

**CITY OF NORTH BATTLEFORD
SASKATCHEWAN**

BYLAW NO. 1177

A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO REGULATE THE USE OF LAND AND THE LOCATION AND USE OF BUILDINGS AND OTHER STRUCTURES IN THE CITY OF NORTH BATTLEFORD, SO AS TO PROVIDE FOR THE HEALTH, SAFETY AND GENERAL WELFARE OF THE INHABITANTS.

The Mayor and Council of the City of North Battleford in the Province of Saskatchewan, in open meeting hereby enact as follows:

SHORT TITLE

1. This Bylaw may be cited as the "Zoning Bylaw".

SCOPE

- 1.0 No building or structure shall hereafter be erected or structurally altered, nor shall any building, structure, land or premises hereafter be used in whole or in part within the limits of the City, except in conformity with the provisions and regulations of this Bylaw.

DEFINITIONS

- 2.0 Whenever in this Bylaw the following words or terms are used they shall, unless the context otherwise provides, be held to have the following meaning:
- 2.1 "ACCESSORY BUILDING" - shall mean a subordinate detached building appurtenant to a main building or main use, and located on the same site, the purpose of which is to provide better and more convenient enjoyment of the main building or main use and shall include Satellite T.V. Receiving Apparatuses.

- 2.2 "ACCESSORY USE" - shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use, building or structure.
- 2.3 "ADJACENT PROPERTY OWNERS" - means owners of a parcel of land which has contact at some common point along a site line which separates one parcel of land from another. Where a public thoroughfare or a public or private right-of-way separates part of a parcel or parcels of land, the parcels of land directly opposite each other and the parcels of land flanking either side of same shall be deemed to be adjacent.
- 2.3.1 "ADULT COMMERCIAL RECREATION ESTABLISHMENTS" - shall mean establishments to which the public is admitted which offer male and/or female strip tease performances either exclusively or in combination with other entertainment or other permitted use of the property.
- 2.3.2 "ADULT MEDIA STORE" – means a retail outlet where the predominant product offers for sale, loan, rent, or exchange includes materials which are sexually explicit in nature and whose content is restricted for distribution to persons who have attained the age of the majority."
- 2.4 "ALTERATION OR ALTERED" - shall mean a building or structure to which an addition is made or in which any structural change is made.
- 2.4.1 "AMUSEMENT ESTABLISHMENT" - means developments providing facilities for various table games or electronic games played by patrons for entertainment. Typical uses include billiard parlors, electronic game arcades and bingo halls. This use class does not include carnivals, circuses or participant recreation services nor does it include assembly halls where such halls may from time to time receive a license to conduct a "municipal bingo" as regulated by the Saskatchewan Liquor and Gaming Authority.
- 2.5 "APARTMENT BUILDING" - shall mean a building containing three or more dwelling units which have a common entrance, each of which is occupied or intended to be occupied as the permanent home or residence of one person or one family, as distinct from a hotel, rooming house or boarding house.
- 2.6 "ATTACHED BUILDING" - means a building otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

- 2.7 "BOARDING OR ROOMING HOUSE" - means a dwelling in which the proprietor supplies either room or room and board for monetary gain, to one or more persons and which is not open to the general public as distinct from a motel, hotel, or apartment building.
- 2.8 "BUILDING" - shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels.
- 2.9 "BUILDING LINE, ESTABLISHED" - shall mean the average distance from the street line to the main wall of existing buildings on any side of any block.
- 2.10 "CARPORT" means a building or structure which is adjacent to the main building but which is not wholly enclosed and is customarily used for parking or storage of a motor vehicle.
- 2.11 "CITY" - shall mean the City of North Battleford.
- 2.12 "CITY CLERK" - shall mean the Clerk of the City of North Battleford.
- 2.13 "CLINIC" - means a building or part of a building used for the medical, dental, surgical, or therapeutical treatment of human being, but does not include a public or private hospital or a professional office of a doctor located in his residence.
- 2.14 "COUNCIL" - shall mean the Council of the City of North Battleford.
- 2.15 "DEVELOPMENT" - means 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.
- 2.16 "DRY CLEANING OR LAUNDRY ESTABLISHMENTS" - means a building where dry cleaning, cleaning or pressing of articles or goods of fabric is carried on.
- 2.17 "DRY CLEANING OR LAUNDRY RECEIVING AND DISTRIBUTION STATION" - means a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, cleaning, or laundry elsewhere and for the pressing and distribution of any such articles or goods which have been so treated.
- 2.18 "DUPLEX HOUSE" - shall mean a house comprising two dwelling units, one above the other.

- 2.19 "DOUBLE DUPLEX OR SEMI-DETACHED DUPLEX" - shall mean four dwelling units with two units at ground floor and two units at second floor level.
- 2.20 "DWELLING UNIT" - shall mean one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.
- 2.21 "DWELLING, ONE-FAMILY OR SINGLE FAMILY" - shall mean a detached building consisting of one dwelling unit as herein defined, and occupied or intended to be occupied as the permanent home or residence of one family.
- 2.22 "DWELLING, ONE-FAMILY OR SINGLE FAMILY ATTACHED" - shall mean a building containing only one dwelling unit used or intended to be used as a permanent residence of one family and which is attached on one or both sides to another single family attached dwelling in a series of at least two such dwellings, each of which is or is intended to be individually owned by the resident family, with ownership occurring along registered lot lines or by virtue of the Condominium Property Act.
- 2.23 "DWELLING, TWO FAMILY" - shall mean a building divided into two dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence of one family such as a duplex or semi-detached dwelling.
- 2.24 "DWELLING, MULTIPLE FAMILY" - shall mean a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as the permanent home or residence of one family, and shall include amongst others, double duplexes, terrace or row houses and apartments as distinct from a boarding or lodging house, rooming house, hotel or motel.
- 2.25 "DWELLING, SEMI-DETACHED" - shall mean two dwelling units on the same level sharing a common wall.
- 2.26 "FLOOR AREA" - shall mean the maximum habitable area contained within the outside walls of a building, excluding the case of a dwelling, any private garage, porch, verandah, sun room, unfinished attic or unfinished basement.
- 2.27 "GARAGE, PUBLIC AND SERVICE STATION" - shall mean a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale or display.

- 2.28 "GARAGE, PRIVATE" - shall mean a building or part of a building used or intended to be used for the storage of motor vehicles and have a capacity of not more than two vehicle spaces for each dwelling unit to which the garage is necessary.
- 2.29 "HEIGHT" - means the vertical distance on a building between the established grade and the highest point of the roof of the building.
- 2.30 "HOTEL" - shall mean a building or structure or part of a building or structure kept, used or advertised as a place where sleeping accommodation with or without meals is provided for transient lodgers, and where a guest register or record is kept, but does not include a motel, boarding house, lodging or rooming house, or tourist home.
- 2.31 "HOME OCCUPATION" - shall mean any use or occupation, trade, profession or craft conducted by an occupant of a dwelling unit, for gain or support, which use is accessory, incidental and secondary to the use of the building for dwelling purposes and does not change the residential character or appearance of the building and shall include the following distinct types:
- a) "Bed and Breakfast Home" - shall mean a home occupation conducted from a single detached dwelling in which the proprietor makes available no more than three guest rooms for temporary accommodation of the travelling public and offers one light meal prior to 12:00 noon, to guests temporarily residing in the home. A Bed and Breakfast Home shall not be considered a restaurant, hotel, motel, boarding or rooming house;
 - b) "Personal Service Establishment" - shall mean a home occupation, operated from a single detached residence, requiring daily contact with clientele, including but not limited to doctors, dentists, or other health professionals, accountants, lawyers, seamstresses, tailors, artistic activities involving the sale of produced on site but not including retail sale of other goods, music teachers, publishers, and trades people;
 - c) "Private Office/Studio" - shall mean a home occupation limited to administrative, clerical, professional and artistic activities which do not involve day to day client contact in the home. Typical uses include home crafts, bookkeepers, trades people and catalogue sales where there is no warehousing of good and no client contact in the home;

- d) "Small Appliance Repair" - shall mean home occupations operated from a single detached residence involving the maintenance and repair of small household items including but not limited to, saw and skate sharpening, small tool and appliance repair. This use category does not include automobile repair.
- 2.32 "INSTITUTION" - means a building for a non-commercial purpose by an organized body or society for promoting a particular object; or, an organized body or society of particular purpose other than commercial.
- 2.33 "LANE" - shall mean a secondary public thoroughfare intended primarily to give access to the rear or side of abutting property.
- 2.34 "LOADING SPACE" - means an unencumbered area provided and maintained upon the same site with the principal building and which is used for a suitable temporary parking area for a commercial motor vehicle while goods, materials and equipment are being loaded or unloaded from such a vehicle.
- 2.35 "MAYOR" - shall mean the Mayor of the City of North Battleford.
- 2.36 "MINISTER" - shall mean the Minister of Municipal Affairs for the Province of Saskatchewan.
- 2.37 "MOTEL" - shall mean a series of dwelling units, intended for the use of automobile transients, each unit containing at least a bedroom and bathroom, and each unit having convenient access to a parking space for the use of the occupants.
- 2.38 "MOBILE HOME" - shall mean a trailer coach that is used as a dwelling for permanent or year-round living, and that has water faucets and a shower head or bath tub that may be connected to a water distribution system, and that has a wash basin and water closet that may be connected to a sewerage system.
- 2.39 "MOBILE HOME PARK" - shall mean any tract or parcel of land on which two or more occupied mobile homes are harboured or are permitted to be harboured whether or not a charge is made or paid for the use thereof, and includes any building or structure used or intended to be used as part of the equipment of such mobile home park, but does not include an industrial or construction camp or any such park if a tent or trailer coach that is not a mobile home is also harboured or is permitted to be harboured thereon.

