



RM of Torch River

BYLAW NO 07-2016

**A BYLAW TO AMEND THE ZONING BYLAW AS
ADOPTED BY BYLAW 13-2013**

Section 46(3) *The Planning and Development Act*

The Council of the Rural Municipality of Torch River No.488 in the Province of Saskatchewan enacts as follows:

1. Section 2.1 Development Officer is amended by:
 - a. Inserting the following:

“2.1.2 For the purposes of enforcing the bylaw, the development officer may designate responsibilities related to Section 242 of *The Planning and Development Act, 2007* to a bylaw enforcement officer appointed by Council.”
2. Section 2.4 Development Permit Application is amended by:
 - a. Deleting subsection 2.4.3 and replacing it with:

“Farm Residences shall require a development permit. An operation housing 300 or more animal units at a concentration equal to 370 square metres or less per animal unit shall be considered intensive livestock operations.”
3. Section 2.7 Discretionary Use Applications is amended by:
 - a. Subsection 2.7.4 is deleted.
 - b. Subsection 2.7.5 is amended by replacing “21 days” with “7 days”.
4. Section 2.9 Minor Variances is amended by:
 - a. Subsection 2.9.1 (e) is deleted and replaced it with:

No minor variance shall be granted if it would be inconsistent with any provincial land use policies or statement of provincial interest and a form of development in connection with an agreement to rezone pursuant to the Act.
5. Section 4 Development Standards is amended by:
 - a. Subsection 4.4 solid and liquid waste disposal facilities
 - i. Clause 4.4.2 is deleted and replaced with the following:

“Any solid or liquid waste disposal facility shall be located 915m from any residence unless relaxation of this requirement is agreed to by affected parties.”
 - b. Subsection 4.12 Intensive Livestock Operations (ILO) is amended by:
 - i. Clause 4.12.2 (c) is amended by removing the words “including identification of any risks of disease.”
 - ii. Clause 4.12.2 (d) is amended by adding the words “once approved by Saskatchewan Ministry of Agriculture.”
 - iii. Clause 4.12.2 (f) is amended by adding the words “once approved by Saskatchewan Ministry of Agriculture.”
 - iv. Clause 4.12.2 (i) is deleted
 - v. Clause 4.12.3 is amended by removing the words “where it can be proven that a proposal will not negatively impact adjacent land uses”.
 - vi. Clause 4.12.4 is deleted and replaced with the following:

“In determining proximity to a multi-parcel residential subdivision, village, town, hamlet, or recreational use, separation distances shall be measured from the area of confinement or manure storage area, whichever is closer.”

- vii. Clause 4.12.5 is deleted and replaced with the following:
 “In determining proximity to a dwelling located on agricultural property or within a single parcel country residential subdivision not owned by the intensive agricultural operator, separation distances shall be measured from the area of confinement or manure storage area, whichever is closer.”
- viii. Clause 4.12.8 is amended by removing the word “recommended”.
- c. Subsection 4.13 is deleted and replaced with the following:
 - i. “The use of agricultural land for the disposal and recycling of manure from an approved ILO is permitted subject to the intensive agriculture operator complying with the *Agricultural Operations Act* and its *Regulations*.”
- 6. Section 4.5 Outfitter and Tourism Base Camps
 - a. Subsection 4.5.4 is deleted and replaced with the following:
 - i. “Outfitter base camps and tourism base camps may be ancillary to an agricultural operation for which a permit has been issued and located on the same site, or exist as a separated site as a discretionary use in an appropriate zone.”
 - b. Subsection 4.5.5 is deleted and replaced with the following:
 - i. “A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be a resident on site.”
 - c. Adding Subsection 4.5.6 as follows:
 - i. “Council may establish standards limiting the total number of guests and guest rooms or cabins, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps and tourism base camps. Any increase in the number of guests or guest rooms or cabins shall require a new discretionary use approval.”
 - d. Adding Subsection 4.5.7 as follows:
 - i. “All outfitter and tourism base camps applications shall be accompanied by approved outfitter licenses issued under *The Natural Resources Act* and regulations passed there under.
- 7. Section 5.1 Schedule A – Agriculture District (a)
 - a. Subsection 5.1.1 Permitted uses is amended by
 - i. adding the following clause:
 “d. Residential
 - i. Non-farm residential sites
 - ii. Subsection 5.1.1 (a) (i) by adding “tree nurseries”
 - b. Subsection 5.1.2 Discretionary uses is amended by
 - i. Deleting “i. Single parcel country residential dwelling units”
 - ii. Inserting “u. Seasonal use Dwellings”
 - iii. Inserting “v. Other Commercial”
 - iv. Inserting “w. Auction Marts”
 - c. Table 5-2 Agricultural District Site Regulations is amended by
 - i. Deleting “Single Parcel Country Residential” in the heading block and replacing it with “Non-farm Residential”
 - ii. Deleting the following portion of notation (3) “development of a country residence on such sites shall be permitted:” and replacing it with the following:
 “Development of a residence on such sites shall be permitted:”
- 8. Subsection 5.1.8 Keeping of Animals – Country Residential Sites heading is deleted and replaced with the following heading:
 “5.1.8 Keeping of Animals – Non-farm Residential Sites”

9. Section 5.2 Schedule B – Country Residential District (CR) is amended by
 - a. Subsection 5.2.1 (ii) Home based business is deleted
 - b. Subsection 5.2.2 (a) by inserting “vi. Home based business”

10. Section 5.3 Schedule C – Highway Commercial District (HC) is amended by
 - a. Subsection 5.3.5 Site Regulations, Table 5-4 Highway Commercial District Site Regulations by deleting “1.2” minimum Site Area (ha) for Principle or Discretionary Uses and replacing it with “1.0”.

