

TOWN OF ALLAN

ZONING BYLAW

NO. 2 - 2000

TABLE OF CONTENTS

SECTION 1 - INTRODUCTION	1
1.1 Title	1
1.2 Purpose	1
1.3 Scope	1
1.4 Severability	1
SECTION 2 - DEFINITIONS	1
SECTION 3 - ADMINISTRATION	7
3.1 Development Officer	7
3.2 Development Permit	7
3.3 Application for a Development Permit	7
3.4 Review of Applications	8
3.5 Decision	8
3.6 Revocation of Decision	8
3.7 Development Appeals	8
3.8 Advertising of A Discretionary Use	9
3.9 Application Fees	9
3.10 Enforcement, Offenses and Penalties	10
3.11 Minor Variances to the Zoning Bylaw	10
SECTION 4 - GENERAL REGULATIONS	12
4.1 All Zoning Districts	12
4.2 Residential Districts	14
4.3 Commercial and Industrial Districts	16
SECTION 5 - SPECIAL PROVISIONS	16
5.1 Discretionary Uses	16
5.2 Bed and Breakfast Lodging	16
5.3 Home Occupations (Home Based Business)	17
5.4 Service Stations and Gas Bars	17
5.5 Personal Care Homes	18
SECTION 6 - SIGN REGULATIONS	18
6.1 Sign Permit	18
6.2 General Regulations	18
SECTION 7 - ZONING DISTRICTS AND ZONING MAP	19
7.1 Classification of Zoning Districts	19
7.2 The Zoning District Map	19
7.3 Boundaries of Zoning Districts	19
7.4 Zoning District Schedules	19

Table of Contents continued:

SECTION 8 - ZONING DISTRICT SCHEDULES 20
 8.1 R - Residential District 20
 8.2 CS - Community Service District 22
 8.3 C - Commercial District 23
 8.4 I - Industrial District 25
 8.5 UH - Urban Holding District 27

SECTION 9 - REPEAL AND EFFECTIVE DATE OF THE BYLAW 28

SECTION 1 - INTRODUCTION

Under the authority granted by *The Planning and Development Act, 1983*, the Mayor and Council of the Town of Allan, in the Province of Saskatchewan, in open meeting hereby enact as follows:

1.1 Title

This bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Allan.

1.2 Purpose

The purpose of this bylaw is to regulate development in the Town of Allan to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

1.3 Scope

Development shall hereafter be permitted within the limits of the Town of Allan only when in conformity with the provisions of this bylaw.

1.4 Severability

If any section, clause, or provision of this bylaw, including anything shown on the Zoning District 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 as a whole or any part thereof, other than the section, clause or provision, including anything shown on the Zoning District Map, so declared to be invalid.

SECTION 2 - DEFINITIONS

Wherever 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 - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Administrator - the Administrator of the Town of Allan.

Alteration - any structural change or addition made to any building.

Bed and Breakfast Lodging - a dwelling unit, licensed as a tourist home 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.

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

Building Accessory - a subordinate detached building appurtenant to a principal building or principal use and located on the same lot, the purpose of which is to provide better and more convenient enjoyment of the principal building or principal use.

Building Bylaw - a bylaw of the Town of Allan regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

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 Town of Allan, authorizing the construction of all or part of a building or structure.

Building, Principal - a building in which is conducted the main or primary use of the lot on which said building is situated.

Building line, established - 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.

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 alleys, theatres, billiard parlour, and bingo hall licensed by the Saskatchewan Liquor and Gaming Authority.

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

Council - the Council of the Town of Allan.

Day Care Centre - a facility which provides for the non parental care of preschool age children, 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*; or
- (b) a nursery school for preschool children.

Development - 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 Officer - the officer of the Town of Allan appointed pursuant to Section 3.1 to administer this bylaw.

Development Permit - a permit, issued by the Council of the Town of Allan or its designate that authorizes development but does not include a building permit.

Discretionary Use - 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 - 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, Single Detached - a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, but shall not include a factory built home as herein defined.

Dwelling, Duplex - a building divided horizontally into two dwelling units as herein defined.

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

Dwelling, Semi-Detached - 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.

Factory Built Home - a mobile home that is certified by the manufacturer to meet CSA-Z240 construction standard or a prefabricated home that is certified by the manufacturer to meet CSA-A277 construction standard.

Family Child Care Home - 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*.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

Garage, Private - a building or part of a building 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 and shall include a carport.

Garage, Public - 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 such vehicles are kept for remuneration, hire, sale or display.

Gas Bar - 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 - an average of the finished surface of the ground adjacent to the exterior walls of the building or structure.

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 - 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.

Home Occupation - an occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Hotel - buildings or structures or part thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses.

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

Lot - an area of land with fixed boundaries and which is of record in the Land Titles office by Certificate of Title.

Lot Line - Front - the boundary that divides the lot from the street, in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot.

Lot Line - Rear - the boundary at the rear of the lot and opposite the front lot line.

Lot Line - Side - a lot boundary other than a front or rear lot line.

Mayor - the Mayor of the Town of Allan.

Minister - the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 1983*.

Mobile Home - a trailer coach that is used as a dwelling for permanent or year round living, and that has water faucets and a shower head or bathtub that may be connected to a water distribution system, and that has a wash basin and water closet that may be connected to a sewage system.

Mobile Home Lot - a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

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

Modular Unit - a factory or plant 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 - buildings or structures or parts thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses.

Non-Conforming Building - a building:

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

Non-Conforming Use - a lawful specific use:

- a) being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this bylaw or any amendment hereto becomes effective, and

- b) that on the date this bylaw or any amendment hereto 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 this bylaw.

Prefabricated Home - a building that is manufactured in a factory or plant as a whole or modular unit to be used as one dwelling unit and certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Prefabricated Home, Single Wide - a prefabricated home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres (16.40 ft.) in width.

Prefabricated Home, Double Wide - a prefabricated home that is designed to be moved and placed onto a permanent foundation in two or more modular units that when joined together exceed 8 metres (26.25 ft.) in width.

Public Work -

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

Personal Care Home - a facility licensed under *The Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Personal Service 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, shoe repair shops.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

Retail Store - 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.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - 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.

Town House - 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.

Service Station - a building which is a principal use on a lot or a structure which is an accessory use in a clearly defined space on a lot; 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 lot, it may also include the servicing and repairing of motor vehicles.

Sight Triangle - the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 metres (24.61 ft.) from the corner property pin to a similar point 7.5 metres (24.61 ft.) along the perpendicular or intersecting property line.

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

Sign, Face - 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.

Sign, Facial Area - 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.

Special Care Home - 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 - a public thoroughfare which affords the principal means of access to the abutting property.

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

Structure, Temporary - 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.

Tourist Campground - a tract or parcel of land which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Tourist Home - 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.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner 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.

Yard - any part of a lot unoccupied and unobstructed by any principal building or structure.

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest main wall of the principal building or structure on the lot.

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

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

SECTION 3 - ADMINISTRATION

3.1 Development Officer

The Administrator of the Town of Allan shall be the Development Officer responsible for the administration of this bylaw.

3.2 Development Permit

- (1) Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. **A development permit cannot be issued in contravention of any of the provisions of this bylaw.**
- (2) A development permit is **not required** for the following, but all other applicable provisions of this bylaw are to be followed in addition to obtaining a building permit where required:
 - (a) the maintenance of a public work;
 - (b) the construction of a public work by the Town of Allan;
 - (c) the installation of public works on any street or other public right-of-way;
 - (d) maintenance and repairs that do not include structural alterations;
 - (e) the installation of fences or accessory buildings under 9.3 square metres (100.11 sq. ft.).
- (3) A **building permit** shall not be issued unless a development permit, where required, has also been issued.
- (4) If the development or use authorized by a development permit is not commenced within six months from the date of its issue, and completed within twelve months of its issue, the permit is deemed void unless an extension to the period has first been granted.

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 attached to and forming part of this bylaw. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot 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 also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.4 Review of Applications

- (1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this bylaw and the policies contained in the Basic Planning Statement.
- (2) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.

3.5 Decision

- (1) The decision on all applications shall be made in writing to the applicant, in **Form B**, as attached to and forming part of this bylaw.
- (2) Where the application is for a PERMITTED USE the Development Officer shall, upon completion of the review:
 - (a) issue a development permit where the application conforms to all provisions of this bylaw; or
 - (b) issue the development permit specifying any special regulations or standards to which the development or use must comply, where the class of development or use is subject to special regulations, performance standards or development standards that are specified in this bylaw; or
 - (c) refuse the application where the provisions of this bylaw are not met, indicating to the applicant the reason for the refusal.
- (3) Where the application is for a DISCRETIONARY USE the Council shall pass a resolution instructing the Development Officer to either:
 - (a) issue a development permit incorporating any special development standards prescribed by Council in accordance with the provisions of this bylaw; or
 - (b) refuse the application, indicating the reasons for the refusal.

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.

3.7 Development Appeals

- (1) A Development Appeals Board of the Town of Allan is appointed in accordance with Sections 71 and 91 to 104 of *The Planning and Development Act, 1983*.
- (2) Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Allan.
- (3) Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED DEVELOPMENT STANDARDS pursuant to this bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Allan.

- (4) An application for a development permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7(2) as though the application had been refused at the end of the period specified in this subsection.
- (5) An application for a minor variance may be appealed to the Development Appeals Board of the Town of Allan in accordance with Sections 3.11(12) and (13).
- (6) A fee of \$50.00 shall be paid where an appeal is made to the Development Appeals Board.

3.8 Advertising of A Discretionary Use

Prior to making a decision on a discretionary use application, Council shall provide notice to the public in the following manner:

- (1) In the case of an application for the following uses by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application:
 - (a) home occupations;
 - (b) semi-detached dwellings;
 - (c) factory built homes.
- (2) In the case of a discretionary use application in any residential district except as provided in section 3.8(1) above, by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application, and providing notice in one issue of a newspaper published or circulated in the Town of Allan.
- (3) In the case of a discretionary use application in any other zoning district, by providing notice in one issue of a newspaper published or circulated in the Town of Allan.

3.9 Application Fees

The following fees shall apply for processing applications:

- (1) *Amendment of the Zoning Bylaw* - Where a person requests Council to amend the zoning bylaw that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment.
- (2) *Discretionary Uses* - The applicant shall pay to the municipality a fee equal to the costs associated with providing notice to the public.
- (3) *Development Permits* - An applicant for a development permit shall pay an application fee in accordance with the following:

(a) Permitted principal use	- \$ 10.00
(b) Permitted accessory use	- \$ 0.00
(c) Ancillary use	- \$ 10.00
(d) Discretionary principal use	- \$ 25.00
(e) Discretionary accessory use	- \$ 10.00

The application fees for a development permit shall be in addition to any fees for providing notice to the public as required in clauses (1) and (2).

- (4) *Minor Variance* - The application fee for a minor variance shall be \$25.00.

