

Table of Contents

	Page
<b>PART I DEFINITONS</b>	<b>1</b>
<b>SCOPE</b>	<b>6</b>
<b>PART II ZONING DISTRICTS</b>	<b>7</b>
<b>1.0 Classification of Zoning Districts</b>	
<b>2.0 Boundaries of Zoning Districts</b>	
<b>3.0 The Zoning Districts Map</b>	
<b>4.0 District Schedules</b>	
<b>4.1 UR - Urban Reserved District</b>	<b>8</b>
<b>4.2 R - Residential District</b>	
<b>4.3 C - Commercial District</b>	
<b>4.4 HC - Highway Commercial District</b>	
<b>4.5 I - Industrial District</b>	
<b>PART III GENERAL REGULATIONS</b>	<b>21</b>
<b>5.0 Minimum Yards Required</b>	
<b>6.0 Projections in Yards</b>	
<b>7.0 Building Lines</b>	
<b>8.0 Number of Principal Buildings Permitted on a Site</b>	
<b>9.0 Private Garages</b>	
<b>10.0 Service Stations</b>	
<b>11.0 Off-Street Parking</b>	
<b>12.0 Solar Panels</b>	
<b>13.0 Vehicle Accomodation/ Recreational Vehicals and Vacation trailers</b>	
<b>PART IV ADMINISTRATION</b>	<b>23</b>
<b>13.0 Administrative Procedure</b>	
<b>14.0 Development Appeals Board</b>	

## PART 1

### DEFINITIONS

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

**Accessory use:** shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use or building.

**Alteration:** shall mean any structural change or any addition made to any building.

**Apartment house:** shall mean a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence of one person or one family, as distinct from a hotel, rooming house or boarding house.

**Buildings:** shall mean any structure constructed or placed on, in or over land, but does not include a public highway.

**Building, accessory:** shall mean a subordinate detached building appurtenant to a main building or main use, and located on the same site, the purpose of which is to provide better and more convenient enjoyment of the main building or main use.

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

**Council:** shall mean the Council of the Village of Bethune.

**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 or intensity of the use of any building or land.

**Development Permit:** a document authorizing a development issued pursuant to this bylaw, but does not include a building permit.

**Discretionary Use:** a use of land or a building that may be permitted in a district only at the discretion of the Council and which may be subject to specific development standards.

**Dwelling unit:** shall mean 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, one-unit:** shall mean a separate building designed for or occupied exclusively as one dwelling unit.

**Dwelling, two-unit:** shall mean a separate building designed for or occupied exclusively as two dwelling units.

**Dwelling, multiple-unit:** shall mean a building divided into three or more dwelling units as herein defined, and shall include amongst others, terrace or row houses and apartments as distinct from boarding or lodging house, rooming house, hotel or motel.

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

**Garage, private:** shall mean a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity of not more than two vehicle spaces for each dwelling unit to which the garage is accessory.

**Garage, public:** shall mean a building or part of a building other than a private garage used for the storage, car repair servicing or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale or display.

**Home Occupation:** an occupation, trade, profession or craft conducted for gain in a dwelling unit or a conforming accessory building by the resident or residents and which is incidental and secondary to the resident.

**Hotel:** shall mean a building or structure or part of a building or structure kept, used or advised as a place where sleeping accommodation with or without meals is provided for transient lodgers, and where a guest register or record is kept, but does not include a motel, boarding house, lodging or rooming house, or tourist home.

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

**Mayor:** shall mean the Mayor of the Village of Bethune.

**Minister:** shall mean the minister of Urban Affairs for the Province of Saskatchewan.

**Mobile home:** shall mean a trailer coach:

- a) that is used as a dwelling for permanent or year-round living; and
- b) that had hot water faucets and a shower head or bath tub that may be connected to a water distribution system; and
- c) that has a wash basin and water closet that may be connected to a sewerage system; and
- d) that contains not less than 47 square meters (500 square feet) of living space.

