

**BYLAW No. 06-2020**  
**A BYLAW OF THE RM OF SASMAN No. 336 TO AMEND BYLAW**  
**No. 03-2017 KNOWN AS THE ZONING BYLAW**

The Council of the Rural Municipality of Sasman No. 336, in the Province of Saskatchewan, hereby enacts this bylaw to amend Bylaw 03-2017 as follows:

1. **SECTION 2 DEFINITIONS**, is amended by deleting the definitions of *Building Floor Area*, *Development Officer*, *Feedlot*, *Minimum Distance Separation*, *Personal Service Trade*, *Right-of-Way*, and *Site*.
2. **SECTION 2 DEFINITIONS**, is amended by adding the following definitions in alphabetical sequence:

“

**Agricultural Related Commercial Use:** a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales, stock yards, feed mills, oil seed processing plants, and other similar uses.

**All-Weather Road:** an unpaved road constructed of a material and design that provides for proper drainage in accordance with the Municipality’s designated road design specifications.

**Animal, Large:** considered cattle, horses, native ungulates, and similar sized animals.

**Building, Residential:** a single detached, semi-detached, duplex, Ready-to-Move home, modular, manufactured, mobile home or park model dwelling unit, or other similar types of buildings.

**Building Floor Area:** mean the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda.

**Building Footprint, Residential:** the sum of the dimensions of the outer walls of the main floor area of the residential structure, and including, but not limited to, any private garage, porch, veranda, sun lounge, and covered deck.

**Building Site:** the specific area on which the principal building is to be erected.

**Developer:** see applicant.

**Development Officer:** The Administrator of the Rural Municipality of Sasman No. 336 shall be the Development Officer responsible for the administration of this Zoning Bylaw, or such other person as permitted within this Zoning Bylaw at the direction of Council.

**Dwelling Group:** two or more single detached, two-unit or multiple unit dwellings located on a single parcel and does not include mobile homes. A dwelling group may be in any form of tenancy including condominium or bare land condominium.

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

**Dwelling, Single Detached:** a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home or trailer coach as defined in this section.

**Dwelling Unit:** one or more habitable rooms constituting a self-contained unit and used or intended to be used together for kitchen, washroom and sleeping facilities by one or more persons, but does not include, boarding houses, rooming units, bunkhouses, or similar.

**Estimated Peak Water Level (EPWL):** means the water level calculated by the *Water Security Agency* or other certified professional to determine a flood hazard area. It is based on the 1:500 peak flow for rivers and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most water bodies.

**Feedlot:** an intensified method of growing beef cattle in a confined pen for the purpose of harvesting rather than grazing or seasonal confinement of a breeding herd.

**[Estimated] Minimum Recommended Building Elevation:** an elevation a minimum of 0.5 metres above the EPWL which includes a necessary freeboard to adequately protect development from potential flooding, damage, erosion, ice, etc. The *Water Security Agency* usually recommends a freeboard of 0.5 metres for most situations and may be increased to 0.6 metres where dykes are used for flood proofing, or 1.0 metres in lake or river areas with greater uncertainty in estimating hydrological response. In some instances, a minimum building elevation may be registered to title with development standards as a condition of subdivision approval by the subdivision approving authority. Also known as the Estimated Safe Building Elevation (SBE).

**Minimum Separation Distance:** the specified minimum distance that prescribed land uses shall be separated from each other to minimize land use conflicts. Land uses that generate nuisance typically include industrial uses, waste disposal facilities, and intensive livestock operations. Distances may be measured from the source of nuisance to the specific receptor or from the property lines, depending on the type of development involved.

**Personal Service Trade (Establishment):** a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, Laundromats, shoe repair shops, photographers, but excluding any health, adult, or sexually explicit services.

**Right of Way:** the right of way is the land set aside for use as a roadway or utility corridor.

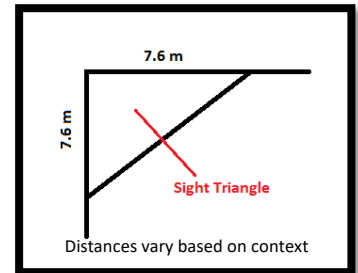
**Site:** one (1) or more contiguous surface parcels as defined under *The Land Titles Act, 2000*, and used as a unit for regulations under this Bylaw, as well as the following:

- (a) Shall be of the same title ownership to be considered as a unit; and,
- (b) Shall not exceed two (2) adjacent parcels.

**Sight Triangle, Driveway:** 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 3.0 m from that intersection along the driveway within the property to a similar point along the property line 3.0 m away from the driveway.

**Sight Triangle:** the triangular area formed, on a corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distanced along said site lines.

**Street:** a public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property, but shall not include an easement or lane.



**Wintering Site (or Temporary Livestock Confinement Area):** a location where livestock are confined seasonally for the purposes of sustaining a breeding herd or calving through winter months when pasture is unavailable for grazing. Feeding cattle is not considered temporary regardless of residence time.”

