

Interim Development Control Bylaw

VILLAGE OF THEODORE

BYLAW NO. 6-2008

A Bylaw of the Municipality of Theodore to establish Interim Development Control (IDC) under the authority of Section 80 of *The Planning and Development Act, 2007* (the Act).

The Council of the Village of Theodore in the Province of Saskatchewan in open meeting hereby enacts as follows:

1. Introduction

- 1.1 This bylaw may be cited as the “Interim Development Control Bylaw for the Village of Theodore”.
- 1.2 This bylaw applies to the entire area of the Village of Theodore.
- 1.3 No person shall carry out any development within the limits of the Village of Theodore without the written permission of Village of Theodore.
- 1.4 All conditions of approval for development under this bylaw shall be consistent with any provincial land use policies and statements of provincial interest.
- 1.5 This bylaw shall cease to be in effect: a) two years after the date of coming into force; or b) the coming into force of an Official Community Plan and Zoning Bylaw adopted pursuant to the Act; which ever comes first.

2. Administration

- 2.1 The administrator and bylaw officer of Theodore shall administer this bylaw.
- 2.2 Before undertaking any development, a person shall request approval from the council for the proposed development, unless the development is specifically exempted by the Interim Development Control Bylaw.
- 2.3 The request shall be a written application on a form as required by the administrator, and shall include such attachments as required by the administrator to provide information required by this bylaw, or otherwise necessary to make a decision on the application.
- 2.4 Where a person requests permission for a development that is exempt from the provisions of this bylaw, the administrator shall advise the person in writing that the development may proceed.
- 2.5 Where a decision on the application is required from Council, the administrator shall prepare a report on the proposal with a recommendation and submit the report and application to Council for decision.

- 2.6 Council may by resolution: a) approve the application as submitted; b) approve the application subject to conditions and specific standards; or c) refuse the application.
- 2.7 Where the authority for decision on an application is delegated to the administrator pursuant to section 3, the administrator may issue a decision in writing to the applicant incorporating any applicable conditions provided for in this bylaw. The administrator may also refer any application to Council for a decision where he considers it necessary to do so.
- 2.8 The notice of decision shall be in the form of a permit issued by the administrator. All conditions specified by council or by the administrator pursuant to a delegation of authority by Council, shall be attached.
- 2.9 If an approved development, for which a permit has been issued, is not in progress within 12 months from the date of issue, the approval is deemed to be expired and the permit invalid.
- 2.10 Where a person wishes to vary the development from the application as approved, with or without conditions, the person must submit a new application and obtain a new permit providing for the variation, before the variation is made.
- 2.11 Subject to section 2.12, where a decision is not made upon an application within 60 days of submission to the administrator, the application is deemed refused and may be appealed to the Saskatchewan Municipal Board as if it were refused.
- 2.12 The period for a decision may be extended by mutual agreement between the Council and the applicant.

3. Delegation of Authority

- 3.1 Subject to section 3.2, the approval of Council is hereby given to the following developments, and no application for permission or issuing of a permit is required:
 - a) the maintenance or repair to any single detached dwelling, excluding an addition to the building
 - b) repairs and maintenance of any building not including any structural alteration
 - c) the planting, management, and harvesting of lawns and gardens
 - d) an accessory structure less than 10 m² in area
 - e) the installation, repair, and maintenance of a public utility
 - f) the installation of any facility by the municipality.
- 3.2 All developments pursuant to section 3.1 shall be subject to the following:
 - a) every development shall have physical and legal access to a public highway (municipal road) that is developed to a standard that in the opinion of Council is suitable for the proposed development
 - b) no building may be located closer than 6 m to the front lot line
 - c) no fence greater than 1 m above grade may be located in any front yard
 - d) no building shall be located closer than 1.5 m to any other property line
 - e) where a person wishes to develop any structure which does not meet the requirements of this section, an application to council is required.
- 3.3 The administrator is hereby delegated the authority of Council to decide upon the following developments and to apply conditions to any approval: a) a single detached dwelling on an existing

residential site b) a single detached dwelling on an exiting vacant parcel 500 m² to 1000 m² c) the redevelopment of an existing commercial use and building not involving any increase in size of buildings d) an accessory building or structure to an existing use on the same parcel.

