

TOWN OF LUMSDEN
BYLAW NO. 2022-15

A bylaw to amend Bylaw No. 15-2002, known as the Zoning Bylaw of the Town of Lumsden.

Under the authority granted by clause 46(3)(b) of *The Planning and Development Act, 2007, SS 2007, c P-13.2*, the Town of Lumsden in the Province of Saskatchewan, by and with the advice and consent of the Town of Lumsden Council, enacts to amend Bylaw No. 15-2002 as follows:

1. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for "ACCESSORY BUILDING" following "ACCESSORY":

"ACCESSORY BUILDING: A building or use that:

- is subordinate to and serves the principal building or use;
- is subordinate in area, mass, extent, and purpose to the principal building or use;
- contributes to the comfort, convenience, or necessity of occupants of the principal building or assists the principal use;
- is located on the same site as the principal building or use; and
- is less than 4.5 metres in height or between 10 m² and 92 m² in floor area. "

2. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for "ACCESSORY BUILDING, SMALL", after "ACCESSORY BUILDING, LARGE":

"ACCESSORY BUILDING, SMALL: An accessory structure with a floor area less than or equal to 10 metres squared.

3. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for "ACCESSORY DWELLING UNIT" and replacing it with the following:

"ACCESSORY DWELLING UNIT: A self-contained dwelling unit accessory to the principal use of a site including but not limited to garages suites, garden suites, or secondary suites."

4. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for "ART AND HANDCRAFT STUDIO" after "APARTMENT BLOCK":

"ART AND HANDCRAFT STUDIO: A place specifically used as a space and/or workshop for the production, teaching, retail, and exhibit of art, craft, or other artisan production.

5. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for "BARE LAND CONDOMINIUM" and replacing it with the following:

"BARE LAND CONDOMINIUM: A type of condominium complex divided into individually owned "bare land units" and the remainder of land owned by all within the complex as common property."

6. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for "BARE LAND UNIT" and replace it with the following:

"BARE LAND UNIT: A portion of individually owned land within a parcel in a Plan of Proposed Subdivision or Condominium Plan."

7. **SECTION 2.0 DEFINITIONS** is amended by adding the definition for "BILLBOARD" after "BED AND BREAKFAST HOME":

"BILLBOARD: A private, permanent free-standing sign, including any supporting structures, which



may be used to direct attention to a location different from where the sign is installed.”

8. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “BUILDING, ACCESSORY.”
9. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “Building, Large Accessory.”
10. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “BUILDING LINE ESTABLISHED.”
11. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “CHILD AND ADULT DAYCARE.”
12. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “COMMERCIAL RECREATION ESTABLISHMENT after “COMMERCIAL”:

“COMMERCIAL RECREATION ESTABLISHMENT: A building or use for commercial operation of organized recreational activities such as an arcade, bowling centre, fitness centre, pool hall, rec room, tourist campground, etc.”
13. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “COMMUNITY BUILDING” after “COMMERCIAL RECREATION ESTABLISHMENT”:

“COMMUNITY BUILDING: A building or part of a building owned and/or operated by a Municipality or a non-profit organization used for cultural, educational, recreational, or social activities, involving meetings, recreational activities, and similar uses that are open to the general public.”
14. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “CRAFT INDUSTRY.”
15. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “DAY CARE” and after “COUNCIL”:

“DAY CARE: A business operation for the care, instruction, or supervision of children.”
16. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “DAY CARE, FACILITY” after “DAY CARE”:

“DAY CARE, FACILITY: The use of a building or portion of a building in which care, instruction, or supervision of children is provided including but not limited to baby-sitting centres, before-and-after school programs, day-care centres, early childhood service facilities, and nurseries.”
17. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “DAY CARE, FACILITY” after “DAY CARE”:

“DAY CARE, RESIDENTIAL: The use of a private dwelling or residence for the care, instruction, or supervision of children.”
18. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “FINANCIAL INSTIUTION” after “FILL”:

“FINANCIAL INSTITUTION: A bank, credit union, or trust company.”
19. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “FLOODWAY DISTRICT.”
20. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “FLOODWAY FRINGE SUB-DISTRICT.”
21. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “FOOD SERVICE” after “FLOOR AREA”:

“FOOD SERVICE: An activity or operation where food and/or beverage is prepared and sold to the



public for consumption on-site (dine-in) or off-site (take-out) including but not limited to a restaurant, café, bar, food stand, or concession.”

22. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “GARAGE SUITE” and replacing it with the following:

“GARAGE SUITE: A self-contained Accessory Dwelling Unit adjoining and accessory to a private residential detached garage.”
23. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition after “GARAGE SUITE”:

“GARDEN SUITE: A single detached self-contained Accessory Dwelling Unit located on the same site, and accessory to a principal dwelling.”
24. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “GAS BAR.”
25. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “HEALTH CARE FACILITY (HEALTH CLINIC)”: and replacing it with the following:

“HEALTH FACILITY: A building or part of a building used by licensed health care providers and specialists to provide health care including but not limited to clinics, offices, hospitals, specialized care centres, and outpatient care centres.”
26. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “HOME-BASED BUSINESS – TYPE I” and replacing it with the following:

“HOME-BASED BUSINESS, TYPE I: A home-based business owned with limited impact or nuisance on adjacent landowners.”
27. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “HOME-BASED BUSINESS – TYPE II” and replacing it with the following:

“HOME-BASED BUSINESS, TYPE II: A home-based business with potential impacts or nuisance on adjacent landowners.”
28. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “INSTITUTIONAL USE” and replacing it with the following:

“INSTITUTIONAL USE: The use of land, buildings, or structures for public, community-orientated, or non-profit purposes, religious, including but not limited to community centres, education centres and schools, recreation facilities, special care homes, hospitals, places of worship, and government buildings.”
29. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “MANUFACTURED HOME COMMUNITY (SUBDIVISION).”
30. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “NOISE RECEPTOR” and replacing it with the following:

“NOISE RECEPTOR: Noise sensitive buildings including but not limited to permanent or seasonal residences, hotels, motels, daycares, personal cares homes, special care homes, rental residences, hospitals, campgrounds, education institutions, and places of worship.”
31. **SECTION 2.0 DEFINITIONS** is amended adding the definition for “OUTDOOR MARKET” after “NOXIOUS USE OR CONDITION”:

“OUTDOOR MARKET: A temporary (seasonal) or permanent commercial activity located in an open area operating for the sale of goods to the public.”
32. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “PARKING SPACE” and replacing it with the following:



“PARKING SPACE: A space within a structure or parking lot for the locating of one (1) vehicle.”

33. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “PERSONAL CARE HOME” and replacing it with the following:

“PERSONAL CARE HOME: A designated facility that provides long term supervision or assistance with personal care to individuals residing in the home but does not provide specialized care. Personal care homes are privately owned and operated businesses, licensed and monitored by the Ministry of Health under *The Personal Care Homes Act*.”

34. **SECTION 2.0 DEFINITIONS** is amended by adding the following definition for “PORTABLE SIGN” after “POND”:

“PORTABLE SIGN: A private, temporary free-standing sign for advertising including any supporting structures that can be readily transported among different locations.”

35. **SECTION 2.0 DEFINITIONS** is amended by adding the definition for “RETAINING WALL” after “RETAIL SHOP (STORE)”:

“RETAINING WALL: A structure designed to restrict soil and land movement.”

36. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “ROOMING HOUSE.”

37. **SECTION 2.0 DEFINITIONS** is amended by adding the definition for “SECONDARY SUITE” after “SCHOOL”:

“SECONDARY SUITE: A self-contained Accessory Dwelling Unit accessory to and located within or attached to a detached dwelling.”

38. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “SPECIAL CARE FACILITY (HOME)” and replacing it with the following:

“SPECIAL-CARE HOME: A designated care facility that provides personal or nursing care to individuals residing in the home on a temporary or permanent basis, which may provide convalescent care, rehabilitation services, palliative care, respite care, and/or day-programming. Special-care homes are operated by the Saskatchewan Health Authority, or by a provider holding a contract with the Saskatchewan Health Authority.”

39. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “TOURIST CAMPGROUND.”

40. **SECTION 2.0 DEFINITIONS** is amended by deleting the definition for “UTILITY SHED”.

41. **SECTION 3.0 ADMINISTRATION AND INTERPRETATION** is amended by deleting section 3.8.1.(a)(i) and replacing it with the following:

“(i) Small Accessory Building.”

42. **SECTION 3.0 ADMINISTRATION AND INTERPRETATION** is amended by deleting section 3.13(2)(a)(vii) and replacing it with the following:

“(vii)	Development Appeal Fee	Up to \$100.00 as specified by the Development Appeals Bylaw
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43. **SECTION 3.0 ADMINISTRATION AND INTERPRETATION** is amended by deleting subsections (v), (vii), and (viii) of 3.23 (2)(a) and replacing it with the following:

“(v) The Development Officer shall provide notice by regular mail to assessed owners of property within a 75 metre radius of the proposed development a minimum of 14 days prior to Council considering the application.

(vii) Council may reject the application with reasons, approve the application, or approve the application with conditions including a condition limiting the length of time the use may be conducted on the site; and,

(viii) The Development Officer shall notify the applicant of Council's decision in writing and notify the applicant of their right to appeal to the Development Appeals Board as applicable."

44. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following to section 4.4 NUMBER OF PRINCIPAL BUILDINGS ON A SITE:

"Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3.0 metres of any other building on the site except to a building accessory to such dwelling."

45. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.5 SECONDARY SUITES.

46. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.6 ACCESSORY DWELLING UNITS (Garden Suites) and replacing it with the following:

"4.6 ACCESSORY DWELLING UNITS

1. General

(a) Accessory Dwelling Units may be approved as an accessory use to an existing residential, commercial, or industrial building.

(b) Accessory Dwelling Units may be attached to or located within the principal building (Figure 1 and 2), or attached to, or located within an accessory building (Figure 3 & 4).

(c) The principal dwelling or Accessory Dwelling Unit shall be occupied by the owner of the lot on which the dwellings are situated.

(d) Strata-titling is not permitted to accommodate Accessory Dwelling Units.

(e) No more than one Accessory Dwelling Unit shall be allowed per site.

(f) Accessory Dwelling Units shall contain separate facilities for cooking, living, sleeping, and sanitation than the principal building.

(g) Accessory Dwelling Units shall be connected to adjacent streets and laneways through the site via an internal, hard-surfaced pedestrian walkway.

(h) Accessory Dwelling Units must have a separate exterior entrance from the principal building. The Accessory Dwelling Unit may be

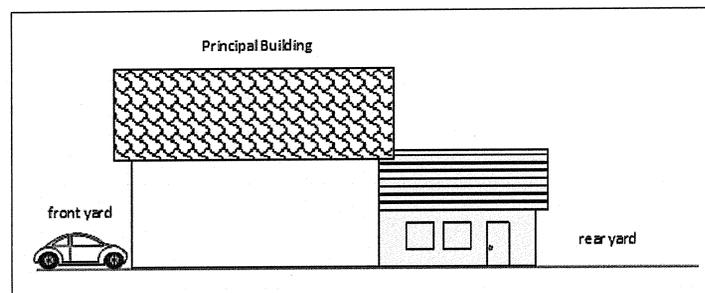


Figure 1. Accessory Dwelling Unit attached to a principal building.

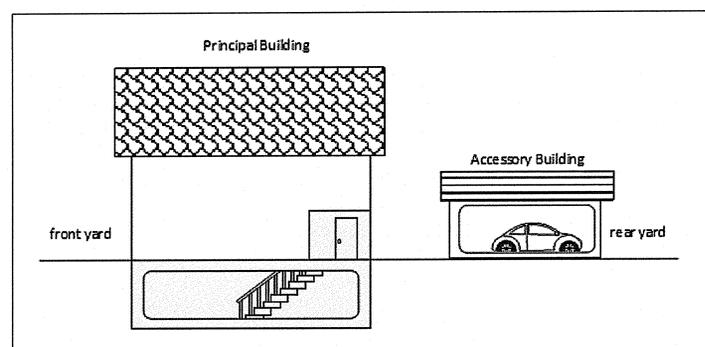


Figure 2. Accessory Dwelling Unit within a principal building.

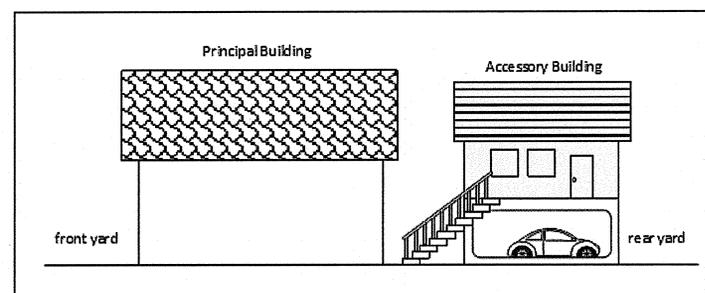


Figure 3. Accessory Dwelling Unit attached to an accessory building.

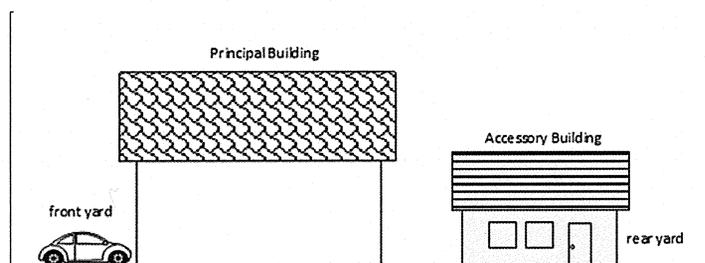


Figure 4. Accessory Dwelling Unit within an accessory building.

accessed via an existing entrance if the applicant can demonstrate adequate accessibility.

- (i) Accessory Dwelling Units must be connected to the utility services of the principal building.
- (j) Parking regulations are subject to section 4.40. Required parking spaces for an Accessory Dwelling Unit shall be in addition to the required parking for the principal use.

2. Development Standards

- (a) The maximum height of a detached accessory building containing an Accessory Dwelling Unit shall be less than or equal to the height of the principal building on the site.
- (b) The maximum floor area of an Accessory Dwelling Unit shall be less than or equal to 92m².
- (c) The minimum distance between the principal dwelling and a detached accessory building containing an Accessory Dwelling Unit is 4.0 metres.
- (d) Platform structures, including balconies, should be allowed only where the platform structure faces a lane or flanking roadway.
- (e) Building design shall take into consideration neighbouring properties and the privacy of its landowners."

47. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.9 GRADING AND LEVELLING OF SITES and replacing it with the following:

"4.9 GRADING AND LEVELING

- 1. Any site proposed for development shall be graded and levelled at the developer or landowner's expense to provide adequate surface drainage that does not adversely affect adjacent property, or the stability of the land. All costs associated with excavations, grading, leveling, and/or filling a site shall be the responsibility of the landowner or developer.
- 2. A Development Permit is required for any excavations, grading, leveling, and/or filling of any site except where:
 - (a) a Development Permit has previously authorized work on the site for construction or maintenance; or
 - (b) The work is associated with an approved Plan of Proposed Subdivision and a signed Servicing Agreement or Development Agreement, if applicable.
- 3. As part of the required Development Permit, the Development Officer may require a Rough Grading Plan and a Final Grading Plan from the landowner or developer. All grading and levelling of a site must comply with the approved Subdivision Grading Plan, where applicable.
- 4. Where excavation or filling is proposed for any development in an identified Flood Plain Area Outside of Dyke Protection, Designated Floodway, or an Area Protected by an Approved Flood Proof System, the Development Officer may request comments from the Water Security Agency prior to rendering a decision on the Development Permit Application.
- 5. All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion, according to:
 - (a) All vegetation and debris in the area to be re-graded or filled must be removed from the site prior to site grading and levelling; and
 - (b) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Development Officer.
- 6. The landowner shall be responsible for off-site impacts (e.g., slope instability, flooding, etc.) caused as a result of noncompliant site grading."



48. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.15 USES PERMITTED IN ALL ZONING DISTRICTS and replacing it with the following:

“4.15 USES PERMITTED IN ALL ZONING DISTRICTS

The following uses shall be allowed in all Zoning Districts:

1. Public street;
2. Public park;
3. Traffic sign or signal, or sign or notice authorized by the Municipality; and
4. Public Work buildings, structures, or uses, excluding the following uses in the Residential, C1 and C2 Commercial, and M – Institutional Districts:
 - warehouses,
 - storage yards,
 - waste management, and
 - wastewater treatment facilities.”

49. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.16 TEMPORARY USES and replacing it with the following:

“4.16 TEMPORARY USES

1. Temporary uses shall require a Development Permit issued by Council or a Development Officer. The Development Permit may specify the use, the period of time the use may occur, and any conditions of approval.
2. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a construction, camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for such construction work that has not been finished or abandoned.
3. Except in the Future Development (FD) District, buildings or structures shall not include a mobile home or motor home as a temporary use.”

50. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.18 MULTIPLE USES.

51. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.22 PRINCIPAL USE ESTABLISHED and replacing it with the following:

“4.22 PRINCIPAL AND ACCESSORY USES

(i) Principal Uses

- (a) In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or use being permitted.
- (b) Private garages, carports, sunrooms, greenhouses, and other accessory uses attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the development standards and regulations of the principal building.

(ii) Accessory Uses

- (a) An accessory building, structure, or use is allowed in any Zoning District when a principal building, structure, or use has been established and permitted.
- (b) A Development Permit must be obtained from the Municipality before any construction



may occur on an accessory building, structure, or use, as required.

- (c) Large Accessory Buildings on residential sites must have an appearance similar to the form, materials, and features of the primary dwelling and may not be commercial or industrial in appearance.
- (d) Unless otherwise specified in this Bylaw, a residential use shall not qualify as an accessory use. Accessory structures shall not be used as a dwelling unless approved as an Accessory Dwelling Unit."

52. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.24 PRIVATE GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES and renumbering the section accordingly.

53. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting and replacing section 4.26 SWIMMING POOLS with the following:

"4.26 SWIMMING POOLS

Regulations and development standards for swimming pools and hot tubs shall be subject to the *Town of Lumsden Swimming Pool Bylaw.*"

54. **SECTION 4.0 GENERAL REGULATIONS** is amended by replacing section 4.27 HOME-BASED BUSINESS with the following:

"4.27 HOME-BASED BUSINESS

1. Development Standards

(a) General

- (i) Home-based businesses shall be conducted entirely indoors insofar as is practical.
- (ii) There shall be no exterior storage on the site in relation to the Home-based Business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building.
- (iii) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television, radio, or satellite interference detectable beyond the boundaries of the building containing the home-based business shall be produced.
- (iv) Signs for a Home-based Business are subject to section 4.28;
- (v) Parking for a Home-based Business is subject to 4.40.
- (vi) A maximum of one (1) business related vehicle with a gross maximum weight of 5,000 kilograms and a maximum length of 6.0 metres may be stored on or in the vicinity of the site;
- (vii) Remote work-from-home is not considered a Home-based Business and allowed in all Zoning Districts.

(b) Type I Home-based Business

- (i) A Type I Home-based Business may be allowed as a permitted use to an existing residential dwelling.
- (ii) No persons other than the resident(s) of the dwelling shall be employed in the Home-based Business on the site;
- (iii) A maximum of three (3) clients may be in attendance at a Home-based Business at any one time, where applicable.
- (iv) Regardless of the number of home-based businesses on any one site, a maximum of seven (7) business-related (including clients) trips per day shall be made to the home-

based business.

- (v) A maximum of 25% of the gross floor area of the dwelling, including the basement and any accessory building, or a maximum of 30m², whichever is greater, may be occupied by the home-based business;

(c) Type II Home-based Businesses

- (i) Type II Home-Based Businesses may be allowed as a discretionary use to an existing residential dwelling.
- (ii) A maximum of three (3) people in addition to the residents of the dwelling may be employed to work in the Home-based Business.
- (iii) A maximum of 25% of the gross floor area of the dwelling, including the basement and any accessory building, or a maximum of 40m², may be occupied by the Home-based Business.
- (iv) A maximum of ten (10) clients may be in attendance at a Home-based Business at any one time, where applicable.
- (v) Regardless of the number of Home-based Businesses on any one site, a maximum of fourteen (14) business-related (including clients) trips per day shall be made to the Home-based Business.
- (vi) One off-street parking space shall be required for a non-resident employee, which may be in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of Council.

2. Allowed Home-based Business Uses

Without limiting the authority of the Development Officer to approve other types of Home-based Business applications, the following uses are specifically allowed as Home-based Businesses, subject to applicable development standards:

- Art and Handcraft Studio,
- Baking or catering kitchen,
- Clothes-making or tailoring,
- Dance and Yoga studios,
- Health services such as acupuncture, reflexology, massage therapy, etc.,
- Personal services such as hair and/or, esthetician salon, etc.,
- Pet grooming,
- Residential Daycare, subject to section 4.43
- Residential Homestay, subject to section 4.39
- Photography or content creation studio,
- Teaching, tutoring, and education services,
- Computer and technology office or studio,
- Home office for professional or skilled service, not engaged in the sale of goods to clients, and
- Any other home-based business the Municipality may consider allowed.



3. Prohibited Home-Based Business Uses

Without limiting the authority of the Development Officer to deny other types of Home-based Business applications which do not meet the requirements of this Bylaw, the following uses are prohibited as Home-based Businesses, regardless of such uses otherwise complying with applicable development standards:

- Businesses utilizing large stationary industrial power tools by trade professionals and machinery, or businesses involved in the mass production of similar items or products,
- Health and/or fitness clubs,
- Hotels, motels, and/or hospitals,
- Laundry services,
- Rental services,
- Veterinary services, animal boarding, or animal care,
- Septic trucks, and
- Industrial art studio,
- Intensive industrial uses including welding, metal works, salvaging, warehousing, etc., and
- On-site dining or drinking operations including restaurants, tasting rooms, etc.,
- Vehicle services including painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery,
- Any other Home-based Business use the Local Authority considers to be prohibited.”

55. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.28 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES and replacing it with the following:

“4.28 SIGNS

1. General

- (a) Signs shall not be placed in any manner that may obstruct or jeopardize the safety of the public.
- (b) Signs shall not reduce visibility within a sight triangle.
- (c) Signs shall not be in the shape of a directional sign, including STOP signs and YIELD signs, and the words STOP, YIELD, or any other directional wordage and/or symbols shall not be used.
- (d) Billboards are prohibited in all Zoning Districts.

2. Home-based Businesses

- (a) One (1) sign associated with a Home-based Business may be permitted per site.
- (b) Signs associated with a Home-based Business may have a maximum facial area of 0.5m² (5.4 ft²).
- (c) Signs associated with a Home-based Business may be located on a door, on a wall surface, or in a window of a dwelling.
- (d) Signs associated with a Home-based Business shall not be lighted or include animation.
- (e) A temporary sign may not be placed in association with a Home-based Business.

(f) Section 4.28.5 shall not apply to Home-based Businesses.

3. Garage sales

- (a) Signs advertising a garage or yard sale are permitted on private property, with the approval of the landowner, and placed in a location to not create a safety or traffic hazard.
- (b) Signs advertising a garage or yard sale are prohibited on public property including boulevards, curb-side trees, street light standards, public signage, public mailboxes, and intersections.
- (c) Signs advertising a garage or yard sale shall not be lighted or include animation.