- 2.40 "NON-CONFORMING USE" - shall mean any use of land, building or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zoning district in which it is located.
- 2.41 "PARKING LOT" - shall mean an open area, other than a street used for temporary parking of more than four (4) automobiles and available for public use whether free, for compensation or as an accommodation for clients and customers.
- 2.42 "PARKING SPACE, AUTOMOBILE" - shall mean a space within a building or parking lot for the parking of one (1) automobile including convenient access to a public lane or street.
- 2.42.1 "PARTICIPANT RECREATION SERVICES" - shall mean development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs, health and fitness clubs; curling, roller skating and hockey rinks; swimming pools, archery ranges; bowling alleys and racquet clubs. This use does not include billiard parlors, electronic game arcades or bingo halls.
- 2.43 "ROW HOUSES" - shall mean a building divided into three or more dwelling units located side by side under one roof and sharing party walls.
- 2.43.1 "SECONDHAND STORES" – means development primarily for the retail sale of secondhand or used household and personal goods, including minor repair and preparation of such goods. This use class does not include the sale of used vehicles, recreation craft, or construction and industrial equipment. Typical uses include antique furniture stores, thrift shops and pawnshops.
- 2.44 "SHOPPING CENTRE" - shall mean a group of retail outlets or commercial business establishments or offices developed, owned and operated on single location in a cluster, strip or mall type pattern in which such outlet, business establishments or offices are located together and provide for their mutual benefit the use of off-street parking and other joint facilities.
- 2.45 "SIGN" - means any figures, numbers, emblems, pictures, devices, marks or designs or combinations of such, intended to be visible from other than inside a building, for the purpose of making known any individual, association, business, industry or service, or for advertisement or for directing or obtaining attention.

- 2.46 "SITE" - any parcel of land with fixed boundaries of record as in one title registered in the local Land Titles Office.
- 2.47 "SITE LINE, FRONT" - shall mean the boundary that divides the site from the street. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street.
- 2.48 "SITE LINE, REAR" - shall mean the boundary at the rear of the site and opposite the front site line.
- 2.49 "SITE LINE, SIDE" - shall mean a site boundary other than a front or rear site line.
- 2.50 "SIGHT TRIANGLE" - means that area of a corner lot adjacent to the intersection of the exterior site lines and bounded by such lines for a certain distance from their common point of intersection and the diagonal which joins the two extreme points.
- 2.51 "STREET" - shall mean a public thoroughfare which affords the principal means of access to abutting property.
- 2.52 "STRUCTURE" - shall mean anything that is built, constructed or erected and located on the ground, or attached to something located on the ground.
- 2.53 "TRAILER COURT" - shall mean any land occupied or designed to be occupied by two or more trailer coaches; and shall include any building, structure or enclosure used or intended to be used as part of the operation of a trailer court.
- 2.54 "TRAILER COACH" - shall mean any vehicle having no motive power of its own but drawn or designed to be drawn on any public road by a motor vehicle and used or designed to be used as dwelling or sleeping place for one or more persons. Such a conveyance shall be deemed to be a trailer coach whether mounted on wheels or dismounted from wheels and detached from its conveying vehicle.
- 2.55 "YARD" - shall mean any part of a site unoccupied and unobstructed from the ground to the sky.
- 2.56 "YARD, FRONT" - shall mean a yard extending across the full width of a site between the front line of the site and the nearest main wall of the main building or structure on the site.

- 2.57 "YARD, REAR" - shall mean a yard extending across the full width of the site between the rear line of the site and the nearest main wall of the main building or structure on the site.
- 2.58 "YARD, SIDE" - shall mean a yard extending from the front yard to the rear yard between the side line of a site and the nearest main wall of the main building or structure, exclusive of any chimney breast.

ZONING DISTRICTS

3.0 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purposes and regulations of this Bylaw, the Municipality is hereby divided into nineteen (19) classes of zoning districts to wit:

- RD1 Restricted Development District
- RD2 Restricted Development District
- A1 Agricultural District
- A2 Agricultural District
- R1 Residential District
- R1A Residential District
- R2 Residential District
- R3 Residential District
- R4 Residential District
- R5 Residential District
- R6 Residential District
- C1 Commercial District
- C2 Commercial District
- C3 Commercial District
- C4 Commercial District
- C5 Commercial District
- M1 Industrial District
- M2 Industrial District
- I Institutional District
- M3 Airport Industrial

3.1 BOUNDARIES OF ZONING DISTRICTS

The boundaries of such districts referred to in Part 3, Section 3.0, together with explanatory legend, notation and references, are shown on the map entitled "Zoning District Map". Unless shown otherwise, the boundaries of the districts are lot lines, centre lines of streets, lanes, roads, or such lines extended and the municipal boundaries of the City of North Battleford. In subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

3.2 THE ZONING DISTRICT MAP

The map bearing the statement "This is the Zoning District Map referred to in Bylaw No. 1177", adopted by the City of North Battleford and signed by the Mayor and the City Clerk under the seal of the City; shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this Bylaw, as if embodied herein.

3.3 DISTRICT SCHEDULES

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

3.4 RD1 RESTRICTED DEVELOPMENT DISTRICT

3.4.1 INTENT

To establish and preserve areas of highly restricted development so as to preserve the natural character of the land.

3.4.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an RD1 Restricted Development District, only the following uses shall be permitted:

- a) Wildlife management;
- b) Natural habitat preservation.

3.4.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:

- a) Natural trails;
- b) Nature exhibits;
- c) Municipal utility structures.

3.4.4 ACCESSORY USES

Buildings and structures which are compatible with and accessory to the main buildings or use.

3.5 RD2 RESTRICTED DEVELOPMENT

3.5.1 INTENT

To establish and preserve areas which through careful management may be developed for recreational purposes.

3.5.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an RD2 Restricted Development District, only the following uses shall be permitted:

- a) Outdoor recreational facilities;
- b) Nature trails;
- c) Golf courses;
- d) Picnic grounds and playgrounds.

3.5.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:

- a) Clubhouses for non-profit recreational organizations with principal driveway access to an arterial or collector street;
- b) Municipal utility structures;
- c) Market gardens and tree nurseries and accessory uses and structures to the foregoing agricultural uses except residential buildings or structures.

3.5.4 ACCESSORY USES

Buildings and structures which are compatible with and accessory to the main building or use.

3.6 REGULATIONS FOR RESTRICTED DEVELOPMENT DISTRICTS

3.6.1 SPECIAL REGULATIONS FOR RD1 AND RD2 DISTRICTS

- a) The operation of motorized recreation land vehicles such as snowmobiles, dune buggies, all terrain vehicles, trail bikes ,and all similar modes of recreation vehicles are prohibited in RD1 and RD2 zones.
- b) Non-recreation motorized vehicles are permitted but are confined to travel only on access roads, designated trails, and designated parking areas.
- c) The removal of natural vegetation or the altering of the earth's surface or of water bodies in any manner is prohibited in the RD1 zone except where the action is in keeping with the overall intent of the zoning district and is compatible with the principal uses.
- d) All buildings shall be set back at least 15 meters from the edge of any road allowance.

3.6.2 OFF-STREET PARKING

Off-street parking shall be provided in accordance with the schedule set out in Section 4.8 of this Bylaw.

3.6.3 SIGNS AND BILLBOARDS

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.7 A1 AGRICULTURAL DISTRICT

3.7.1 INTENT

To establish areas of agricultural land for agricultural purposes.

3.7.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an A1 Agricultural District, only the following uses shall be permitted:

- a) Field crops, market gardens and tree nurseries, and any other similar use customarily carried on in the field of agriculture.
- b) Sports fields, parks and other similar uses.
- c) Airports.
- d) Municipal Utility Structures.

3.7.3 ACCESSORY USES

Buildings, structures or uses normally accessory to and located on the same site with the main building or use, including single family dwellings accessory to the principal agricultural use.

3.8 **A2 AGRICULTURAL DISTRICT**

3.8.1 INTENT

To establish and preserve areas of small acreage for agricultural purposes.

3.8.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an A2 Agricultural District, only the following uses shall be permitted:

- a) Field crops, market gardens and tree nurseries.

3.8.3 ACCESSORY USES

Buildings, structures or uses normally accessory to and located on the same site with the main building or use, including single family dwellings accessory to the principal agricultural use.

3.8.4 **USES PERMITTED AT COUNCIL'S DISCRETION**

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by Council and other provisions as may be set out in this Bylaw:

- a) Riding academies and pony pastures;
- b) Buildings, structures or uses accessory to and located on the same site with the riding academies and pony pastures but excluding residential dwellings on the same site.

3.9 **REGULATIONS FOR AGRICULTURAL DISTRICTS**

3.9.1 **SITE REGULATIONS**

<u>Zone</u>	<u>A1</u>	<u>A2</u>
Minimum Site Area	16 hectares	4 hectares
Maximum Number of Dwellings Per Agricultural Holding	2 - One Family Dwellings 1 - Two Family Dwelling	1 - One Family Dwelling 1 - Two Family Dwelling
Minimum Floor Area for Single Family Dwellings	58 sq. m.	58 sq. m.
Minimum Floor Area for Two Family Dwellings	112 sq. m.	112 sq. m.
Building Setback from Road Allowance	15 m.	15 m.