- 3.4 The conditions that an administrator may apply include the following: a) minimum separations of a building to a front site line b) minimum separations of a building to any other street c) minimum separation of a building to any property site line d) minimum or maximum size of buildings and other structures e) separations to hazardous uses in the area f) requirements for connecting to existing municipal water and sewer systems g) requirements for the location of access to public highways (including any street) h) requirements for the location of structures with respect to flood prone or environmentally hazardous lands
- i) requirements that will make the development consistent with a proposed provision in a draft official community plan or zoning bylaw that has been accepted by council at the time of decision.

Decision Criteria

- 4.1 Every development shall have physical and legal access to a public highway (municipal road) that is developed to a standard that, in the opinion of Council, is suitable for the proposed development.
- 4.2 The proposed development shall be environmentally suitable to the proposed site.
- 4.3 The proposed development will not conflict with adjacent land uses, in a manner that Council considers unacceptable.
- 4.4 The proposed development will be consistent with a draft Official Community Plan or Zoning Bylaw that is currently under consideration by Council.
- 4.5 Where section 4.4 does not apply, the development will be generally consistent with the Guidelines for Interim Development Control, attached as Appendix II, which Council has adopted by resolution to guide current decisions.

5. Appeals

- 5.1 An applicant who is refused a development permit may, within thirty days of the issuance of a refusal by Council or by the administrator, appeal the refusal to the Saskatchewan Municipal Board.
- 5.2 An applicant who has been granted an approved permit with conditions or standards may, within thirty days of the issuance of the permit, appeal any conditions or standards attached to the approval to the Saskatchewan Municipal Board.
- 5.3 Within thirty days of a deemed refusal pursuant to Sections 2.11 and 2.12, an applicant may appeal the deemed refusal to the Saskatchewan Municipal Board.
- 5.4 A notice of decision or permit issued by the administrator shall inform the applicant of the right of appeal and the name, address and contact information of the Secretary of the Saskatchewan Municipal Board.

6. Enforcement

- 6.1 If the administrator has reason to believe that a development is being undertaken contrary to a permit issued and any attached conditions, the administrator may revoke the permit and advise the applicant in writing of the problem identified.
- 6.2 Once satisfied that the problem has been corrected the administrator may reinstate the permit.
- 6.3 The administrator may issue a stop work order respecting any development described in section 5.1.
- 6.4 Any person who violates this bylaw is subject to the penalties as provided for in the Act under section 243.

7. IDC Guidelines

- 7.1 For the purpose of this Bylaw, the Village of Theodore has set out guidelines for certain types of development. If a form of development is proposed that was not contemplated within the guidelines, Council will determine what standards are appropriate.
- 7.2 These guidelines are not applied based on defined locations, but are applied over the entire municipality. All proposed development will be evaluated in accordance with the Guidelines for Interim Development Control.
- 7.3 Council may vary the requirements under the Guidelines for Interim Development Control at their discretion and will reference any variance within the development permit when issued.
- 7.4 The general regulations are attached to this bylaw as Appendix I
- 7.5 The Guidelines for Interim Development Control are attached as Appendix II
- 7.6 The definitions and interpretation of terms within this bylaw are attached as Appendix III

8. Coming into Force

- 8.1 This bylaw shall come into force on the date of approval by the Minister responsible for administering the Planning and Development Act, 2007.

Seal

Mayor

Administrator

Appendix I – General Regulations

The following general regulations shall apply to all development approved under this Bylaw:

1. All Uses

1.1. Number of Principal Buildings Permitted on a Site

Only one principal use shall be established and only one principle building shall be placed on any given site, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres, nursing homes, senior citizen homes, and approved dwelling groups.