4. Heritage sites

Small plaques, markers, and interpretation signs are permitted on properties with significant natural or human heritage, with approval of the landowner. Signs shall be appropriate in scale, design, and placement with the site and surrounding area, and not cause safety or traffic concerns, or negatively impact the heritage value of the site.

4. Temporary Signs

(a) General

- (i) Temporary signs advertising product prices or sales, special events related to retail and service activities, the sale or lease of property, or advertising community or charity activities or events are permitted in all Zoning Districts
- (ii) One (1) temporary sign including sandwich boards and portable signs shall be allowed per site, located on private property.
- (iii) Signs advertising a garage or yard sale shall not be lighted or include animation.

(b) Sale or Lease of Land

- (iv) One (1) temporary sign advertising the sale or lease of a property or other information relating to a temporary condition of a property is permitted.
- (v) Signs advertising a temporary state of land shall have a maximum facial area of 1.0m² (11 ft²).

5. Signs for Businesses

- (a) Signs associated with legitimate businesses may be located on a door, on a wall surface, or in a window of the building where the business is located.
- (b) Sandwich board style signs associated with legitimate businesses may be located on private property.
- (c) In addition to signs pursuant of section 4.48.5, two (2) signs advertising the principal use of the premises, or the principal products offered for sale on the premises are permitted for legitimate businesses."

56. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting and replacing section 4.29(iii) with the following:

"4.29(iii) Signs subject to section 4.28."

57. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following to section 4.31 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE:

- (vi) Open air operations, storage and display of goods or materials are prohibited in any front yard.
- (vii) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material,



and similar articles and materials shall be stored within a building or suitably screened from public view to the satisfaction of the Development Officer.”

58. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting and replacing section 4.36 with the following:

“4.36 FENCES, RETAINING WALLS, HEDGES, AND SHRUBS

(i) General

- (a) No fence, wall, hedge, or shrub shall be placed to jeopardize public safety.
- (b) No fence, wall, hedge, or shrub shall be placed to create a visual obstruction, including areas within a site triangle.

(ii) Height Restrictions

The maximum height of any fences, walls, hedges, and shrubs shall be:

- (a) Two (2) metres in a required side or rear yard within a residential district;
- (b) One (1) metre in a required front yard within a residential district, however this height may be expanded to two (2) metres if transparent materials such as chain-link or deer fence are used for the purpose of keeping wildlife out of the site;
- (c) Two point five (2.5) metres in any required yard within any district other than residential districts.

(iii) Retaining walls may be erected in any required yard subject to the following regulations:

- (a) Retaining walls less than or equal to 0.6 metres (2.0 feet) in height do not require a development permit and building permit prior to construction.
- (b) Retaining walls greater than 0.6 metres (2.0 feet) in height requires a development permit and building permit prior to construction.”

59. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.37 Garage Suites and renumbering the section accordingly.

60. **SECTION 4.0 GENERAL REGULATIONS** is amended by deleting section 4.39(iv).

61. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section:

“4.40 OFF-STREET PARKING AND LOADING

1. General

- (a) Approval of a Development Permit shall be subject to the provision of the minimum required parking spaces, where applicable.
- (b) All required parking spaces shall be clear of obstructions including but not limited to access driveways, aisles, ramps, signs, and bins.
- (c) Where the number of minimum required parking spaces is a fractional number, the number shall be rounded to the nearest whole number.
- (d) Required parking spaces shall be located on the same site as the principal building or use.

Required parking spaces at an off-site location may be approved by the Development Officer if the applicant suitably demonstrates the off-site parking and loading location is an adequate standard and is within a reasonable distance from the principal building or use. Required parking spaces within a right-of-way may be approved by the Development Officer if the applicant suitably demonstrates the loading space may not be accommodated on-site or at an off-site location.



The off-site location of required barrier-free parking spaces shall only be considered by the Development Officer if the applicant suitability demonstrates enough barrier-free parking spaces available on-site and the off-street location is an adequate standard and is within a reasonable distance along an adequate barrier-free route.

2. Parking Space Dimensions

(a) A small parking space for one vehicle shall have minimum dimensions of 2.4 metres width and 6.0 metres length, with access to a developed street or lane.

(b) Barrier-free parking spaces shall have minimum dimensions of 3.4 metres (12 feet) plus 1.5 metre aisle width and 6.0 metres length per individual space. (Figure 5). If two or more barrier-free parking spaces, the minimum dimensions may be 6.8 metres width plus 1.5 metre aisle and 6.0 metres length for two spaces side by side (Figure 6).

(c) A barrier-free parking space for one vehicle shall have minimum dimensions of 3.4 metres width plus an aisle of 1.5 metres width and 6.0 metres length.

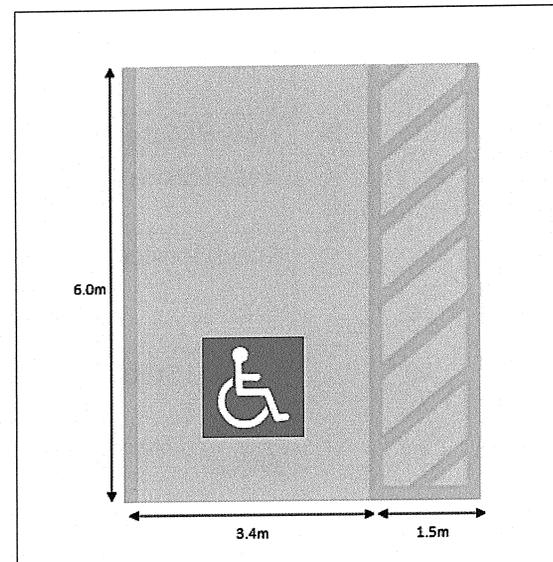


Figure 5. One (1) barrier-free parking space with aisle.

3. Barrier-free Parking Spaces

(a) A minimum of one (1) barrier-free parking space for every 50 required parking spaces shall be provided in addition to the minimum required amount, as per section 4.40.4.

(b) Any required parking spaces for accessory buildings or uses, as per section 4.40.4 shall be additional to the parking requirement for the principal building or use.

(c) Barrier-free parking spaces shall have access to a developed street or lane and be located as close as possible to area of activity on a site.

(d) Barrier-free parking spaces shall be clearly designated with signs indicating them as barrier-free parking spaces.

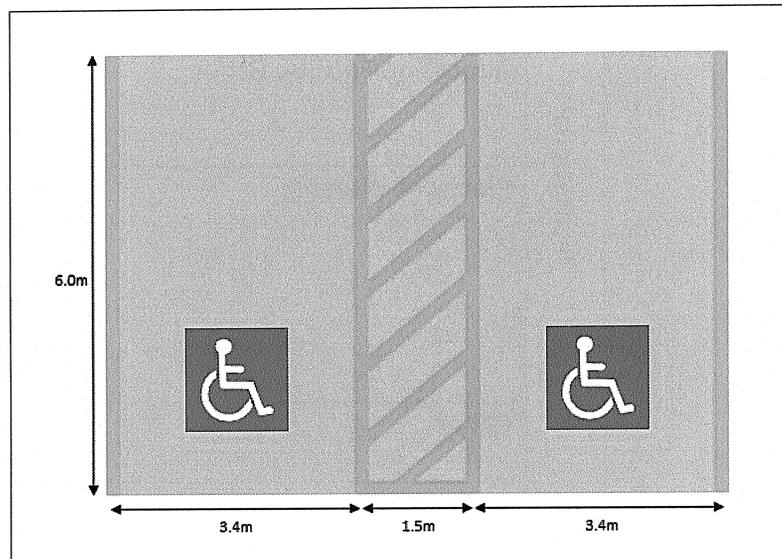


Figure 6. Two barrier-free parking spaces with aisle.

