodation Regulations, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

Beverage Room – an establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is accessory to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.

Billboard – a private free standing sign advertising for, or referring to, a site or service not located on the same site as the sign itself.

Buffer – means a strip of land, vegetation or land use that physically separates.

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

Building, Accessory – see "Accessory Building or use," also see "Accessory Building, Large."

Building Bylaw – a bylaw of Village of Paradise Hill regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to The Uniform Building and Accessibility Standards Act.

Building Floor Area – the sum of the gross horizontal area of all floors of a building excluding the floor area used for mechanical

equipment, laundry, storage (not including closets for clothes, linen closets, broom cupboards or kitchen and bathroom cupboards which shall count towards the Building Floor Area) or enclosed underground parking facilities. All dimensions shall be measured between exterior faces of walls or supporting columns separating two buildings. Floor area is calculated excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

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

Building Permit - a permit, issued under the Building Bylaw of the Village of Paradise Hill, authorizing the construction of all or part of a building or structure.

Building, Principal - a building within which the principal use of the site is housed or conducted.

Building Line, Established - a reduced front yard requirement pursuant to Section 4.1.5. This building line will be based on factors such as the existing building line on a street even if it may not be conforming to the current bylaw.

Bulk Fuel Sales and Storage – lands, buildings and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

Bunkhouses – means a private detached building to be used as a guest house with garage accommodations on the same floor. Any bunkhouse or guest house may be allowed to have a kitchen and a bathroom. The granting of a development permit to accommodate

overnight accommodation shall not be construed, in any way, as consent or approval for a future subdivision for the use.

Bylaw – means the Zoning Bylaw.

Campground – an area meant to be used for a variety of overnight camping activities including tenting and trailer sites that will include accessory facilities which will support these use, such as bathrooms, administration offices and a range of services that, in Council's opinion, are necessary for the Campground. This will not include the use of mobile homes on a permanent year-round basis.

Campsite – means a designated and delineated area within a campground, tourist camp or trailer court that is intended to accommodate a single tent, tent party or trailer coach.

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

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

Carriage House – means a building where a residential suite or space is constructed for personal use or rent over a garage.

Car Wash – a building or part of a building which is used for the commercial washing and cleaning of motor vehicles, including full-service, automatic and hand operated facilities.

Cemetery – land that is set apart or used as a place for the interment of the dead or in which

human bodies have been buried. "Cemetery" may include a structure and/or facilities for the purpose of the cremation of human remains and their storage.

Club - a service club or private club which involves recreational, social, cultural or athletic activities.

Commercial Entertainment Establishment – a recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alley, theatre, billiard parlour, and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).

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

Compatible – means, with respect to land use, that land uses are able to coexist near each other without conflict or are consistent and capable of being used in combination with each other.

Condominium – means a multiple unit dwelling that is registered by a condominium plan

Confectionary Store – means a store primarily for the retail sale of consumables, and daily household amenities.

Convenience Center – means a building of less than 1000 meters in ground floor area

Convenience Store – means a store selling primarily food products, beverages, tobacco, personal care items, hardware and printed

matter meant to provide convenient day-to-day service for those from the community.

Corner lot – means a lot on the intersection of 2 or more streets.

Council – means the Council of the Village of Paradise Hill.

Country Residential Development – means a residential development located on a piece of land in an agricultural district where the primary and principal use of the land is for a residential building rather than a principal agricultural use.

Cultural Resource – means a resource such as a building, monument, space, site or other feature that helps to provide a connection between culture and the community.

Day Care Centre – a facility which provides for the non-parental care of pre-school age children or school aged children outside of normal school hours, and includes, but is not limited to: (a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to The Child Care Act (b) a nursery school for pre-school children.

Deck, Porch – means a raised or open platform, with or without railings that is raised at least 40 centimeters (16 inches) above grade and attached to the principal building.

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

Development Agreement – means the legal agreement between the Municipality and a person, persons or group which specifies all the obligations, terms and conditions for the approval of a development.

Development Officer – means the officer of the Village of Paradise Hill appointed pursuant to Section 3.1 to administer this Bylaw.

Development Permit – means a permit, issued by the Council of the Village of Paradise Hill or its designate that authorizes development but does not include a building permit.

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

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

Dwelling Unit Group – means two or more single detached or semi-detached or multiple unit dwellings located on a single site.

Dwelling, Duplex – means a building that is divided into two dwelling units with separate entrances and separated by a party wall.

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

Dwelling, Row House – means a building with three or more dwelling units side by side with common party walls which separate, without opening, each dwelling unit throughout the entire structure, with each dwelling having frontage onto the front street. Where permitted in the Zoning Bylaw, a row house may be subdivided into the separate dwelling units along the party walls.

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

Dwelling, Single Detached – means a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including an RTM when attached to its foundation on the site, but not including a mobile or modular home as defined. It may include a basement suite.

Dwelling, Townhouse – means a dwelling unit on its own site, attached to two or more other dwelling units, each on their own sites, with a common wall dividing the dwelling units through at least 40% of the depth of the entire structure.

Ecosystem – means an independent system containing all living organisms, the physical and chemical factors of their environment and the processes that link them.

Elevation – means the height of a point on the Earth's surface above sea level.

Environmentally Sensitive Land and Areas – means land or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following:

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

Environmental Reserve – means lands that have been dedicated to the Municipality by developers through the subdivision approval process. Environmental Reserve land is land considered to be undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, lands subject to flooding, lands considered to be unstable or unsafe to develop for any other reason. Environmental reserve may also be a strip of land, not less than 6 meters in width, abutting the bed and shore of any lake, river, stream or any other body of water for the purpose of preventing pollution or providing access to the bed and shore of the water body.

Existing – means anything in place, or taking place, on the date of adoption of this bylaw.

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

Farm Based Business – means an occupation undertaken by an agricultural operator of a farm, accessory to the principal use.

Farm Dwelling – means an accessory dwelling on a farm that is intended to accommodate farm workers.

Farm Operation – means conditions or activities occurring on a farm in connection with the commercial production of farm products, excluding those produced in connection with an Intensive Livestock Operation or an Intensive Agricultural Operation.

Fence – means a constructed barrier erected to separate, enclose, screen or divide areas of land.

Flood fringe – means the portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.

Flood Level, 1 in 500 (1:500) – means a level that is calculated to be the level of flood expected every 500 years; or more accurately the level over which there is a 0.2% chance of the water level rising above in any single year.

Flood plain – means the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

Flood proofed – means a measure, or combination of structural and non-structural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

Flood way – means the portion of the flood plain adjoining the channel where the waters in a 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

Floor Area – see "Building Floor Area."

Frontage – means the length of the site line front, the site line abutting the street providing access. In the case of a corner lot the shorter side shall be considered the front. Where a pie shaped or non-rectangular lot is involved, the average width of the lot may be considered as the value for calculating the minimum frontage requirement of the lot as long as one (1) additional off-street parking spot has been provided.

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

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

Garden Suite – means an accessory detached dwelling which is located on the same site as a principal residential use building meant to provide accommodation.

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

Grade Level – means an average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Greenhouse – means a building or structure with glass or transparent walls (plastic or other materials) for the exhibition, and cultivation of plants in a controlled environment and conditions.

Greenhouse (Commercial) – means a building in which plants are grown for commercial or retail sale typically made of plastic or glass.

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 story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

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

Hazard Lands or Undevelopable Lands – means lands prone to slumping, landslides, erosion, instability, flooding, lands in a flood plain or watercourse or lands below the 1 in 500 year flood level. Lands that are, in the opinion of the Village of Paradise Hill Council, unsafe or unsuitable for development as outlined in the Official Community Plan or this bylaw are also Hazard Lands. The Province defines Hazard

Lands as land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

Hazardous Material – means any material, product, substance, organism, gas, liquid or anything else which because of its quantity, concentration, location risk of spill, chemical or infectious characteristics, carcinogenic or mutagenic properties, is a potential or current threat to the physical environment, human health, living organisms, water supplies or other resources, including but not limited to:

- i) corrosives;
- ii) explosives;
- iii) flammable and combustible liquids;
- iv) flammable solids, substances liable to spontaneous combustion, substances that on contact with water emit flammable gases;
- v) gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
- vi) oxidizing substances; organic peroxides;
- vii) poisonous (toxic) and infectious substances;
- viii) radioactive materials;
- ix) waste dangerous materials; and
- x) any other environmentally hazardous substance.

Health Care Clinic – means a facility or institution for the provision of health care services, maintenance, diagnosis or treatment of human pain, injury or other physical conditions on an out-patient basis.

Heritage Property or Site – Any property or site that is designated by the Village, the Provincial Government or the Federal Government as being a site that should be protected and

preserved to protect heritage resources of the Village.

Heritage Resources – means:

- a) archaeological and paleontological objects; and
- b) any property or site of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value.

Heritage resources include built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

Home Based Business – means a business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly accessory and secondary to the residential use and does not change the character of the dwelling.

Hotel – means buildings or structures used or advertised as a place where sleeping accommodations are provided in whole or part, and may include accessory uses.

Integrated Resource Management – means the process of taking into account numerous resources when managing an area as they are inter-related. Through managing resources such as water, forestry resources, mineral extraction resources, wildlife and others together, an area is able to ensure that changes in the management of a single resource will not have an unintended negative effect on another.

Intersection – means any place where two or more streets meet or cross at grade.

Junk and Salvage Yards – means sites including but not limited to uses involved in salvaging, storing or selling scrap paper, metal, plastic, glass, wood and other waste material, as well as unlicensed and used vehicles and their parts.

Landfill – means a sight designed specifically to store and/or process solid waste on land in a way that protects and respects the health of residents and the environment in the surrounding area.

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

Legal Access – means a lot or parcel that is adjacent to a municipally maintained all-weather road, and meets the frontage requirements of the appropriate Zoning District where it is located, except where explicitly explained otherwise in Direct Control Districts. Legal access may also include provincially owned and maintained roads.

Live up/work down – a development where a residential suite or suites are placed above a main floor commercial or business use that is compatible with residential uses.

Lot – means a piece of land under one title with fixed boundaries and is recorded by Information Services Corp (ISC), the Land Titles Office and/or the Ministry of Government Relations Community Planning department.

Lot Coverage – means the percentage of the lot covered by building, such as principal and

accessory use buildings as outlined in this bylaw.

Lot Line, Front – means the property line that divides the lot from the street, in the case of a corner lot the line separating the narrowest street frontage on the lot from the street.

Lot Line, Rear – means the line at the rear of the lot opposite the front lot line.

Lot Line, Side – means a lot line which is neither the front or rear lot line.

Mayor – means the Mayor of the Village of Paradise Hill.

Mineral Exploration and Development – means any development necessary to fulfill the rights of the lessee:

- a) to search, dig, bore and drill for oil and gas, oil sands or oil shale, as the case may be, within the lands described in a lease;
- b) to win, get, recover, extract, procure, carry away, dispose of and sell the oil and gas, oil sands or oil sands products or oil shale or oil shale products, as the case may be, found within those lands; and
- c) to explore for, mine, work, recover, procure, carry away and dispose of any minerals within the lease lands.

Mineral Resources – means mineral resources as defined in the *Mineral Resources Act, 1985*.

Mini Mall – means a structure, including a strip mall, in which a minimum of two of the permitted and discretionary uses of the zoning District are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,000 square metres.

Minimum Separation Distance – the minimum distance certain developments must be set back from other uses due to their nature to disqualify future development or injuriously affect the existing development.

Minister – means the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

Mobile Home – means a trailer coach:

- (a) that is used as a dwelling for permanent or year round living
- (b) that has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system
- (c) which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards
- (d) that is properly skirted and attached to a permanent foundation.

Mobile Home Site – means a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court – means any site on which two or more occupied mobile homes are located but does not include an industrial or construction camp or tourist campsite.

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

Modular Home, Single Wide – means a modular home that is less than 5 metres (16.40 ft.) in width.

Modular Home, Double Wide – means a modular home that is greater than 8 metres (26.25 ft.) in width.

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

Motel – means a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

Multi-unit – a development, building or other collection of dwellings that is meant to provide residence for more than one suite, apartment or other residential unit. These include apartment buildings, duplexes and four-plexes, condominium developments or other buildings that Council believes are made for the housing of more than a single family or group.

Municipal Facility – means any structures or land owned and/or maintained by the municipality that are used for:

- (a) office and meeting space
- (b) storage of municipal equipment and supplies;
- (c) recreation; and/or,
- (d) other institutional purposes.

Municipality – means the Village of Paradise Hill unless explicitly stated otherwise.

New Construction – built and manufactured but not older than 5 years since construction was completed and never attached to a permanent foundation or used as lodgings on another site.

Non-Conforming Building – means a building:
(a) that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective; and
(b) that on the date a 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 Site – means a site, consisting of one or more contiguous parcels that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use – means a lawful specific use:
(a) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date 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 with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

Overhang, Roof – means the distance past the base of the wall of a building, over which the roof extends.

Parking Lot – means an area other than a street or alleyway, used for the temporary parking of more than 4 vehicles and available for public use and the use of employees working on, or from the site.

Parking, Off-street – means a building, structure or space for the storage of motor vehicles off of public streets or lanes but completely contained within the boundaries of the lot.

Parking Space – means a space within a building or parking lot used for the parking of a single (1) vehicle.

Permanent Foundation – means a foundation built up to the Canadian Standards Association Code CSA-Z240 series standards. The lower portion of a building, usually concrete, masonry or an engineered wood basement which renders the structure fixed, secure and immobile.

Permitted Use – means a use permitted by the Village in a certain zoning district as long as all other bylaw and regulation requirements are met.

Personal Service Establishment – means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the

cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

Porch, Deck – see "Deck, Porch."

Principal Building, Structure or Use – means the main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Provincially designated lands – means lands designated or identified by the province or its agencies as parklands, ecological reserves or wildlife habitat lands, including critical habitat of species at risk.

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

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

Radio and Television Communication Structure

– means a structure or structures used for receiving and broadcasting radio or television signals.

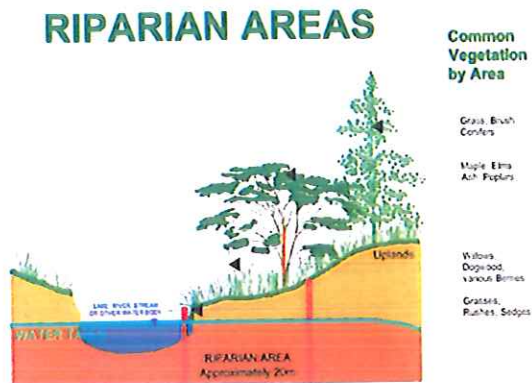
Ready-to-Move (RTM) Dwelling – means a new single detached dwelling constructed off site to National Building Code or CSA A277 standards to be moved onto a new permanent residential site building foundation.

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

Residential Care Home – means a facility licensed under provincial statute to provide, in a residential dwelling, long term residential, social, physical or personal care, including accommodation, meals, supervision or assistance for persons who have limits on ability for self-care and self-supervision, and who are unrelated to the operator or owner.

Restaurant – means a commercial establishment where the primary products sold are food and beverages prepared and served to customers on site at tables or chairs or off-site, as in the case of take out and drive-throughs.

Retail Store – means a commercial use of a building where goods or merchandise are sold to the public for personal or household use and any of the necessary services attached with preparing and selling these products.



Riparian Area – means the areas along the edges of water bodies and waterways such as streams, rivers and lakes that act as important natural bio-filters that protect water bodies and water resources such as groundwater from excessive sedimentation, pollutants in surface water runoff and erosion. These areas and the vegetation within them are instrumental in water quality management and protection and need to be protected. The area that they cover can vary depending on the area where they are located but it will be assumed to be the first 20 metres from the shoreline in the Village unless evidence to the contrary is provided by what Council determines to be a qualified professional.

Rooming House – means a building containing more than one rooming unit.

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

Service Station – means a building which is a principal use on a site or a structure which is an accessory use in a clearly defined space on a site; where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle, and where the service station is a principal use on the site, it may also include the servicing and repairing of motor vehicles.

Servicing Agreement – means an agreement entered into between a municipality and a person, persons, group or other party during the subdivision process outlining how services will be funded and who will pay for them pursuant to section 172 of *The Planning and Development Act, 2007*.

Sight Triangle, Driveway – means the area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the driveway within the property to a similar point along the property line 3 m away from the driveway.

Sight Triangle, Street – means the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 3 m (10 feet) from the corner property pin to a similar point 3 m (10 feet) along the perpendicular or intersecting property line.

Sign – means any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business

in such a way as to be visible to the public on any street or thoroughfare.

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

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

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

Sign, Canopy – means a sign attached to, or painted on an awning, canopy or free-standing canopy.

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

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

Sign, Directional – means any sign:
(a) displaying safety or warning messages;
(b) directing traffic or providing parking directions;

(c) giving instructions, directions or orders to persons making use of premises.

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

Shipping Container – means a durable metal container typically used for shipping goods long distances. It is commonly used as a storage container. Also known as a Sea Can.

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

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

Sign, Identification – means a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

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

Sign, Real Estate – means a temporary sign that advertises for sale, rent, or lease the land,

property or premises on which the sign is displayed.

Sign, Temporary – means a sign advertising a message applicable for a defined period of time and not exceeding 6 months.

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

Site – means one or more contiguous surface parcels as defined under The Land Titles Act, 2000, that:

- belong to the same registered owner, and
- have been linked by parcel tie, and
- are used as a unit for the purpose of regulation under this Bylaw.

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

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

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

Special Care Home – means a facility licensed pursuant to The Housing and Special-Care Homes Act which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or

infirmity are unable to care for themselves, including nursing homes.

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

Structure – means anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.

Structural Alteration – means the construction or reconstruction of supporting elements of a building.

Structure, Temporary – means anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

Sustainable – means meeting present needs without compromising the ability of future generations to meet their needs.

Temporary Storage Structure – means any development without a permanent foundation that is used for storage of products and is not considered part of the principal building. A few examples are canvas garages without a permanent foundation and oil sheds.

Tourist Campground – means a site which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Tourist Home – means a private home or dwelling other than a rooming house, hotel or

motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

Townhouse – means a multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings.

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

Units of measure – means units of measure in this Bylaw are metric abbreviated as follows:

m	- metre(s)
m ²	- square metre(s)
km	- kilometres
ha	- hectare(s).

Village – means the Village of Paradise Hill unless the section clearly refers to another

Village by their full title (e.g. the Village of Edam).

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

Yard, Front – means a yard extending across the full width of a site between the front site line and the nearest main wall of the principal building.

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

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

Zoning district – means a specifically marked area of the municipality that is subject to a corresponding set of development rules and policies contained within the Zoning bylaw and Official Community Plan.

3. ADMINISTRATION

3.1 Development Officer

The Administrator of the Village of Paradise Hill, including any person acting under the authority, direction, and with the consent of the Administrator, shall be the Development Officer responsible for the administration of this Bylaw.

3.2 Development Permit

- (1) No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in Section 3.2 (3).
- (2) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- (3) A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed for:
 - (a) the maintenance of a public utility by the Village or crown corporation;
 - (b) the construction of a public utility by the Village;
 - (c) the installation of public utility on any street or other public right-of-way by the Village;
 - (d) a Village facility installed and operated by the Village;
 - (e) maintenance and repairs that do not include structural alterations and that replace less than 75% of the built structure;
 - (f) the installation of fences within the boundaries of a lot surrounding an area under 9 square metres subject to all height restrictions of the zoning district;
 - (g) in a Residential Zoning District only:
 - (i) the erection of any television antennae, or radio antennae;
 - (ii) temporary Signs;
 - (h) In a Commercial or Industrial District only:
 - (i) the erection of any fence or gate not adjacent to a Provincial Highway, Residential District, Commercial District or Community Service Building;

- (ii) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted;
- (iii) temporary Signs;

Or

- (j) Official Temporary Uses

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

- (k) Internal Alterations

- (i) Residential Buildings

Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;

- (ii) All other Buildings

Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

- (l) Landscaping

Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted or changed in any way.

- (m) Road Projects of the Saskatchewan Department of Highways.

- (n) Shed packages, gazebos, greenhouse, decks, carports, pergolas or any other accessory building under 100 square feet and under 13 feet in height.

- (4) A building permit shall not be issued unless a development permit, where required, has also been issued.

- (5) If the development or use authorized by a development permit is not commenced within twelve (12) months from the date of issue of a permit, and completed within eighteen (18) months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.

3.3 Application for a Development Permit

- (1) The application for a development permit shall be made, to the Development Officer, in "Form A" as adopted or amended by resolution of Council. The application shall be accompanied by two copies of a site or building plan showing dimensions and locations of existing and proposed

buildings and structures as well as site lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.

- (2) Where the application is for a discretionary use the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.
- (3) In the case of any Ready-to-Move (RTM) homes, buildings constructed off-site, Mobile Home or Trailer Coach or any building moved into the Municipality the applicant will be required to provide the Village Administration and Council with current photos of all 4 sides of the building (4 photos in total providing what could reasonably be considered the North, South, East and West elevations) as it will sit on the site. Ready-to-move (RTM) buildings may not require photos if they are a new construction.
- (4) Accessory developments fewer than 9.3 square meters (100 square feet) shall not require a development permit as long as they remain under 4 meters (13 feet) in height.
- (5) Any Development Permit Application will be required to contain:
 - (a) all the requirements listed in Sections 3.3(1), 3.3(2) and 3.3(3);
 - (b) Site Plans as mentioned in section 3.3(1) which shall contain:
 - (i) the proposed use of land and any buildings or parts of buildings on the site;
 - (ii) a North Arrow;
 - (iii) the property lines and setbacks from the proposed development to the property lines;
 - (iv) the area of the parcel;
 - (v) the street frontage of the lot;
 - (vi) the off-street parking provided on the lot;and may contain if requested:
 - (vii) major drainage paths for water travelling over the lot;
 - (viii) easements on the site;
 - (ix) fencing, screening and garbage storage areas;
 - (x) the proposed location, size and elevation of the sewer and water connections;
 - (xi) a site plan done by a Saskatchewan Land Surveyor (SLS).

- (c) Any and all photos or pictures required by this bylaw as listed in Section 3.3(3).

(6) **Additional Requirements**

The Development officer retains the right to ask for any necessary research or studies needed to complete an Application for a development permit regarding a discretionary use, zoning bylaw change, mapping change or change to the Official Community Plan.

3.4 Referral to Council

The Development Officer may submit any application to Council for a decision on the interpretation of the Bylaw, or upon special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide any of what Council or the Administrator considers to be necessary information before they render a decision.

3.5 Issue of Permits

- (1) Upon completion of the review of an application for development, the Development Officer shall:
 - (a) for a permitted use, issue a development permit where the application conforms with the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw;
 - (b) for a permitted use, issue a refusal, where the application does not comply with a provision or regulation of this Bylaw, stating the reason for refusal;
 - (c) for a discretionary use, prepare a report for Council on the proposal respecting the criteria for consideration of that discretionary use and submit the application to Council for decision;
 - (d) issue a refusal, where the application is for a use that is not provided for in the District in which the property is located;
 - (e) fulfill all advertising requirements outlined in section 3.9(2) of this bylaw.
- (2) Council shall make a decision on a discretionary use, by resolution, that approves or refuses the discretionary use on that site and that instructs the Development Officer to:
 - (a) issue a development permit incorporating any specific development standards set forth by Council, where the development will comply with the standards of this Bylaw, subject to the limitations of the Act;

- (b) issue a development permit incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that development will comply with the standards of this Bylaw, subject to the limitations of the Act that may include conditions on what must be included in any agreement necessary for the development approval to remain valid;
 - (c) issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that he/she may have.
- (3) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.
- Form A and Form B are forms created by the Development Officer and adopted by council to administer this section. Their contents are not defined in this bylaw.
- (4) The development officer retains the right to ask for any studies or research they believe is necessary for making a decision on a development permit, at the cost of the applicant, before rendering a decision.

3.6 Revocation of Decision

Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected. All actions regarding revocation of decision and the processes governing it shall be followed as outlined in section 242 of *The Planning and Development Act, 2007*.

3.7 Limitation on Discretionary Use Approvals

(1) Validity of Discretionary Use Approvals

A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use, and:

- (a) the use ceased and was replaced by another use;
- (b) the use ceases for a 12 month period unless there has been no zoning change to the lot and the use is still a permitted use within the district;
- (c) a building required for the approved use is not started within 12 months or completed within 18 months unless an extension has been granted;
- (d) the use is not started within 12 months of completion of the building;
- (e) a use not requiring construction of a building is not started within 12 months;

- (f) the applicant applies to increase the specifically approved intensity of use.

(2) Time Limited Discretionary Uses

Where Council has approved a discretionary use for a limited time as provided in the Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.8 Development Appeals

(1) Appointment of Board

- (a) Council shall appoint a Development Appeal Board in accordance with Sections 49 and 214 to 218 of the Act.
- (b) Council shall, by resolution, adopt a policy specifying: the terms of office; the manner of filling of vacancies to the board; the remuneration and expenses for board members; the provision for appointment of a secretary to the board; the duties of the secretary; and the remuneration and expenses to be paid for the secretary.
- (c) Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.

(2) Notice

On "Form B", the Development Officer shall advise the applicant of the rights of appeal granted by the Act, with respect to that application.

(3) Filing an Appeal

A person who wishes to appeal to the Development Appeal Board shall, within 30 days of receiving the permit or notice, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Board.

(4) Powers of the Development Appeal Board

- (a) The Development Appeal Board has the powers given by the Act to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted use or a discretionary use.
- (b) Nothing in this Section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a District.

- (c) Nothing in this Section allows a Development Appeal Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Bylaw for a District.

(5) Appeal from a Deemed Refusal

- (a) An application for a development permit for a permitted use shall be deemed to be refused when the Development Officer has not issued a decision more than 40 days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application had been refused at the end of 40 days.
- (b) With written notice to the applicant, a decision may be deferred beyond 40 days in order to obtain any information that is relevant to the application and, in Council's opinion, necessary in making the decision on a development permit application.

3.9 Fees and Advertising

(1) Amending planning bylaws

- (a) Where a person requests Council to amend the Official Community Plan, Zoning Bylaw, or other planning bylaw, that person shall pay to the Village a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.
- (b) Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to a planning bylaw, at its own cost.
- (c) Any proposed changes to the Zoning Bylaw Map within the Zoning Bylaw or the Future Land Use Map within 150 meters of the Village boundary may be sent to the R.M. of Frenchman Butte No. 501 for comment.
- (d) Any proposed changes to the text of the Zoning Bylaw or the Official Community Plan may be sent to the Onion Lake First Nation, the Town of St. Walburg, the R.M. of Frenchman Butte No. 501 and any organized and unorganized Hamlets for comment.

(2) The following provisions apply to the advertisement of a discretionary use application:

- (a) The Development Officer shall direct the applicant for a discretionary use to advertise the proposed use by posting a notice of the application conspicuously on the front of the property in question, and by mailing or delivering a copy of the notice to the assessed owner of each property within 75 metres of the subject property for the following:

- (i) any discretionary accessory use to a residence;
 - (ii) a home based business.
 - (b) In addition to the requirements specified in Clause 3.9(2) (a), for an application for any discretionary use not listed in Clause 3.9(2) (a), the Development Officer, may, at their discretion, require that certain kinds of advertising, the level of which shall be at the discretion of the development officer, to be done in addition to any other requirement.
 - (c) The notice shall:
 - (i) describe the use applied for;
 - (ii) describe the location of the use;
 - (iii) specify the date, time, and location of the Council meeting at which the application will be considered.
 - (d) The notice shall be posted, delivered, and published at least seven days, and mailed at least twelve days, prior to the date of the meeting.
 - (e) The applicant shall pay a fee equal to the costs to the Municipality associated with the public advertisement.
- (3) Development Permit and Bylaw Change Fee Schedule
- All Development Permit Fees and Bylaw Change fees shall be contained within a Fee Schedule Bylaw passed by the Village Council.

3.10 **Removed**

3.11 Minor Variances to the Zoning Bylaw

- (1) An application for a minor variance shall be made to the Development Officer for a minor variance to the Zoning Bylaw in a form as prescribed by the Development Officer.
- (2) The Development Officer shall maintain a register as an appendix to the Zoning Bylaw of all minor variance applications.
- (3) The Development Officer may vary the requirements of the Zoning Bylaw subject to the following conditions:
 - (a) A minor variance may be granted for variation only of:
 - (i) the minimum required distance of a building from the site line;
 - (ii) the minimum required distance of a building to any other building on the site.
 - (b) The maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the Zoning Bylaw.
 - (c) The development shall conform to the Zoning Bylaw with respect to the use of land.
 - (d) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.
- (4) No minor variance is allowed in connection with an agreement on rezoning entered into pursuant to Section 3.10 of this Zoning Bylaw and/or on the cost of any fees as listed in any part of Section 3.9 of this Zoning Bylaw.
- (5) A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to the Act.
- (6) On receipt of an application for a minor variance, the Development Officer may:
 - (a) approve the minor variance;
 - (b) approve the minor variance and impose terms and conditions on the approval;
 - (c) refuse the minor variance.
- (7) Where the Development Officer imposes terms and conditions on an approval pursuant to Subsection 3.11(6), the terms and conditions shall be consistent with:
 - (a) minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements, or the obstruction of sight lines;
 - (b) providing adequate separation between buildings for safety reasons;

- (c) avoiding encroachment into adjoining property, by reduction of allowable projects or other potential encroachments.
- (8) 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.
- (9) 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 land that is the subject of the application.
- (10) The written notice required pursuant to Subsection (8) shall:
 - (a) contain a summary of the application for minor variance;
 - (b) provide a reason for and an effective date of the decision;
 - (c) indicate that an adjoining assessed owner may, within 20 days, lodge a written objection with the Development Officer;
 - (d) where there is an objection described in Clause (c), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.
- (11) The written notice required pursuant to Subsection (8) shall be delivered:
 - (a) by registered mail; or
 - (b) by personal service.
- (12) A decision approving a minor variance, with or without terms and conditions, does not take effect:
 - (a) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;
 - (b) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- (13) If an assessed owner of property having a common boundary with the land that is the subject of the application, objects in writing to the Village respecting the approval of the minor variance within the time period prescribed in Subsection (10), the approval may be deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - (a) of the revocation of the approval;
 - (b) of the applicant's right to appeal the revocation to the Development Appeal Board within 30 days of receiving the notice.

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

3.12 Enforcement, Offences and Penalties

(1) Inspection

Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, he/she may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purposes of inspection.

(2) Order by the Development Officer

- (a) Where the Development Officer has determined that a violation of this Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to Section 242 of the Act.
- (b) The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following:
- (i) discontinue the development;
 - (ii) alter the development so as to remove the contravention;
 - (iii) restore the land, building or premises to its condition immediately prior to the development;
 - (iv) complete the work necessary to comply fully with the Zoning Bylaw.
- (c) The order shall specify the time when the actions required by Clause (2) are to be complete and shall advise of the rights of appeal.
- (d) The Development Officer may register an interest against the title to the property, based on the order, and shall discharge the interest once the order is complied with.
- (e) The Development Officer may apply to the Court of Queen's Bench to enforce the order, or the order as amended by the Development Appeal Board or the Saskatchewan Municipal Board on an appeal.
- (3) Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

3.13 Bylaw Compliance

Errors and/or admissions by any person administering this bylaw or acting as the development officer while processing applications for development do not clear any party of responsibility for complying with the provisions of this bylaw or any other bylaw of the Village of Paradise Hill. No mistake or omission by the Development Officer or someone acting under their direction relieves any applicant from liability for failure to comply with this bylaw.

4. GENERAL REGULATIONS

4.1 All Zoning Districts

The following regulations shall apply to all Zoning Districts in this Bylaw:

(1) Licenses, Permits, and Compliance with Other Bylaws

- (a) Development must comply with the provisions of this Bylaw, whether or not a permit has been issued for the development.
- (b) Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Village of Paradise Hill or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Village of Paradise Hill. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

(2) Multi Parcel Sites

- (a) Where a multi parcel site is used for one development, a proposal to separate the parcels into two or more sites requires a development permit for each of the resulting sites.
- (b) No development permit may be issued for a development creating more than one site as described in Clause (a) unless each of the sites will comply with the Bylaw with respect to the requirements of the District in which it is located.
- (c) A duplex may be subdivided along a party wall or firewall, and Council may relax or reduce any and all setbacks from property lines necessary for the subdivision to comply with the bylaw through a resolution of Council, to allow for the splitting of title of a duplex or multi-unit dwelling on multiple parcels of land if:
 - (i) the wall is built to a standard that would Council believes is suitable for the development's safety in regards to fire safety;
 - (ii) title to the building or buildings can be split by the Information Services Corporation and Land Titles;
 - (iii) the development will not negatively affect the character of the surrounding area.
- (d) A condominium complex may have their titles split after the creation of a condominium plan that meets all regulations of the Province (including all requirements of *The Condominium Properties Act*), Information Services Corporation (ISC) and Land Titles.

(3) Non-conforming Buildings and Non-conforming Sites

Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed within reasonable means, repaired or renovated pursuant to the rights granted by Sections 91 to 93 of the Act. These rights are subject to the following:

- (a) the enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw;
- (b) if the reconstruction or repair is such that the cost is more than 75% of the construction cost to replace the building above its foundation, the building is not to be reconstructed or repaired, except in accordance with the zoning bylaw and with a new development permit for the reconstruction;
- (c) all other applicable provisions of this Bylaw are satisfied;
- (d) issuing of a development permit required by this Bylaw;
- (e) non-conforming residential buildings may be permitted in areas of the Village as outlined in this bylaw.

(4) Non-conforming Uses

Where a use or intensity of use is being undertaken for part of a site or part of a building that conform to the bylaws in effect before this Bylaw or before an amendment to this Bylaw, that use may be continued. The use may not be enlarged, not relocated, or the part of the building housing the use may not undergo structural alteration as long as the use is continued, as provided for in Sections 89 and 90 of the Act. Any portion of the property or building may undergo development or reconstruction of the building for a use that does conform to the Bylaw.

- (a) As provided for in Sections 89 of the Act, a non-conforming use that has been discontinued for a period of 12 consecutive months or more on that site may not be continued.

(5) Established Building Lines

Where a front building line in a residential District has been established by existing buildings in a block and is less than the specified front yard requirement, the required front yard is reduced for new construction according to the following principles:

- (a) where the new building is to be constructed on a corner site it shall not be located further into the required front yard than a legal principal building on the abutting interior site;

- (b) where the building is to be constructed on an interior site it shall not be constructed further into the required front yard than the average of the encroachments of principal buildings into the required front yard on the two abutting sites;
- (c) where the abutting site is vacant, or the building has more than the required front yard the encroachment into the required front yard shall be considered to be zero.

(6) Number of Principal Buildings Permitted on a Site

Not more than one principal use shall be established and not more than one principal building shall be placed on any one site, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres, nursing homes, senior citizen homes, and approved dwelling groups.

(7) Building to be Moved

No building, including, but not limited to any residential commercial or industrial building, shall be moved within or into the area covered by this Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

(8) Demolition of Buildings

No building shall be demolished within the area covered by this Bylaw without obtaining a development permit. A development permit shall be granted where all requirements of the Building Bylaw are met, and:

- (a) the building is not designated a heritage building which is not to be demolished;
- (b) the building is not a residential structure in a Demolition Control District for which building Council has not granted an application to demolish.

(9) Grading and Levelling of a Site

Any site proposed for development shall be graded and levelled at the owner's expense as is necessary to provide for adequate surface drainage. The drainage shall not adversely affect adjacent property, and shall comply with the requirements of the Village of Paradise Hill respecting design and location of flow from the property.

(10) Water Supply and Waste Disposal

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

- (b) Where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.

(11) Metric Conversion

Where a building was constructed or a site created under a bylaw using the Imperial System of Measurement, a standard under that bylaw that was converted and rounded to an approximate metric measure in a subsequent bylaw, shall be deemed equivalent for the purpose of regulation of that site or building.

(12) Geotechnical Analysis Required

If a proposed development is to be located on a site that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, Council may require that a geotechnical report be completed and approved by a Professional Engineer in the Province of Saskatchewan, before making a decision regarding any development. The report shall indicate the suitability of the site, or sites, for development and any remedial measures required to ensure suitability or to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions in the development permit.

(13) Satellite Dish, Radio Tower or Television Antenna for Personal Use

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

(14) Shipping containers shall be prohibited in all zoning districts with the exception of the C2 – Highway Commercial District and the M – Industrial District and the P – Parks and Recreation District.

(15) Solid or liquid waste facilities

No solid or liquid waste facility may be approved within 300 metres of any residential property and solid or liquid waste facilities within 600 meters of any hospital, school, residence or assisted living facility/care home shall require the approval of Council.

4.2 Residential Districts

(1) Projections in Yards

The following projections in required yards are permitted subject to the setback or construction requirements of the National Building Code:

- (a) In front yards:
 - (i) maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes;
 - (ii) maximum of 1.8 m projection of open cantilevered balconies, open porches, or open steps;
 - (iii) wheelchair ramps to main floor level;
 - (iv) fences less than 1.3 (4 feet) m in height unless provided otherwise in this Bylaw;
 - (v) light standards, flag poles, and permitted signs.
- (b) In Rear Yards
 - (i) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m;
 - (ii) unenclosed, roofed or un-roofed, decks, balconies, porches, and steps;
 - (iii) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m;
 - (iv) wheelchair ramps to main floor level;
 - (v) fences less than 2 m in height unless provided otherwise in this Bylaw.
- (c) Side Yards
 - (i) fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m or $\frac{1}{2}$ the required yard whichever is the less;
 - (ii) walkways and steps less than 0.6 m in height;
 - (iii) wheelchair ramps to main floor level;
 - (iv) fences not more than 2 m in height unless provided otherwise in this Bylaw.
- (d) Hedges and other closed landscaping plantings shall comply with the fence requirements.
- (e) Handrails are permitted in all yards uncovered driveways, walkways.

(2) Accessory Uses, Buildings, and Structures

- (a) Except as specifically provided in this Bylaw accessory buildings shall comply with the yard requirements for a principal building. Any building located less than 1 metre from a principal building shall comply with all the minimum yard requirements of the principal building.
- (b) An accessory building shall not be located in a required front yard.
- (c) No door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located:
 - in a required front yard, less than 6.0 meters from a street to which it gives direct access, or
 - in a required side or rear yard, less than 3.0 meters to a lane to which it gives direct access and, in the opinion of Council, creates a danger to traffic on the lane due to lack of visibility.
- (d) Accessory buildings are permitted in any rear yard; provided that they are set back at least 1 metre from the back property line.
- (e) Private garages and accessory buildings if less than 10 square metres, subject to Clause (c), shall have a minimum side or rear yard of 0.75 m and a maximum projection of 0.5 m into the required yard for any eaves gutters or drain spouts into that yard.
- (f) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 m
- (g) Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.
- (h) In rear yards laundry drying equipment and garbage stands are permitted.

(3) Storage

- (a) No side or front yards shall be used for outdoor storage.

4.3 Commercial and Industrial Districts

(1) Projections in Yards

- (a) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 m or less projection into a required yard, or chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.
- (b) Signs, as allowed pursuant to Section 6, are permitted in required yards.

(2) Fences and Hedges

- (a) Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m in any required side or rear yard.
- (b) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m and 2.5 m above grade.

(3) Accessory Buildings and Structures

- (a) Accessory buildings shall comply with the yard requirements for a principal building.
- (b) For gas bars and service stations an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 m from any property line.
- (c) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- (d) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

5. SPECIAL PROVISIONS

This Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

5.1 Discretionary Uses

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- (a) site drainage of storm water;
- (b) the location of buildings with respect to buildings on adjacent properties;
- (c) access to, number and location of parking and loading facilities;
- (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
- (e) control of noise, glare, dust and odour;
- (f) landscaping, screening and fencing to buffer adjacent properties.

5.2 Bed and Breakfast Homes

- (a) Bed-and-breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.
- (b) Bed-and-breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed-and-breakfast home.
- (c) In issuing discretionary use approval for a bed-and-breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms. Any increase in number of guest rooms shall require a new discretionary use approval.
- (d) One off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed-and-breakfast home, in addition to any off street parking used for the operator of the facility.
- (e) One sign identifying the bed-and-breakfast home in accordance with the standards for a sign identifying a multiple unit dwelling is permitted.
- (f) Council will consider applications with respect to the following criteria:
 - (i) The proposed structures are suitable and comfortable for the proposed development;
 - (ii) There is adequate space on the site for the proposed facility;

- (iii) There are appropriate levels of access to the site and off street parking is available for the users of the facility and for the operator;
- (iv) The development will complement adjacent residential uses;
- (v) Use as a bed-and-breakfast home, will be considered an asset in the preservation of heritage buildings.

5.3 Home Based Business

- (a) Where allowed as a discretionary use, a home based business may be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling.
- (b) A home based business shall clearly be secondary and accessory to the use of a dwelling unit as a private residence.
- (c) A home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signs.
- (d) A home based business shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the principal building.
- (e) A home based business shall not create any conflict with the residential area in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m., that would be disruptive to the surrounding residential uses.
- (f) A home based business shall not require the parking of more than two client vehicles at any time. Off street parking shall be provided on site for any resident vehicles.
- (g) The home based business shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- (h) No more than 25% of the gross floor area of the principal building, and 50% of the ground floor area of an accessory building shall be used for the home based business.
- (i) A permit issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- (j) The discretionary use approval for a home based business shall cease to be valid when the operation ceases in accordance with Section 3.7.1, or where the operator relocates

to another site. A new discretionary use approval is required before the home based business may restart operation.

5.4 Service Stations and Gas Bars

- (a) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres from any street or other property boundary.
- (b) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- (c) All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- (d) The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.

5.5 Residential Care Homes

- (a) Where allowed as a discretionary use a residential care home may be developed in a single detached dwelling building, subject to obtaining a provincial licence, pursuant to the particular act under which the home is proposed to operate.
- (b) The residential care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
- (c) A residential care home shall meet all of the regulations for a single detached dwelling as prescribed for the District in which it is located.
- (d) The operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home.
- (e) The operator shall ensure that adequate supervision and care is available at the home at all times.
- (f) In approving a residential care home, Council may specify the maximum number of clients that may be cared for in a residential care home.
- (g) Council will consider applications with respect to the following criteria:
 - (i) the structures are suitable and comfortable for the proposed development, and provide for the appropriate level of supervision;
 - (ii) there is adequate space on the parcel for the proposed facility;

- (iii) there are appropriate levels of off street parking for the residents of the facility and the operator;
- (iv) the concentration of residential care homes will not exceed 2 facilities per residential block, and the home will complement adjacent residential uses.

5.6 Garden Suites

- (a) A garden suite is only permitted where allowed as a discretionary use in the zoning bylaw.
- (b) Where a garden suite is permitted as a discretionary use by the zoning bylaw as mentioned in subsection 5 (6) (a), the following provisions apply:
 - (i) only one garden suite is permitted per lot;
 - (ii) the garden suite must be on the same lot as a site with a principal residential use and a single existing residential building;
 - (iii) the principal residential use building must be a single detached dwelling;
 - (iv) the single detached dwelling must be a permitted use in the zoning district;
 - (v) the Garden Suite must comply with all the regulations set out in the zoning bylaw;
 - (vi) the Garden Suite must be the second residential building on the site. If there is a second residential building already on any site a garden suite will be prohibited until there is only one residential building on the site.

6. SIGNS

All signs will be subject to the following requirements.

6.1 Commercial Districts

- (a) no more than two (2) signs (excluding directional and informational signs) are permitted on a lot;
- (b) no sign shall have a facial area in excess of 3.5 square metres unless it is in a C2 – Highway Commercial District. Each sign may be double-faced;
- (c) the maximum height of any sign shall be 6 metres above ground surface;
- (d) signs in a highway commercial district of more than 3.5 square metres may be permitted with the permission of either Council or the Development Officer.

6.2 Industrial Districts

- (a) no more than four (4) signs (excluding directional and informational signs) are permitted on a lot;
- (b) no sign shall have a facial area in excess of 5 square metres;
- (c) the maximum height of any sign shall be 6 metres above ground surface;
- (d) signs in an industrial district of more than 5 square metres may be permitted with the permission of either Council or the Development Officer.

6.3 Other Districts

- (a) no more than one permanent sign is permitted on the lot except one additional sign is permitted for a home based business;
- (b) additional temporary signs bearing notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the lot are permitted;
- (c) no sign shall have a facial area exceeding 0.4 square metres except as provided for home based business where 1 square metre is the maximum;
- (d) no sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

6.4 Other signage regulations

- (a) the Village of Paradise Hill may draft any other policies regarding signs and signage throughout the Village as long as they are referenced in this section for the convenience of Developers and residents of the Village.

7. OFF STREET PARKING AND LOADING REGULATIONS

The following off-street parking and off-street loading provisions should be reviewed regularly for applicability.

7.1 General Regulations

- (1) No person within any District shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with the development.
- (2) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, that specifically affects the requirements for parking and loading facilities, the number of parking and loading spaces shall be increased by the additional number of spaces required by this Bylaw.
- (3) Whenever the use of a building is changed, the parking and loading spaces shall be provided as required for the new use. However, if the building was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number of spaces that the requirements for the new use exceed those of the existing use.
- (4) Any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion, or other cause to the extent of 75 % or more of its value above the foundation to rebuild that is reconstructed, repaired or re-established, shall provide off-street parking and loading facilities in accordance with this Bylaw.
- (5) Any development application for a Garden Suite will be required to show that an additional off-street parking spot has been provided for the site on top of the current requirements for the site.

7.2 Off-Street Parking

- (1) Off-street parking for all districts except for the C1 Commercial District, which is subject to the regulations in 7.2(5) of this bylaw, shall be provided in accordance with the Table 1 Parking Schedule on the next page, and associated regulations. Except where specifically noted, all floor areas represent gross floor areas. One space is required for each rate unit or part of a unit. For shopping centres the rate required applies to the entire shopping centre including restaurants or offices.
- (2) Required off-street parking spaces in any Commercial or Industrial District may be located on a separate site that is within a convenient walking distance to a maximum of 150 m of the principal building or use, provided such spaces are located within a commercial or industrial District.

- (3) Required off-street parking spaces for public buildings and recreational facilities in any District may be located on a separate site that is within a convenient walking distance to a maximum of 150 m of the principal building or use.
- (4) In Residential Districts, off-street parking spaces shall be provided on the site on which the principal use to which the parking pertains is located.
- (5) Where the necessary off-street parking space is provided on a parcel that is separate from the principal use, an agreement between the Municipality and the owner of the site on which the parking is to be located shall be recorded in the Village office. The agreement shall bind the owner and his heirs and successors restricting the use of the site for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; and an interest based on the agreement shall be registered against the titles on behalf of the Municipality.

Table 1 - Parking Schedule

Land Use	Parking Spaces Required (minimum)
Residential	
single detached dwelling	1 space
semi-detached dwelling, attached dwelling, duplex dwelling, mobile or modular home.....	1 per dwelling unit
multiple unit dwelling	1 per dwelling unit
multiple unit dwelling for senior citizens.....	1 per 4 dwelling units
bed-and-breakfast facility	1 plus 1 per guest room
Institutional	
personal care home	1 plus 1 per 5 client residents
special care and nursing home	1 per 4 client beds
hospital.....	1 per 2 beds
elementary school.....	1 per classroom
high school and collegiate.....	4 per classroom
community centre, auditorium, theatre, private club, places of worship	1 per 10 fixed seats or 1 per 25 m ² of space for movable seating
library, cultural institution	1 per 20 fixed seating or 1 per 50 m ² for movable seating.
Commercial , excluding C1	
retail stores	1 per 40 m ² of building footprint
shopping centers.....	1 per 30 m ² of building footprint
offices.....	1 per 50 m ² of building footprint
cafe, restaurant.....	1 per 4 patron seats, or 1 per 10 m ² patron space if seating not fixed.
lounge, beverage room, night club	1 per 4 patron seats, or 1 per 10 m ² patron space if seating not fixed.
hotel or motel	1 per guest room or motel unit.
bingo hall	1 per 4 patron seats,

bowling alley	2 per lane
billiard hall.....	1 per table plus 1 per 4 patron seats,
lumber yard, home improvement centre	1 per 50 m ²
Industrial	
manufacturing and processing plants.....	1 per 60 m ² of building footprint
warehouse (restricted access)	1 per 100 m ² of building footprint
Recreational	
ice rink, curling rink, arena.....	2 per sheet of ice, or playing field plus 1 per 10 fixed seats
gymnasium, tennis court (indoor)	2 per court plus 1 per 10 fixed seats
fitness center	1 per 30 m ² of building footprint
All others	1 per 30 m ² of building area

(6) In a C1 Commercial District

(a) Requirements:

Residential Use 1 space per dwelling unit

(b) Exemptions:

If there is what Council deems to be suitable angle parking for a development within the C1 District that fronts onto Main Street then the off-street parking requirement may be waived or reduced for a Commercial Development.

(6) The minimum size of any off-street parking stall or spot shall be 2.75 metre by 6 metres.

8. ZONING DISTRICTS AND ZONING MAP

8.1 Classification of Zoning Districts

For the purpose of this Bylaw, the Village of Paradise Hill is divided into the following Zoning Districts, the boundaries of which are shown on the "Zoning District Map." Such Districts may be referred to by the appropriate symbol, as shown in Table 3.

Table 2 - Districts

District	Symbol
Residential 1	R1
Mobile Home	MH
Commercial Core	C1
Highway Commercial	C2
Parks & Recreation	P
Industrial	M
Urban Reserve	UR

8.2 Zoning District Map

The Zoning District Map bears the statement: "This is the Zoning District Map which accompanies and forms part of Bylaw No. 9/2012 and is referred to in Section 8 adopted by the Village of Paradise Hill signed by the Mayor and Village Administrator under the seal of the Village."

8.3 Boundaries of Zoning Districts

- (1) The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- (2) Unless otherwise shown, the boundaries of zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.
- (3) Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- (4) Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

8.4 Zoning District Schedules

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

9. R1 – RESIDENTIAL 1 DISTRICT

9.1 R1 - Permitted Principal Uses

(1) Residential uses:

- (a) single detached dwelling;
- (b) modular home;
- (c) semi-detached;
- (d) family child care home where accessory to a dwelling;
- (e) ready to move buildings (RTMs) that are a new construction.

(2) Recreational and public uses:

- (a) parks and playgrounds;
- (b) public utilities (excluding offices, warehouses and storage yards);
- (c) municipal facilities;
- (d) schools and educational facilities;
- (e) public works and utilities excluding offices, warehouses and storage yards and sewage lagoons;
- (f) sports fields;
- (g) swimming pools;
- (h) community centres.

(3) Institutional uses:

- (a) libraries and cultural institutions.

9.2 R1 - Permitted Accessory uses:

- (a) decks;
- (b) porches;
- (c) garages and carports;
- (d) canvas structures such as sheds or garages;
- (e) fences;

- (f) garden sheds and greenhouses;
- (g) uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size and intensity of use to the principal building.

9.3 R1 - Discretionary Principal Uses

(1) Residential uses:

- (a) residential care homes or nursing homes;
- (b) dwelling groups;
- (c) rooming houses;
- (d) ready to move buildings (RTMs) moved on the site that are not a new construction;
- (e) row houses, townhouses or bare land condominiums;
- (f) multiple unit dwellings;
- (g) duplex and four-plex dwellings.

(2) Institutional uses:

- (a) places of worship, religious institutions;
- (b) group care facilities;
- (c) day care centres;
- (d) service clubs;
- (d) hospitals and health care facilities.

(3) Commercial uses:

- (a) confectionaries;
- (b) drug stores;
- (c) personal service shops.

9.4 R1 - Discretionary Accessory Uses

(1) Residential Uses:

- (a) garden suites;
- (b) lofts in a carriage house or bunkhouse style above a garage;
- (c) home based business where accessory to a dwelling\
- (d) bed-and-breakfast homes where accessory to a single detached dwelling;

9.5 R1 - Regulations

(1) Site requirements:

Table 3 - R1 Site Requirements

Use	Frontage		Parcel Area	Depth
Without Lane				
- single detached dwellings, modular homes	12 m		450 m ²	30 m
- semi-detached or duplex dwelling (per dwelling)	9 m		270 m ²	30 m
- residential care home	12 m		550 m ²	30 m
- row house dwellings	9m		270 m ²	30 m
(per dwelling)				
- multiple unit dwelling or townhouse dwelling	30 m		900 m ²	30 m
With Lane				
- single detached dwellings, modular homes	12 m		450 m ²	30 m
- semi-detached or duplex dwelling (per dwelling)	7.5 m		225 m ²	30 m
- residential care home	12 m		450 m ²	30 m
Places of worship, religious institutions	30 m		900 m ²	30 m
Commercial uses (excluding home based business)	30 m		900 m ²	30 m
Other Uses	15 m		550 m ²	30 m
Recreational and public uses	No requirements			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 4 - R1 Required Yards*

Use	Front Yard	Side Yard abutting Street	Side Yard other	Rear Yard	Coverage	Building floor area
Residential (including home based business)	6 m	3 m	1.5 m	6 m	30% Maximum	100 m ² minimum
Condominium complexes	6 m	3 m	1.5 m	6 m	As determined by Council	
Accessory buildings residential	As required in Section 4.2 (2) and as outlined in this section			1 m		140 m ² maximum
Garages - opening onto a back lane - opening toward the lot front	6 m 6 m	3 m 3 m	1.5 m 1.5 m	3 m 1 m		140 m ² maximum
Places of worship, religious institutions	6 m	3 m	3 m	6 m		
Commercial uses	6 m	6 m	3 m	6 m		300 m ² maximum
Recreational and public uses	No requirements					

*All requirements are the minimum unless specified otherwise.

The limit to commercial uses applies to the sum of all commercial uses on the parcel.

(3) Development Standards for Modular Homes:

- (a) All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling;
- (b) Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected, as available, to other public utilities.

(4) Signs:

- (a) Section 6 regulations shall apply in the R1 – Residential District.

(5) Storage:

- (a) Subsection 4.2 (3) regulations shall apply in the R1 – Residential District.

(6) Accessory Buildings and Uses:

- (a) only buildings that are secondary in intensity of use shall be permitted.

- (b) all accessory buildings in the R1 – Residential District are subject to section 4.2 (2) of this bylaw;
 - (c) only one detached private garage is allowed on a lot, unless permission is granted by Council to increase the number of detached private garages to more than one;
 - (d) only one accessory building is allowed on any single site unless:
 - (i) one building is a detached garage then another accessory building may be allowed as long as the 3 buildings do not consist of more than 70% of total lot coverage; or
 - (ii) permission may be granted by Council to increase the number of accessory buildings to more than what is allowed in Section 9.5 (9) (d) (i) subject to the requirements of section 9.5 (9) (iii) below.
 - (iii) Council may permit more than 2 accessory buildings if:
 - the uses shall not cause land use conflicts with neighbouring properties;
 - that the uses shall not cause a parking problem in the area;
 - that the permission of an additional use is not an approval of any future subdivision of the lot;
 - that the use is, in the opinion of Council, reasonably compatible with the principal use on site.
 - (e) an accessory building must be secondary in building height to the primary building, unless, in the opinion of Council, the characteristics of the primary building, the accessory building, and the neighbouring properties are such that a building height higher than the primary building will appear appropriate for that location;
 - (f) An accessory building must be less than or equal to 16 feet in height from grade to its highest point, unless, in the opinion of Council, the characteristics of the neighbouring properties are such that a building height of higher than 16 feet will appear appropriate for that location.
- (7) Protection of Trees and Vegetation:
- (a) no person shall cut or remove any tree located in this district on any publicly owned land, without first having obtained the written consent of the Village Administrator or Council.

9.6 Specific Regulations for Discretionary Uses

(1) Development Standards for Residential Care Homes:

(a) Council will apply the following criteria in considering a residential care home application:

- (i) the development will comply with the standards and criteria of Section 5.5;
- (ii) the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs;
- (iii) the development will provide a comfortable home for the client residents.

(2) Development Standards for Home Based Business:

(a) Home based business will comply with Section 4 and Section 5.3 of this bylaw;

(b) Council will apply the following criteria in considering a home based business application:

- (i) the development will comply with the standards and criteria of Section 5.3;
- (ii) the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs;
- (iii) the development does not have the potential to become too large or too intrusive for a residential neighbourhood.

(b) No home based business in this district shall operate any business that could negatively affect the environment or the residential nature of the community;

(c) No home based business shall include an auto body repair or repainting operation, storage of heavy construction or industrial equipment or supplies, any business seen to produce an uncomfortable level of noise or light, any business that will pose a danger to the public and any business which will upset the wildlife in the area;

(d) Council may apply special standards in the issuing of a development permit limiting the size of the operation, and buildings used for the operation, as well as any other size, height or safety restrictions necessary to protect the area from the possible risks posed by a home based business. Any increase in the operation or major change to the operation will require a new development permit;

(e) Council may apply special standards in the issuing of a development permit such as screening storage areas, fencing in yards, landscaping to hide from certain features or regarding the placement of signs in order to ensure the aesthetic quality of lakefront areas;

- (3) Development Standards for Commercial or Institutional Discretionary uses:
- (a) Council will apply the following criteria in considering a commercial or institutional discretionary use in this District:
 - (i) good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas; locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred;
 - (ii) the development will be of a size and operation intended to serve the neighbourhood in which it is located;
 - (iii) the developer of the business may be required to provide a fence or other buffer to an abutting residential use.
 - (b) Council will apply the following criteria in considering an institutional discretionary use in this District:
 - (i) locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood;
 - (ii) significant institutional uses will be encouraged to seek sites in or abutting R1 – Residential Districts.
- (4) Bed-and-Breakfast Homes:
- (a) Bed and breakfast homes shall comply with Section 4 and section 5 (2) of this bylaw;
 - (b) Council may apply special standards in the issuing of a development permit limiting the number of rooms or buildings that may be permitted in conjunction with the operation.
- (5) Bunkhouses:
- (a) Maximum height: 1 storey (4.5 m) or
over a main floor garage, 2 storeys (9 m);
 - (b) Maximum size: The main building and bunkhouse may not exceed 60% of total lot coverage;
 - (c) Private detached buildings to be used as a guest house or bunkhouse will be permitted if they will not cause the area of the lot in question to be more than 60% covered by permanent buildings;

- (d) Any bunkhouse or guest house may be allowed to have a kitchen and a bathroom;
 - (e) The granting of a development permit to accommodate overnight accommodation shall not be construed, in any way, as consent or approval for future subdivision;
 - (f) Bunkhouses will be required to provide one (1) additional off-street parking space, the parking on the main floor of a bunkhouse that is a garage may count towards this total;
 - (g) Bunkhouses will not be allowed to have windows directly facing onto another residential property;
 - (h) the bunkhouse or carriage house shall not obstruct the view of any adjacent property;
 - (i) the bunkhouse or carriage house shall remain at a height less than the principal building and all adjacent principal buildings.
- (6) Ready-to-move (RTM) housing:
- (a) ready-to-move (RTM) buildings will be required to meet all the requirements of section 3.3 (3);
 - (b) council may deny any development application for a ready-to-move (RTM) building if the application is for a ready-to-move (RTM) building that is more than 10 years old.
- (7) Row houses, townhouses, bare land condominiums, multiple unit dwellings, duplex and four-plex dwellings.
- Any row houses, townhouses, bare land condominiums, multiple unit dwellings, duplex and four-plex dwellings will be allowed at the discretion of Council. They may be required to prove that their inclusion, in Council's opinion, will not negatively affect:
- (a) the surrounding community;
 - (b) the safety of vehicle and pedestrian traffic in the area;
 - (c) drainage patterns or pathways;
 - (d) any public property, park or beach;
 - (e) the general prosperity, safety and well-being of the area.
- (8) Garden Suites:
- (a) Garden Suites must meet all the requirements of 5 (6) a) as well as all the requirements of figure 9.6.8 shown on the next page:

Figure 9.6.8 Garden Suite Requirements in a R1 - Residential District

Garden Suite Requirements	
(a) Maximum height	3.5 meters or one storey
(b) Permitted location	In the rear yard only
(c) Minimum setback	i) From a Side Lot line: Same as principal building ii) From a rear lot line: Same as accessory buildings in the district
(d) Maximum lot coverage	i) 30% of the area of the rear yard
(e) Minimum distance from any other building on the lot	1.5 meters
(f) Driveways	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
(g) Maximum floor area	65% of the footprint of the principal building on the lot
(h) Windows on a Garden suite	Windows on a Garden Suite will not be allowed to have windows directly facing onto another residential property

10. MH - MOBILE HOME DISTRICT

10.1 MH - Permitted Principal Uses

- (1) Residential uses:
 - (a) mobile homes or trailer coaches;
 - (b) mobile home courts.
- (2) Recreational and public uses:
 - (a) parks and playgrounds;
 - (b) sports fields;
 - (c) public utilities (excluding offices, warehouses and storage yards);
 - (d) municipal facilities.
- (3) Institutional uses:
 - (a) places of worship, religious institutions;
 - (b) schools and educational facilities;

10.2 MH - Permitted Accessory Uses:

- (1) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use in terms of size, building height and frequency of use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building including but not limited to:
 - (a) decks;
 - (b) fences
 - (c) sheds or greenhouses,
 - (d) garages and carports,
 - (e) canvas structures such as sheds or garages,

10.3 MH - Discretionary Principal Uses:

- (a) daycare centres;
- (b) home based businesses;
- (c) residential care homes.

10.4 MH - Regulations

(1) Site requirements:

Table 6 - MH Site Requirements*

Use	Frontage		Parcel area	Depth
Without Lane				
- mobile home	12 m		350 m ²	20 m
- mobile home court	15 m		2 ha	30 m
- residential care home	12 m		450 m ² 900 m ²	30 m
With Lane				
- mobile home	9 m		350 m ²	20 m
- mobile home court	12 m		2 ha	30 m
- residential care home	12 m		550 m ²	30 m
Places of worship, religious institutions	30 m		900 m ²	30 m
Other uses	15 m		550 m ²	30 m
Recreational and public uses	No requirements			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 7 - MH Required Yards*

Use	Front yard	Side yard abutting Street	Side yard other	Rear yard	Coverage	Building floor area
Mobile Homes	7.5 m	3 m	1.5 m	4.5 m		100 m ²
Mobile Home Court	7.5 m	3 m	1.5 m	7.5		100 m ²
Accessory buildings - residential	As required in Section 4.2.2			1 m		140 m ² maximum
Garages						140 m ² maximum
- opening onto a back lane	6 m	3 m	1.5 m	3 m		
- opening toward the lot front	6 m	3 m	1.5 m	1 m		
Places of worship, religious institutions, libraries, and cultural institutions	6 m	3 m	3 m	6 m		
Other uses	6 m	3 m	1.5 m	6 m		
Recreational and public uses	6 m	No requirements				

*All requirements are the minimum unless specified otherwise. Where dwelling in a row house or semi-detached house abuts the other dwelling at the party wall, the side yard requirement is not applicable.

(3) Council will apply the following criteria in considering an institutional use in this District:

- (i) locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred; the degree to which the development will be

considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood;

- (ii) large institutional uses will be encouraged to seek sites in or abutting CS - Community Service Districts.

(4) Signs:

- (a) Section 6 regulations apply in the MH District.

(5) Storage:

- (a) Subsection 4.2(3) regulations shall apply in the MH District.

(6) Accessory Buildings and uses:

Section 9.5 (6) regulations for accessory buildings and uses in an R1 – Residential District shall apply to accessory buildings and uses in the MH District.

10.5 Specific Regulations for Discretionary Uses

(1) Development Standards for Day Care Centres:

- (a) Council may set a maximum number of residents as a condition of approval;
- (b) Council will apply the following criteria in considering the discretionary use application:
 - (i) the area is safe for children;
 - (ii) the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs;
 - (iii) there will be suitable space for the children on site;
 - (iv) there will not be an unreasonable traffic safety risk on the site.

(2) Development Standards for Home Based Business:

- (a) Council will apply the following criteria in considering a home based business application:
 - (i) the development will comply with the standards and criteria of Section 5.3;
 - (ii) the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs.
 - (iii) Development of a bed-and-breakfast home shall comply with the standards and criteria of Section 5.2.

- (3) Development Standards for Residential Care Homes:
 - (a) Council will apply the following criteria in considering a residential care home application:
 - (i) the development will comply with the standards and criteria of Section 5.5;
 - (ii) the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs
 - (iii) the development will provide a comfortable home for the client residents;
 - (iv) adaptive re-use of large historic buildings is an asset.

11. C1 – COMMERCIAL CORE DISTRICT

11.1 C1 - Permitted Principal Uses

- (1) Retail, commercial service, and office uses:
 - (a) banks, financial services, and business offices;
 - (b) bakeries with retail sales;
 - (c) broadcasting media and commercial communications studios and offices;
 - (d) bus terminals;
 - (e) cafes, restaurants, and lounges;
 - (f) construction trades, artisans, and craft shops offices and workshops;
 - (g) government and professional service offices;
 - (h) licensed beverage rooms, restaurants, lounges and businesses involved in the sale of beer, wine and other spirits with or without food;
 - (i) medical, dental, and other health services offices and clinics;
 - (j) personal service establishments;
 - (k) printing and publishing offices, including related printing presses and equipment;
 - (l) retail stores;
 - (m) rental stores;
 - (n) travel agents;
 - (o) undertaking establishments;
 - (p) confectionaries and other places for the sale and consumption of food and related items;
 - (q) building supply stores.
- (2) Tourism, recreational, and cultural uses:
 - (a) art galleries;
 - (b) commercial entertainment establishments such as theaters and assembly halls;
 - (c) libraries, cultural institutions;

- (d) hotels, motels;
 - (e) museums.
- (3) Transportation and vehicle sales and services:
 - (a) service stations with or without car washes;
 - (b) gas bars with or without confectionaries.
- (4) Institutional and public uses:
 - (a) community centres;
 - (b) day care centres;
 - (c) lodges, fraternal organizations, clubs;
 - (d) places of worship, religious institutions;
 - (e) public utilities;
 - (f) municipal facilities.
- 11.2 **C1 - Permitted Accessory Uses:**
 - (1) storage sheds in the back yard of a lot;
 - (2) buildings and structures that are essential to the commercial operation and located behind the principal building and out of sight as to allow the front of the lot to remain a commercial use at grade;
 - (3) residential uses above a commercial use as long as the front of the principal building on the front of the lot remains a commercial use at grade;
 - (4) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to size, building height and intensity of use to the principal permitted or approved discretionary use; including residential dwellings as listed in section 11.2 only if the residential dwelling is on a lot with a commercial use at the front of the building at grade.
- 11.3 **C1 - Discretionary Principal Uses**
 - (1) Retail or wholesale uses:
 - (a) Mini-malls, strip malls;
 - (b) lumber yards;

- (c) wholesale trade stores and office.
- (2) Transportation and vehicle sales and services:
 - (a) establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery.
- (3) Residential:
 - (a) dwellings accessory to a permitted or discretionary use;
 - (b) multiple unit dwellings located above the ground floor;
 - (c) single detached dwellings subject to Section 11.5 (9);
 - (b) bed-and-breakfast homes subject to the requirements of Section 5(2).

11.4 C1 - Discretionary Accessory Uses

- (a) any accessory use that is not allowed in section 11.2 of this bylaw may be permitted as long as a commercial use is kept at the front of the lot and at grade.

11.5 C1 - Regulations

- (1) Site requirements:

Table 10 - C1 Site Requirements*

Use	Frontage		Parcel Area	Depth
Retail, commercial service, and office uses				
- undertaking establishments	30 m		900 m ²	30 m
- other uses listed in 11.1 (1)	7.5 m		225 m ²	30 m
- 2 or more uses in 11.1 (1) in the same building	15 m		550 m ²	30 m
- mini malls, lumber yards, wholesale establishments	30 m		900 m ²	30 m
Tourism, recreational, and cultural uses				
- hotels and motels	30 m		900 m ²	30 m
- other uses in 11.1 (2)	15 m		550 m ²	30 m
Residential uses				
- multiple unit dwellings	30 m		900 m ²	30 m
- single detached dwellings	15m		550 m ²	30 m
Transportation and vehicle sales and services	30 m		900 m ²	30 m
All other uses	15 m		225 m ²	30 m
Institutional and public uses				
- day care centres, lodges, fraternal organizations, clubs	30 m		900 m ²	30 m
- community centres, places of worship, religious institutions	7.5 m		225 m ²	30 m
- utilities and municipal facilities	30 m		900 m ²	30 m
	No requirements			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 11 - C1 Required Yards*

Use	Front yard	Side yard abutting R1, R2 District	Side yard other	Rear Yard	Parking
Retail, commercial service, and office uses					
- undertaking establishments	6 m	3 m	3 m	6 m	See Section 7
- other uses listed in 11.1 (1)	nil	3 m	nil	6 m	1 space per 3 m frontage
- 2 or more uses in 11.1 (1) (operating in a single building)	nil	3 m	nil	6 m	1 space per 3 m frontage
- mini malls, lumber Yards,	6 m	3 m	3 m	3 m	See Section 7
- wholesale establishments	6 m	3 m	3 m	3 m	See Section 7
Tourism, recreational, and cultural uses					
- hotels and motels	6 m	3 m	3 m	3 m	See Section 7
- bed-and-breakfast homes	6 m	1.5 m	1.5 m	3 m	See Section 7
- other uses in 11.1 (2)	nil	3 m	3 m	3 m	See Section 7
Residential uses					
- multiple unit dwellings	nil	3 m	3 m	6 m	See Section 7
- single detached dwellings	6 m	1.5 m	1.5 m	6 m	See Section 7
Transportation and vehicle sales and services	6 m	3 m	3 m	3 m	See Section 7
Other uses including accessory uses	6 m	3 m	1.5 m	3 m	See Section 7
Institutional and public uses					
- day care centres, lodges, fraternal organizations, clubs	nil	3m	nil	6 m	See Section 7
- community centres, places of worship, religious institutions	nil	3 m	3 m	6 m	See Section 7
- utilities and municipal facilities	No requirements				

*All requirements are the minimum unless specified otherwise.

(3) Drive Through Restaurants:

- (a) Restaurants with drive through sales shall have room on site for at least 5 cars in the ordering line. This line of cars shall not block access to parking stalls;
- (b) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

(4) Construction Trades, Artisans, and Craft Shop Offices and Workshops:

- (a) All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building;

- (b) What is, in the opinion of Council, excessive exterior storage of materials, goods, or waste products is not permitted, except within a waste disposal bin for collection.

(5) Signs - Section 6 regulations shall apply in the C1 District:

This area is meant for commercial areas within the Village not located on a highway or major traffic artery.

11.6 C1 – Specific Regulations for Discretionary Uses

(1) Wholesale trade and lumber yards are included to recognize existing development:

- (a) Development of these uses on other than the existing sites will be encouraged to locate at least their lumber yards on vacant land in the C2 District or on M District lands;
- (a) No outside storage is permitted for a wholesale establishment.

(2) Mini Malls:

- (a) Council may consider a mini mall development where a major portion of an entire block is being proposed for redevelopment;
- (b) Parking stalls for mini mall clients shall be accessible from the street by way of on-site access lanes, and not directly from the street.

(3) Transportation and Vehicle Sales and Services:

- (a) Service stations and gas bars shall be governed by Section 5(4);
- (b) Only corner sites may be developed for service stations or gas bars;
- (c) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery will be encouraged to establish on sites in the C2 District or ID District. Council will consider development of C1 sites for these uses when replacing an existing use of a similar type.

(4) Development Standards and Criteria for Multiple Unit Dwellings:

- (a) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor;
- (b) The parking required for the multiple unit dwelling is additional to parking for the commercial uses;
- (c) Council will consider discretionary use applications with respect to the following criteria:
 - (i) inclusion of ground level commercial development in the proposal;

- (ii) convenience of parking;
- (iii) appropriate size and quality of proposed dwelling units.

(5) Single Detached Dwellings:

- (a) To recognize existing use, Council should only consider building or expansion of single detached dwellings in a C1 District if it is not on Main Street and on a site that holds an existing single detached dwelling;
- (b) Council may consider rezoning to a Residential District a C1 District property abutting a Residential District, to accommodate new single detached dwelling development;
- (c) All single detached dwellings shall comply with the standards of the R1 District except as specifically provided Section 11.3;
- (d) Where a bed-and-breakfast use ceases in the C1 District the use may be converted to a single detached dwelling use however this is not preferred on Main Street.

(6) Accessory Dwelling Units attached to Stores or Commercial Establishments:

- (a) One accessory dwelling unit accessory to a retail or commercial use listed in Section 11.1 (1) may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory;
- (b) The accessory dwelling shall be located in the principal building, with the front of the building at grade level always remaining a commercial use;
- (c) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

(7) Garden Suites:

- (a) Garden Suites must meet all the requirements of 5 (6) a) as well as all the requirements of figure 11.6 (7) shown on the next page:

Figure 11.6 (7) Garden Suite Requirements in a C1 – Commercial Core District

Garden Suite Requirements	
(a) Maximum height	4.5 meters and one storey
(b) Permitted location	In the rear yard only
(c) Minimum setback	i) From a Side Lot line: Same as principal building ii) From a rear lot line: Same as accessory buildings in the district
(d) Maximum lot coverage	i) 30% of the area of the yard
(e) Minimum distance from any other building on the lot	1.5 meters
(f) Driveways	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
(g) Maximum floor area	65% of the gross floor area of the principal building on the lot
(h) Windows on a Garden Suite	Windows on a Garden Suite will not be allowed to have windows directly facing onto another residential property

12. C2 – HIGHWAY COMMERCIAL DISTRICT

12.1 C2 - Permitted Principal Uses

(1) Commercial uses:

- (a) auto body shops, excluding works related to auto wrecking and salvage;
- (b) bus terminals;
- (c) cafes and restaurants;
- (d) car and truck washes;
- (e) commercial entertainment establishments;
- (f) construction trades;
- (g) equipment and tool rental establishments;
- (h) greenhouses, tree and plant nurseries;
- (i) gas bars with or without confectionaries;
- (j) hotels, motels;
- (k) licensed beverage rooms, restaurants and lounges;
- (l) lumber Yards, building supply and home improvement stores;
- (m) mini malls - which may include retail stores, restaurants, cafes, personal service establishments, offices and small animal veterinary clinics;
- (n) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing;
- (o) service stations with or without car washes;
- (p) undertaking establishments;
- (q) veterinary clinics;
- (r) wholesale trade establishments.

(2) Public uses:

- (a) community centres;
- (b) government offices;

- (c) tourist information centres;
- (d) public utilities;
- (e) municipal facilities.

12.2 C2 - Permitted Accessory Uses:

- (1) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size, building height and principal use to the principal building, but not including dwellings.

12.3 C2 - Discretionary Principal Uses:

- (a) bulk oil dealers and chemical supply dealers;
- (b) wholesale trade stores, offices and warehouses;
- (c) manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings;
- (d) single detached dwellings.

12.4 C2 - Discretionary Accessory Uses:

- (a) garden suites, bunkhouses and carriage houses;
- (b) garages;
- (c) storage sheds;
- (d) shipping containers.

12.5 C2 - Regulations

- (1) Site requirements:

Table 12 – C2 Site Requirements*

Use	Frontage	Parcel Area	Depth
Public uses - tourist information centres - public utilities - municipal facilities	No requirements		
Residential uses - single detached dwellings	15.m	550 m ²	30 m
All other uses	30 m	900 m ²	30 m

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 13 - C2 Required Yards*

Use	Front yard	Side yard abutting R1, R2 District	Side yard other	Rear yard	Parking
Public uses - tourist information centres - public utilities - municipal facilities	No requirements				
Residential uses - single detached dwellings	6 m	1.5 m	1.5 m	6 m	See Section 7
Accessory and secondary uses	6 m	1.5 m	1.5 m	3 m	See Section 7
All other uses	6 m	3 m	3 m	6 m	See Section 7

*All requirements are the minimum unless specified otherwise.

(3) Transportation and Vehicle Sales and Services:

- (a) Service stations and gas bars shall be governed by Section 5.4;
- (b) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, or farm machinery may include service stations and gas bars;
- (c) Required parking and access aisles to fuel dispensing equipment may not be used for the display of vehicles and goods for sale.

(4) Drive Through Restaurants:

- (a) Restaurants with drive through sales shall have room on site for at least 5 cars in the ordering line and this line shall not block access to parking stalls;
- (b) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

(5) Mini Malls:

- (a) Council will consider the appropriate separation to industrial and other uses that may be incompatible with restaurant and retail uses and access to the site when making a discretionary use decision on a proposed mini mall;
- (b) Parking stalls for mini mall clients shall be accessible from the street by way of access lanes located on the site, and shall not be directly accessed from the street.

(6) Signs - Section 6 regulations shall apply in the C2 District.

12.6 C2 – Specific Regulations for Discretionary Uses

(1) Processing and Manufacturing Operations:

- (a) All operation with respect to processing and manufacturing shall be conducted within an enclosed building;
- (b) No exterior storage of materials, goods, or of waste products is permitted except within a waste disposal bin for collection;
- (c) The operation shall not emit levels of noise, odour, or dust not common to the other uses in the District;
- (d) Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision.

(2) Bulk Oil Dealers and Chemical Supply Dealers:

- (a) Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision;
- (b) Locations with direct access to a highway or highway frontage road are preferred.

(3) Single Detached Dwellings:

- (a) To recognize existing use, Council will only consider building or expansion of single detached dwellings in a C2 District on a site that holds an existing single detached dwelling;
- (b) Council may consider rezoning a C2 District property abutting a Residential District to a Residential District, to accommodate new single detached dwelling development;
- (c) All single detached dwellings shall comply with the standards of the R1 District except as specifically provided in Section 12.3.

(4) Accessory Dwelling Units attached to Stores or Commercial Establishments:

- (a) Accessory dwelling units accessory to a retail or commercial use listed in Section 12.1 (1) may be considered by Council where the units are used for the operator or employees of the business to which the dwelling unit is accessory as long as the front of the lot at grade remains a building with a commercial use;
- (b) The accessory dwelling shall be located in or behind the principal building with the front of the building at grade level always remaining a commercial use;
- (c) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

(5) Garden Suites

- (a) Garden Suites must meet all the requirements of 5 (6) a) as well as all the requirements of figure 12.6 (5) shown below:

Figure 12.6 (5) Garden Suite Requirements in a C2 – Highway Commercial District

Garden Suite Requirements	
(a) Maximum height	4.5 meters or one storey
(b) Permitted location	In the rear yard only
(c) Minimum setback	i) From a Side Lot line: Same as principal building ii) From a rear lot line: Same as accessory buildings in the district
(d) Maximum lot coverage	i) 30% of the area of the yard
(e) Minimum distance from any other building on the lot	1.5 meters
(f) Driveways	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
(g) Maximum floor area	65% of the footprint of the principal building on the lot
(h) Windows on a Garden Suite	will not be allowed to have windows directly facing onto another residential property

(6) Shipping Containers:

- (a) shipping containers shall not be placed in areas visible from any provincial highway or residential street;

- (b) those looking to use shipping containers on a lot will be required to place the shipping containers in the rear of the lot behind the principal building;
- (c) shipping containers shall not block any alleyway, or rear access to the lot;
- (d) shipping containers shall be required to meet all setback requirements of an accessory development such as a detached garage;
- (e) shall be of one uniform colour.

13. M – INDUSTRIAL DISTRICT

13.1 M - Permitted Principal Uses

(1) Commercial Industrial uses:

- (a) auto body shops;
- (b) bulk oil dealers and chemical supply dealers;
- (c) custom meat cutting and packaging (excluding slaughtering);
- (d) car and truck washes;
- (e) construction trades;
- (f) equipment and tool rental establishments;
- (g) gas bars;
- (h) grain elevators and related grain handling facilities;
- (i) lumber Yards, building supply and home improvement stores;
- (j) machine shops;
- (k) manufacturing and processing plants and associated storage facilities;
- (l) industrial services;
- (m) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing;
- (n) printers and publishers;
- (o) railway operations;
- (p) service stations with or without car washes;
- (q) truck, bus and other transport terminals and yards;
- (r) veterinary hospitals and clinics;
- (s) wholesale trade;
- (t) warehouses.
- (u) farm and agriculture supply stores.

(2) Public uses:

- (a) public utilities, including, workshops, warehouses and storage Yards;
- (b) municipal facilities.

13.2 M - Permitted Accessory Uses

- (a) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use;
- (b) shipping containers.

13.3 M - Discretionary Principal Uses

- (a) abattoirs and stock yards;
- (b) auto wrecking yards;
- (c) concrete manufacturing plants, and gravel yards;
- (d) equipment maintenance and storage yards;
- (e) feed mills, and seed cleaning plants;
- (f) mining and petroleum industry service;
- (g) tanneries and hide storage establishments;
- (h) billboard signs.
- (i) livestock handling facilities.

13.4 M - Discretionary Accessory Uses

- (a) Temporary living quarters meant for the workers of a business or establishment in the M – Industrial District meant for the accommodation of shift workers and never for use as permanent or primary residences for sale or rent.

13.5 M - Regulations

(1) Site requirements:

Table 12 – M Site Requirements*

Use	Frontage	Parcel Area	Depth
Public uses - municipal facilities	No requirements		
Commercial Uses - All commercial uses except for 13.1 b), c), g), i), k)	15 m	550 m ²	30 m
All other uses including 13.1 b), c), g), i), k)	30 m	900 m ²	30 m

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 13 - M Required Yards*

Use	Front yard	Side yard abutting R1, R2 District	Side yard other	Rear yard	Parking
Public uses - tourist information centres - public utilities - municipal facilities	No requirements				
Residential uses - single detached dwellings	6 m	1.5 m	1.5 m	6 m	See Section 7
Secondary and accessory uses	6 m	3 m	1.5 m	3 m	See Section 7
All other uses	6 m	3 m	3 m	6 m	See Section 7

*All requirements are the minimum unless specified otherwise.

(3) Accessory Cafes:

- (a) A cafe may be developed within a principal building and operated as accessory to another use in an M District;
- (b) There shall be no advertising signs for the cafe outside of the interior of the principal building.

(4) Signs

- (a) Section 6 regulations shall apply in the M District.

(5) Shipping containers:

- (a) shipping containers shall not be placed in areas visible from any provincial highway or residential street;
- (b) those looking to use shipping containers on a lot will be required to place the shipping containers in the rear of the lot behind the principal building;
- (c) shipping containers shall not block any alleyway, or rear access to the lot;

- (d) shipping containers shall be required to meet all setback requirements of an accessory development such as a detached garage;
 - (e) shall be of one uniform colour.
- (6) No development shall be permitted on lands that, in the opinion of Council, may be potentially hazardous and unstable for the proposed use and thus deemed to be "hazard lands".

13.6 M – Specific Regulations for Discretionary Uses

(1) Discretionary Principal Uses

- (a) Council will consider the applications for a discretionary principal use with respect to the following criteria:
 - (i) the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system;
 - (ii) the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated;
 - (iii) adequate separation exists from the development to residential and tourist service uses;
 - (iv) access to truck routes major streets and railway transportation is appropriate to the type of development. For agricultural product processing, railway spur sites will be considered an asset.
- (b) Billboard signs will be considered pursuant to the standards and criteria of Section 6.

(2) Discretionary Accessory Uses

- (a) Temporary residential space for workers may have any conditions placed on it by Council as a condition of approval including but not limited to
 - (i) the amount of days any single person may use the residences
 - (ii) the time of year the residences may be occupied;
 - (iii) whether bathroom or kitchen space is allowed;
 - (iv) how many beds, showers, stoves or any other feature of a residential dwelling shall be permitted;
 - (v) what safety equipment or measures will be necessary for the suites
 - (vi) the number of people allowed to use these accommodations at any one time.

14. P – PARKS AND RECREATION DISTRICT

14.1 P - Permitted Principal Uses

- (1) Agricultural uses:
 - (a) crop farming on an existing parcel without any buildings;
 - (b) crop farming including a dwelling and farm buildings.
- (2) Public uses:
 - (a) public utilities, including, workshops, warehouses and storage yards;
 - (b) sewage lagoons and sanitary landfills operated by a public authority;
 - (c) cemeteries;
 - (d) municipal facilities;
 - (e) hiking or walking trails.

14.2 P - Permitted Accessory Uses:

- (3) Accessory uses that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal permitted or approved discretionary use; but not including dwellings.

14.3 P - Discretionary Principal Uses:

- (1) Dwellings:
 - (a) single detached dwellings as a principal use.
- (2) Recreational Uses:
 - (a) golf courses;
 - (b) sports fields;
 - (c) sports arenas;
 - (d) tourist campgrounds.

14.4 P - Discretionary Accessory Uses:

- (a) shipping containers.

14.5 P - Regulations

(1) Site requirements:

Table 14 - P Site Requirements*

Use	Frontage		Parcel Area	Depth
Public uses - cemeteries - public utilities - municipal facilities	No requirements			
Agricultural uses - including dwellings or farmstead - crop farming only	30 m		16 ha	
			No requirements	
Discretionary uses - golf courses - all other discretionary uses	30 m 30 m		16 ha 2 ha	

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 15 - P Required Yards*

Use	Front yard	Side yard	Rear yard	Parking
Public uses - cemeteries - public utilities - municipal facilities	No requirements			
Shipping Containers	3 m	3 m	3 m	See Section 7
All other uses	15 m	3 m	3 m	See Section 7

*All requirements are the minimum unless specified otherwise.

(3) Signs:

- (a) Section 6 regulations shall apply in the P – Parks and Recreation District.

14.6 P – Specific Regulations for Discretionary Uses:

(1) All Discretionary Uses:

- (a) Council will consider the applications for discretionary use with respect to the following criteria:

- (i) the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system;
 - (ii) the proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan;
 - (iii) the development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Official Community Plan;
 - (iv) the proposal is not premature.
 - (b) Billboard signs will be considered pursuant to the standards and criteria of Section 6;
 - (c) In approving a billboard sign for a vacant parcel of land, Council may limit the validity of the approval to a maximum of five years where the site is in the path of future development.
- (2) Single Detached Dwellings:
- (a) To recognize existing use, Council will consider building or expansion of single detached dwellings in a P District on a site that holds an existing single detached dwelling;
 - (b) The approval of development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a concept plan to the Official Community Plan that designates the area for large site residential use;
 - (c) Council may consider approval of a single detached dwelling accessory to another existing use, where the location will not interfere with future development pursuant to the Official Community Plan and any concept plan adopted under that plan. All single detached dwellings shall comply with the standards of an R1 District except as specifically provided in this bylaw.
- (3) Shipping containers:
- (a) shipping containers may not be placed in areas visible from any provincial highway or residential street;
 - (b) shipping containers shall be required to meet all yard requirements listed in Section 14.5 (2) of this Zoning Bylaw;
 - (c) shall be of one uniform colour.

15. UR – URBAN RESERVE DISTRICT

15.1 UR - Permitted Uses:

- (a) Agricultural which includes crop farming, grazing, and pasturage and cultivation of land but not including intensive agricultural uses including but not limited to: feedlots, hog barns, poultry farms and fur farms;
- (b) Public works.

15.2 UR - Discretionary Uses:

- (a) sports fields, parks and golf courses;
- (b) cemeteries;
- (c) single-detached dwellings.

15.3 UR - Accessory Uses:

- (a) Buildings, structures or uses secondary and subordinate to in size, building height and frequency of use, and located on the same lot with the principal building or use are allowed;
- (b) All accessory buildings adjacent to a residential site or in view of the number 3 highway will be discretionary.

15.4 UR - Regulations

(1) Site requirements:

Table 16 - UR Site Requirements*

Use	Frontage	Parcel Area	Depth
Public uses - cemeteries - public utilities - municipal facilities	No requirements		
Agricultural uses - including dwellings or farmstead - crop farming only	30 m	16 ha No requirements	
Discretionary uses - golf courses - all other discretionary uses	30 m 30 m	16 ha 2 ha	

*All requirements are the minimum unless specified otherwise.

(2) Required Yards:

Table 17 - UR Required Yards*

Use	Front yard	Side yard	Rear yard	Parking
Public uses - cemeteries - public utilities - municipal facilities	No requirements			
All other uses	15 m	3 m	3 m	See Section 7

*All requirements are the minimum unless specified otherwise.

(3) Signs:

- (a) Section 6 regulations shall apply in the UR – Urban Reserve District.

15.5 UR – Specific Regulations for Discretionary Uses

(1) All Discretionary Uses:

- (a) Council will consider the applications for discretionary uses with respect to the following criteria:
- (i) the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system;
 - (ii) the proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan;
 - (iii) the development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Official Community Plan;
 - (iv) the proposal is not premature.
- (b) Billboard signs will be considered pursuant to the standards and criteria of Section 6;
- (c) In approving a billboard sign for a vacant parcel of land Council may limit the validity of the approval to a maximum of five years where the site is in the path of future development.

(2) Specific Regulations for Single Detached Dwellings:

- (a) To recognize existing use, Council will consider building or expansion of single detached dwellings in a UR District on a site that holds an existing single detached dwelling;

- (b) The approval of development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a concept plan to the Official Community Plan that designates the area for large site residential use;
- (c) Council may consider approval of a single detached dwelling accessory to another existing use, where the location will not interfere with future development pursuant to the Official Community Plan and any concept plan adopted under that plan. All single detached dwellings shall comply with the standards of an R1 District except as specifically provided in this bylaw.

16. EFFECTIVE DATE OF THE BYLAW

16.1 Repeal

- (1) Bylaw No. 4/85 and all amendments, #01/86, #02/88, #02/90, #01/91, #02/95, #03/95, #12/97, #14/97, #08/2001, #03/2002, and #08/2004, are hereby repealed.

16.2 Coming Into Force

- (1) This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.




Mayor


Village Administrator


Introduced and read a first time on the 10 day of December, 2012

Read a second time on the 28 day of January, 2013

Read a third time and adopted on the 10 day of February, 2014

Certified a true copy of Bylaw #02/2013

Adopted by Council on the 10 day of February, 2014


Marion Hougham, Administrator



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December
10, 2012

THE VILLAGE OF PARADISE HILL ZONING BYLAW

Appendix A: Zoning District Map