3.9.2 **OFF-STREET PARKING**

Off-street parking shall be provided in accordance with the schedule set out in Section 4.8 of this Bylaw.

3.9.3 **SIGNS AND BILLBOARDS**

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.10 R1 RESIDENTIAL DISTRICT

3.10.1 **INTENT**

To establish and preserve quiet, one family residential neighbourhoods free from other uses except those which are compatible with such a district.

3.10.2 **PERMITTED PRINCIPAL USES**

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an R1 Residential District, only the following uses shall be permitted:

- a) Single family dwellings (Minimum floor area of 89 square meters);
- b) Parks and playgrounds.
- c) Private Office/Studio

3.10.3 **USES PERMITTED AT COUNCIL'S DISCRETION**

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

3.10.3.1 **Recreation**

- a) Tennis courts, public swimming pools, and other similar recreation facilities.

3.10.3.2 **Institutional**

- a) Public, Secondary, Private and Parochial Schools;
- b) Churches, Church Halls and Sunday Schools;
- c) Libraries;
- d) Public buildings;
- e) Community centres, lodges and fraternal organizations.

3.10.3.3 Home Occupation

- a) Bed and breakfast home;
- b) Personal service establishment;
- c) Small appliance repair.

3.10.4 ACCESSORY USES

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

3.11 R1A RESIDENTIAL DISTRICT

3.11.1 INTENT

The intent is the same as for the R1 Residential District.

3.11.2 PERMITTED PRINCIPAL USES

Permitted principal uses shall be the same as in the R1 Residential District.

3.11.3 USES PERMITTED AT COUNCIL'S DISCRETION

Uses permitted at Council's discretion may be the same as in the R1 Residential District.

3.11.4 ACCESSORY USES

Accessory uses shall be the same as in the R1 Residential District.

3.11.5 REGULATIONS

The regulations governing the R1A Residential District shall be the same as those governing the R1 Residential District except that the minimum floor area of dwellings shall be 75 square metres.

3.12 R2 RESIDENTIAL DISTRICT

3.12.1 INTENT

To establish and preserve quiet neighbourhoods of one and two family dwellings and multiple family dwellings free from other uses except those which are compatible with such a district.

3.12.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw on any site in any district defined, designated or described in this Bylaw as an R2 Residential District, only the following uses shall be permitted:

- a) Single family dwellings;
- b) Two family dwellings;
- c) Parks and playgrounds;
- d) Private office/studio;
- e) Boarding and rooming houses.

3.12.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

3.12.3.1 Recreation

- a) Tennis courts, public swimming pools, and other similar recreation facilities.

3.12.3.2 Institutional

- a) Undertaking establishments;
- b) Convalescent homes;
- c) Public, Secondary, Private and Parochial Schools;
- d) Churches, Church Halls and Sunday Schools;
- e) Libraries;
- f) Public buildings;
- g) Community centres, lodges and fraternal organizations.

3.12.3.3 Residential

- a) Planned groups of single family attached or detached dwellings.
- b) Multiple family dwellings

3.12.3.4 Home Occupation

- a) Bed and breakfast home;
- b) Personal service establishments;
- c) Small appliance repair.

3.12.4 ACCESSORY USES

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

3.13 R3 RESIDENTIAL DISTRICT

3.13.1 INTENT

To establish and preserve areas within the City where multiple family dwellings may be allowed and can be selectively inter-graded with single detached dwellings and other attached dwellings to take advantage of the community and commercial facilities located in the central business district.

3.13.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an R3 Residential District, only the following uses shall be permitted:

- a) Single family dwellings;
- b) Two family dwellings;
- c) Boarding and rooming houses;
- d) Private office/studio;
- e) Parks and playgrounds and other similar uses.

3.13.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

3.13.3.2 Home Occupation

- a) Bed and breakfast home;
- b) Personal service establishments;
- c) Small appliance repair.

3.13.3.1 Recreation

- a) Tennis courts, public swimming pools, and other similar recreation facilities.

3.13.3.2 Institutional

- a) Undertaking establishments;
- b) Convalescent homes;
- c) Public, Secondary, Private and Parochial Schools;
- d) Churches, Church Halls and Sunday Schools;
- e) Libraries;
- f) Public buildings;
- g) Community centres, lodges and fraternal organizations.

3.13.3.3 Residential

- a) Multiple family dwellings, apartment buildings.

3.13.3.4 Home Occupation

- a) Bed and breakfast home;
- b) Personal service establishments;
- c) Small appliance repair.

3.13.4 ACCESSORY BUILDINGS

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

3.14 R4 RESIDENTIAL DISTRICT

3.14.1 INTENT

To establish and preserve areas for high rise apartments free from other uses except those which are compatible with such a district.

3.14.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an R4 Residential District, only the following uses shall be permitted:

- a) Multiple family dwellings, apartment buildings;
- b) Parks and Playgrounds, swimming pools, tennis courts and other similar uses;
- c) Private office/studio.

3.14.3 ACCESSORY USES

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

3.14.4 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

3.14.4.1 Institutional

- a) Public, Secondary, Private and Parochial Schools;
- b) Churches, Church Halls and Sunday Schools;
- c) Libraries;
- d) Public buildings;
- e) Community centres, lodges and fraternal organizations.

3.15 R5 RESIDENTIAL DISTRICT**3.15.1 INTENT**

To establish areas for mobile home residential districts free from other uses except those which are compatible with such a district.

3.15.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an R5 Residential District, only the following uses shall be permitted:

- a) Residential mobile homes;
- b) Mobile home parks;
- c) Parks and Playgrounds;
- d) Private office/studio.

3.15.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

3.15.3.1 Recreation

- a) Tennis courts, public swimming pools, and other similar recreation facilities.

3.15.3.2 Institutional

- a) Public, Secondary, Private and Parochial Schools;
- b) Churches, Church Halls and Sunday Schools;
- c) Public Buildings;
- d) Libraries.

3.15.3.3 Home Occupation

- a) Personal service establishments;
- b) Small appliance repair.

3.15.4 ACCESSORY USES

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

3.16 R6 RESIDENTIAL DISTRICT

3.16.1 INTENT

To establish and preserve areas for residential acreage without permitting an intensity of development which would require the provision of urban facilities and services.

3.16.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as an R6 Residential District, only the following uses shall be permitted:

- a) Detached single family dwellings;
- b) Parks and playgrounds and other similar uses;
- c) Home occupations.

3.16.3 Accessory Uses

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

3.17 REGULATIONS FOR RESIDENTIAL DISTRICTS

All buildings or structures hereafter erected, structurally altered, enlarged or maintained on any site in an R1, R1A, R2, R3, R4, R5 and R6 Residential District shall conform to the following regulations:

3.17.1 SITE REGULATIONS

<u>District</u>	<u>R1</u>	<u>R1A</u>	<u>R2</u>
Type of Dwelling	Single Family Detached Dwelling	Single Family Detached Dwelling	Single Family Detached Dwelling
Minimum Front Yard	7.5 m.	7.5 m.	7.5 m.
Minimum Side Yard	1.2 m.	1.2 m.	1.2 m.
Minimum Rear Yard	Not Less than 25% of the depth of the lot and need not exceed 9 m.	Not Less than 25% of the depth of the lot and need not exceed 9 m.	Not Less than 25% of the depth of the lot and need not exceed 9 m.
Minimum Site Frontage	15 m.	15 m.	15 m.
Minimum Site Area	557 sq. m.	557 sq. m.	557 sq. m.
Maximum Site Coverage of Accessory Buildings	10.4%	10.4%	10.4%
Minimum Floor Area of Dwellings	89 sq. m.	75 sq. m.	58 sq. m.
Maximum Height of Main Buildings	10.5 m.	10.5 m.	10.5 m.
Maximum Site Coverage of Main Buildings	35%	35%	35%

<u>District</u>	<u>R2</u>	<u>R2</u>	<u>R3</u>
Type of Dwelling	Two Family Dwelling	Multiple Family Dwelling	Single Family Detached Dwelling
Minimum Front Yard	7.5 m.	7.5 m.	7.5 m.
Minimum Side Yard	1.2 m.	1.2 m. but the sum of the two side yards shall equal not less than 3.6 m.	1.2 m.
Minimum Rear Yard	Not Less than 25% of the depth of the lot and need not exceed 9m.	Not Less than 25% of the depth of the lot and need not exceed 9 m.	Not Less than 25% of the depth of the lot and need exceed 9 m.
Minimum Site Frontage	8.5 m. per dwelling unit with lane 10.5 m. per dwelling unit otherwise	22 m.	15 m.
Minimum Site Area	225 sq. m. per dwelling unit with lane 315 sq. m. per dwelling unit without lane	557 sq. m. plus 93 sq. m. for every dwelling in excess of two	557 sq. m.
Maximum Site Coverage of Accessory Buildings	10.4%	10.4%	10.4%
Minimum Floor Area of Dwellings	56 sq. m.	112 sq. m. plus 37 sq. m. for each dwelling unit in excess of two	58 sq. m.