4. Required Off-Street Parking Spaces

Minimum off-street parking space requirements shall be provided and maintained in accordance with the following:

Use	Development	Minimum Required Parking Spaces	
		Small	Barrier Free
Residential	Accessory Dwelling Unit	1	0
	Single Detached Dwelling	1	0
	Two-Unit Dwelling (Semi-Detached Dwelling, Duplex)	1 per dwelling unit	
	Multi-Use Dwelling (Apartment Block, Row House, Townhouse, Fourplex)	1 per dwelling unit	1
	Daycare, Residential	1	0

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	Special Care Home/Personal Care Home	1 space plus 1 space per 5 persons enrolled in the facility	2
Commercial	Animal Clinic/Hospital	1 per 50m ² gross floor area	2
	Day Care Facility	One (1) plus (1) per ten persons enrolled	2
	Hotel/Motel	1 per bedroom	2
	Retail Store	1 per 50m ² gross floor area	1
	Food Service	1 per 10m ² gross floor area devoted to the public	1
	Service Station	One and one half (1½) per service bay	2
	Other	1 per 50m ² gross floor area	1
Institutional	Education Facility, Elementary School	1 per classroom	2
	Education Facility, High School	1 per staff member plus five (5) per classroom	2
	Education Facility, Other	1 per classroom plus one per eight students	2
	Places of Worship	the greater of 1 per 10 seats in the main assembly area or 1 per 20m ² of gross floor area in the main assembly area	1 per 15 small spaces
	Other	1 per 50m ² gross floor area	1
Industrial	All	1 per 150m ² of gross floor area plus 1 per three employees at the peak period	1
Public	Community Facility	1 per 50m ² gross building floor area	2
	Recreational Use	1 per 50m ² gross building floor area	

5. Loading Spaces

(a) Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

(b) Required loading spaces shall be located on the same site as the principal building or use.

Required loading spaces at an off-site location may be approved by the Development Officer if the applicant suitably demonstrates the off-site parking and loading location is an adequate standard and is within a reasonable distance from the principal building or use.

Required loading spaces within a right-of-way may be approved by the Development Officer if the applicant suitably demonstrates the loading space may not be accommodated on-site or at an off-site location.”

62. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

"4.41 PERSONAL CARE HOME

- (i) A Personal Care Home may be approved as a principal use or accessory use to an existing dwelling.
- (ii) No building or structure used for the purpose of a Personal Care Home shall be used for the purposes of keeping boarders, lodgers, or persons for residential homestay.
- (iii) Sign regulations for Personal Care Homes are subject to section 4.28.
- (iv) Parking requirements subject to section 4.40. Required parking spaces may be located in a required front yard of a property.
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town."

63. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

"4.42 SPECIAL CARE HOME

- (i) A Special Care Home may be approved as a principal use.
- (ii) No building or structure used for the purpose of a Special Care Home shall be used for the purposes of keeping boarders, lodgers, or persons for residential homestay.
- (iii) Sign requirements are subject to section 4.28.
- (iv) Parking requirements subject to section 4.40.
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town."

64. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

"4.43 RESIDENTIAL DAY CARE

- (i) A Residential Day Care may be approved as a Type 1 home-based business, accessory to a residential principal use.
- (ii) No exterior alterations shall be undertaken to make the appearance of a dwelling inconsistent with the residential character of the building, property, or neighbourhood.
- (iii) Sign requirements subject to section 4.28
- (iv) Parking requirements subject to section 4.40. Required parking spaces may be located in a required front yard of a property."

65. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

"4.44 DAY CARE FACILITY

- (i) A Day Care Facility may be approved on a discretionary basis as a principal, accessory, or ancillary use.
- (ii) The Day Care Facility shall comply with all Provincial requirements including but not limited to *The Child Care Act, 2014* and *The Child Care Regulations, 2015*.
- (iii) Sign requirements subject to section 4.28
- (iv) Parking requirements subject to section 4.40
- (v) A copy of Provincial and Federal approvals, as applicable, including letters, licenses, or permits must be submitted to the Town."



66. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

“4.45 SERVICE STATION

- (i) Fuel pumps and other accessory equipment shall be located a minimum of 6.0 metres from any street or site line.”

67. **SECTION 4.0 GENERAL REGULATIONS** is amended by adding the following section and renumbering the section accordingly:

“4.46 WATER AND SEWER SERVICES

All new development shall be connected to the Town’s existing water and sewer system.

Where a development is proposed at a location at which a standard connection to the Town’s existing water and sewer system is not feasible, the Developer shall at their own expense provide suitable water supply and sewage disposal facilities for the development acceptable to the Municipality and in accordance with *The Public Health Act and Regulations* or any other authority having jurisdiction.”

68. **SECTION 5.0 ZONING DISTRICTS, OVERLAY AREAS, AND ZONING MAPS** is amended by deleting section 5.9 Residential High Density District – R3 in its entirety and renumbering section 5.0 accordingly.

69. **SECTION 5.0 ZONING DISTRICTS, OVERLAY AREAS, AND ZONING MAPS** is amended by deleting section 5.15 CRAFT INDUSTRIAL – I2 in its entirety and renumbering section 5.0 accordingly.

70. **SECTION 5.1 ZONING DISTRICTS:** is amended by deleting the section and replacing it with the following:

“5.1 ZONING DISTRICTS

The Town of Lumsden is divided into the following Zoning Districts and may be referred to by the following appropriate symbols:

DISTRICTS	SYBMOLS
Future Development District	FD
Estate Residential District	RE
Residential District	R1
Multiple Use Residential District	R2
Mobile Home Park District	RM
Town Centre Commercial District	C1
General Commercial District	C2
Highway Commercial District	C3
Industrial District	I1
Institutional District	M
Public Service District	PS
Canyon Creek Residential District	R4”

71. **SECTION 5.2 ZONING DISTRICT MAPS** is amended by deleting the section and replacing it with the following:

"5.2 ZONING DISTRICT MAP

The map, titled "Zoning District Map", referred to in Bylaw No. 15/2002, adopted by the Town of Lumsden, signed by the Mayor and the Administrator under the seal of the Town, shall be known as the "Zoning District Map", and said map is hereby declared to be an integral part of this Bylaw.

The Zoning District Map contains overlays showing Flood Protection Outside of Dyke Protection, Designated Floodway, Area Protected by an Approved Flood Proof System, and Top of Valley. These notations on the map will be used by the Development Officer and Council to determine the Floodway and Floodplain Areas within the Town boundaries. The noted areas identify and reflect the natural drainage patterns and flood-prone areas where development and land uses may be affected. Lands within the applicable areas are subject to regulations listed in Section 5.19."

72. **SECTION 5.3 SUPPLEMENTARY MAPS** is amended as follows:

"5.3 SUPPLEMENTARY MAPS

The maps bearing the statement "This is a supplementary map to the Zoning District Map referred to in Bylaw No. 15/2022, adopted by the Town of Lumsden, signed by the Mayor and Administrator under the seal of the Town, shall be known as Zoning Map 2, Slope Instability Overlay Areas, and such maps are hereby declared to be an integral part of this Bylaw. "

These maps will be used by the Development Officer and Council to determine the si -Slope Instability Overlay boundaries in this Zoning Bylaw. The overlay identifies potentially unstable slopes or areas where development and land use may affect slope stability, and development will be subject to special regulations in the si Overlay areas.

Where engineering, environmental, or other investigations identify, at any time prior to commencing development in accordance with a development permit, any additional slope instability requirement beyond the boundaries of this Overlay area, Council shall cancel the Development Permit in accordance with section 3.9 until such time as concerns are resolved to Council's satisfaction.

73. **SECTION 5.5 FUTURE DEVELOPMENT DISTRICT - FD** is amended by deleting section 5.5.1 with and replacing it with the following:

"5.5.1 Permitted Uses

- (i) Single Detached Dwelling,
- (ii) Accessory Dwelling Unit,
- (iii) Agricultural use,
- (iv) Recreational use,
- (v) Type I Home-based Business, subject to section 4.27."