3.10 Enforcement, Offenses and Penalties

- (1) In accordance with *The Planning and Development Act, 1983* the Development Officer may, at a reasonable time, and with the consent of the owner, operator, or occupant, enter any land, building, or premises for the purposes of inspection where the Development Officer has reasonable grounds to believe that any development or form of development on or in the land, building or premises contravenes any provision of the zoning bylaw. Any steps to enforce the provisions of the zoning bylaw shall be as set out in *The Planning and Development Act, 1983*.
- (2) Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Planning and Development Act, 1983*.

3.11 Minor Variances to the Zoning Bylaw

- (1) An application may 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 lot line; and
 - (ii) the minimum required distance of a building to any other building on the lot;
 - (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;
 - (e) no minor variance shall be granted for a discretionary form of development, or in connection with an agreement on rezoning entered into pursuant to Section 82 of *The Planning and Development Act, 1983*.
- (4) An application for a minor variance shall be in a form prescribed by the Development Officer.
- (5) 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; or
 - (c) refuse the minor variance.
- (6) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection (5), the terms and conditions shall be consistent with:
- (a) minimizing adverse impacts on neighbouring properties;
 - (b) providing adequate separation between buildings for safety reasons; and
 - (c) avoiding encroachment into adjoining property.

- (7) 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.
- (8) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.
- (9) 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; and
 - (d) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.
- (10) The written notice required pursuant to subsection (8) shall be delivered:
 - (a) by registered mail; or
 - (b) by personal service.
- (11) 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.
- (12) If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the municipality respecting the approval of the minor variance within the time period prescribed in subsection (9), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - (a) of the revocation of the approval; and
 - (b) of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- (13) If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

SECTION 4 - GENERAL REGULATIONS

4.1 All Zoning Districts

The following regulations shall apply to all zoning districts in this bylaw:

4.1.1 Licenses, Permits, and Compliance with Other Bylaws

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 Town of Allan or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Town of Allan. Where provisions in this bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

4.1.2 Existing Buildings

Where a building has been erected on or before the effective date of this bylaw on a lot having less than the minimum frontage or area, or having less than the minimum set-back or side yard or rear yard required by this bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this bylaw;
- (2) all other applicable provisions of this bylaw are satisfied; and
- (3) such changes must be approved by the Development Officer responsible for the administration of this bylaw.

4.1.3 Frontage on a Road

No development permit shall be issued unless the lot intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on an existing public road.

4.1.4 Building Lines

Where a front building line in any district has been established by existing buildings in a block, and is less than the specified front yard requirement, new construction may conform to the established building line provided that Council, by resolution or bylaw, permits conformation to the established building line.

4.1.5 Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, community centres, nursing homes, senior citizen homes, dwelling unit groups, and multiple unit dwellings.

4.1.6 Building to be Moved

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the Development Officer unless such building is exempted by this bylaw.

4.1.7 Demolition of Buildings

No building, residential or otherwise, shall be demolished within the area covered by this bylaw without obtaining a development permit from the Development Officer.

4.1.8 Grading and Levelling of a Lot

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage which does not adversely affect adjacent property, in accordance with the requirements of the Town of Allan.

4.1.9 Waste Disposal

Subject to the Acts and Regulations administered by the Departments of Health and Environment and Resource Management, 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.

4.1.10 Non-conforming Uses And Non-conforming Buildings

Non-conforming uses and non-conforming buildings shall be subject to *The Planning and Development Act, 1983*.

4.1.11 Non-Conforming Structures and Lots

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

4.1.12 Geotechnical Analysis Required

If a proposed development is to be located on a lot or lots 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, as a condition of the issuance of the development permit, a geotechnical report be completed and approved by a Registered Engineer in the Province of Saskatchewan, indicating the potential of the area to support the proposed development and any remedial measures that may be required to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions to the issuance of a development permit.

4.2 Residential Districts

4.2.1 Projections in Yards

The following projections in yards may be permitted subject to the setback requirements of the National Building Code:

(1) Front Yards

The following features may project into a required front yard:

- (a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, fire escapes to a maximum projection of 0.61 metres (2 ft.);
- (b) unenclosed decks no higher than 0.61 metres (2 ft.) above the finished grade, cantilevered balconies, porches and steps to a maximum projection of 1.8 metres (5.91 ft.);
- (c) a satellite dish, radio tower or television antenna where attached to a principal dwelling of 0.61 metres (2 ft.).

(2) Rear Yards

The following features may project into a required rear yard:

- (a) 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 metres (4.91 ft.);
- (b) unenclosed decks no higher than 0.61 metres (2 ft.), balconies, porches, and steps to a maximum projection of 3 metres (9.84 ft.);
- (c) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.61 metres (2 ft.).

(3) Side Yards

(a) The following features may project into a required side yard:

- (i) bay windows, window boxes and sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.61 metres (2 ft.); and
- (ii) cantilevered construction of fire escapes, chimney chases, bow windows, bookcases, built in cabinets, balconies, and canopies to a maximum projection of 0.61 metres provided that the total area of all cantilevered features shall not exceed 2.5 square metres (26.9 sq. ft.) per floor level;
- (b) Unenclosed decks no higher than 0.61 metres (2 ft.) above the finished grade may project to the side property line, but not encroach onto neighbouring property.
- (c) No projections shall be permitted within a side yard required for vehicular access or parking where any portion of the said projection would be at an elevation lower than 2.5 metres (8.2 ft.) above the finished grade elevation measured at the corresponding side wall of the building.
- (d) a satellite dish, radio tower or television antenna where attached to a principal having a maximum projection of .61 metres (2 feet).

(4) Wheel Chair Ramps

A wheelchair ramp may encroach into any required yard.

4.2.2 Accessory Uses, Buildings, and Structures

- (1) In all Residential Districts the following regulations shall apply to uses, buildings and structures including private garages, which are accessory and detached from the principal dwelling:

- Side yard, minimum - .765 metres (2.5 ft.) and no structure shall have a projection greater than 0.61 metres (2 ft.) beyond the main wall, except where in the case of a corner lot and where access to the structure is obtained from the flankage street, all accessory uses, buildings, structures shall maintain a minimum side yard of 4.5 metres (14.76 ft.) from the side lot line on the flankage street.
- Rear yard, minimum - 1.2 metres (3.94 ft.)
- Front yard, minimum - the front yard of the principal building of the specific zoning district shall apply.
- Height, maximum - 5 metres (16.4 ft)

- (2) 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.
- (3) The following structures are allowed in a required yard and are not subject to setback regulations, except where a sight triangle is required:
 - (a) In all yards: sidewalks, uncovered driveways, lighting fixtures, and lamp posts.
 - (b) In rear yards; in addition to the structures listed in clause (a) above, recreation equipment, laundry drying equipment, and garbage stands.

4.2.3 Fences and Hedges

Fences may be constructed or hedges and shrubs grown along a lot line only in conformance with the following regulations:

- (1) No wall, fence, hedge or shrub located along any side or rear lot line, shall exceed 2 metres (6.56 ft.) in height.
- (2) No wall, fence, hedge or shrub located along any lot line in any required front yard, shall exceed 1 metre (3.3 ft.) in height.
- (3) In the case of a corner lot, no wall, fence, hedge or shrub shall exceed 1 metre (3.3 ft.) in height, measured above the grade of the streets that abut the lot or site, in an intersection sight triangle.

4.2.4 Storage

- (1) No side or front yards shall be used for the storage or collection of goods, commodities or other form of material.
- (2) No front yard or portion thereof shall be used for the storage of machinery or other goods and commodities.

4.3 Commercial and Industrial Districts

4.3.1 Projections in Yards

In any Commercial or Industrial District, where minimum front or rear yards are required, such minimum requirement shall not apply to prevent the construction or location of chimney chases, fire escapes, steps, eaves and gutters of 0.61 metres (2 ft.) or less.

4.3.2 Fences and Hedges

Fences constructed or and hedges and shrubs planted in Commercial or Industrial Districts shall comply with the following regulations:

- (1) Except where required for screening, a fence, hedge or shrub shall not exceed 3 metres (9.84 ft.) in height.
- (2) In the case of corner lots, no fence, hedge or shrub shall be placed so as to create a visual obstruction in a sight triangle.

SECTION 5 - SPECIAL PROVISIONS

This section addresses special provisions and specific development standards that apply to a development where allowed as a permitted or a discretionary use in a zoning district. Where there are special provisions on a specific use and that use is a discretionary use, the specific regulations and development standards applicable to discretionary uses would apply.

5.1 Discretionary Uses

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

- (1) the nature, size, shape, elevation and surface drainage of the site;
- (2) size, shape and arrangement of buildings;
- (3) access and traffic patterns for persons and vehicles;
- (4) type and volume of vehicle traffic;
- (5) off-street parking and loading;
- (6) safeguards to prevent noise, glare, dust and odour;
- (7) landscaping;
- (8) screening and fencing; and
- (9) lighting and signs.

5.2 Bed and Breakfast Lodging

Bed and breakfast lodging, where allowed in a specific district, shall be subject to the following development standards:

- (1) Bed and breakfast lodging shall be located in a single detached dwelling used as the operator's principal residence.
- (2) Bed and breakfast lodging shall be licensed by the Department of Health and meet the requirements of the Fire Commissioner.

- (3) A maximum of two guest bedrooms shall be permitted in a dwelling operating as bed and breakfast lodging.
- (4) One (1) off-street parking space shall be provided on site.
- (5) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the bed and breakfast lodging is permitted.

5.3 Home Occupations (Home Based Business)

Home occupations, where allowed in a residential district, shall be subject to the following development standards:

- (1) Home occupations may be located in dwelling used as the owners own residence or in a building accessory to the dwelling where the principal dwelling is other than a multiple unit dwelling.
- (2) Home occupations shall be conducted entirely within the dwelling or accessory building.
- (3) Home occupations shall not create any conflict with the residential area in terms of emission of noise, glare, dust or odour which would be disruptive to the surrounding residential uses.
- (4) Home occupations should not result in undue traffic or parking requirements in the residential area.
- (5) The home occupation shall not have any exterior display or storage of materials and no exterior variation from the residential character of the residence or its accessory building.
- (6) Persons employed in the home occupation shall be full time residents of the dwelling.
- (7) No more than 25 percent of the gross floor area of the principal building shall be used for the home occupation.
- (8) All permits issued for home occupations shall expire upon the person ceasing to operate and where the person issued the home occupation permit relocates.

5.4 Service Stations and Gas Bars

Service stations and gas bars, where allowed in a specific zoning district, shall be subject to the following development standards:

- (1) Fuel pumps and other accessory equipment shall be located at least 6 metres (19.69 ft.) from any street or lot line.
- (2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- (3) All business shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.
- (4) The arrangement of the proposed structure on the site shall be designated to reduce conflict with adjoining uses.
- (5) The access to the site shall be designed to reduce conflict with other vehicular and pedestrian traffic.
- (6) Any specific development standards imposed related to landscaping, screening, open spaces, parking and standing areas for vehicles shall be designed to reduce conflict with adjoining land uses and to ensure adequate areas for vehicles on the property.
- (7) The storage of fuel shall meet all provincial regulations.

5.5 Personal Care Homes

Personal care homes, where allowed in a specific zoning district, shall be subject to the following development standards:

- (1) The proposed personal care home shall only be developed in a single detached dwelling.
- (2) The personal care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
- (3) The operator of the personal care home shall be a permanent resident of the dwelling licensed as a personal care home.
- (4) The maximum number of residents allowed in a personal care home shall be 8 residents.
- (5) A personal care home shall meet all of the regulations for a single detached dwelling as prescribed for the district in which it is located.
- (6) A maximum of two personal care homes will be allowed in a block and may be located on the same side of the street or on opposite sides of the street.
- (7) Any changes resulting in the increase in the number of residents to the maximum number set in clause (4) or an increase in the area devoted to a personal care home or alterations or additions to the structure used as a personal care home shall require a new development permit for a discretionary use.
- (8) One non-illuminated window or wall sign having a maximum facial area of .2 square metres (2.15 sq. ft.) advertising the personal care home is permitted.
- (9) One (1) off-street parking space shall be provided on site.

SECTION 6 - SIGN REGULATIONS

6.1 Sign Permit

Except for billboard signs, a sign permit is not required for erecting, enlarging, changing or structurally altering a sign. However, all signs shall comply with the General Regulations for signs contained in Section 6.2.

6.2 General Regulations

- (1) No sign shall be located in any manner that would visually obstruct or jeopardize the safety of others.
- (2) Signs shall not interfere with traffic signs or lights, public utilities, landscaping or street furniture.
- (3) Where intermittent lights are deemed to be a safety hazard by Council, or a duly appointed police officer for the Town, such lights shall be converted to a steady source of illumination.
- (4) Where signs are to be placed adjacent to a provincial highway, they shall be subject to Saskatchewan Highways and Transportation regulations where applicable.

6.3 Billboard Signs

Billboard sign may be allowed at Council's discretion in a Commercial, Industrial, or UH-Urban Holding District subject to the following requirements:

- (a) Billboard Sign Face and Height
 - (i) maximum single face area - 20 square metres (65.62 sq. ft.)
 - (ii) maximum total face area - 40 square metres (430.57 sq. ft.)

- (iii) maximum faces - 2
- (iv) double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction.
- (v) maximum height above grade - 6 metres (19.69 ft.)
- (b) No billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary.
- (c) Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs.

SECTION 7 - ZONING DISTRICTS AND ZONING MAP

7.1 Classification of Zoning Districts

For the purpose of this bylaw, the Town of Allan 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.

<u>Districts</u>	<u>Symbols</u>
Residential	R
Commercial	C
Community Service	CS
Industrial	I
Urban Holding	UH

7.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 2 - 2000" adopted by the Town of Allan signed by the Mayor and Town Administrator under the seal of the Town shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this bylaw.

7.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with an explanatory legend, notation and reference, are shown on the map entitled, "Zoning District Map". Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

7.4 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 Section 8.

SECTION 8 - ZONING DISTRICT SCHEDULES

8.1 R - Residential District

8.1.1 Permitted Uses - The following are permitted uses in the R - Residential District:

- (1) Single detached dwellings
- (2) Parks and playgrounds
- (3) Public works (excluding offices, warehouses and storage yards)

8.1.2 Discretionary Uses - The following are discretionary uses in the R - Residential District:

- (1) Semi-detached dwellings and duplex dwellings
- (2) Factory built homes
- (3) Multiple unit dwellings
- (4) Community centres
- (5) Swimming pools
- (6) Places of worship, religious institutions
- (7) Lodges, fraternal organizations, clubs
- (8) Libraries and cultural institutions
- (9) Day care centres
- (10) Family child care homes
- (11) Home occupations subject to the requirements of Section 5.3.
- (12) Personal care homes subject to the requirements of Section 5.5.
- (13) Sports fields
- (14) Bed and breakfast lodging subject to the requirements of Section 5.2.
- (15) Group care facilities

8.1.3 Accessory Uses - Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

8.1.4 Regulations

(1) Single Detached Dwelling/Factory Built Homes

- | | |
|------------------------|--|
| Lot area - minimum | - 464 square metres (4,994.6 sq. ft.) |
| Lot frontage - minimum | - <u>rectangular lots</u> : 15 metres (49.21 ft.)
<u>non-rectangular lots</u> : 11 metres (36 ft.) with a mean width of 15 metres over the first 30 metres (98.43 ft.) measured from the front lot line. |
| Yard, front - minimum | - 7.5 metres (24.61 ft.) |
| Yard, rear - minimum | - 7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.). |
| Yard, side - minimum | - 1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.). |
| Floor area - minimum | - 70 square metres (750 sq. ft.) |

(2) Semi-detached and Duplex Dwellings

- Lot area (per dwelling unit)
- minimum - 278 square metres (2,992.47 sq. ft.) where the lot is served by a lane, otherwise 325 square metres (3,498.39 sq. ft.)
- Lot frontage (per dwelling unit)
- minimum - 9 metres (29.53 ft.) where the lot is served by a lane otherwise 10.5 metres, (34.45 ft.)
- Yard, front - minimum - 7.5 metres (24.61 ft.)
- Yard, rear - minimum - 7.5 metres (24.61 ft.), except that for a corner lot, where access to an attached garage is obtained from a flankage street, the minimum rear yard shall be 3 metres (9.84 ft.).
- Yard, side (per dwelling unit)
- minimum - 1.2 metres (3.94 ft.), except that for a corner lot, the minimum side yard shall be 3 metres (9.84 ft.) from a flankage street, however, where access to an attached garage is obtained from a flankage street, the minimum side yard shall be 6 metres (19.69 ft.).
- Floor area (per dwelling unit)
- minimum - 46 square metres (495.16 sq. ft.).

(3) Multiple Unit Dwellings

- Lot area - minimum - 550 square metres (5,92.03 sq. ft.) plus 70 square metres (753.49 sq. ft.) for each ground floor dwelling unit in excess of 3, except that for townhouses 185 square metres (1,991.39 sq. ft.) for each dwelling unit. shall be provided.
- Lot frontage - minimum - 18 metres (59.06), except that for townhouses the lot frontage minimum for each individual unit shall be 6 metres (19.69 ft.)
- Yard, front - minimum - 7.5 metres (24.61 ft.)
- Yard, rear - minimum - 6 metres (19.69 ft.)
- Yard, side - minimum - 1.5 metres (4.92 ft.) or half the average wall height whichever is greater.
- Lot coverage - maximum - 50 percent.
- Floor area - minimum - 46 square metres (495.16 sq. ft.) except for one bedroom units, in which case the minimum shall be 28 square metres (301.40 sq. ft.)

(4) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

- Lot area - minimum - 464 square metres (4,994.6 sq. ft.)
- Lot frontage - minimum - 15 metres (49.21 ft.) where the lot is served by a lane, otherwise 18 metres (59.06)
- Yard front - minimum - 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater
- Lot rear - minimum - 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater

Yard side - minimum - 3 metres (9.84 ft.) or half the building height, whichever is greater

(5) All Other Uses (except public works)

Lot area - minimum - no minimum

Lot frontage - minimum - no minimum

Lot front - minimum - 7.5 metres (24.61 ft.)

Lot rear - minimum - 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater

Yard side - minimum - 3 metres (9.84 ft.) or half the building height whichever is greater

8.1.5 Development Standards For Factory Built Homes

- (1) All factory built homes shall be placed on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam/pile structure, such foundation being not less than 600 millimetres above recommended or established grade. Basement wall and grade beam support shall be attached to the perimeter of the building.
- (2) Factory built homes shall be permanently connected to water and sewer services provided by the municipality and any other public works that may be acquired by the owner or occupant serving the dwelling.

8.1.6 Signs - Section 6 regulations shall apply in the R - Residential District.

8.1.7 Storage - Section 4.2.4 requirements shall apply in the R - Residential District.

8.2 CS - Community Service District

8.2.1 Permitted Uses - The following are permitted uses in the CS - Community Service District:

- (1) Schools, educational institutions
- (2) Places of worship, religious institutions
- (3) Libraries and cultural institutions
- (4) Hospitals, medical clinics
- (5) Curling and skating rinks
- (6) Community centres
- (7) Swimming pools
- (8) Nursing homes
- (9) Sports fields and parks
- (10) Swimming pools
- (11) Group care facilities
- (12) Public works
- (13) Cemeteries

8.2.2 Discretionary Uses - The following are discretionary uses of forms of development in the CS - Community Service District:

- (1) Multiple unit dwellings developed as seniors citizen housing
- (2) Law enforcement facilities
- (3) Lodges, fraternal organizations, clubs
- (4) Day care centres

8.2.3 Accessory Uses - Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

8.2.4 Regulations

(1) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

- | | |
|------------------------|--|
| Lot area - minimum | - 464 square metres (4,994.6 sq. ft.) |
| Lot frontage - minimum | - 15 metres (49.21 ft.) where the lot is served by a lane, otherwise 18 metres (59.06) |
| Yard front - minimum | - 7.5 metres (24.61 ft.) or 25% of the depth of the lot, whichever is greater |
| Lot rear - minimum | - 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater |
| Yard side - minimum | - 3 metres (9.84 ft.) or half the building height, whichever is greater |

(2) All Other Uses (except public works)

- | | |
|------------------------|--|
| Lot area - minimum | - no minimum |
| Lot frontage - minimum | - no minimum |
| Lot front - minimum | - 7.5 metres (24.61 ft.) |
| Lot rear - minimum | - 7.5 metres (24.61 ft.) or 25% of the lot depth whichever is greater |
| Yard side - minimum | - 3 metres (9.84 ft.) or half the building height whichever is greater |

8.2.5 Signs - Section 6 regulations shall apply in the CS - Community Service District.

8.2.6 Storage - Section 4.2.4 requirements shall apply in the CS - Community Service District.

8.3 C - Commercial District

8.3.1 Permitted Uses - The following are permitted uses in the C - Commercial District:

- (1) Banks, offices, studios
- (2) Bakeries with retail sales
- (3) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repair and similar types of personal service establishments
- (4) Medical and dental offices and clinics
- (5) Printing plants, newspaper offices

- (6) Restaurants, confectionaries and other places for the sale and consumption of food and related items
- (7) Retail and rental stores
- (8) Community centres
- (9) Commercial entertainment establishments
- (10) Undertaking establishments
- (11) Licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food.
- (12) Hotels, motels
- (13) Public works
- (14) Lodges, fraternal organizations, clubs
- (15) Libraries, cultural institutions and establishments
- (16) Places of worship, religious institutions
- (17) Day care centres

8.3.2 Discretionary Uses - The following are discretionary uses in the C - Commercial District:

- (1) Veterinary clinics
- (2) Lumber and building supply establishments
- (3) Auto body shops, but not including auto wrecking
- (4) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
- (5) Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings.
- (6) Equipment maintenance and storage yards
- (7) Bus terminals
- (8) Gas bars
- (9) Greenhouses, tree and plant nurseries
- (10) Service stations and other establishments for the sale, storage and servicing of motor vehicles, trailers, farm machinery and equipment
- (11) Car washes
- (12) Mobile home courts
- (13) Bed and breakfast lodging subject to the requirements of Section 5.2.
- (14) Accessory dwelling units attached to stores or commercial establishments subject to the dwelling unit:
 - (a) having an entrance separate from that of the store or commercial establishment; and
 - (b) providing a fire exit secondary to the required entrance.
- (15) Single detached dwellings subject to the following development standards:
 - (a) the lot regulations of the R-Residential District specified for single detached dwellings shall apply;
 - (b) permits will only be considered for renovation/additions to existing single detached dwellings or for the replacement of an existing single detached dwelling on the lot.

8.3.3 Accessory Uses - Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

8.3.4 Regulations

Lot area - minimum	
- Service stations	- 929 square metres (10,000 sq. ft.)

- Gas bars	- 700 square metres (7,534.98 sq. ft.)
- All other uses	- 278 square metres (3,003.22 sq. ft.)
Lot frontage - minimum	
- Service stations	- 30 metres (98.43 ft.)
- Gas bars	- 23 metres (75.46 ft.)
- All other uses	- 7.5 metres (24.61 ft.)
Yard front - minimum	
- Service stations	- 7.5 metres (24.61 ft.)
- Gas bars	- 7.5 metres (24.61 ft.)
- All other uses	- no requirement
Yard side - minimum	
- Service stations and gas bars	- 3 metres (9.84 ft.)
- All other uses	- no minimum, except where the side of a lot in any C-Commercial District abuts any Residential District without an intervening street or lane, a side yard of at least 1.5 metres (4.92 ft.) shall be provided
Yard rear - minimum	
- Service stations and gas bars	- 10% of the depth of the lot
- All other uses	- 1.5 metres (4.92 ft.), except where the rear of a lot in the C-Commercial District abuts any Residential District without an intervening street or lane, a rear yard of at least 6 metres (19.69 ft.) shall be provided

8.3.5 Signs - Section 6 regulations shall apply in the C - Commercial District.

8.4 I - Industrial District

8.4.1 Permitted Uses - The following are permitted uses in the I - Industrial District:

- (1) Lumber and building supply establishments
- (2) Service stations, gas bars
- (3) Establishments for the sale, storage and servicing of motor vehicles, trailers, farm machinery and equipment
- (4) Autobody shops
- (5) Car washing establishments
- (6) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
- (7) Wholesale establishments and warehouses
- (8) Railway and ancillary functions
- (9) Truck, bus and other transport terminals and yards
- (10) Laundry and dry cleaning establishments
- (11) Printing plants and reproduction offices
- (12) Bakeries
- (13) Public works
- (14) Veterinary clinics
- (15) Greenhouses, tree and plant nurseries

8.4.2 Discretionary Uses - The following are discretionary uses of forms of development in the I - Industrial District:

- (1) Concrete manufacturing plants, and gravel yards
- (2) Bulk oil, propane gas, fuel dealers, storage and sales
- (3) Veterinary hospitals
- (4) Auto wrecking yards
- (5) Equipment maintenance and storage yards
- (6) Abattoirs and stock yards
- (7) Tanneries and hide storage establishments
- (8) Grain elevators, feed mills, fertilizer and seed cleaning plants
- (9) Manufacturing, processing and packing plants
- (10) Machine shops, foundry works, boiler works

8.4.3 Accessory Uses - Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

8.4.4 Regulations

(1) Lot Requirements

Lot area - minimum

Service stations, and

Discretionary Uses

- 929 square metres (10,000 sq. ft.)

All other uses

- 557 square metres (5,995.69 sq. ft.)

Lot frontage - minimum

Service stations and

Discretionary Uses

- 30 metres (98.43 ft.)

All other uses

- 18 metres (59.06)

Yard front - minimum

Service stations and

Discretionary Uses

- 7.5 metres (24.61 ft.)

All other uses

- 4.5 metres (15 ft.)

Yard side - minimum

- 3 metres (9.84 ft.) on each side

Yard rear - minimum

- 10% of the depth of the lot

8.4.5 Signs - Section 6 regulations shall apply in the I - Industrial District.

8.5 UH - Urban Holding District

8.5.1 Permitted Uses - The following are permitted uses in the UH - Urban Holding District:

- (1) Agricultural crop farming and cultivation of land
- (2) Public Works

8.5.2 Discretionary Uses - The following are discretionary uses in the UH - Urban Holding District:

- (1) Single detached dwellings
- (2) Recreational uses comprised of sports fields, parks, golf courses, and tourist campgrounds
- (3) Agricultural grazing of livestock but excluding intensive operations, such as feed lots, poultry, hog or fur farms
- (4) Green houses, market gardens, tree and plant nurseries
- (5) Apiaries
- (6) Veterinary clinics
- (7) Airports

8.5.3 Accessory Uses - Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

8.5.4 Regulations - Development shall conform to the following requirements:

- (1) Lot Area Minimum (except single detached dwellings)
 - (a) Agricultural uses - 16 hectares (39.54 a.)
 - (b) Public works and other permitted uses - no minimum
 - (c) Discretionary uses - 1 hectare (2.47 a.)
- (2) Single Detached Dwellings
 - (a) Lot area - minimum - 2 hectares (4.94 a.)
 - (b) Lot frontage - minimum - 30 metres (98.43)
 - (c) Yard front - minimum - 45 metres (147.64 ft.)
 - (d) Yard side - minimum - 1.5 metres (4.92 ft.)
 - (e) Yard rear - minimum - 7.5 metres (24.61 ft.)
 - (f) Floor area - minimum - 900 square metres (9,687.84 sq. ft.)
 - (g) Lots for single detached dwellings shall front on a developed all weather public street or road
 - (h) Single detached dwellings shall not be constructed in locations that would prejudice future subdivision or urban servicing requirements.

SECTION 9 - REPEAL AND EFFECTIVE DATE OF THE BYLAW

9.1 Bylaw No. 3/64 is repealed.

9.2 This bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs, Culture and Housing.

INTRODUCED AND READ a first time this 8th day of May, 2000.

READ A SECOND TIME this 5th day of Sept., 2000.

READ A THIRD TIME and passed this 5th day of Sept., 2000.

Kerry Marienboff
MAYOR

SEAL

Christine Dyck
TOWN ADMINISTRATOR

CERTIFIED a true copy of Bylaw No. 2 - 2000
adopted by Resolution of Council on the
5th day of Sept., 2000.

Christine Dyck
Town Administrator



**TOWN OF ALLAN
APPLICATION FOR DEVELOPMENT PERMIT**

1. APPLICANT:

- a) Name _____
- b) Address _____ Postal Code _____
- c) Telephone Number _____

2. REGISTERED OWNER: as above () OR

- a) Name _____
- b) Address _____ Postal Code _____
- c) Telephone Number _____

3. PROPERTY - LEGAL DESCRIPTION:

Lots(s) _____ Block(s) _____ Registered Plan No. _____
Certificate of Title No. _____ Date _____

4. LOT SIZE:

Dimensions _____ (m) Area _____ (m², ha)

5. EXISTING LAND USE: _____

6. PROPOSED LAND USE / DESCRIPTION OF PROPOSED DEVELOPMENT:

- 7. a) PROPOSED DATE OF COMMENCEMENT: _____
- b) PROPOSED DATE OF COMPLETION: _____

8. OTHER INFORMATION:

9. FOR NEW CONSTRUCTION DRAW A SITE PLAN ON A SEPARATE SHEET SHOWING WHERE APPLICABLE:

- a) Dimensions of the lot.
- b) Location and size of all existing and proposed buildings and structures.
- c) Utility lines, easements, topographic features.
- d) Proposed site drainage and finished lot grades.
- e) Location of septic disposal systems and water supply.
- f) Landscaping (loading and parking areas, entrance and exit points to sites, fences, screening, trees, hedges).

10. FACTORY BUILT HOME (often referred to as manufactured home) - For mobile homes provide CSA - Z240 approval number; for prefabricated homes CSA - A277 approval number.

11. DECLARATION OF APPLICANT:

I, _____ of the _____ of _____ in the Province of Saskatchewan do solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

Date

Signature

FOR MUNICIPAL OFFICE USE ONLY:

- 1. Present Zoning: _____
- 2. Proposed Use(s): Principal _____
Accessory _____
- 3. Proposed Yards: Front ____ Rear ____ Side ____ Side ____
- 4. Application Status: Meets Bylaw Requirements ____ Does not Meet Bylaw Requirements ____
Other Regulations/Comments: _____

Date

Development Officer

TOWN OF ALLAN
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: _____
(Applicant) (Address)

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR A;

- PERMITTED USE OR FORM OF DEVELOPMENT, or
 DISCRETIONARY USE OR FORM OF DEVELOPMENT:

HAS BEEN:

- APPROVED.
 APPROVED SUBJECT TO CONDITIONS or DEVELOPMENT STANDARDS, as listed in the attached "Schedule A".
 REFUSED for the following reason: _____

If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.

Right of Appeal

Please be advised that, under Sections 74 (4) and 96 of *The Planning and Development Act, 1983*:

- you may appeal the refusal of your application for a permitted use or form of development [Section 96 (1)];
 you may NOT appeal the refusal of your application for a use or form of development that is not permitted within the zoning district of the application [Section 96 (1.1)];
 you may appeal those standards that you consider excessive in the approval of the discretionary use or form of development subject to standards [Section 74 (4)];
 you may NOT appeal the refusal of your application for a discretionary use or form of development [Section 96 (4)];

to the Development Appeals Board of the Town of Allan. In addition you may appeal if you feel that the Development Officer has misapplied the Zoning Bylaw in the issuing of this permit [Section 96 (1)]. Your appeal must be in writing within 30 days of the date of this notice, to:

Secretary, Development Appeals Board
Town of Allan
Box 159, Allan, Saskatchewan, S0K 0C0.

Date

Development Officer

Note: A building permit is also required for building construction.

**TOWN OF ALLAN
MINOR VARIANCE APPLICATION
ZONING BYLAW NO. 2 - 2000**

Application No. _____

1. I (we) _____, hereby apply to the Town of Allan, for a minor variance of Zoning Bylaw No. 2 - 2000 for the following property:

Legal Description: _____

(Lot, Block, Parcel, Registered Plan No.)

Applicant: Name: _____

Address: _____ Postal Code: _____

Telephone Number: _____

Property Owner (if not same as above):

Name: _____

Address: _____ Postal Code: _____

Signature of Consent: _____ Date: _____

2. Describe the nature and extent of relief applied for:

3. The reason(s) for the minor variance to the Zoning Bylaw is:

4. I (we) have enclosed a scaled site-plan indicating the dimensions of the existing and/or proposed building and the building setback(s) dimensions for the property. (If available, please provide a copy of the surveyor's certificate or real property report for the subject property). Any additional information that may be requested by the development officer, will be forwarded upon request.

5. I have enclosed the \$25.00 minor variance application fee as required by the Zoning Bylaw.

Dated this _____ day of _____, 2000.

Signature of Applicant