<u>District</u>	<u>R2</u>	<u>R2</u>	<u>R3</u>
Maximum Height of Main Buildings	10.5 m.	10.5 m.	10.5 m.
Maximum Site Coverage of Main Buildings	35%	40%	35%

<u>District</u>	<u>R3</u>	<u>R3</u>	<u>R4</u>
Type of Dwelling	Two Family Dwellings	Multiple Family	Multiple Family
Minimum Front Yard	7.5 m.	7.5 m.	7.5 m.
Minimum Side Yard	1.2 m.	1.2 m. but the sum of the two side yards shall equal not less than 3.6 m.	1.2 m. but the sum of the two side yards shall equal not less than 3.6 m.
Minimum Rear Yard	Not Less than 25% of the depth of the lot and need not exceed 9 m.	6 m. or a rear yard of equivalent area	6 m. or a rear yard of equivalent area
Minimum Site Frontage	8.5m. per dwelling unit with lane 10.5m. per dwelling unit otherwise	22 m.	22 m.

<u>District</u>	<u>R3</u>	<u>R3</u>	<u>R4</u>
Minimum Site Area	*255 sq.m. per dwelling unit with lane *315 sq. m. per dwelling unit otherwise	836 sq. m. plus 69.5 sq.m. for each dwelling unit in excess of twelve	836 sq.m. plus 69.5 sq.m. for each dwelling unit in excess of twelve
Maximum Site Coverage of Accessory Buildings	10.4%	10.4%	10.4%
Minimum Floor Area of Dwellings	56 sq. m.	112 sq.m. plus 37 sq.m. for each dwelling unit in excess of two	112 sq.m. plus 37 sq.m. for each dwelling unit in excess of two
Maximum Height of Main Buildings	10.5 m.	12 m.	----
Maximum Site Coverage of Main Buildings	35%	40%	50%

<u>DISTRICT</u>	<u>R5</u>	<u>R5</u>	<u>R6</u>
Type of Dwelling	Single Wide Mobile Home	Double Wide Mobile Home	Single Family Detached Dwelling
Minimum Front Yard	4.5 m.	7.5 m.	7.5 m.
Minimum Side Yard	1.2 m.	1.2 m.	1.5 m.
Minimum Rear Yard	4.5 m.	7.5 m.	Not Less than 25% of the depth of the lot and need not exceed 9 m.
Minimum Site Frontage	15 m.	15 m.	30 m.
Minimum Site Area	557 sq. m.	557 sq. m.	.4 hectares
Maximum Site Coverage of Accessory Buildings	10.4%	10.4%	10.4%
Minimum Floor Area of Dwellings	58 sq. m.	58 sq. m.	89 sq. m.
Maximum Height of Main Buildings	---	---	10.5 m.
Maximum Site Coverage of Main Buildings	35%	35%	35%

3.17.2

OFF-STREET PARKING

Off-street parking shall be provided in accordance with the schedule set out in Section 4.8 of this Bylaw.

3.17.3 SIGNS AND BILLBOARDS

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.17.4 ACCESSORY BUILDINGS

- a) Accessory buildings shall not be in excess of one storey in height and shall be not more than four (4) metres from the floor to the peak; provided however, that all applications for construction of accessory buildings in excess of four (4) metres in height, shall be approved at the discretion of Council and shall be in conformance with the residence on the same site.
- b) There shall be a clear distance of at least .6 metres between the lot line and the wall of the accessory building;
- c) Where the entrance and/or exit of a garage hereafter erected faces a lane there shall be a clear distance of at least 1.5 meters between the site line abutting the lane and the nearest wall of the garage.
- d) Where the entrance and/or exit of a garage hereafter erected faces a street or roadway adjacent to a side site line, there shall be a clear distance of at least 4.5 meters between the side site line abutting the street or roadway and the nearest wall.
- e) In the R5 Residential District all accessory buildings or structures shall be designed and clad in keeping with the original mobile home.
- f) In any required front yard, in any residential district, only the following structures are permitted:
 - i) fences
 - ii) lighting fixtures
 - iii) sidewalks
 - iv) driveways

- g) In any side yard, in any residential district, only the following structures are permitted:
 - i) all structures listed in f)
 - ii) private garages
 - iii) decks
 - iv) patios
 - v) terraces
 - vi) storage sheds

3.17.5 PARKING LOTS

Land in residential districts may be used for the purpose of parking lots, accessory to a use permitted in a residential or business district, provided that:

- a) There shall be no repair, service, sale or display of vehicles or merchandise thereon;
- b) The parking lot shall be hard-surfaced or graveled; shall be properly drained and shall abut on a street or lane;
- c) The parking lot shall be located on the same site of the business or residential use to which it is accessory;
- d) Exterior lighting shall be shielded so as to divert the light away from adjacent premises;
- e) A suitable car stop shall be provided around the perimeter of the parking lot, excepting entrances and exits, so that vehicles will not encroach on abutting property, streets or lanes.

3.17.6 PLANNED GROUPINGS OF SINGLE FAMILY ATTACHED OR DETACHED DWELLINGS

- a) A complete set of plans must be submitted to the City of North Battleford indicating the site layout including off-street parking, open space, play areas and building elevations.
- b) The individual dwelling houses shall be substantially equivalent in square footage and value to others existent or permitted in the area.
- c) City Council must be satisfied that the planned grouping is compatible physically and functionally with the environs and is adequately buffered from any adjacent properties where a conflict could occur.

- d) Site area, frontage, front, rear and side yard regulations otherwise contained in this bylaw shall not be applied except as provided in this section; all other provisions of this bylaw not specifically covered by this section shall apply.
- e) A minimum of 10% of the site shall be developed for communal or public open space where the site is intended to be registered under *The Condominium Property Act*.
- f) For lots intended for individual ownership the following yard setbacks shall be required:
 - i) Side yard adjacent a lane shall be not less than one-half the adjacent wall height or 1.8 meters, whichever is greater.
 - ii) Side yard adjacent a public street or abutting property not included in the planned groupings shall be not less than 3.6 meters.
 - iii) A minimum of 3 meters shall be provided between series of attached dwellings.
 - iv) Front yard shall be not less than 6 meters.
 - v) Rear yard shall be not less than 13.7 meters where off-street parking is provided in the rear yard and not less than 7.6 meters otherwise.
 - vi) Lot frontage shall be not less than 6 meters.
- g) For sites intended to be registered under *The Condominium Property Act* the following site regulations shall apply:
 - i) All dwellings shall be set back from a street not less than 4.5 meters where adjacent lots are oriented so that the narrow portion of the lot is perpendicular to the street and not less than 7.6 meters where the adjacent property is oriented so that the narrow portion of the lot is parallel to the street.
 - ii) All dwellings shall be set back from a lane or abutting private property not included in the planned grouping not less than 6 meters except that the Council, having regard for the circumstance, may waive this requirement in favour of not less than 4.5 meters.

- iii) Not less than 3 meters shall be provided between series of attached dwellings.
- iv) Where an internal system of vehicle access forms part of the planned group, the access shall be not less than 9 meters wide and dwellings shall be set back not less than 6 meters therefrom.

3.17.7 INSTITUTIONAL

Institutional uses are permitted in certain residential districts conditionally upon the approval of City Council and subject to the following conditions:

- a) A complete set of plans must be submitted to the City of North Battleford indicating site layout including off-street parking, open space, buffers, and building facias;
- b) The individual buildings will conform to the same regulations as outlined in the I Institutional District schedule and any other provisions of this Bylaw pertaining to institutional uses.
- c) All adjacent property owners to the proposed institutional development shall be notified by the City of North Battleford of any such development proposal through registered mail prior to the passage of any resolution by Council approving the proposed development.
- d) Property owners who have been notified about the proposed development and who have any objections to such development, may through written submission inform Council of such objections within fourteen days of having received notice and Council will consider such submissions in making its decision.

3.17.8 HOUSE SIZES

The size of houses located in all residential areas or to be constructed in any residential area shall be established by perimeter measurement above the ground level. In the case of two-storey houses, the minimum ground floor area shall be 58 square metres. These regulations shall apply in all residential zones.

3.17.9 MULTIPLE FAMILY DWELLINGS AND APARTMENTS

Where multiple family dwellings or apartments are allowed as discretionary uses, the site regulations specified in Section 3.17.1 shall apply within the zoning district except where Council waives all or part of those regulations. In addition, Council may specify all, or part of the following standards, to the intended development.

- a) Notwithstanding Section 3.17, a minimum side yard of 3.6 metres but not less than $\frac{1}{2}$ of the adjacent wall heights shall be provided adjacent to any public street.
- b) A minimum of 25% of the site area should be soft landscaped. Where private amenity space is provided, it may be included in the calculation of the landscaping requirement.
- c) Notwithstanding Section 3.17.5, parking stalls should be located in the rear yard of a site or a side yard not abutting a street.
- d) Parking lots shall be hard surfaced to the satisfaction of City Council.
- e) Garbage containers shall be suitable screened from view and be placed in locations convenient for pickup.
- f) Apartments shall be buffered from adjacent properties by suitable fencing or screening in conformance with part 4.12 of this bylaw.

3.17.10 CRITERIA FOR LOCATION OF APARTMENTS

In addition to the aforementioned regulations concerning walk-up apartments. Council may use the following criteria in determining if a proposed location for an apartment building is appropriate in R-2 and R-3 zones.