**Mobile home development:** shall mean any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such manner that each home is situated on its own site, each of which shall contain a minimum site area of 372 square meters (4,000 square feet) and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

**Mobile home park:** shall mean any tract or parcel of land on which two or more occupied mobile homes are harbored or are permitted to be harbored whether or not a charge is made or paid for the use thereof, and includes any building or structure used or intended to be used as part of the equipment of such mobile home park, but does not include industrial or construction camp or any such park if a tent or trailer coach that is not a mobile home is also harbored or is permitted to be harbored thereon.

**Motel:** shall mean a series of dwelling units, intended for the use of automobile transients, each unit containing at least a bedroom and bathroom, and each unit having convenient access to a parking space for the use of the occupants.

**Non-conforming use: i)** means a lawful specific use: being made of land or a building or intended to be made of a building lawfully under construction, or in respect of which all required permits have been issued at the date a zoning bylaw or any amendment to a zoning bylaw affecting the land or building becomes effective; and **ii)** that on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued will not, comply with the zoning bylaw.

**Parking lot:** shall mean an open area other than a street, used for temporary parking of more than four (4) automobiles and available for public use whether free, for compensation, or as an accommodation for clients and customers.

**Parking space, automobiles:** shall mean a space within a building or parking lot for the parking of one (1) automobile including convenient access to a public land or street.

**Permitted Use:** shall mean a use of land or building that shall be permitted in a district where all requirements of the bylaw are met.

**Row house:** shall mean a building divided into three or more dwelling units located side by side under one roof and sharing party walls.

**Site:** shall mean an area of land considered as a unit developed to a certain use, or occupied by a building or permitted group of buildings, and the customary accessories and open spaces belonging to the same.

**Site line, front:** shall mean 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 from the street.

**Site line, rear:** shall mean the boundary at the rear of the site and opposite the front site line. **Site line, side:** shall mean a site boundary other than a front or rear site line.

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

**Structure:** shall mean anything that is built, constructed or erected and located on the ground, or attached to something located on the ground

**Tourist campsite:** shall mean a site which provides for temporary location of tents and trailers used by travelers and tourists for overnight accommodation.

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

**Village:** shall mean the Village of Bethune.

**Village Administrator:** shall mean the Village Administrator of the Village of Bethune.

**Yard:** shall mean any part of a site unoccupied and unobstructed by any main building.

**Yard, front:** shall mean a yard extending across the full width of a site between the front line of the site and the nearest main wall of the main building or structure on the site.

**Yard, rear:** shall mean a yard extending across the full width of the site between the rear line of the site and the nearest main wall of the main building or structure on the site.

**Yard, side:** shall mean a yard extending from the front yard to the rear yard between the side line of a site and the nearest main wall of the main building or structure on the site.

## SCOPE

No development shall hereafter be permitted within the limits of the municipality, except in conformity with the provisions of this bylaw.

Metric measurements prevail. Imperial measurements are approximate and are provided for information only.

## PART II

### ZONING

#### DISTRICTS

##### **1.0 Classification of Zoning Districts**

In order to carry out the purposes and regulations of this bylaw, the municipality is hereby divided into five (5) classes of zoning districts to wit:

Page	
UR - Urban Reserve	7
R - Residential	9
C - Commercial	13
HC - Highway Commercial	16
I - Industrial	18

##### **2.0 Boundaries of Zoning Districts**

The boundaries of such districts referred to in Section 1 together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map". Where shown along streets and lanes, the boundaries, unless otherwise indicated on the map, shall be interpreted to be the boundaries of the allowances of the streets and lanes; where zoning district boundaries are not shown along streets and lanes and where the property had been subdivided into blocks of sites, the boundaries shall be construed to be the site lines; in unsubdivided land, the boundaries shall be determined by the scale shown on the map.

##### **3.0 The Zoning District Map**

The map bearing the statement "*This is the Zoning District Map referred to in the Bylaw No.2/90*", adopted by the Village of Bethune and signed by the Mayor and Administrator under the seal of the Village, shall be known as the "Zoning District Map", and such map is hereby declared to be an integral part of this bylaw, as if embodied herein.

##### **4.0 District Schedules**

The following are the schedules of uses and regulations pertaining to the various zoning districts under this bylaw.



## **4.1 UR - URBAN RESERVE**

### **DISTRICT 1. Uses Permitted:**

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as a UR – Urban Reserve District, only the following uses shall be permitted.

#### **A. Agricultural**

Field crops, trucking farming, market gardening, tree nurseries, and any other similar agricultural uses, but not included the care and raising of animals or birds except as allowed in Part C below.

#### **B. Recreational**

Sports fields, parks, golf courses, skating rinks, curling rinks, and other similar uses, including tourist campgrounds.

#### **C. Offices and clinics of veterinary surgeons**

#### **D. Radio and television transmitter towers**

#### **E. Lagoon and sanitary land fill sites, cemeteries, municipal buildings and facilities**

#### **F. Accessory**

Buildings, structures or uses accessory to and located on the same site with the main use including single family dwellings accessory to the main use and occupied by the owner, caretaker or manager of the main use.

## **2. Regulations:**

### **A. Site Area – minimum**

Lagoon or sanitary land fill sites- recreational	4 hectares (10 acres)
Radio and television transmitter towers	1.2 hectares (3 acres)
Offices and clinics of veterinary surgeons	1.2 hectares (3 acres)
All other uses	16 hectares (40 acres)

### **B. A maximum two one-unit dwelling is permitted on any one agricultural land holding.**

**C. All buildings** shall be set back at least 15 metres (50 feet) from the edge of any highway or road.

**D. Signs and billboards** are prohibited except for signs showing the names of occupants, information signs bearing no advertising, and signs bearing notices of sale or lease. No sign shall have a facial area exceeding 0.4 square metres (4 square feet).

## **4.2 R – RESIDENTIAL**

### **DISTRICT 1 Uses**

#### **Permitted**

Subject to all other provisions of this bylaw, on any site in any district defined, designated, or described in this bylaw as an R – Residential District, only the following uses shall be permitted.

#### **A. Residential**

1. One unit dwelling
2. Two unit dwelling
3. Boarding, lodging, or rooming houses

#### **B. Institutional**

1. Churches, religious institutions
2. Schools, educational institutions
3. Hospitals, sanatoria, clinics, convalescent homes, health centers, cemeteries
4. Libraries, cultural institutions
5. R.C.M.P. Barracks

#### **C. Recreational**

Public sports, fields, parks, skating rinks, curling rinks, and other similar uses.

#### **D. Home Occupation**

Discretionary Use

#### **E. Accessory**

Buildings, structures, or uses accessory to and located on the same site with the main building or use.

The following uses may be located in any R – Residential District, but only by resolution of Council and only in locations specified in such resolution of Council.

1.1 Discretionary Uses

The following uses may be located in and R-Residential District, but only by the resolution of the Council and only in locations specified in such resolution of the Council.

- 1. Homes for the aged, apartment houses, row houses, and other similar types of multiple unit dwellings.
2. Lodges, fraternal organizations, social clubs.
3. Home based occupation or business.
4. Postal outlet, parcel package delivery points or warehouse storage for the purpose of mail or parcel delivery point access. Amended November 01, 2011.

2. Regulations

A. One-unit dwelling

Minimum site area - 557 square metres (6,000 square feet) where the site is served by a lane, otherwise 697 square metres (7,500 square feet)

Minimum site frontage - By amending Section 4.2 - 2.Regulations A-Minimum site frontage to read: 20 meters (65.61 ft) AMENDED - March 12, 2012

Minimum front yard - 6 metres (20 feet)

Minimum side yard - 1.5 metres (5 feet)

Minimum rear yard - 7.6 metres (25 feet)In the case of a new subdivision of corner lots where the new lot will front onto a side street, the new lot rear yard setback may be reduced to 5 meters(16.4 feet) at the discretion of Council. Amended May 3, 2005.

Minimum floor area - 70 square metres (750 square feet)

B. Two-unit dwelling

Minimum site area 557 square metres (6,000 square feet) where the site is served by a lane, otherwise 743 metres (8,000 square feet)

Minimum site frontage 18 metres (60 feet) where the site is served by a lane, otherwise 21 metres (70 feet)

Minimum front yard 6 metres (20 feet)

Minimum side yard 1.5 metres (5 feet)

Minimum rear yard	7.6 metres (25 feet)
Minimum floor area	70 square metres (750 square feet) per dwelling unit

**C. Apartment houses**

Minimum site area	650 square metres (7,000 square feet) where the site is served by a lane, otherwise 850 square metres (9,150 square feet)
Minimum site frontage	18 metres (60 feet) where the site is served by a lane, otherwise 21 metres (70 feet)
Minimum front yard	7.6 metres (approximately 25 feet)
Maximum site coverage	
• interior lot	50%
• corner lot	60%
Minimum side yard	3.7 metres (12 feet) or one-half the average wall height, whichever is the greater
Minimum floor area	70 square metres (750 square feet) per dwelling unit except in the case of apartments intended for single- person or two-person occupancy in which case the minimum floor area shall be 46 square metres (500 square feet)

**D. Boarding, lodging, rooming houses**

Are subject to all the regulations pertaining to two-family dwellings in this district. Each person staying in a boarding or rooming house must be provided with at least 14 square metres (150 square feet) of private living space. Each person must have access to a heated water closet located on the same floor as his room.

Not more than six (6) people shall share any water closet.

**E. (i) Row Houses**

Minimum site area	650 square metres (7,000 square feet)
Minimum site coverage	40%
Minimum front yard	6 meters (20 feet)
Minimum side yard	2.4 metres (8 feet) on the side of each end unit
Minimum floor area	70 square metres (750 square feet) per dwelling unit

**(ii) Multi-Unit Dwelling** **Amended regulations added April 2, 2013.**

Minimum site area	144 square metres(1,550.00 square feet)
Minimum site coverage	40%
Minimum front yard	6 metres (20 feet)
Minimum side yard	2.4 metres (8 feet) on the side of each end unit
Minimum side yard –	Attached dwelling units 0.00 m
Minimum floor area	70 square metres (750 square feet) per dwelling unit.

## **F. Home Occupations**

1. Home occupations may only be located in single-detached, two unit or multiple dwellings, or in a building accessory to the dwelling.
2. Home occupations shall be conducted entirely within the dwelling unit or accessory to the dwelling.
3. Other than the one permitted business sign, not to exceed 0.1 square metres (1 square foot) in area, there shall be no exterior display, no exterior storage of material, and no other variation from the residential character of the building.
4. Only one business vehicle may be parked on the residential lot, and that vehicle must be less than 3500 kg (7716 lb) in net weight.

## **G. Institutional Use**

Minimum site area	750 square metres (8,000 square feet) where the site is served by a lane, otherwise 850 square metres (9,150 square feet)
Minimum site frontage	18 metres (60 feet) where the site is served by a lane, otherwise 21 metres (70 feet)
Minimum front yard	6 metres (20 feet)
Minimum side yard	3 metres (10 feet) or one-half the building height, whichever is the greater
Minimum rear yard	7.6 metres (25 feet)

### **General Regulations**

1. No side or front yards shall be used for the storage or collection of goods or commodities or other form of materials. All automobile parts, dismantled vehicle and similar articles shall be stored within a building.
2. No yard or portion thereof shall be used for the storage of machinery.
3. No driveway shall be constructed or developed in any side yard unless that side yard is at least 3.7 metres (12 feet) in width.
4. No accessory building shall be located in any portion of a required front or side yard.
5. All accessory buildings with a door or doors opening onto a street or lane shall not be located less than 1.8 metres (6 feet) from the site line abutting the street or lane.
6. Off-street parking shall be provided in accordance with the schedule set out in Section 11.0 of this bylaw.
7. Signs and billboards are prohibited except signs showing the names or occupants, signs bearing notices of sale or lease or other information relating to a temporary condition affecting the premises, and signs relating to home occupations as specified above. Such signs shall not have a facial area exceeding 0.7 square metres (4 square feet).
8. No side or front yards shall be used for the storage or collection of goods or combinations or other forms of materials, nor for the parking of automobiles. All automobile parts, dismantled vehicles and similar articles shall be stored within a building.

**4.2.1.A — Residential District Uses Permitted is amended by adding the words "4. Duplexes" to the end.**

**4.2.2 — Residential District Regulations is amended by adding the following:**

"H. Duplexes	
Minimum site area	600 square metres (6,450 square feet)
Minimum site coverage	40%
Minimum front yard	6 meters (20 feet) 1.22 metres (4 feet) on the side of each end unit
Minimum side yard	70 square metres (750 square feet) per
Minimum floor area	dwelling unit
Minimum site frontage	15.24 m (50 feet)

(Amended June 2021)



## **4.3 C – COMMERCIAL DISTRICT**

### **1. Uses Permitted:**

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as a C – Commercial District, only the following uses shall be permitted.

#### **A. Commercial Amended December 6, 2011; amended June 2015**

1. Banks, offices, studios
2. Bakeries with retail sales
3. Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repairs and similar types of personal service establishments.
4. Medical and dental offices clinics and surgeries.
5. Printing plants, newspaper offices
6. Restaurants, confectionaries and other places for the sale and consumption of food and related items
7. Retail stores
8. Telegraph offices, express offices, radio and television stations
9. Theatres, assembly halls, commercial recreational establishments
10. Licensed beverage rooms and other places for the sale and consumption of beer, wine, and spirits with or without food
11. Skating rinks and curling rinks
12. CarWash Facilities/Establishments

#### **B. Institutional**

1. Churches, church halls
2. Lodges, fraternal organizations, social clubs
3. Libraries, cultural institutions
4. Regional health centres

#### **C. Residential**

Dwelling units in the same building as stores or commercial establishments

## **D. Accessory**

Buildings, structures, or uses accessory to and located on the same site with the main building or uses.

### **4.3 -1.1 Discretionary Uses - A. Commercial – Amended December 6, 2011; June 2015**

1. Bus terminals
2. Hotels/Motels
3. Service stations with or without car washes
4. Gas bars with or without confectionaries.
5. Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery
6. Undertaking establishments, cemeteries.
7. Lumber yards.
8. Public/Commercial Storage Facilities, structures, containers and yards.

## **2 Regulations:**

### **A. Site Area**

minimum – service stations 929 square metres (10,000 square feet)

all other uses - 279 square metres (3,000 square feet)

### **B. Site Frontage**

minimum – service stations 31 metres (100 feet)

all other uses - 6 metres (20 feet)

### **C. Yard, front**

minimum – service stations 7.6 metres (25 feet)

all other uses - no requirements

**D. Yard, side:** where the side of a site in any C – Commercial District abuts any residential district without an intervening street or land, a side yard of at least 2.4 metres (8 feet) shall be provided.

**E. Yard, rear:** where the rear of a site in any C – Commercial District abuts any residential district without an intervening street or lane, a rear yard of at least 6 metres (20 feet) shall be provided.

**F. All business** shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.

**G. Signs and billboards** shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

1. No more than one (1) sign shall be permitted on the premises

2. No sign shall be in excess of 3.3 square metres (36 square feet) in area. Permitted signs may be double-faced.
1. No sign shall be illuminated unless the source of light is steady and suitably shielded.
4. The maximum height of any sign shall be 6 metres (20 feet).

**H . All permitted dwelling** units shall have a minimum floor area of 46 square metres (500 square feet). All dwelling units shall have an entrance from the street separate from that of the store or commercial establishment. Dwelling units must be provided with a fire exit separate from the required entrance from the street.

**I. Off-street parking** shall be provided in accordance with the schedule Set out in section 11.0 of this bylaw.

## **4.4 HC – HIGHWAY COMMERCIAL**

### **DISTRICT**

#### **1.0 Uses Permitted: **amended June 15****

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as a HC –Highway Commercial, only the following uses shall be permitted.

##### **A. Commercial**

1. Motels
2. Service stations
3. Propane gas sales establishments
4. Restaurants
5. Drive-in restaurants
6. Drive-in theatres
7. Miniature golf courses and similar commercial recreation establishments
8. Tourist campgrounds
9. Bus terminals
10. Car washing establishments
11. Veterinary hospitals and offices of veterinary surgeons
12. Cemeteries
13. Skating rinks and curling rinks
14. **Car Wash Facilities/Establishments**

##### **B Accessory**

Buildings, structures or uses accessory to and located on the same site with the main building or use, including dwellings for caretakers or managers of any of the permitted uses.

#### **1.1 Uses Permitted: **amended June 15****

##### **Discretionary Uses:**

1. Auto body shops, excluding works related to auto wrecking and salvage
2. Construction trades
3. Equipment and tool rental establishments

4. Greenhouses, tree and plant nurseries
5. Licensed beverage rooms, restaurants and lounges
6. Lumber Yards, building supply and home improvement stores
7. Motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing
8. Undertaking establishments
9. Veterinary clinics
10. Wholesale trade establishments.
10. Bulk oil dealers and chemical supply dealers
11. Wholesale trade stores, offices and warehouses
12. Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings
13. Public/Commercial Storage Facilities, structures, containers and yards

**2**     **Regulations:**

**A.     Site area**

minimum – motels 1,672 square metres (18,000 square feet)  
all other uses                     1,115 square metres (12,000 square feet)

**B.     Site frontage – minimum             31 metres (100 feet)**

**C.     Yard, front**

minimum- motels             15 metres (50 feet)  
all other uses                     7.6 metres (25 feet)

**D.     Yard, side- minimum 3 metres (10 feet) on each side**

**E.     Yard, rear- minimum 10% of the depth of the site**

**F.     Signs and billboards** shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

1.     No more than two (2) signs shall be permitted on the premises.
2.     No sign shall be in excess of 3.3 square metres (36 square feet) in area, but the two permitted signs may be combined and the total facial area shall not exceed 6,7 square metres (72 square feet). Each sign may be double- faced,
3.     No sign shall be illuminated unless the source of light is steady and suitably shielded.
4.     The maximum height of any sign shall be 6 metres (20 feet).

**G.     Off-street parking** shall be provided in accordance with the schedule set out in section 11.0 of this bylaw.

## 4.5 I - INDUSTRIAL DISTRICT

### 1. Uses Permitted:

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an I - Industrial District, only the following uses shall be permitted.

#### A. Industrial

1. Lumber and building supply establishments
2. Manufacturing, processing and packing plants
3. Machine shops, foundry works, boiler works, blacksmith shops
4. Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, farm machinery and equipment
5. Propane gas sales establishments
6. Tanneries and hide storage
7. Warehouses and supply depots
8. Skating rinks and curling rinks
9. Offices -amended May 2017
10. Municipal public works shops, equipment storage facilities and yards

#### B. Accessory

Buildings, structures, or uses accessory to and located on the same site with the main building or use, including dwellings for caretakers, owners or managers of any of the permitted uses.

### 2. Discretionary Use -amended June 2015

The following uses may be located in any I-Industrial District, but only by resolution of council and only in locations specified in such resolution of council.

1. Abattoirs
2. Junk yards
3. Petroleum products, storage yards, coal yards, gravel yards, stock yards
4. Grain elevators and related grain handling facilities.
5. Car and truck washes.
6. Bulk oil dealers and chemical supply dealers.
7. Auto body shops.
8. Railway operations.
9. Concrete manufacturing plants, and gravel yards.
10. Feed mills, and seed cleaning plants.
11. Mining and petroleum industry service.
12. Equipment maintenance and storage yards
13. Industrial services
14. Public/Commercial Storage Facilities, structures, containers and yards

### 3. Regulations:

- A. Site area - minimum 1,115 square metres (12,000 square feet)
- B. Site frontage - minimum 31 metres (100 feet)
- C. Yard, front – minimum 6 metres (20 feet)
- D. Yard, site - minimum 3 metres (10 feet) on each side of the main building or one-half the building height, whichever is greater
- E. Yard, rear - minimum - 10% of the depth of the site except where the rear yard abuts a

railroad track or railroad yard, in which case no rear yard is required.

F. Off-street parking shall be provided in accordance with the schedule set out in Section 11.0 of this bylaw.

G. Off-street loading and unloading space shall be provided in accordance with Section 11.0 of this bylaw.

H. Signs and billboards are prohibited except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following requirements.

1. No more than two (2) signs shall be permitted on the premises.
2. No sign shall be in excess of 3.3 metres (36 square feet) in areas, but the two permitted signs may be combined and the total facial area shall not exceed 6.7 square metres (72 square feet). Each sign may be double-faced.
3. No sign shall be illuminated unless the source of light is steady and suitably shielded.
4. The maximum height of any sign shall be 6 metres (20 feet).

### **PART III GENERAL REGULATIONS**

#### **5.0 Minimum Yards Required**

No portion of any yard or other open space required about any main building or use shall provide any portion of a yard or open space for any other main building or use.

#### **6.0 Projections in Yards**

Where minimum front or rear yards are required in any district, such minimum requirement shall not apply to prevent the construction or location of a roofed or open terrace, porch or verandah having a maximum projection from the main wall of 1.8 metres (6 feet). Where minimum yards are required in any district, such requirements shall not apply to prevent the construction or location of a chimney or of a roof overhang of two feet or less.

#### **7.0 Building Lines**

Where a building line in any residential district has been established by existing buildings in a block, and is less than 6 metres (20 feet) from the street line, new construction may conform to the established building line, provided that the established building line is not less than 4.5 metres (15 feet) from the street line and provided that Council, by resolution or bylaw, permits conformation to the established building line.

#### **8.0 Number of Principal Buildings Permitted on a Site**

Not more than one principal building shall be placed on any one site with the exception of schools, hospitals, curling and skating rinks, nursing homes and homes for the aged.

**9.0 Private garages attached to main buildings by substantial roof structure** shall be considered as part of the main building and shall be subject to the regulations of the main building.

#### **10.0 Service Stations**

1. Service stations shall have a minimum frontage of 31 metres (100 feet).
2. Fuel pumps and other accessory equipment shall be located at least 6 metres (20 feet) from any street or lot line.
3. All automobile parts, dismantled vehicles and similar articles shall be stored within a



building, except on those sites located in an Industrial District.

**11.0 Off-street parking shall be provided in accordance with the following schedule.**

**Number of Spaces Required**

1 parking space for each dwelling unit

1 parking space for each staff member

1 parking space for each staff member, plus 3 parking spaces for each classroom 3 parking spaces for each classroom

1 parking space for each 10 seats provided for patrons

1 parking space for each 56 square metres (600 square feet) of building floor area

**C - Commercial District**

Stores, Shops, Offices 1 parking space for each 56 square meters (600square feet) of building floor area

Restaurants and other 1 parking space for each 4 seats eating places

1 parking space for each 5 guest sleeping rooms

1 parking space for each dwelling unit

1 parking space for each 56 square meters (600 square feet) of building floor area 1

parking space for each unit

1 parking space for each 4 seats 1 parking space per dwelling unit

1 parking space for each 46 square meters (500 square feet) of gross floor area

1 parking space for each 46 square meters (500 square feet) of gross floor area, or 1 space for each 5 employees, whichever is the greater

Parking spaces required in any commercial district may be located within 305 meters (1,000 feet) of the main building or use, provided such spaces are located in a Commercial or Industrial District.

In any I - Industrial District where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

**12.2 - Solar Panels**

12.2.1 Solar panels and associated operating structures attached to a building in a residential, commercial or industrial district shall not exceed a height of 1.0 meters above the highest point of the roof upon which it is located.

12.2.2 In all residential and commercial districts, solar panels and associated operating structures, if attached to or erected upon an accessory building or structure, shall not exceed a height of 2.0 meters above the highest elevation of the accessory building that it is located on.

12.2.3 Solar panels and associated operating structures may be permitted in all residential, commercial or industrial districts year yard sites subject to maximum site coverages to each subject zoning district.

12.2.4 Solar Panels shall not be permitted in any side yard sites in any zoning district. (Amended November 2019)

### **13.0– Vehicle Accommodation, Recreational Vehicles and Vacation Trailers**

- a. No car, truck, bus, motorhome or travel trailer shall be used for permanent habitation, whether or not the vehicle is mounted on wheels, with the exception in an approved campground, in any zoning district of the municipality. At no location on municipal roads shall it be permitted to leave an unlicensed vehicle for more than 48 hours unless otherwise specified by other bylaws of the municipality.
- b. Within the following Zoning Districts, only one recreational vehicle, which is not a mobile home, shall be used for a time period not exceeding 14 consecutive days, for the temporary sleeping accommodations of a guest of the dwelling or site; Urban Reserve; Residential; Commercial; Industrial.
- c. Subject to clause “b” it shall be required to have a minimum of 30 days between the placement of a recreational vehicle where temporary sleeping accommodations are permitted so as not to permit back to back placements of recreational vehicles or vacation trailers.
- d. The recreational vehicle shall be located on the same site as the dwelling unit or site.
- e. The recreational vehicle shall not be connected to any piped water supply or waste disposal system on any residential site.
- f. Notwithstanding the above, a recreational vehicle may be used on a temporary basis while construction is taking place in accordance with an approved development permit

## **PART IV ADMINISTRATION**

### **13.0- Administrative Procedure**

1. The Village Administrator of the Village of Bethune shall be responsible for the administration of this bylaw.
2. Every person, before commencing any development within the municipality, shall apply to the municipal officer charged with the administration of this bylaw for a permit to carry out such development
3. Where an application for a development permit is made for a permitted use, the development officer shall issue a permit where the development is in conformity with this bylaw.
4. Where an application for a development permit is made for a discretionary use, the development officer shall present the application to the Council as soon as practicable.
5. As soon as practicable after Council is presented with the application for a development permit for a discretionary use, Council shall consider the application. Prior to making a decision on a discretionary use application, Council shall notify each owner of property within a 75 metres (246 foot) radius of the proposed development, that it is considering an application for a discretionary use, and may refer the application to whichever government agencies or interested groups as Council may consider appropriate.
6. Upon approval of a discretionary use by resolution of Council the development officer shall issue a development permit subject to any development standards prescribed by Council.
7. With every application for a development permit within the municipality, two copies of a layout or site plan showing the dimensions of the site and the size and location on the site of any development, shall be submitted for approval to the municipal officer charged with the administration of this bylaw, together with such other information as he may require for the proper enforcement of this bylaw.
8. When the application is approved, one copy of the layout or site plan shall be returned to the applicant bearing an appropriate indication that it has been approved; if the application is not approved, the layout or site plan shall be returned to the applicant with the reasons for refusal noted thereon and the applicant shall be advised of any right to appeal that

refusal to the Development Appeals Board, subject to the provisions of the Planning and Development Act, 1983.

9. No development shall commence until a permit to carry out such development has been obtained from the officer responsible for the administration of this bylaw.
10. A development permit is valid for a period of twelve months and may be extended for one or more additional twelve month periods when presented to the development officer before its date of expiry.
11. Where the development officer determines that a development is being carried out in contravention of any condition of a development permit or any provision of this Bylaw, the development officer shall suspend the development permit and notify the permit holder that the permit is no longer in force.
12. Where the Council is satisfied that a development, the permit for which has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw the Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.

#### **14.0 Development Appeals Board**

1. Council shall appoint a Development Appeals Board in accordance with the provision of Section 91 of the Planning and Development Act, 1983.
2. Appeals in writing may be made to the Development Appeals Board by any person who:
  - a) alleges that the Council or any person acting for or on behalf of the Council has misapplied the bylaw in a particular case; or
  - b) claims that there are practical difficulties or unnecessary hardships in the way of carrying out the bylaw by reason of the exceptional narrowness, shortness, shape, topographic features or other unspecified unusual condition of a specified property.
3. A person who appeals under Clause b) of Sub-section 2 shall not be entitled to have his appeal allowed if:
  - a) the unusual condition is the result of his or the property owner's own action;
  - b) the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighboring properties in the same district; or
  - c) a relaxation of the provisions of the bylaw would be contrary to its purposes and intent and would injuriously affect the neighboring properties.
4. In making an appeal to the Development Appeals Board, the provisions of Section 96 of the Planning and Development Act, 1983, shall apply.