3. **SECTION 2 DEFINITIONS**, is amended altering the definition of “Animal Unit (A.U.) the deleting the item “Domesticated native ungulates (deer, elk, bison, etc.) – 1” and replacing it with the following:

“

- Bison
  - Cows or Bulls – 1.0
  - Calves – 4.0
- Fallow Deer
  - Fallow deer – 8.0
  - Fallow deer fawns – 32.0
- Domestic Indigenous
  - Elk – 5.0
  - Elk calves – 20.0
  - White tailed deer – 8.0
  - White tailed deer fawns – 32.0
  - Mule deer – 8.0
  - Mule deer fawns – 32.0”

4. **SUBSECTION 3.1 ADMINISTRATION AND INTERPRETATION, DEVELOPMENT OFFICER**, is amended by deleting its containing text and replacing it with the following:

“

The Administrator of the Rural Municipality of Sasman No. 336 shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as Council designates from time to time. Council or the Administrator may also appoint a Development Officer by contract subject to the approval of Council to whom duties in the administration of the Zoning Bylaw may be delegated.”

5. **SUBSECTION 3.3 ADMINISTRATION AND INTERPRETATION, APPLICATION FOR A DEVELOPMENT PERMIT**, is amended by deleting clause .3 in its entirety.

6. **SUBSECTION 3.4 ADMINISTRATION AND INTERPRETATION, DEVELOPMENT NOT REQUIRING A PERMIT**, is amended by inserting the following text below the subsection heading:

“

The follow development does not require a development permit. Notwithstanding any development permitting exemption, all development shall adhere to the regulations, conditions, or standards prescribed in this bylaw and any other bylaw of the municipality.”

7. **CLAUSE 3.4.3 ADMINISTRATION AND INTERPRETATION, DEVELOPMENT NOT REQUIRING A PERMIT, Hamlet Residential and Summer Resort Zoning Districts**, is amended by deleting subclause a. and replacing it with the following:

“

- a. Buildings, structures, and uses 9.29 m<sup>2</sup> (100 ft<sup>2</sup>) and under, where accessory to a principal use, excepting decks or where development is used for residential or sleeping accommodation.”

8. **CLAUSE 3.8 ADMINISTRATION AND INTERPRETATION, DISCRETIONARY USE APPLICATION PROCEDURE**, is amended by adding the following new paragraph after subclause c.:

“

- i) The radius shall be extended to 1.6 km (1 mile) where the proposed discretionary use is for: intensive agriculture, livestock, commercial, industrial use; resource-based uses; or any other use which has higher potential to create nuisance or land use incompatibility. The Development Officer may also extend any notification along any haul route associated with an application, or schedule a public hearing prior to Council’s consideration of the use.”

9. **SECTION 3 ADMINISTRATION AND INTERPRETATION**, is amended by deleting subsections 3.10 – 3.12 inclusive, and replacing it with the following:

“

**3.10 PLANNING AND DEVELOPMENT FEES**

- .1 Council may adopt a separate Planning and Development Fee Bylaw in accordance with section 51 of the Act, prescribing a schedule of fees associated with this Bylaw, as well as a description that sets out the rationale for said fees. Without limiting the prescriptions of the Act, fees are applicable for matters development permitting, minor variances, and planning bylaw amendments. Where a Planning and Development Fee Bylaw has been adopted by Council, the specified fee(s) must be received with the application prior to the municipality commencing any review of the application.
- .2 Where detailed review costs are incurred by the municipality for matters relating to the review, investigation and determination of suitability, public engagement, approval of development, support of subdivision proposals, arrangements for appropriate servicing, other bylaw matters, agreements or interest registrations, the applicant shall be wholly responsible for said costs.

10. **CLAUSE 4.4.4 GENERAL REGULATIONS, ACCESSORY BUILDING, USES, AND STRUCTURES**, is amended by adding the following text after “...agricultural accessory dwelling”:

“,or supplementary sleeping accommodations where permitted in this bylaw.”

11. **CLAUSE 4.4.5 GENERAL REGULATIONS, ACCESSORY BUILDING, USES, AND STRUCTURES**, is amended by:

- a. deleting subclause b.; and
- b. adding to subclause c., the text “unless a lesser setback is specified in a particular zoning district, or greater setback is required to avoid development on hazard lands” after “...waterbody or watercourse”.

12. **SUBSECTION 4.21 SIGHT TRIANGLE. Figure 2: Sight Triangle Distances**, is amended by adding the new type of roadway and distance to the table:

“Hamlet and Local Access Streets	7.6 metres (25 ft)”
----------------------------------	---------------------

13. **CLAUSE 10.1.2 SUMMER RESORT DISTRICT, PERMITTED USES, Accessory Uses**, is amended by adding the following new subclause after subclause d.:

“

- e. Buildings, uses, structures generally considered a companion and accessory to an established permitted or discretionary use. In the context of this district this may include decks, fences, gazebos, private garages, storage sheds, and other similar uses.

**14. SUBSECTION 10.4 SUMMER RESORT DISTRICT, SITE REGULATIONS,** is amended by:

- a. adding the superscript “1” after *Maximum Building Height* in the first column of the *Permitted and Discretionary Principal Uses* table; and
- b. Adding the following after the *Permitted and Discretionary Principal Uses* table:

“

Notes:

- 1. At its discretion, and by resolution, Council may permit a maximum building height taller than that prescribed where:
  - a. any additional height would be consistent with the character, scale, and form of existing adjacent development;
  - b. the building height would not exceed any existing adjacent building height;
  - c. the additional height would not unreasonably and negatively affect the sight lines and privacy of adjacent properties;
  - d. the additional height would not result in a significant increase in the occupancy or intensity of the use; and
  - e. “adjacent” shall mean the buildings sharing the same or opposite street frontage to a limit no greater than 150 m from the subject site.”

**15. CLAUSE 10.4.6 SUMMER RESORT DISTRICT, SITE REGULATIONS,** is amended by deleting the text “0.5 metres above the estimate peak water level. Slab on grade must be certified by a Professional Engineer or Architect registered in the Province of Saskatchewan.” and replacing it with the following:

“

above the minimum recommended building elevation. Where a slab on grade foundation is employed in proximity to waterbodies, further investigation by a professional engineer or architect, registered in the Province of Saskatchewan, may be required, at the discretion of the development officer or building inspector, to determine suitability of the proposed development with respect to potential flooding or instability. All development and construction shall meet *The National Building Code*, must be inspected by a Licensed Building Official, and any costs to determine suitability shall be solely at the expense of the applicant.

**16. CLAUSE 10.4.7 SUMMER RESORT DISTRICT, SITE REGULATIONS,** is amended by deleting its containing text and replacing it with the following;

“

All new development along Fishing Lake, shall be adequately flood proofed to 531.6 metres with the bottom of the floor joists or top of slab on grade at 532.1 metres ASL. Elsewhere in the municipality the determination of the critical flood elevations will be required, and new development must be above the minimum recommended building elevation.

**17. CLAUSE 10.4.9 SUMMER RESORT DISTRICT, SITE REGULATIONS,** is deleted in its entirety.

**18. CLAUSE 10.4.10 SUMMER RESORT DISTRICT, SITE REGULATIONS,** is amended by deleting the its containing text and replacing it with the following:

“

Basement or foundation walls of any building or structure must be flood proofed up to the minimum recommended building elevation and may require the support of a professional engineer or architect, registered in the Province of Saskatchewan, at the discretion of the development officer or building inspector and where development involves land with potential flood risk or instability. All development and construction shall meet *The National Building Code*, must be inspected by a Licensed Building Official, and any costs to determine suitability shall be solely at the expense of the applicant.”

**19. CLAUSE 10.4.12 SUMMER RESORT DISTRICT, SITE REGULATIONS** is deleted in its entirety. “

**20. SUBSECTION 10.4.16 SUMMER RESORT DISTRICT, SITE REGULATIONS**, is amended by deleting “encroachments shall be permitted” and replacing it with “projections shall be permitted insofar as development remains within the boundaries of the site.”

**21. SUBSECTION 10.5 SUMMER RESORT DISTRICT, ACCESSORY BUILDING AND USES**, is amended by deleting clauses .3 and .4 and replacing them with the following new clauses:

“

- .3 Setbacks and general performance standards for accessory buildings, uses, and structures shall meet the same requirements as the principal use or building unless otherwise specified in this zoning district, and except for fences which shall have no minimum site setback requirement.
- .4 There shall be a maximum of two (2) accessory buildings within any one site.
  - a. Accessory buildings and structures 18.58 m<sup>2</sup> (200 ft<sup>2</sup>) and under shall be setback a minimum of 0.6 metres (2 ft) from any side yard site line.
  - b. Accessory buildings and structures larger than 18.58 m<sup>2</sup> (200 ft<sup>2</sup>) shall be setback a minimum of 1.52 metres (5 ft) from any side yard site line.
- .5 Notwithstanding 4.4.5.a, in the case of sites abutting a waterbody, watercourse or intervening *dedicated lands*, accessory buildings and structures may be located in a front yard subject to adhering to the minimum front yard requirement of the principal use.
- .6 Uncovered decks, terraces, and patios shall be setback a minimum of 0.6 metres (2 ft) from any side yard site line. Covered decks and verandas, whether attached or detached from a building or structure shall be setback a minimum of 1.52 metres (5 ft) from any side yard site line.”

**22. SUBSECTION 10.8 SUMMER RESORT DISTRICT, OUTDOOR STORAGE**, is amended by:

- a. adding the following sentence to clause .1:

“Council may consider a relaxation of this requirement by resolution where the site abuts a waterbody, watercourse, or intervening *dedicated lands*.”; and

- b. Deleting the text “vehicles in operating” in clause .5 and replacing it with “vehicles, operating”.

This bylaw shall become effective on the date of approval of the Minister of Government Relations.

\_\_\_\_\_  
Reeve

( S E A L )

\_\_\_\_\_  
Administrator

Certified a true and correct copy  
of Bylaw No. 06-2020 adopted by  
resolution of Council this 15<sup>th</sup> day  
of December, 2020.

( S E A L )

\_\_\_\_\_  
Administrator