1.2. Building to be Moved

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

1.3. Demolition of Buildings

No building shall be demolished within the area covered by this bylaw without obtaining a permit. A permit shall be granted where all requirements of the building bylaw are met and the building is not designated a heritage building.

1.4. Grading and Leveling of a Site

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

1.5. Water Supply and Waste Disposal

- (a) subject to the Acts and Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land, or into the air.
- (b) where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.

1.6. Geotechnical Analysis Required

If a proposed development is to be located on a site that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, Council may require that a geotechnical report be completed and approved by a Professional Engineer in the Province of Saskatchewan, as a condition of the issuance of the development permit. The report shall indicate the suitability of the site, or sites, for development and any remedial measures required to ensure suitability of the site for the proposed use.

1.7. Satellite Dish, Radio Tower or Television Antenna for Personal Use

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

2. Residential Uses

2.1. Projections in Yards

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

- (a) in front yards: -maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes -maximum of 1.8 m projection of open cantilevered balconies, open porches, or open steps -wheelchair ramps to main floor level -fences less than 1 m in height unless provided otherwise in this bylaw –light standards, flag poles, and permitted signs.
- (b) in rear yards
 - cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m
 - unenclosed decks no higher than 0.6 m, balconies, porches, and steps to a maximum projection of 3 m -a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m -wheelchair ramps to main floor level -fences less than 2 m in height unless provided otherwise in this bylaw.
- (c) in side yards: -fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m or $\frac{1}{2}$ the required yard, whichever is the less -walkways and steps less than 0.6 m in height -wheelchair ramps to main floor level -fences not more than 2 m in height unless provided otherwise in this bylaw.
 - hedges and other closed landscaping plantings shall comply with the fence requirements
 - handrails are permitted in all yards uncovered driveways, walkways.

2.2. Accessory Uses, Buildings, and Structures

Accessory buildings shall comply with the yard requirements for a principle building, except as specifically provided for in this bylaw. Any building located less than 1 metre from a principle building shall comply with all the minimum yard requirements of the principle building.

- (a) an accessory building shall not be located in a required front yard
- (b) no door that could give access for a vehicle to a private garage, whether attached to the principle building or not, shall be located in a required front yard, less than 4.5m from a street to which it gives direct access, or less than 1.5m to a lane to which it gives direct access
- (c) private garages and accessory buildings, if less than 10 m², shall have a minimum side or rear yard of 0.75 m and a maximum projection of 0.5 m into the required yard for any eaves gutters or drain spouts into that yard
- (d) uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 m
- (e) 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
- (f) in rear yards, laundry drying equipment and garbage stands are permitted.

2.3. Storage

No side or front yards shall be used for outdoor storage.

3. Commercial and Industrial Uses

3.1. Projections in Yards

- (a) projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 m or less projection into a required yard, chimney chases, fire escapes or steps, provided that any of the projections will not extend beyond the property line
- (b) signs, as allowed pursuant to section 5, are permitted in required yards.

3.2. Fences and Hedges

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

3.3. Accessory Buildings and Structures

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

4. Use Specific Regulations

4.1. Industrial Development Industrial

uses will ensure:

- (a) adequate site drainage of storm water
- (b) the location of buildings with respect to buildings on adjacent properties
- (c) access to number and location of parking and loading facilities
- (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- (e) they do not create any conflict with residential uses in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m
- (f) adequate landscaping, screening and fencing to buffer adjacent properties.

4.2. Bed-and-Breakfast Homes

- (a) bed-and-breakfast homes shall be located in a single detached dwelling used as the operator's principal residence

- (b) bed-and-breakfast homes shall be licensed by the Ministry responsible for health and shall have a fire safety inspection report issued prior to occupancy as a bed-and-breakfast home
- (c) in issuing an approval for a bed-and-breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms; any increase in number of guest rooms shall require a new approval
- (d) one off-street parking space shall be provided for each guest bedroom in the bed-and-breakfast home, in addition to any off street parking used for the operator of the facility
- (e) one sign identifying the bed-and-breakfast home in accordance with the standards for a sign identifying a multiple unit dwelling is permitted
- (f) Council will consider applications with respect to the following criteria:
 - the proposed structures are suitable and comfortable for the proposed development.
 - there is adequate space on the site for the proposed facility
 - the development will complement adjacent residential uses
 - use as a bed-and-breakfast home, will be encouraged to rehabilitate and reuse heritage buildings.

4.3. Home Based Business

- (a) where allowed, a home based business may be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling
- (b) a home based business shall clearly be secondary and ancillary to the use of a dwelling unit as a private residence
- (c) a home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signs
- (d) a home based business shall be conducted entirely within the dwelling or accessory building; client contact and services may only occur within the principal building
- (e) a home based business shall not create any conflict with the residential area in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m., which would be disruptive to the surrounding residential uses
- (f) a home based business shall not require the parking of more than two client vehicles at any time; off street parking shall be provided on site for any resident vehicles
- (g) the home occupation shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building
- (h) persons employed in the home based businesses shall be full time residents of the dwelling; Council may, in its approval, provide for up to two other persons employed by the home based business that do not live on-site
- (i) no more than 25% of the gross floor area of the principal building, and 50% of the gross floor area of an accessory building shall be used for the home based business
- (j) a permit issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met; where a permit is revoked the use shall cease immediately
- (k) the approval for a home based business shall cease to be valid when the operation ceases for more than 6 months or if the operator relocates to another site.

4.4. Service Stations and Gas Bars

- (a) fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres from any street or other property boundary
- (b) all automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council
- (c) all business shall be conducted and all goods stored completely within an enclosed building

except as required in the servicing of motor vehicles while under the care and control of the vehicle operator

- (d) the administrator may specify in issuing a development permit the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.

4.5. Residential Care Homes

- (a) where allowed, a residential care home may be developed in a single detached dwelling, subject to obtaining a provincial licence, pursuant to provincial regulations
- (b) the residential care home shall maintain the single detached residential character of the property consistent with the neighbourhood
- (c) a residential care home shall meet all of the regulations for a single detached dwelling
- (d) the operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home
- (e) the operator shall ensure that adequate supervision and care is available at the home at all times
- (f) in approving a residential care home, Council may specify the maximum number of clients that may be cared for in a residential care home but in no case shall the number exceed 10 persons
- (g) Council will consider applications with respect to the following criteria:
 - the structures are suitable and comfortable for the proposed development, and provide for the appropriate level of supervision
 - there is adequate space on the parcel for the proposed facility
 - there are appropriate levels of off street parking for visitors to the facility and the operator
 - the concentration of residential care homes will not exceed 2 facilities per residential block, and the home will complement adjacent residential uses.

5. Signs

5.1. Sign Permit

- (a) a sign permit is required for any sign except as follows:
 - official signs erected by a public agency for a public purpose
 - real estate signs advertising the sale, lease, or rental of the real property on which it is located and related information
 - temporary signs of less than 1 m² in surface area
 - directional or safety signs bearing no advertising information
 - address signs, name of building signs, and name of residential occupant signs all containing no advertising information
 - election signs during the period of an election campaign, and 7 days thereafter
 - temporary signs located inside a building window, exclusive of any electrified sign greater than 0.5 m² in area
 - signs visible only from the interior of a building
 - construction signs, located on the site of the construction to which they refer.
- (b) all signs, whether requiring a permit or not are subject to the sign regulations and size limits of the District in which they are located.

5.2. General Sign Regulations

- (a) all signs shall be located within the limits of the parcel on which they are located and shall not project over the property lines
- (b) private signs shall not be placed on public rights of way, or attached to public utilities, or other public facilities, except where space is specifically rented by the Municipality for the purpose of advertising

- (c) a sign located in a street sight triangle or a driveway sight triangle shall be less than 0.75 m above grade at its top or shall be at least 2.5 m above grade at its lower edge, so as to not obstruct its view from and of a vehicle
- (d) no sign shall cover, obscure, or in any way detract from the visibility and function of an official sign or traffic control device
- (e) real estate and construction signs shall be removed once the contract is completed and the property is occupied by the new owner, lessee or tenant
- (f) a permit for a temporary sign is valid for the period of the temporary event to which it refers or a period of 2 months, whichever comes first. The sign shall be removed once the permit expires, unless a new permit is first obtained.