- a) An apartment should be located on or have good access to an arterial or a collector street.
- b) An apartment should be located with an orientation which protects the privacy of adjacent sites.
- c) The design of an apartment should be in harmony with the existing neighborhood.

- d) Apartments should not be located in a residential area that is predominantly single-family detached housing and is clearly in a stable or non-transitional state.

3.17.11 HOME OCCUPATIONS

- a) The dwelling in which a home occupation is conducted shall be the principal residence of the proprietor;
- b) The use shall be located entirely within a residential building or structure and there shall be no outside storage of materials or equipment associated with the use;
- c) The peace, quiet and dignity of the neighborhood shall not be disturbed by dust, smoke, odor, vapor, vibration, noise, glare, excess traffic generation or any other public nuisance created by the use;
- d) There shall be no mechanical or electrical equipment used which creates visible or audible interference radio or television reception;
- e) The maximum number of persons employed on the premises shall not exceed three; one of which need not be a resident of the premises;
- f) In addition to offstreet parking which is required for the principal residential use, the Council may require up to two additional parking spaces for the use of staff and patrons. Required parking shall be developed in the rear or side yard of a site unless otherwise approved by the Council;
- g) All permits issued for home occupation shall expire on December 31 in the year issued and be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the use is or has become detrimental to the amenities of the neighborhood.

3.18 C1 COMMERCIAL DISTRICT

3.18.1 INTENT

To establish and preserve a central business district convenient and attractive for a wide range of retail uses and business, government and professional offices and places of amusement in a setting conducive to and safe for a high volume of pedestrian traffic.

3.18.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site, in any district defined, designated or described in this Bylaw as a C1 Commercial District, only the following uses shall be permitted:

3.18.2.1 Commercial

- a) Retail stores;
- b) Banks and other financial institutions;
- c) Business and government offices;
- d) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repairs and similar types of personal service establishments;
- e) Restaurants, confectioneries and other places for the sale and consumption of food and related items;
- f) Medical and dental offices and clinics;
- g) Telegraph offices, express offices, radio and television stations;
- h) Undertaking establishments;
- i) Service Stations; and other establishments for the servicing, storage and sale of motor vehicles and recreation equipment.
- j) Bus Terminals;
- k) Hotels, motels;
- l) Printing plants, newspaper offices, photography studios;
- m) Licenced beverage rooms and other places for the sale and consumption of beer, wine, and spirits with or without food;
- n) Real Estate offices;
- o) Theatres and cinemas and commercial recreation establishments excluding curling and skating rinks;
- p) Bakeries;

- q) Retail - Wholesale Stores.
- r) Automatic and coin-operated car washes.
- s) Emergency services including ambulance, police and fire stations.

3.18.2.2 Residential

- a) Dwelling units within the same structure or above or attached to stores and commercial establishments.

3.18.2.3 Institutional

- a) Churches, Church Halls and Sunday Schools;
- b) Health clinics, hospitals, convalescent homes;
- c) Libraries;
- d) Public buildings;

3.18.3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw.

- a) Apartment buildings, multiple-family buildings.
- b) Single-family detached dwellings.
- c) Community centres, assembly halls, lodges, social and fraternal organizations.
- d) Amusement establishments.
- e) Homeless shelters.
- f) Warehouses and supply depots.

3.18.4 ACCESSORY USES

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

3.19 C2 COMMERCIAL DISTRICT

3.19.1 INTENT

To establish and preserve areas for commercial facilities in close proximity to residential areas in a manner compatible with the needs of the neighbourhood.

3.19.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw on any site, in any district defined, designated or described in this Bylaw as a C2 Commercial District (Neighbourhood Shopping) only the following uses shall be permitted;

3.19.2.1 Commercial

- a) Banks, and studios;
- b) Bakeries with retail sales;
- c) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repairs and other types of personal service establishments;
- d) Medical and dental offices;
- e) Restaurants, confectioneries, supermarkets and other similar places for the sale and consumption of food and related items.

3.19.2.2 Institutional

- a) Churches, Church Halls;
- b) Lodges, Fraternal Organizations;
- c) Libraries, Cultural Centres.

3.19.3 ACCESSORY USES

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

3.19.4 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:.

- a) Offices and retail stores not listed as permitted uses.
- b) Participant Recreation Services.

3.20 C3 - COMMERCIAL DISTRICT

3.20.1 INTENT

To establish and preserve highway commercial areas for establishments which serve the travelling public or which require a high level of accessibility and substantial parking facilities.

3.20.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this Bylaw as C3 Commercial District (Highway Commercial) only the following uses shall be permitted:

3.20.2.1 Commercial

- a) Bus terminals;
- b) Hotels, motels, motor hotels;
- c) Service stations and other establishments for the servicing, storage and sale of motor vehicles and trailers, farm equipment, *industrial machinery and equipment*, recreation equipment and mobile homes.
- d) Restaurants, confectioneries, supermarkets and other places for the sale and consumption of food and related items;
- e) Theatres, dance halls, amusement parks and other recreation establishments;
- f) Veterinary hospitals for small animals with the confinement of animals restricted to indoors;
- g) Automatic car wash establishments;
- h) Auction markets;
- i) Commercial entertainment establishments;
- j) Emergency services including ambulances, police and fire stations;
- k) Licensed beverage rooms;
- l) Personal service establishments including dry-cleaning establishments, barber shops and other similar uses;
- m) Commercial service establishments including shops for the repair of commercial items, advertising, publishing and printing services and other similar uses;
- n) Convention facilities.
- o) Undertaking establishments.

3.20.3 ACCESSORY USES

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

3.20.4 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:

- a) Offices
- b) Retail stores
- c) Amusement establishments
- d) Secondhand stores

3.21 C4 COMMERCIAL DISTRICT

3.21.1 INTENT

To establish and preserve areas for shopping centres where groups of retail outlets, commercial establishments or offices developed, owned and operated on single location together can provide for their mutual benefit through the use of off-street parking and other joint facilities.

3.21.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw on any site, in any district defined, designated or described in the Bylaw as a C4 Commercial District (Shopping Centres) only the following uses shall be permitted singly or in a combination:

3.21.2.1 Commercial

- a) Stores and shops conducting a retail business similar to those listed below including combinations of any or all of the following:
 - i) Department stores;
 - ii) Clothing and dry goods stores;
 - iii) Drug stores;
 - iv) Furniture and appliance stores;
 - v) Grocery stores;
 - vi) Hardware stores;
 - vii) Shoe stores;
 - viii) Sporting goods stores including outdoor recreation equipment;
 - ix) Variety and jewellery stores.
- b) Bakeries with retail sales;
- c) Barber and beauty shops;
- d) Dry cleaning and receiving stations for dry cleaning and laundry establishments;
- e) Eating establishments, restaurants, cafes, lunch counters, bars, cocktail lounges or coffee houses;
- f) Financial institutions, banks and credit unions;
- g) Medical clinics, dental clinics, optometrists and other professional services;
- h) Recreation facilities such as bowling alleys and billiard parlors;
- i) Real Estate, travel and insurance agents;
- j) Theatres and cinemas;
- k) Offices;
- l) Service stations;
- m) Lumber yards.

3.21.3 ACCESSORY USES

No accessory buildings shall be permitted.

3.22 C5 COMMERCIAL DISTRICT**3.22.1 INTENT**

To establish and preserve general business areas and commercial areas where a high volume of motor vehicle traffic and bulk movement of goods may occur.

3.22.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site in any district defined, designated or described in this Bylaw as a C5 Commercial District (General Business) only the following uses shall be permitted:

3.22.2.1 Commercial

- a) Lumber and building supply establishments;
- b) Bottling works, milk plants and food storage plants;
- c) Warehouses and supply depots;
- d) Service stations and other establishments for the servicing, storage, and sale of motor vehicles, trailers, farm and industrial machinery and equipment, mobile homes and recreation equipment;
- e) Laundry and dry cleaning establishments;
- f) Drive-in restaurants, motels and hotels;
- g) Bakeries;
- h) Machine shops;
- i) Motels, motor hotels;
- j) Manufacturing and processing plants that are not of an obnoxious or offensive nature;
- k) C1 to C3 Commercial District uses.

3.22.2.2 Institutional

- a) All institutional uses permitted in the C1 Commercial District.
- b) Community Centres, lodges and fraternal organizations.

3.22.3 Accessory

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

3.22.4 USES PERMITTED AT COUNCIL’S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this bylaw.

- a) Single-family detached dwellings.
- b) Amusement establishments.
- c) Secondhand stores.
- d) Homeless shelters.

3.23 REGULATIONS FOR COMMERCIAL DISTRICT

All buildings or structures hereafter erected, structurally altered, enlarged or maintained in a C1, C2, C3, C4 and C5 Commercial District shall conform to the following regulations.

3.23.1 SITE REGULATIONS

<u>District</u>	<u>C1</u>	<u>C1</u>
Type of Establishment	Service Stations Car Washes	All other uses
Minimum Front Yard	7.5 m.	Nil
Minimum Side Yard	Where the side of a site abuts any Residential District, a side yard of at least 1.5 m. shall be provided.	Nil
Minimum Rear Yard	3 m. where a C1 Commercial District abuts any Residential District without an intervening lane or street.	Nil

Minimum Site Area	1630 sq. m.	278 sq. m.
Minimum Site Frontage	45 m.	7.5 m.
<u>District</u>	<u>C1</u>	<u>C1</u>
Maximum Site Coverage of Main Building	---	---
Minimum Site Depth	---	---
<u>District</u>	<u>C2</u>	<u>C2</u>
Type of Establishment	Service Stations	All other uses
Minimum Front Yard	7.5 m.	16.7 m.
Minimum Side Yard	3 m.	Nil
Minimum Rear Yard	10% of the depth of the site	10% of the depth of the site
Minimum Site Area	1630 sq. m.	278 sq. m.
Minimum Site Frontage	45 m.	7.5 m.
Maximum Site Coverage of Main Building	---	---
Minimum Site Depth	---	---

<u>District</u>	<u>C3</u>	<u>C4</u>
Type of Establishment	All Uses	Shopping Centres
Minimum Front Yard	7.5 m.	15 m.
Minimum Side Yard	3 m.	7.5 m.
Minimum Rear Yard	10% of the depth of the site	6 m.
Minimum Site Area	1912 sq. m.	5400 sq. m.
Minimum Site Frontage	45 m.	90 m.
Maximum Site Coverage of Main Building	35%	---
Minimum Site Depth	42.5 m.	---
<u>District</u>	<u>C5</u>	<u>C5</u>
Type of Establishment	Service Station	All other uses
Minimum Front Yard	7.5 m.	---
Minimum Side Yard	Where the side of a site abuts any Residential District, a side yard of at least 1.5m. shall be provided.	Where the side of a site abuts any Residential District, a side yard of at least 1.5m. shall be provided.
Minimum Rear Yard	3 m. where a C1 Commercial District abuts any Residential District without an intervening lane or street	3 m. where a C1 Commercial District abuts any Residential District without an intervening lane or street

Minimum Site Area	1630 sq. m.	278 sq. m.
Minimum Site Frontage	45 m.	7.5 m.
Maximum Site Coverage of Main Buildings	---	---
Minimum Site Depth	---	---

3.23.2 OFF-STREET PARKING

Off-street parking shall be provided in accordance with the schedule set out in Section 4.8 of this Bylaw.

3.23.3 SIGNS AND BILLBOARDS

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.23.4 LOADING AND UNLOADING SPACES - C4 COMMERCIAL DISTRICT (SHOPPING CENTRES)

Loading and unloading spaces at shopping centres or enclosed shopping malls, a minimum of one off-street loading and/or unloading space shall be provided for each 929 square metres of floor area or any portion thereof providing off-street loading and/or unloading spaces. The off-street loading and/or unloading area or spaces are not to be included in customer parking.

3.23.5 ACCESS TO DWELLINGS ABOVE STORES AND OFFICES

Access to Dwellings above stores and offices in any Commercial District shall not be through such stores and offices nor shared with them, but shall be by means of separate entrances leading directly to the dwellings.

3.23.6 OFF-STREET LOADING AND UNLOADING

Off-street loading and unloading space must be provided in conformity with the schedule set out in Section 4.9 of this Bylaw.

3.23.7 STORAGE OF GOODS AND MATERIALS

In all Commercial Districts, the storage of all goods and materials shall be wholly within an enclosed building except in the case of garden centres where plants and garden supplies may be stored outside.

3.23.8 DISCRETIONARY USE REGULATIONS

Single-family detached dwellings are permitted in certain commercial districts conditionally upon the approval of Council and subject to the following conditions:

- a) The individual buildings will conform to the regulations contained in Section 3.17 REGULATIONS FOR RESIDENTIAL DISTRICTS, as they relate to dwellings located in R2 Residential Districts.

3.24 M1 INDUSTRIAL DISTRICT**3.24.1 INTENT**

To establish and preserve areas for light industrial and related uses of such a nature that they do not create serious problems such as excessive noise, vibrations, odours or fumes which are incompatible with other land uses.

3.24.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw, on any site, in any district defined, designated or described in this Bylaw as M1 Industrial District, only the following uses shall be permitted:

3.24.2.1 Industrial

- a) Establishments for the servicing, repair, reconstruction, storage and sale of motor vehicles, mobile homes, recreation equipment, trailers, farm and industrial machinery and equipment;
- b) Lumber and building supply establishments;
- c) Laundries, dry cleaning establishments;
- d) Warehouses and supply depots;

- e) Machine shops, shops of plumbers, pipe fitters, metal workers and auto body shops;
- f) Grain elevators, feed mills and seed cleaning plants;
- g) Bus, railway and other transportation terminals and yards;
- h) Service stations;
- i) Manufacturing and processing plants that are not of an obnoxious or offensive nature;
- j) Automatic car wash establishments;
- k) Bulk oil storage, coal yards, gravel yards, lumber yards, builder's yards, propane gas sales establishments;
- l) Creamery and milk plants, carbonated beverages and bottling plants;
- m) Restaurants, confectioneries and other places for the sale and consumption of food and related items.
- n) Auction markets.
- o) Secondhand stores.

3.24.3 ACCESSORY USES

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

3.25 M2 INDUSTRIAL DISTRICTS

3.25.1 INTENT

To establish and preserve areas for heavy industrial and related uses and other uses that may require isolation from many other kinds of land uses.

3.25.2 PRINCIPAL PERMITTED USES

Subject to all other provisions of this Bylaw, on any site, in any district defined, designated or described in this Bylaw as an M2 Industrial District only the following uses shall be permitted:

3.25.2.1 Industrial

- a) Abattoirs;
- b) Junk storage yards, stock yards;
- c) Tanneries and hide storage yards;
- d) Manufacturing, processing and packing plants;
- e) Foundry works, boiler works;
- f) Bulk oil storage, coal yard, gravel yards, propane gas sales establishments;
- g) All M1 Industrial District uses;
- h) Storage yards;
- i) Bus, railway and other transportation terminals and yards;
- j) Veterinary hospitals for small and large animals with the confinement of animals permitted outdoors.

3.25.3 ACCESSORY USES

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

3.25.4 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by City Council and only in locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:

- a) Adult Commercial Recreation Establishments.

3.26 REGULATIONS FOR INDUSTRIAL DISTRICTS

All buildings or structures hereafter erected, structurally altered, enlarged or maintained in an M1 and M2 Industrial District shall conform to the following regulations:

3.26.1 SITE REGULATIONS

<u>District</u>	<u>Minimum Front Yard</u>	<u>Minimum Side Yard</u>	<u>Minimum Rear Yard</u>	<u>Minimum Site Frontage</u>	<u>Minimum Site Area</u>	<u>Maximum Site Coverage</u>
M1	7.5 m.	3 m.	7.5 m.	30.4 m.	1114.8 sq. metres	---
M2	7.5 m.	---	---	30.4 m.	1114.8 sq. metres	60%

Service Stations in both M1 and M2 Industrial Districts shall have a minimum site frontage of 45 m.

3.26.2 OFF-STREET PARKING

Off-street parking shall be provided in conformity with the schedule set out in Section 4.8 of this Bylaw.

3.26.3 OFF-STREET LOADING AND UNLOADING

Off-street loading and unloading space must be provided in conformity with the schedule set out in Section 4.9 of this Bylaw.

3.26.4 SIGNS AND BILLBOARDS

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.27 I INSTITUTIONAL

3.27.1 INTENT

To establish and preserve areas for certain public and institutional uses.

3.27.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of this Bylaw on any site, in any district defined, designated or described in this Bylaw in an I Institutional District, only the following uses shall be permitted:

3.27.2.1 Institutional

- a) Public, Secondary, Private and Parochial Schools, and other educational institutions;
- b) Churches, Church halls, Sunday Schools, Religious institutions;
- c) Libraries, cultural institutions;
- d) Public buildings and offices of federal, provincial and municipal governments;
- e) Hospitals, medical institutions;
- f) Community centres, lodges, fraternal organizations;
- g) Homes for the aged, convalescent homes;
- h) R.C.M.P. barracks and offices;
- i) Fairgrounds, exhibition grounds.

3.27.3 ACCESSORY USES

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

3.28 **REGULATIONS - I INSTITUTIONAL DISTRICT**

All buildings or structures hereafter erected, structurally altered, enlarged or maintained in an I Institutional District shall conform to the following regulations:

- a) Site area - minimum - none
- b) Site frontage - minimum - none
- c) Yard, front - minimum - 7.5 metres
- d) Yard, side - minimum - on each side of the main building of a width not less than half the height of the building, but such side yard shall not be less than 3 metres.
- e) Yard, rear - minimum - 7.5 metres or 25% of the depth of the site, whichever is the greater.

3.28.1 OFF-STREET PARKING

Off-street parking shall be provided in conformity with the schedule set out in Section 4.8 of this Bylaw.

3.28.2 OFF-STREET LOADING AND UNLOADING

Off-street loading and unloading space must be provided in conformity with the schedule set out in Section 4.9 of this Bylaw.

3.28.3 SIGNS AND BILLBOARDS

Signs and billboards shall be permitted in accordance with the schedule set out in Section 4.11 of this Bylaw.

3.29 M3 - AIRPORT INDUSTRIAL DISTRICT

3.29.1 INTENT

To establish and preserve areas for light industrial and related uses of such a nature that they do not affect or are not affected by the North Battleford Airport Operations.

3.29.2 PERMITTED PRINCIPAL USES

Subject to all other provisions of the Bylaw, on any site, in any District defined, designated or described in this Bylaw as M3 - Airport Industrial District, only the following uses shall be permitted:

3.29.2.1 Industrial

- a) Establishments for the servicing, repair, storage and sale of motor vehicles, mobile homes, recreation equipment and trailers;
- b) Fully enclosed lumber and building supply establishments;
- c) Laundries, dry cleaning establishments;
- d) Warehouses and supply depots and associated retail outlets;
- e) Fully enclosed shops of plumbers, pipe fitters, metal workers and carpenters;
- f) Bus, taxi and car rental depots;
- g) Service stations;
- h) Car wash establishments;
- i) Restaurants, confectioneries and other places for the sale and consumption of food and related items, including Drive-In food service establishments;
- j) Public utility facilities.

3.29.3 PROHIBITED USES

The following uses among others shall be strictly prohibited:

- a) Communication towers and antennas.
- b) Junk yards, salvage yards or automobile wrecking yards, scrap iron, scrap paper, or rag storage, sorting or bailing yards.
- c) Gas manufacturing, bulk storage or the filling of gas cylinders.
- d) Arsenals or gunpowder manufacture or storage.
- e) Distilleries.
- f) Petroleum products, refining or wholesale storage or explosive derivatives thereof.
- g) Food processing plants.
- h) Seed cleaning plants, elevators and stock yards.
- i) All uses of land and uses of buildings and land and industrial processes that may be noxious or injurious or which constitute a nuisance by reason of the production or emission of dust, smoke, refuse, matter, odor, gas, fumes, noise, vibration or other similar substances or conditions, which could interfere with airport operations.

3.29.4 ACCESSORY USES

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

3.29.5 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution passed by Council and only on locations specified in such a resolution and subject to conditions specified by the Council and other provisions as may be set out in this Bylaw:

- a) Detached dwelling units accessory to permitted uses.
- b) Day Care Centers and Nurseries.
- c) Hotels and Motels.

- d) Recreational facilities.
- e) Manufacturing and processing plants that are not of an obnoxious or offensive nature; excluding any operations that could produce excessive amounts of dust, steam, smoke or other emissions that could interfere with airport operations.

3.29.6 LANDSCAPING

The following landscaping regulations shall apply to all sites in the M3 Airport Industrial District:

- a) A landscaped strip of not less than six (6) metres in width parallel to the front site line shall be provided on every site.
- b) Details on the landscaping to be shown on a plan which must be submitted when application is made for a building permit.
- c) Landscaping shall be developed within one year of the approval of the building permit.
- d) No area for parking, loading or storage shall be permitted within such landscaped area provided that this shall not prohibit the use of the area or a portion of the front yard for such walks or driveways as may be necessary.
- e) The landscaped strip shall be maintained in a neat, tidy manner at all times.
- f) On corner lots, in addition to the landscaping required in the front yard, a landscaped strip not less than 1.5 metres in width or a fence shall be provided along the flanking street.

3.29.7 OFF STREET PARKING, LOADING AND STORAGE

- a) Off-street parking shall be provided in conformity with the schedule set out in Section 4.8 of the Zoning Bylaw No. 1177.
- b) Areas shall be provided for off-street loading and unloading.
- c) All areas to be used for off-street vehicular traffic and parking, except where such areas are not visible from a street, shall be graded, gravelled and maintained.
- d) Outside storage areas shall be restricted to side and rear yards and shall be suitably screened from any public street.

3.29.8 SITE REGULATIONS

All buildings or structures hereafter erected, structurally altered, enlarged or maintained in an M3 - Airport Industrial District shall conform to the following site regulations.

<u>Minimum Front Yard</u>	<u>Minimum Side Yard</u>	<u>Minimum Site Frontage</u>	<u>Minimum Site Area</u>
7.5 m.	(one side only) 3 m.	20 m.	700 sq.m.

GENERAL REGULATIONS

4.1 MINIMUM YARDS REQUIRED

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

4.2 PROJECTION IN YARDS

Where minimum front or rear yards are required in any Zoning District, such minimum requirement shall not apply to prevent the construction or location of a roofed or open terrace, porch or verandah having a maximum projection from the main wall of 1.8 metres.

4.3 BUILDING LINES

Where a building line has been established in any residential district by existing buildings in a block, and is less than 7.5 metres from the street line, new construction may conform to the established building line, provided that the minimum front yard shall be not less than 4.5 metres from the street line to the building line.

4.4 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Not more than one principal building shall be placed on any one site in Industrial Zones.

4.5 USES PERMITTED AT COUNCIL'S DISCRETION

Cemeteries, homes for the aged, drive-in theatres, amusement parks, recreation complexes and any other uses not specifically spelled out in this Bylaw may be located in any zoning district, but only by resolution of Council and only in locations specified in such resolution of Council.

Where established by resolution, such uses must conform with the regulations pertaining to that district.

4.6 GARAGES AND CARPORTS

Garages and carports attached to main buildings by a substantial roof structure shall be considered as part of the main building and shall be subject to the regulations for the main building.

4.7 SERVICE STATIONS

- a) Service stations shall have a minimum frontage of 45 metres.
- b) Service stations shall be separated from any Residential Zone by a public lane, or by a strip of land three (3) metres wide.
- c) Pumps and other devices shall be located at least six (6) metres from any street or lot line.
- d) All automobile parts, dismantled vehicles and similar articles shall be stored within a building, except those sites located in an Industrial District.

4.8 OFF-STREET PARKING

There shall be provided off-street parking for motor vehicles in accordance with the following schedule:

	<u>Use</u>	<u>Space Required</u>
4.8.1	Residential	1 for each dwelling unit
4.8.2	Boarding houses, dormitories	1 for each dwelling unit
4.8.3	Homes for the aged, convalescent homes	3 for every 4 dwelling units
4.8.4	Elementary schools	1 for each staff member
4.8.5	Secondary schools	1 for each staff member plus six (6) for each classroom

4.8.6	Auditoriums, theatres, churches and other places of public assembly	1 for each 10 seats provided for patrons
4.8.7	Other Institutional buildings	1 for every 37 sq. m. of gross floor area
4.8.8	Offices	1 for each 37 sq. m. of gross floor area
4.8.9	Restaurants, licensed lounges, licensed beverage rooms	1 for each 4 seats
4.8.10	Hotels, motels, motor hotels	1 for each unit
4.8.11	Retail stores and service establishments	1 for every 14 sq. m. of floor space and outdoor sales space
4.8.12	Warehouses and industrial plants	1 for every 37 sq. m. of gross floor area or one space for each three (3) employees on the premises at any one time, whichever is greater
4.8.13	a) Shopping Centre Uses - restaurants, cafes, lunch counters, beverage rooms, cocktail lounges and coffee houses	One (1) space for every four seats
	b) All other uses in a shopping centre	One (1) space for every 23 sq. m. of leasable floor area.
4.8.14	In Districts R1, R1A, R2, R3, R4 and R5 the required off-street parking shall be provided on the site on which is located the principal use to which the parking pertains.	
4.8.15	The Council may waive the provisions of Section 4.8 regarding off-street parking in that portion of the City bounded on the South by Railway Avenue, on the North by 14th Avenue, on the West by a lane between 99th and 100th Streets, on the East by a lane between 102nd and 103rd Streets from Railway Avenue to 13th Avenue and by 101st Street from 13th Avenue to 14th Avenue.	

4.8.16 The use of any required parking space for the storage of any motor vehicle for sale, or for any purpose other than parking the motor vehicle is prohibited.

4.9 OFF-STREET LOADING AND UNLOADING

In any Industrial or Commercial Districts when 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 or on the land appurtenant to the building in conformity with the following regulations:

4.9.1	When the Square Metres of Gross Floor Area of the Building	Required Space
	a) is 93 sq. m. up to and including 1,300 sq. m	one
	b) is 1300.1 sq. m. up to and including 2787 sq. m.	two
	c) is 2787.1 sq. m. or greater	two plus one additional for each 6503 sq. m. of gross floor area (or part thereof) over 2787 sq. m.

4.9.2 The minimum area of an off-street loading space shall be 17 square metres.

4.9.3 Off-street loading and unloading spaces may be provided totally within a building or structure or may be located in yard space. They shall not be provided within the minimum required front yard nor in the minimum required side yard unless open and uncovered.

4.10 Chimneys, monuments, domes, spires, communications antennae and other such items which, in the opinion of Council are similar to the above, including necessary mechanical appurtenances incidental thereto may by resolution of Council exceed the building height limitation specified in this Bylaw.

4.11 REGULATIONS OF SIGNS

- 4.11.1 No building, structure or land shall be used and no sign shall be erected, altered, enlarged or maintained upon any property, lot, premises or street in any District by any person except in conformity with regulations outlined in the following sections.
- 4.11.2 The provisions of these regulations shall not be construed as to limit or interfere with the erection and maintenance on public streets, public lanes or public places, of signs which are designed and intended for the safety or protection of the health and general welfare of the public or which are, essentially for the maintenance and protection or efficient operation of public service and public property or which are primarily intended for direction of the public to and identification of establishments or places of public service which are clearly not operated for the purpose of gain.
- 4.11.3 Facial area of signs shall be measured as the area of a sign within a single continuous perimeter enclosing the extreme limits of the display, and in no case, passing between or through elements of the display, but not enclosing structural parts of the sign which are outside of the area of display and are not essentially part of the display.
- 4.11.4 In all Restricted Development Districts, signs and billboards shall be prohibited except those which are necessary given the conditions stipulated in Section 4.11.2
- 4.11.5 In all Agricultural Districts signs and billboards shall be prohibited except for signs and billboards advertising the principal use of the premises or the principal products offered for sale on the premises. No sign shall have a facial area exceeding 3.5 square metres.
- 4.11.6 In all Residential Districts signs and billboards are prohibited except for the following:
- a) One business or professional sign or notice advertising a home occupation. Such a sign or notice shall not exceed .2 square metres in area;
 - b) One sign showing the names of occupants. Such sign or notice shall not exceed .2 square metres in area;
 - c) One sign bearing notice of sale or lease or other information relating to a temporary condition affecting the property. Such sign shall have a facial area not exceeding .7 square metres;
 - d) Temporary signs or displays of a decorative nature.

- 4.11.7 In the C1 Commercial District, signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:
- a) Signs attached to all buildings abutting upon public property shall be facial sign only and shall be attached flat against the wall of the building;
 - b) No sign shall be illuminated in such a fashion as to create a hazard to traffic;
 - c) A minimum clearance of three (3) metres shall be provided above the street or sidewalk level;
 - d) No free standing or pylon sign shall project beyond the property lines of the site to which it pertains.
- 4.11.7.1 Notwithstanding Section 4.11.7, Poster Panels as authorized and regulated by Poster Panel Bylaw No. 1467 shall be permitted.
- 4.11.8 In the C2 Commercial District signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. All signs shall be attached flat against a wall of the building. No billboards, roof signs or flashing signs shall be permitted.
- 4.11.9 In the C3 Commercial District signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the products offered for sale on the premises. Permitted signs shall be subject to the following requirements:
- a) No sign shall be illuminated in such a fashion as to create a hazard to traffic;
 - b) A minimum clearance of three (3) metres shall be provided above the ground level;
 - c) No pylon sign shall project beyond the property lines of the site to which it pertains.
- 4.11.10 In the C4 Commercial District the following regulations will apply:
- a) Only one free standing index sign shall be permitted for a shopping centre or enclosed shopping mall;

- b) Each individual store, retail outlet, office, or other commercial establishment in the shopping centre or enclosed mall are permitted to erect one sign on each exterior wall which may be either flush with the wall or roof mounted with no overhang or projection over public streets or pedestrian walkways. Such signs shall not exceed 4.5 metres in height from the top of the parapet wall or eaves of the building to the top of the sign.
- c) No sign shall be illuminated in such a fashion as to create a hazard to traffic.

4.11.11 In the C5 Commercial District, signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- a) Signs attached to all buildings abutting upon public property shall be facia signs only and shall be attached flat against the wall of the buildings;
- b) No sign shall be illuminated in such a fashion as to create a hazard to traffic;
- c) A minimum clearance of three (3) metres shall be provided above the street or sidewalk level;
- d) No free standing or pylon signs shall project beyond the property lines of the site to which it pertains.

4.11.12 In the M1 and M2 Industrial Districts, signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- a) No sign shall be illuminated in such a fashion as to create a hazard to traffic;
- b) A minimum clearance of three (3) metres shall be provided above the ground level;
- c) No pylon sign shall project beyond the property lines of the site to which it pertains.

4.11.12.1 Notwithstanding Section 4.11.12, Poster Panels as authorized and regulated by Poster Panel Bylaw No. 1467 shall be permitted.

- 4.11.13 In the I Institutional District, signs and billboards are prohibited except one information sign for each building or use. The area of such signs shall not exceed three (3) square metres.
- 4.11.14 All existing signs which do not conform to this Bylaw at the time of final passing thereof shall be permitted to exist as non-conforming.
- 4.12 FENCE REGULATIONS**
- 4.12.1 The erection of fences in Residential Districts shall be permitted provided that the following requirements are met:
- a) No fence shall exceed a maximum of two (2) metres in height along any section of its length;
 - b) No section of any fence which extends into any portion of the front yard of a site shall exceed one (1) metre in height.
- 4.12.2 In any Commercial or M1 and M2 District, the Council may require that certain areas be fenced and the Council shall establish the type, style and nature of fence to be used.
- 4.13 SIGHT TRIANGLE REGULATIONS**
- In all Residential Districts, on all corner sites, and only within the sight triangle area situated thereon, being bounded by the street lines for a distance of six (6) metres from their common point of intersection and the diagonal which joins the two extreme points, no structure shall be erected and no vegetation shall be permitted to grow to a height greater than .6 metres above the grade of the streets that abut the site.

ADMINISTRATION

5.1 ADMINISTRATION PROCEDURES

The City Clerk of the City of North Battleford shall be responsible for the administration of this Bylaw.

5.2 DEVELOPMENT PERMIT

Every person, before commencing any development within the Municipality, shall apply to the Municipal Officer charged with the administration of this Bylaw for a permit to carry out such development except that no discretionary use shall be established in any zoning district, other than upon permit issued by Council, which shall be guided in making a decision by the standards set forth in this Bylaw.

5.3 SITE PLAN APPROVAL

With every application to erect a building within the Municipality, two copies of a layout or site plan shall be submitted for approval to the Municipal Officer charged with the administration of this Bylaw, together with such other information as he may require for the proper enforcement of this Bylaw.

5.4 CONTENTS OF A SITE PLAN

Every site plan shall be submitted in two copies drawn to a scale not smaller than 1 in 100, which shall show the following:

- a) The boundary lines of the area included in the site plan, including angles, dimensions and an arrow pointing north and the lot area of the land included in the site plan;
- b) Existing and proposed grades and drainage systems and structures with topographic contours at intervals not exceeding .6 metres;
- c) The shape, size, location, height and floor area of all structures and the floor area and the ground coverage of all structures;
- d) Natural features and man-made features such as existing roads and structures, with indication as to which are to be retained and which removed or altered;
- e) Proposed streets, driveways, parking spaces and sidewalks. The width of streets, driveways and sidewalks and the total number of parking spaces shall be shown;
- f) A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer;
- g) Any other information necessary to establish compliance with this and other bylaws.

- 5.5** When the application is approved, one copy of the layout or site plan shall be returned to the applicant bearing a stamp of approval. If the application is not approved, the layout or plot plan shall be returned to the applicant with the reasons for refusal noted thereon. The applicant shall be advised of any right to appeal a refusal to the Zoning Appeals Board, subject to the provisions of The Planning and Development Act, 1973.
- 5.6** No development shall commence until a permit to carry out such development has been obtained from the officer responsible for the administration of this Bylaw.
- 5.7** **BOARD OF ZONING APPEALS**
- 5.7.1** Council shall appoint a Board of Zoning Appeals in accordance with the provisions of Section 60(1) of *The Planning and Development Act*, 1973.
- 5.7.2** Appeals in writing may be made to the Board of Zoning Appeals by any person who:
- a) Alleges that the Council or any person acting for or on behalf of the Council has misapplied the Bylaw in a particular case; or
 - b) Claims that there are practical difficulties or unnecessary hardships in the way of carrying out the Bylaw by reason of the exceptional narrowness, shortness, shape, topographic features or other unusual condition of a specified property.
- 5.7.3** A person who appeals under Clause (b) of Subsection(1) Section 82 shall not be entitled to have his appeals allowed if:
- a) The unusual condition is the result of his or the property owner's own actions;
 - b) The adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district; or
 - c) A relaxation of the provisions of the Bylaw would be contrary to its purpose and intent and would injuriously affect the neighbouring properties.
- 5.7.4** In making an appeal to the Board of Zoning Appeals, the regulations under Section 83 of *The Planning and Development Act*, 1973 shall apply.

5.8 RELATIONSHIP TO OTHER LEGISLATION

Regardless of any provision in this Bylaw, no land shall be used and no building or structure erected or maintained in violation of any provincial or federal laws and regulations.

5.9 OFFENCES AND PENALTIES

A person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary *conviction to the penalties stipulated in Section 221 of *The Planning and Development Act*, 1983.

NON-APPLICATION

6.1 This Bylaw is subject to the exemptions provided for non-conforming uses by Section 75 to 80 inclusive of *The Planning and Development Act*, 1973.

6.2 The regulations of this Bylaw shall not apply to the carrying out of any operations for the purpose of erecting structures or installing, inspecting, repairing or renewing sewers, mains, cables, pipes, wires, tracks or other similar apparatus required in connection with any lawful use of buildings or land.

EFFECTIVE DATE OF THE BYLAW

7.1 This Bylaw shall come into force on the date of final approval by the Minister.

7.2 The following Bylaws are hereby repealed: Nos. 939, 958, 961, 974, 992, 1000, 1023, 1028, 1048, 1068, 1070, 1071, 1073, 1086, 1097, 1109, 1110, 1115, 1124, 1125, 1128, 1130, 1143, 1144, 1137, 1159, 1164, 1166, 1174, 933.

INTRODUCED AND READ IN COUNCIL A FIRST TIME THIS 20TH DAY OF FEBRUARY, A.D. 1978. READ A SECOND TIME THIS 20TH DAY OF FEBRUARY, A.D. 1978. READ A THIRD TIME BY THE UNANIMOUS VOTE OF ALL MEMBERS OF COUNCIL PRESENT AND FINALLY PASSED THIS 16TH DAY OF OCTOBER, A.D. 1978.

"W.J. CLEMENTS
MAYOR

"J.B. JANSEN
CITY CLERK

Approved December 11, 1978 by
Deputy Minister of Urban Affairs.

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