11. Section 5.5 Schedule E – Hamlet District
 - a. Subsection 5.5.2 discretionary use is amended by
 - i. Inserting “d. Residential”
 - ii. Inserting under d. Residential: i. Mobile homes
 - iii. Inserting under d. Residential: ii. Trailer Coaches
 - iv. Inserting under d. Residential iii. Seasonal Dwellings
 - v. Inserting under d. Residential: iv. Storage Buildings

12. Table 5-6 Hamlet District Site Regulations is amended by replacing it with the attached Table 5-6 Hamlet District Site Regulations:

**Table 5-6
Hamlet District Site Regulations**

| Minimums | Residential | Semi-detached | Service Stations, Hotels, Motels | Other Commercial Uses | Institutional |
|------------------------------|---|--|----------------------------------|-----------------------|---|
| Site Area (sq. m) | Single detached – 360.0 with lane 450.0 without | Semi-detached – 255.0 with lane, 315.0 without | 900.0 | 225.0 | 450.0 |
| Minimums | Residential | Semi-detached | Service Stations, Hotels, Motels | Other Commercial Uses | Institutional |
| Site Frontage (m) | Single detached – 12.0 with lane 15.0 without | Semi-detached – 8.5 with lane 10.5 without | 30 | 7.5 | 15.0 |
| Yard, Front (m) | 6 | 6 | 7.5 | 7.5 | 7.5 |
| Yard, Rear (m) | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ |
| Yard, Side (m) | 1.5 | 1.5 | 1.5 | 1.5 | A width on each side of the main building of not less than one-half the height of the building but not less than 3 metres |
| Floor Area (m ²) | 65.0 | | | | |

⁽¹⁾ Where the minimum rear yard setback cannot be met a setback equal to 25% of the overall site depth shall apply.

⁽²⁾ Accessory uses – maximum 84m² and building height max 5 m

13. Section 5.6 Schedule F – Resort District (RR)
 - a. Subsection 5.6.1 (a) is amended by

i. Inserting “iii. Seasonal Dwelling”

14. Table 5-7 Resort District Site Regulations is amended by replacing it with the attached 5-7 Resort District Site Regulations:

**Table 5-7
Resort District Site Regulations**

| Minimums | Residential | Semi-Detached | Multi-unit | Commercial | Institutional | Recreational |
|-------------------|--------------------|--------------------|--------------------|------------|--|-----------------------|
| Site Area (sq. m) | 450.0 | 450.0 | 1000.0 | 450.0 | 900.0 | None |
| Site Frontage (m) | 15.0 | 18.0 | 30.0 | 7.5 | 15.0 | 15.0 |
| Yard, Front (m) | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ | 7.5 ⁽¹⁾ | None | Not less than one half height of building, but not less than 3.0 m | 7.5 |
| Yard, Rear (m) | 7.5 ⁽²⁾ | 7.5 ⁽²⁾ | 7.5 ⁽²⁾ | 6.0 | 7.5 ⁽¹⁾⁽²⁾ | 7.5 ⁽¹⁾⁽²⁾ |

| Minimums | Residential | Semi-Detached | Multi-unit | Commercial | Institutional | Recreational |
|--------------------|------------------------|---------------|---------------|------------|---------------|--------------|
| Yard, Side (m) | 1.5 | 1.5 | 1.5 | 1.5 | 1.5 | 1.5 |
| Floor Area (sq. m) | 55.0 ⁽³⁾⁽⁴⁾ | 37.0 per unit | 37.0 per unit | | | |

⁽¹⁾ Lakeshore sites (those lots abutting the lake) where the minimum requirement shall be 1.5 m

⁽²⁾ Where the minimum rear yard setback cannot be met a setback equal to 25% of the overall site depth shall apply.

⁽³⁾ Rental cabins – minimum 37 m²

⁽⁴⁾ Accessory Uses – maximum 84 m² and Building Height – maximum 5m, rear yard min 1.5 m

⁽⁵⁾ All the site regulations prescribed in the table above shall apply to bare land units in a dwelling group developed as a bare land condominium.

15. Section 6 Definitions is amended by the following:

- a. Adding the following definition immediately following the definition for non-conforming use:
 - i. Non-farm Residential – A subdivided property for residential living in an agriculture zoned area in which the occupant may or may not derive their principle source of income from agriculture.”

16. This bylaw shall come into force and take effect when approved by the Minister.

[SEAL]

Reeve

Administrator