5.3. Signs for Residential and Community Service Uses

The following signs are allowed for UR and CS uses:

- (a) one wall sign is permitted for a dwelling with a maximum surface area as follows: -multiple unit dwellings - 1 m² -all other dwellings - 0.5 m² -institutional uses, including schools, churches, and private clubs - 2 m² -an additional sign is permitted as above where it faces another street -one additional wall sign for an approved home based business - 1 m²
- (b) one additional free standing sign with a maximum surface area as follows:
 - multiple unit dwellings - 2.5 m²
 - for dwelling groups one sign adjacent to each street from which the dwelling group achieves access - 2.5 m²
 - one real estate sign for each site - 1.5 m² maximum surface area
 - for dwelling groups, one real estate sign may be placed on or attached to each building or unit to which it applies - 1.5 m² maximum surface area
 - for any parcel one temporary sign not exceeding 5 m² provided a valid sign permit exists while the temporary sign is on the parcel
 - up to two construction signs on a construction site only during the period of construction and while the building is not occupied - not exceeding 7.5 m² each
- (c) billboard signs are prohibited.

5.4. Signs for Commercial and Industrial Uses The following regulations shall apply to signs for a commercial or industrial use:

- (a) illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign
- (b) for a commercial or industrial use one sign per property may project over the abutting sidewalk no more than 0.3 m to the edge of the curb and shall have a clearance of not less than 2.5 m above the sidewalk
- (c) one permanent free standing sign is permitted per 30 m of property frontage
- (d) only two temporary signs may be located on a site at any given time.

5.5. Billboard signs

- (a) billboards and signs advertising goods or services not related to the site parcel on which the sign is located are prohibited
- (b) for the purposes of this Bylaw an unlicensed vehicle or trailer unit which in the opinion of Council is acting as a sign shall be considered a billboard sign
- (c) the billboard sign face and height regulations shall be as follows: -maximum single face area -

20 m² -maximum total face area - 40 m² -maximum number of faces – 2 -double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction. -maximum height above grade - 6 m. -no billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary. -billboards shall not be located in a required front yard.

- (d) 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
- (e) Council will apply the following criteria in considering a discretionary use application: -the billboard will not obscure local business signs -the billboard will have sufficient separation to residential uses; in general this distance will be at least 200 m -the billboard will be separated by at least 100 m from other billboards - the billboard will not seriously detract from the appearance of an entry to the community.

Appendix II – Guidelines for Interim Development Control UR –

URBAN RESIDENTIAL

Uses

Residential uses:

- (a) single detached dwelling
- (b) modular home
- (c) semi-detached or duplex dwelling
- (d) family child care home where ancillary to a dwelling
- (e) residential care homes
- (f) home based business where ancillary to a dwelling

Recreational and public uses:

- (a) parks and playgrounds
- (b) public utilities (excluding offices, warehouses and storage yards)
- (c) municipal facilities

Institutional uses:

- (a) places of worship, religious institutions

Commercial uses:

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

Accessory uses: that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building

Regulations

(a) Site requirements

Table 1 - UR Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Without Lane - single detached dwellings, modular homes - semi-detached or duplex dwelling (per dwelling) - residential care home	12 m 9 m	18 m 9 m	550 m ²	30 m 30 m
	12 m	18 m	300 m ²	
			550 m ²	
With Lane - single detached dwellings, modular homes - semi-detached or duplex dwelling (per dwelling) - residential care home	12 m 7.5 m	15 m	450 m ²	30 m 30 m
	12 m	7.5 m	225 m ²	
		15 m	450 m ²	
Places of worship, religious institutions	30 m	30 m	900 m ²	30 m
Commercial uses (excluding home based business)	30 m	30 m	900 m ²	30 m
Recreational and public uses	No requirements			

*All requirements are the minimum unless specified otherwise.

(b) Required yards

Table 2 - UR Required Yards*

Use	Front Yard	Side Yard abutting Street	Side Yard other	Rear Yard	Coverage	Building floor area
Residential (including home based business)	6 m	3 m	1.5 m	6 m	30%	100 m ² minimum
Accessory buildings residential	As required in 2.2 of Appendix I					
Places of worship, religious institutions	6 m	3 m	3 m	6 m		
Commercial uses	6 m	6 m	3 m	6 m		300 m ² maximum
Recreational and public uses	No requirements					

*All requirements are the minimum unless specified otherwise.

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

Modular Homes

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

Residential Care Homes

- (a) The maximum number of client residents shall not exceed 5
- (b) Council will apply the following criteria in considering a residential care home application: -the development will comply with the standards and criteria of section 4.5 of the general regulations -the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs -the development will provide a comfortable home for the client residents.

Family Child Care Operations

Family child care operations are limited to 5 client spaces.

Home Based Business

- (a) section 4.3 of the general regulations apply
- (b) Council will consider the following in approving a home based business application.
 - the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs
 - the development does not have the potential to become too large or too intrusive for a residential neighbourhood.

Commercial or Institutional uses.

- (a) Council may apply the following criteria in considering a commercial or institutional use:
 - good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas; locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred
 - the development will be of a size and operation intended to serve the neighbourhood in which it is located -the developer of the business may be required to provide a fence or other buffer to an abutting residential use.
- (b) Council may apply the following criteria in considering an institutional use:
 - locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood
 - significant institutional uses will be encouraged to seek sites in or abutting community service uses.

CC – COMMERCIAL CORE

Uses

Retail, commercial service, and office uses:

- (a) banks, financial services, and business offices
- (b) bakeries with retail sales
- (c) broadcasting media and commercial communications studios and offices
- (d) bus terminals
- (e) cafes, restaurants, and lounges
- (f) construction trades, artisans, and craft shops offices and workshops
- (g) government and professional service offices
- (h) licensed beverage rooms, restaurants and lounges
- (i) medical, dental, and other health services offices and clinics
- (j) personal service establishments
- (k) printing and publishing offices, including related printing presses and equipment
- (l) retail stores
- (m) rental stores
- (n) travel agents
- (o) undertaking establishments
- (p) Mini-malls, strip malls

Tourism, recreational, and cultural uses:

- (a) art galleries
- (b) bed-and-breakfast homes subject to the general regulations
- (c) commercial entertainment establishments
- (d) libraries, cultural institutions
- (e) hotels, motels
- (f) museums

Transportation and vehicle sales and services:

- (a) service stations with or without car washes
- (b) gas bars with or without confectionaries
- (c) establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery

Institutional and public uses:

- (a) community centres
- (b) day care centres
- (c) lodges, fraternal organizations, clubs
- (d) places of worship, religious institutions
- (e) public utilities
- (f) municipal facilities

Accessory uses: that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal use including accessory buildings

Residential:

- (a) multiple unit dwellings located above the ground floor Regulations
- (a) Site requirements

Table 3 - CC Site Requirements*

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

*All requirements are the minimum unless specified otherwise.

(a) Required Yards Table 4 - CC Required Yards*

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

*All requirements are the minimum unless specified otherwise.

Mini Malls

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

Drive-Thru Restaurants

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

Construction Trades, Artisans, and Craft Shop Offices and Workshops

- (a) all operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building
- (b) no exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

Transportation and Vehicle Sales and Services

- (a) service stations and gas bars shall be governed by Section 4.4
- (b) only corner sites may be developed for service stations or gas bars.

Multiple Unit Dwellings

- (a) multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor
- (b) the parking required for the multiple unit dwelling is in addition to parking for the commercial uses
- (c) Council will consider these applications with respect to the following criteria: -inclusion of ground level commercial development in the proposal -convenience of parking -appropriate size and quality of proposed dwelling units.

Accessory Dwelling Units attached to Stores or Commercial Establishments

- (a) one accessory dwelling unit accessory to a retail or commercial use and located within the principle building may be considered by Council where the unit is used by the operator of the business.
- (b) accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

HC – HIGHWAY COMMERCIAL

Uses

Commercial uses

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

- (t) wholesale trade stores, offices and warehouses

Public uses

- (a) community centres
- (b) government offices.
- (c) tourist information centres
- (d) public utilities
- (e) municipal facilities

Accessory uses: that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal use, including accessory buildings

Regulations

- (a) Site requirements

Table 5 – HC Site Requirements*

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

*All requirements are the minimum unless specified otherwise.

- (b) Required Yards

Table 6 - HC Required Yards*

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

*All requirements are the minimum unless specified otherwise.

Transportation and Vehicle Sales and Services

- (a) service stations and gas bars shall be consistent with section 4.4 of the general regulations
- (b) establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, or farm machinery may include service stations and gas bars
- (c) required parking and access aisles to fuel dispensing equipment may not be uses for the display of vehicles and goods for sale.

Drive-Thru Restaurants

- (a) restaurants with drive-thru sales shall have room on site for at least 5 cars in the ordering line and this line shall not block access to parking stalls
- (b) access and egress lanes shall not create congestion on the adjacent streets.

Mini Malls

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

Processing and Manufacturing Operations

- (a) all operation with respect to processing and manufacturing shall be conducted within an enclosed building
- (b) no exterior storage of materials, goods, or of waste products is permitted except within a waste disposal bin for collection
- (c) Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a use decision.

Bulk Oil Dealers and Chemical Supply Dealers

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

I –INDUSTRIAL

Uses

Industrial uses:

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

- (r) veterinary hospitals and clinics
- (s) wholesale trade
- (t) warehouses

Public uses:

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

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

Heavy industrial uses:

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

Regulations

- (a) Site requirements

Table 7 - I Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Public uses - public utilities - municipal facilities	No requirements			
All other uses	30 m	30 m	900 m ²	30 m

*All requirements are the minimum unless specified otherwise.

- (b) Required Yards

Table 8 - I Required Yards*

Use	Front yard	Side yard abutting residential uses	Side yard other	Rear yard	Parking
Public uses - public utilities - municipal facilities	No requirements				
All other uses	6 m	3 m	3 m	3 m	See Section 7
Any use where the yard abuts a rail line		nil	nil	nil	

*All requirements are the minimum unless specified otherwise.

Accessory Cafes

- (a) a cafe may be developed within a principle building and operated as accessory to another use
- (b) there shall be no adverting signs for the cafe outside of the principle building.

Heavy Industrial Uses

- (a) Council will consider applications for heavy industrial uses with respect to the following criteria: - the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system -the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated -adequate separation exists from residential and tourist service uses -access to truck routes, major streets and railway transportation is appropriate for the type of development. For agricultural product processing, railway spur sites will be considered an asset.
- (b) Billboard signs will be considered pursuant to Section 5.5 of the general regulations.

CS –COMMUNITY SERVICE

Uses

Institutional uses

- (a) community centres
- (b) day care centres
- (c) group care facilities
- (d) hospitals, medical clinics
- (e) libraries and cultural institutions
- (f) lodges, fraternal organizations, clubs
- (g) law enforcement facilities
- (h) nursing homes
- (i) places of worship, religious institutions
- (j) schools, educational institutions. Recreational facilities
 - (a) curling and skating rinks
 - (b) parks
 - (c) sports fields
 - (d) swimming pools.

Public utilities and municipal facilities

- (a) public utilities (excluding offices, warehouses and storage yards)
- (b) municipal facilities . Accessory uses: that are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal use, including accessory buildings

Residential

- (a) multiple unit dwellings developed as senior citizen housing

Ancillary commercial use

- (a) confectionaries
- (b) gift shops
- (c) snack bars, restaurants
- (d) personal service shops

Regulations

(a) Site requirements

Table 9 - CS Site Requirements*

Use	Frontage	Mean width	Parcel area	Depth
Institutional Uses - day care centres, group care facilities, libraries, lodges, fraternal organizations, clubs - other institutional use - residential care home	15 m 30 m	15 m 30 m	550 m ² 900 m ²	30 m 30 m
Multiple unit dwellings (seniors' housing)	30 m	30 m	900 m ²	30 m
Recreational uses	30 m	30 m	900 m ²	30 m
Utilities and municipal facilities	No requirements			

*All requirements are the minimum unless specified otherwise.

(b) Required Yards

Table 10 - CS Required Yards*

Use	Front yard	Side yard abutting Street	Side yard other	Rear yard	Coverage	Building floor area
Institutional uses	6 m	3 m	3 m	3 m		
Accessory buildings	As required in Section 4.2.2				-	-
Multiple unit dwellings (seniors' housing)	6 m	3 m	3 m	3 m		
Recreational uses not including outdoor sports fields	6 m	3 m	3 m	3 m		
Recreational outdoor sports fields, public uses, and municipal facilities	No requirements					

*All requirements are the minimum unless specified otherwise.

Joint use facilities

- (a) Two or more institutional uses may be developed and operated on a single parcel where owned and operated by public authorities.

Multiple Unit Dwellings (Senior Housing)

- (a) Council must be satisfied that the development will be used for assisted housing for seniors to grant approval and a reduced parking standard
 (b) proposals not meeting Clause (1) may be considered for Urban Residential.

Commercial Uses

- (a) there will be no exterior signs or advertising of an ancillary commercial use located within an institutional use building
 (b) Council will consider applications for ancillary commercial uses where it is satisfied that the development will support the basic function of the institutional use.

Appendix III - Interpretation

Whenever the following words or terms are used within the Interim Development Control Standards and Land Use Guidelines they shall, unless the context otherwise provides, have the following meaning:

Accessory Use - a use customarily associated with, incidental to, and subordinate to, the principal use or building, and located on the same site with such principal use or building.

Administrator - the Administrator of the Village of Theodore.

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

Ancillary use - a secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

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

Approved - approved by the Council of the Village of Theodore.

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

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

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

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

Building Accessory - a subordinate building detached from a principal building located on the same site, the purpose of which is to enclose a use accessory or part of the principle use.

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

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

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

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

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

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

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

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

Council - the Council of the Village of Theodore.

Day Care Centre - a facility which provides for the non parental care of pre-school age children or school aged children outside of normal school hours, and includes, but is not limited to:

- (a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act*
- (b) a nursery school for pre-school children.

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

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

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

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

Dwelling, 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.

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

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

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.

Frontage - the length of the site line front.

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

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

display.

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

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

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

Mini Mall - a single story structure, including a strip mall, in which a minimum of two of the permitted and discretionary uses of the zoning District are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,000 m².

Mayor - the Mayor of the Village of Theodore.

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

Mobile Home - a trailer coach:

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

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

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

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

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

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

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

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

Non-Conforming Building - a building:

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

Non-Conforming Site – means a site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use - a lawful specific use:

- (a) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective; and
- (b) that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

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, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

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

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

Radio and Television Communication Structure - 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.

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

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.

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

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

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

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

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

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

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

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

Sign, Directional - any sign:

- (a) displaying safety or warning messages
- (b) directing traffic or providing parking directions
- (c) giving instructions, directions or orders to persons making use of premises.

Sign, Face - 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.

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

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

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

Sign, Real Estate - a temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.

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

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

Site - one or more contiguous surface parcels as defined under *The Land Titles Act, 2000*, and used as a unit for the purpose of regulation under this Bylaw.

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

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

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

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 site 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.

Town – the Village of Theodore.

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

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

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

m - metre(s) m² - square metre(s)

km - kilometres ha - hectare(s).

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

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

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

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