74. **SECTION 5.5 FUTURE DEVELOPMENT DISTRICT - FD** is amended by deleting section 5.5.2 and replacing it with the following:

"5.5.2 Discretionary Uses

- (i) Equestrian Centre, subject to section 5.5.7,
- (ii) Animal Clinic or Hospital,
- (iii) Large Accessory Building,
- (iv) Commercial Greenhouse,
- (v) Keeping of Livestock, subject to section 5.5.7
- (vi) Type II Home-based Business, subject to section 4.27,



- (vii) Wind Turbine, subject to section 4.8.”
75. **SECTION 5.5 FUTURE DEVELOPMENT DISTRICT - FD** is amended by deleting the following sections and renumbering section 5.5 accordingly:
- 5.5.4 Regulations for Signs and
 - 5.5.5 Large Accessory Buildings,
 - 5.5.6(ii)
 - 5.5.7(2)(d).
76. **SECTION 5.5 FUTURE DEVELOPMENT DISTRICT - FD** is amended by replacing subsection 5.5.6(ii) with the following:
- (i) “The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”
77. **SECTION 5.5 FUTURE DEVELOPMENT DISTRICT - FD** is amended by adding the following to 5.5.8 and renumbering the section accordingly:
- “(i) The Keeping of Animals shall not include poultry farms, fur farms, hatcheries, boarding kennels, the keeping of hogs, or any other intensive livestock operation.”
78. **SECTION 5.6 ESTATE RESIDENTIAL DISTRICT - RE** is amended by deleting section 5.6.1 and replacing it with the following:
- “5.6.1 Permitted Uses
 - (i) Single Detached Dwelling,
 - (ii) Accessory Dwelling Unit,
 - (iii) Personal Care Home,
 - (iv) Special Care Home,
 - (v) Type I Home-based Business, subject to section 4.27.”
79. **SECTION 5.6 ESTATE RESIDENTIAL DISTRICT - RE** is amended by deleting section 5.6.2(i) and replacing it with the following:
- “(i) Day Care Facility ”
80. **SECTION 5.6 ESTATE RESIDENTIAL DISTRICT - RE** is amended by deleting the following from section 5.6.2 Discretionary Uses and renumbering the section accordingly:
- “(ii) accessory dwellings,
 - (vi) garage suites,”
81. **SECTION 5.6 ESTATE RESIDENTIAL DISTRICT - RE** is amended by deleting the following sections and renumbering the section accordingly:
- “5.6.5 Large Accessory Buildings,
 - 5.6.6 Regulations for Signs, and
 - 5.6.7 (i) Supplementary Regulations.”
82. **SECTION 5.6 ESTATE RESIDENTIAL DISTRICT - RE** is amended by replacing subsection 5.6.7(ii) with the following:



"The regulations of sub-section 5.20 si – Slope Instability Overlays shall also apply in conjunction with this District."

83. **SECTION 5.7 RESIDENTIAL DISTRICT – R1** is amended by deleting section 5.7.1 and replacing it with the following:
- "5.7.1 Permitted Uses
- (i) Single Detached Dwelling,
 - (ii) Accessory Dwelling Unit,
 - (iii) Personal Care Home,
 - (iv) Special Care Home,
 - (v) Type I Home-based Business, subject to section 4.27."
84. **SECTION 5.7 RESIDENTIAL DISTRICT – R1** is amended by deleting the following from section 5.7.2 and renumbering the section accordingly:
- "(i) accessory dwellings,
(iii) modular homes,
(iv) personal care homes,
(ix) garage suites,"
85. **SECTION 5.7 RESIDENTIAL DISTRICT – R1** is amended by adding the following to section 5.7.2 and renumbering the section accordingly:
- "(ix) Daycare Facility"
86. **SECTION 5.7 RESIDENTIAL DISTRICT – R1** is amended by deleting the following sections and renumbering the section accordingly:
- 5.7.3(vi),
5.7.4 Regulations for modular homes,
5.7.5(iii), and
87. **SECTION 5.7 RESIDENTIAL DISTRICT – R1** is amended by replacing subsection 5.7.6(i) with the following:
- "(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District."
88. **SECTION 5.8 RESIDENTIAL MULTIPLE DISTRICT – R2** is amended by deleting section 5.8.1 and replacing it with the following:
- "5.8.1 Permitted Uses
- (i) Accessory Dwelling Unit,
 - (ii) Personal Care Home,
 - (iii) Semi-detached Dwelling, Two-Uniting Dwelling, or Duplex,
 - (iv) Single Detached Dwelling,
 - (v) Special Care Home,
 - (vi) Townhouse, Row House, or Fourplex,
 - (vii) Type I Home-based Business."
89. **SECTION 5.8 RESIDENTIAL MULTIPLE DISTRICT – R2** is amended by deleting section 5.8.2 and replacing with the following:



“5.8.2 Discretionary Uses

- (i) Apartment Block,
- (ii) Day Care Facility,
- (iii) Type II Home-based Business, subject to section 4.27,
- (iv) Wind Turbine, subject to section 4.8.”

90. **SECTION 5.8 RESIDENTIAL MULTIPLE DISTRICT – R2** is amended by deleting section 5.8.3 Regulations and replacing it with the following:

5.8.3 Development Standards

(i) Single Detached Dwelling

Minimum site area	480 m ²
Minimum site frontage	15.0 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	1.2 m
Corner lot abutting a street	1.5 m
Minimum rear yard setback	5.0 m
Maximum site coverage	40%
Minimum floor area per dwelling unit	70 m ²
Maximum height	10 m

(ii) Semi-detached Dwelling, Two-Unit Dwelling, or Duplex

Minimum site area	520 m ²
Minimum site frontage	17.0 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	1.5 m
Corner lot abutting a street	3.6 m
Minimum rear yard setback	9.0 m
Maximum site coverage	50%
Minimum floor area per dwelling unit	56 m ²
Maximum height	10 m

(iii) Townhouse, Row House, or Fourplex

Minimum site area	930 m ²
Minimum site frontage	25.0 m
Minimum front yard setback	6.0 m

Minimum side yard setback	
Interior lot	2.1 m
Corner lot flanking building faces	3.7 m
Minimum rear yard setback	6.0 m
Maximum site coverage	50%
Minimum floor area per dwelling unit	56 m ²
Maximum height	2 ½ stories

(iv) Apartment Block

Minimum site area	930 m ²
Minimum site frontage	25.0 m
Minimum front yard setback	6.0 m
Minimum side yard setback	
Interior lot	greater of 3.7 m or 50% of the avg wall height
Corner lot flanking building faces	6.0 m
Minimum rear yard setback	7.6 m
Maximum site coverage	
Interior lot	50%
Corner lot	60%
Minimum floor area per dwelling unit	47 m ²
Maximum height	3 stories

(viii) Accessory Building

Minimum front yard setback	7.0 m
Minimum rear yard setback	1.0 m
Minimum side yard setback	
Interior site	1.0 m
Corner site	3.0 m
Minimum setback from principal building	1.2 m

91. **SECTION 5.8 RESIDENTIAL MULTIPLE DISTRICT – R2** is amended by deleting the following sections and renumbering section 5.8 accordingly:

- 5.8.4 Regulations for Modular Homes,
- 5.8.5 Regulations for Accessory Buildings,
- 5.8.6 Regulations for Signs, and

92. **SECTION 5.8 RESIDENTIAL MULTIPLE DISTRICT – R2** is amended by replacing subsection 5.8.7.(i) with the following:

- “(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”
93. **SECTION 5.10 RESIDENTIAL MOBILE HOME DISTRICT – RM** is amended by deleting section 5.10.1 and replacing it with the following:
- “(i) Mobile Home Park,
- (ii) Type I Home-based Business, subject to section 4.27.
94. **SECTION 5.10 RESIDENTIAL MOBILE HOME DISTRICT – RM** is amended by deleting section 5.10.2(i) and replacing it with the following:
- “(i) Day Care Facility”
95. **SECTION 5.10 RESIDENTIAL MOBILE HOME DISTRICT – RM** is amended by deleting section 5.10.4(vii).
96. **SECTION 5.10 RESIDENTIAL MOBILE HOME DISTRICT – RM** is amended by deleting the following sections and renumbering the section accordingly:
- 5.10.6 Regulations for Signs
97. **SECTION 5.10 RESIDENTIAL MOBILE HOME DISTRICT – RM** is amended by replacing subsection 5.10.7(i) with the following:
- “(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”
98. **SECTION 5.11 TOWN CENTRE COMMERCIAL DISTRICT – C1** is amended by deleting section 5.11.1 and replacing it with the following:
- “5.11.1 Permitted Uses
- (i) Accessory Dwelling Unit,
- (ii) Art and Handcraft Studio,
- (iii) Commercial Recreation Establishment,
- (iv) Community Building,
- (v) Day Care Facility,
- (vi) Distilleries, Breweries, and Wineries,
- (vii) Food Service,
- (viii) Financial institution,
- (ix) Government Building or Office,
- (x) Health Facility,
- (xi) Outdoor Market,
- (xii) Personal Services Establishment,
- (xiii) Professional Service Office or Shop,
- (xiv) Retail Shop,
- (xv) Type I Home-based Business, subject to section 4.27.”
99. **SECTION 5.11 TOWN CENTRE COMMERCIAL DISTRICT – C1** is amended by deleting section 5.11.2



and replacing it with the following:

“5.11.2 Discretionary Uses:

The following uses may be permitted I the C1 – Town Centre Commercial District but only by the resolution of Council and only in locations specified by such resolution of Council:

- (i) Parking Lot,
- (ii) Membrane Covered Structure, subject to section 4.30,
- (iii) Shipping Container, subject to section 4.32,
- (iv) Wind Turbine, subject to section 4.8.”

100. **SECTION 5.11 TOWN CENTRE COMMERCIAL DISTRICT – C1** is amended by deleting section 5.11.3 and replacing it with the following:

“5.11.3 Development Standards

(i) Site

Minimum site area	250 m ²
Minimum site frontage	7.0 m
Maximum site coverage	80%

(ii) Principal buildings

Minimum front yard setback	1.5 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	1.5 m

(iii) Accessory and Ancillary buildings

Minimum front yard setback	7.0 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	1.5 m”

101. **SECTION 5.11 TOWN CENTRE COMMERCIAL DISTRICT – C1** is amended by deleting the following sections and renumbering accordingly:

5.11.4 Regulations for Accessory Buildings

5.11.5 Regulations for Signs

5.11.6 (ii) Dwelling Units

102. **SECTION 5.11 TOWN CENTRE COMMERCIAL DISTRICT – C1** is amended by replacing subsection 5.11.6 (i) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

103. **SECTION 5.12 GENERAL COMMERCIAL DISTRICT – C2** is amended by deleting section 5.12.1 and replacing it with the following:

“5.12.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Art and Handcraft Studio,

- (iii) Commercial Recreation Establishment,
- (iv) Community Building,
- (v) Day Care Facility,
- (vi) Distilleries, Breweries, and Wineries,
- (vii) Food Service,
- (viii) Financial institution,
- (ix) Government Building or Office,
- (x) Health Facility,
- (xi) Hotel/Motel,
- (xii) Laundry Facility,
- (xiii) Motor vehicle restoration, not including retail sale,
- (xiv) Outdoor Market,
- (xv) Parking lot,
- (xvi) Personal Services Office or Shop,
- (xvii) Retail Shop,
- (xviii) Type I Home-based Business.”

104. **SECTION 5.12 GENERAL COMMERCIAL DISTRICT – C2** is amended by adding the following to section 5.12.2 and renumbering the section accordingly:

“5.12.2 Discretionary Uses

- (i) Apartment Block,
- (ii) Membrane Covered Structure, subject to section 4.30,
- (iii) Motor vehicle retail sale, subject to section 4.31,
- (iv) Outside storage, subject to section 4.31,
- (v) Public Transportation Terminal,
- (vi) Shipping Containers, subject to section 4.32,
- (vii) Warehouse, Supply Depot, or Storage Building,
- (viii) Wind Turbines, subject to section 4.8.”

105. **SECTION 5.12 GENERAL COMMERCIAL DISTRICT – C2** is amended by deleting the following sections and renumbering accordingly:

5.12.3 Parking Regulations,

5.12.5 Regulations for Signs, and

5.12.6 (ii) Dwelling Units

106. **SECTION 5.12 GENERAL COMMERCIAL DISTRICT – C2** is amended by replacing subsection 5.12.6(i) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

107. **SECTION 5.13 HIGHWAY COMMERCIAL DISTRICT – C3** is amended by deleting section 5.13.1 and replacing it with the following:

“5.13.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Animal Clinic or Hospital,
- (iii) Art and Handcraft Studio,
- (iv) Car wash facility,
- (v) Distilleries, Wineries, and Breweries,
- (vi) Food Service,
- (vii) Government Office or Building,
- (viii) Hotel or Motel,
- (ix) Motor vehicle retail sale, subject to section 4.31,
- (x) Public Garage,
- (xi) Public Greenhouse,
- (xii) Public Transportation Terminal, including a depot,
- (xiii) Type I Home-based Business, subject to section 4.27,
- (xiv) Service Station, subject to section 4.45”

108. **SECTION 5.13 HIGHWAY COMMERCIAL DISTRICT – C3** is amended by deleting the following sections:

- 5.13.5 Parking Requirements,
- 5.13.6 Regulations for Signs,
- 5.13.7 Loading Requirements,
- 5.13.8 (ii) Dwelling Units, and (iii) Service Stations

109. **SECTION 5.13 HIGHWAY COMMERCIAL DISTRICT – C3** is amended by replacing subsection 5.13.8 (i) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

110. **SECTION 5.14 GENERAL LIGHT INDUSTRIAL DISTRICT – I1** is amended by deleting section 5.14.1 and replacing it with the following:

‘5.14.1 Permitted Uses

- (i) Art and Handcraft Studio,
- (ii) Animal Clinic or Hospital,
- (iii) Personal Services Office or Shop,
- (iv) Retail Shop,
- (v) Warehouse, Supply Depot, or Storage Building.”



111. **SECTION 5.14 GENERAL LIGHT INDUSTRIAL DISTRICT – I1** is amended by deleting section 5.14.1A, replacing it with the following, and renumbering section 5.14 accordingly:
- “5.14.2 Discretionary Uses
- (i) Boarding Kennel,
 - (ii) Car Wash Facility,
 - (iii) Light Manufacturing,
 - (iv) Membrane Covered Structure, subject to section 4.30,
 - (v) Outside Storage, subject to section 4.31,
 - (vi) Recycling Depot,
 - (vii) Service Station, subject to section 4.45
 - (viii) Shipping Container, subject to section 4.32,
 - (ix) Wind Turbine, subject to section 4.8.”
112. **SECTION 5.14 GENERAL LIGHT INDUSTRIAL DISTRICT – I1** is amended by deleting the following sections and renumbering accordingly:
- 5.14.3 Regulations for Parking,
 - 5.14.4 Regulations for Signs,
 - 5.14.5 Loading Requirements, and
 - 5.14.6 (ii), (iii) and (iv) Supplementary Regulations
113. **SECTION 5.14 GENERAL LIGHT INDUSTRIAL DISTRICT – I1** is amended by replacing subsection 5.14.6(i) with the following:
- “(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”
114. **SECTION 5.16 INSTITUTIONAL DISTRICT – M** is amended by deleting section 5.16.1 and replacing it with the following:
- “5.16.1 Permitted Uses
- (i) Community Building,
 - (ii) Day Care Facility,
 - (iii) Education Facility,
 - (iv) Government Building or Office,
 - (v) Place of Worship.”
115. **SECTION 5.16 INSTITUTIONAL DISTRICT – M** is amended by deleting section 5.16.2 and replacing it with the following:
- “5.16.2 Discretionary Uses
- (i) Wind Turbine, subject to section 4.8.”
116. **SECTION 5.16 INSTITUTIONAL DISTRICT – M** is amended by deleting section 5.16.3 and replacing it with the following:



5.16.3 Development Standards

(i) Site

Minimum site area	600 m ²
Minimum site frontage	20 m
Maximum site coverage	80%

(ii) Principal buildings

Minimum front yard setback	10.0 m
Minimum rear yard setback	7.0 m
Minimum side yard setback	3.0 m

(iii) Accessory and Ancillary buildings

Minimum front yard setback	7.0 m
Minimum rear yard setback	3.0 m
Minimum side yard setback	3.0 m

117. **SECTION 5.16 INSTITUTIONAL DISTRICT – M** is amended by deleting the following sections and renumbering section 5.16 accordingly:

5.16.4 Regulations for Signs,

5.16.7 Discretionary Uses.

118. **SECTION 5.16 INSTITUTIONAL DISTRICT – M** is amended by replacing subsection 5.16.6(i) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

119. **SECTION 5.17 PUBLIC SERVICE DISTRICT – PS** is amended by deleting section 5.17.1 to 5.17.5 and replacing it with the following:

“5.17.1 Permitted Uses

- (i) Community Building,
- (ii) Recreational Use, excluding golf courses,
- (iii) Natural or open areas.

5.17.2 Discretionary Uses,

- (i) Cemetery,
- (ii) Golf Course,
- (iii) Wind Turbine, subject to section 4.8.

5.17.3 Development Standards

(i) Site

Minimum site area	200 m ²
Minimum site frontage	10 m

(ii) Principal buildings



Minimum front yard setback 7.6 m

Minimum rear yard setback 7.6 m

Minimum side yard setback 3.0 m

(iii) Accessory and Ancillary buildings

Minimum front yard setback 7.0 m

Minimum rear yard setback 3.0 m

Minimum side yard setback 3.0 m"

120. **SECTION 5.17 PUBLIC SERVICE DISTRICT – PS** is amended by replacing subsection 5.17.6(i) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

121. **SECTION 5.18 CANYON CREEK RESIDENTIAL DISTRICT – R4** is amended by deleting section 5.18.1 and replacing it with the following:

“5.18.1 Permitted Uses

- (i) Accessory Dwelling Unit,
- (ii) Personal Care Home, subject to section 4.41,
- (iii) Single Detached Dwelling,
- (iv) Special Care Home, subject to section 4.42.”

(v) Type I Home-based Business, subject to section 4.27,

122. **SECTION 5.18 CANYON CREEK RESIDENTIAL DISTRICT – R4** is amended by deleting section 5.18.2 and replacing it with the following:

“5.18.2 Discretionary Uses

- (i) Day Care, subject to section 4.44,
- (ii) Large Accessory Building,
- (iii) Type II Home-based Business, subject to section 4.27, and
- (iv) Wind Turbine, subject to section 4.8.”

123. **SECTION 5.18 CANYON CREEK RESIDENTIAL DISTRICT – R4** is amended by deleting the following sections and renumbering accordingly:

5.18.5 Large Accessory Buildings,

5.18.6 Regulations for Signs, and

5.18.7 (i) Supplementary Regulations.

124. **SECTION 5.18 CANYON CREEK RESIDENTIAL DISTRICT – R4** is amended by replacing subsection 5.18.7(ii) with the following:

“(i) The regulations of subsection 5.20 si Slope Instability Overlays shall apply in conjunction with this District.”

125. **SECTION 5.19 FLOODWAY AND FLOODWAY FRINGE AREA – FW** is amended by deleting 5.19 and replacing it with the following:

"5.19 FLOODPLAIN AND FLOODWAY AREAS

This section shall apply to all lands within the areas designated as Flood Plain Area Outside of Dyke Protection, Designated Floodway, and Area Protected by an Approved Flood Proof System as shown on the Zoning District Map attached to and forming part of this bylaw.

(i) Regulations

- (a) The development of new buildings or additions to existing buildings will be prohibited in the floodway of the 1:500 year flood elevation of any watercourse or waterbody.
 - (b) All development of new buildings or additions to buildings shall be adequately flood proofed to the design flood level of 1:500 plus a 0.5 metre freeboard.
 - (c) The bottom of the joists of the first floor or the bottom surface of the slab on grade of the building or structure shall be above the design flood level plus freeboard.
 - (d) Basements shall be prohibited except where flood proofing is undertaken. The basement shall be designed to withstand any forces generated by floodwater up to and including the design of flood level plus freeboard.
 - (e) Plumbing outlets may be permitted in basements below the design flood level provided they contain an automatic shut-off valve as approved by the designated Plumbing Inspector.
 - (f) Electrical outlets and walls may be permitted in basements below the design flood level provided they contain an independent switch for each outlet. A main switch box, heating plants, or air conditioning units shall be located above the design flood level plus freeboard.
 - (g) Foundations and walls of any building or structure shall be adequately flood proofed to the design flood level plus freeboard. All plans shall be certified by a Professional Engineer or Architect registered in the Province of Saskatchewan."
 - (h) Fencing, retaining walls and other similar structures shall be prohibited in the Floodway Overlay District unless constructed parallel to the direction of water flow and Council or their authorized representative, based on the advice of the Water Security Agency of Saskatchewan, are satisfied that such developments shall not adversely affect the hydraulic efficiency or capacity of the floodway or adversely affect the existing drainage courses.
 - (i) The storage of hazardous materials is prohibited.
126. Appendix A referred to in Section 3.3(a) is amended by deleting the Development Permit and replacing it with Development Application Form as shown in Schedule "A" attached to this bylaw.
 127. Appendix B – Template Servicing Agreement is amended by deleting it from the Zoning Bylaw.
 128. Appendix C – Zoning by Agreement Contracts is amended by deleting it from the Zoning Bylaw.
 129. The Zoning District Map referred to in Section 5.2 is amended by rezoning the lands legally described as Condo Plan 101990437 Ext 0 and Lot 1, Block Y, Plan 75R12775 Ext 0 from Residential High-Density District – R3 to Residential Multiple District – R2 as shown outlined in Schedule "B" attached to this bylaw.
 130. **SECTION 5.0 ZONING DISTRICTS, OVERLAY AREAS, AND ZONING MAPS** is amended by deleting ZONING MAP 2 FLOODWAY AND FLOODWAY FRINGE OVERLAY AREAS Zoning Maps 2.00 to 2.15. from the Zoning Bylaw.
 131. This bylaw shall come into force on the day of adoption by the Town of Lumsden Council.



Read a first time this 11th day of October , 2022.

Read a second time this 15th day of November , 2022.

Read a third time and passed this 15th day of November , 2022.





Mayor



Chief Administrative Officer



DEVELOPMENT APPLICATION FORM

Lumsden Municipal Office
PO Box 160
300 James St N
Lumsden, SK S0G 3C0
Phone: (306) 731-2404
Fax: (306) 731-3572
Email: town.lumsden@sasktel.net
Website: www.lumsden.ca

CONTACT INFORMATION

Applicant

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

Property Owner Same as Applicant

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

Contractor/Designer

Name: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

Municipality: _____ Province: _____ Postal Code: _____

SUBJECT PROPERTY

Lot: _____ Block: _____ Plan: _____

Civic Address: _____

PROPOSAL

Current Land Use: _____

Description of Existing Structures and Features:

Empty rectangular box for description of existing structures and features.

Proposed Land Use: _____

Proposed Development Description:

Empty rectangular box for proposed development description.

Handwritten signature in the bottom right corner.

SCHEDULE "B"

The Town of Lumsden Zoning Bylaw Zoning District Map is hereby amended by rezoning the lands legally described as Condo Plan 101990437 Ext 0 and Lot 1, Block Y, Plan 75R12775 Ext 0 from Residential High Density District – R3 to Residential Multiple District – R2 as shown outlined in bold blue on the drawing below:

