

Rural Municipality of Moosomin No. 121

Bylaw No. 225/12

A Bylaw to amend Bylaw No 216/10 known as the Zoning Bylaw of the RM of Moosomin No.121.

The Council of the RM of Moosomin No. 121, in the Province of Saskatchewan, enacts to amend Bylaw 216/10 as follows:

1. **Section 3.7 Linear Public Utilities is amended by renaming the title of the section to “Public Utilities” and by adding the following immediately after (2):**
 - (3) All public utilities shall be exempt from the site size requirements within every zoning district.

2. **Section 5.2 Discretionary Uses (2) Residential uses (Principal and Accessory) is repealed and replaced with the following:**
 - (2) Residential uses (Principal and Accessory):
 - A maximum of two (2) rectangular subdivisions for a Country Residential dwelling or occupied, surplus farmsteads may be subdivided as a principal use on separate sites per quarter section subject to Section 5.3.1.
 - One dwelling (including a dormitory dwelling), which is accessory to, and located on the same site as a discretionary use listed in subsections 5.2 (1) or (5).
 - Temporary Accommodation for Construction Projects, subject to Section 3.20 of this Bylaw.

3. **Section 7: CR 2 – COUNTRY RESIDNETIAL DISTRICT (medium density) is amended by repealing the intent and replacing it with the following:**

INTENT: To allow a limited variety of non-farm residential uses on medium density clustered sites at locations which will integrate into the existing rural community. To implement the Intent of this District, Council shall ensure that new residential clusters will only be allowed on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. Council would also like to ensure that subdivisions for country residential (non-farm) development will not conflict with adjoining agriculture uses and will not be prohibitively difficult or costly to service. Council shall refer to Sections 3.3 and 5.3.3 of the OCP in assessing proposed CR 2 subdivisions.

4. **The following district is added immediately after SECTION 9: ES – ENVIRONMENTALLY SENSITIVE OVERLAY DISTRICT:**

SECTION 10: CI- COMMERCIAL AND INDUSTRIAL DISTRICT

INTENT: The objective of this district is to provide for commercial and industrial development uses within the RM. Council will prefer that a commercial/industrial subdivision take place rather than development on a quarter section, where possible.

Where any permitted or discretionary use is proposed adjacent to a provincial highway, the application will be referred to the Ministry of Highways and Infrastructure to ensure the proposal is consistent with provincial setback requirements and other regulations.

 - 10.1 **Permitted Uses that require development permit approval:**
 - a) Agricultural services, contracting and supply establishments
 - b) Commercial nurseries or greenhouses, including retail.
 - c) Services stations with or without confectionary
 - d) Motor vehicle dealers and service establishments
 - e) Motels and hotels

- f) Restaurants
- g) Retail stores
- h) Public utilities
- i) Accessory buildings to the above permitted uses.

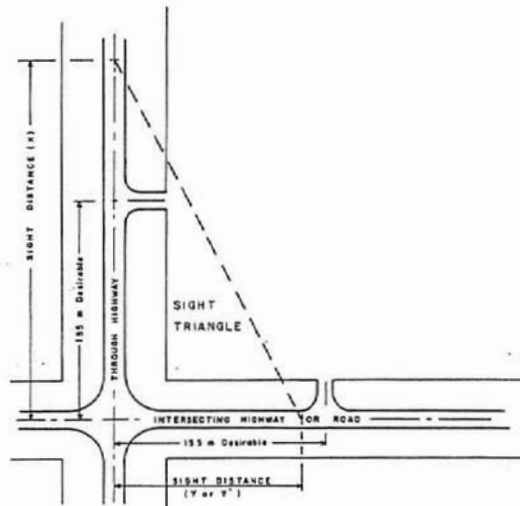
10.2 Discretionary Uses

- a) Abattoirs, skinning and tanning facilities
- b) Manufacturing
- c) Fabricating
- d) Agricultural product processing
- e) Auction Mart
- f) Outside Storage of materials visible from the Highway
- g) Signs
- h) Accessory buildings to the above discretionary uses.

10.3 District Regulations

- a) Subdivision
 - i. New subdivision applications shall be accompanied by a concept plan as outlined in the Official Community Plan.
 - ii. All subdivisions shall be serviced to meet municipal standards and provincial standards.
- b) Frontage
 - i. Minimum site frontage shall be 30m (98.4 ft) m for all parcels.
 - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.
- c) Site Size
 - i. Minimum site size shall be 1000 sq. m (0.25 acres)
 - ii. Maximum site size shall be at the discretion of Council.
 - iii. Exemptions from minimum site size requirements may be considered by Council for public utility uses and municipal facilities.
- d) Access:
 - i. All subdivisions shall be located adjacent to Highway 11 and access may be required to be provided by a service road that meets provincial and municipal standards.
 - ii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
 - iii. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.
- e) Setback Requirements
 - i. Front Yard:
 - 1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a provincial highway shall be at the discretion Council after discussions with the Ministry of Highways and Infrastructure.

2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a municipal road allowance, municipal grid road, and main farm access road shall be 45 m (150 ft).
3. The minimum setback for buildings on private property from the internal subdivision road shall be 7.6 m (25 ft)
4. No outside storage shall be permitted in the front yard.
5. The Ministry of Highways and Infrastructure site triangle at intersections shall be adhered to:



ii. Side Yard:

1. The minimum setback for buildings on private property from any side yard shall be a 3 m (10 ft).

iii. Rear Yard

1. The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 3 m (10 ft).

10.4 Criteria for Discretionary Use Applications

- a) A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b) The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access and to all provincial requirements.
- c) No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e) Year round access to the site shall be available.
- f) A road of adequate standard provides access and egress to the operation from a provincial highway to the site.
- g) If development of a discretionary use is proposed on a ¼ section, Council will require to developer to provide information on why the entire ¼ section will be needed for the development.
- h) Council will have the ability to require screening, landscaping or buffering as a condition of approval.
- i) Other requirements of this bylaw specific to the proposed use are met.

5. **PART II – DEFINITIONS is amended by adding the following in the correct alphabetical order:**

Hotel – a building which provides sleeping accommodation for which a fee is charged and may also contain commercial uses, facilities or services such as a restaurant, dining room, room service or convention room.

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.

Outside Storage – the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.

6. **The Table of Contents is amended by:**


a) **Adding the following immediately after Section 9:**

Section 10	CI	COMMERCIAL AND INDUSTRIAL DISTRICT
10.1		Permitted Uses
10.2		Discretionary Uses
10.3		District Regulations
10.4		Criteria for Discretionary Use Applications

b) **Replacing 3.7 Linear Public Utilities with the following:**

3.7 Public Utilities

7. **This bylaw shall come into force and take effect when it has been approved by the Minister of Municipal Affairs.**



(Reeve)


(Administrator)



July 13, 2012
(Date)

Certified a True Copy of
Bylaw No.225/12 adopted by
resolution #12-155 of Council
on the 13th day of July, 2012.

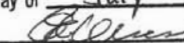

Kendra Lawrence, Administrator



APPROVED
REGINA, SASK.
JUL 26 2012

Assistant Deputy Minister
Ministry of Government Relations

this exhibit "A" referred to in the affidavit of
Kendra Lawrence sworn before me
at the Town of Fleming
in the PROVINCE OF SASKATCHEWAN this 16th
day of July 18 2012.


A Commissioner for Oaths in and for
the Province of Saskatchewan.

My Appointment expires April 30 2016