

VILLAGE OF MIDDLE LAKE
BYLAW NO. 3 - 1964
ZONING BYLAW

A bylaw to regulate the use of land and the location and use of buildings and other structures in the Village of Middle Lake, so as to provide for the amenity of the Village and the health, safety and general welfare of the inhabitants.

The Overseer and Council of the Village of Middle Lake, in the Province of Saskatchewan, in open meeting hereby enact as follows:

Short Title

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

Definitions

2. 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:

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 or building.

Alteration or altered – shall mean a building or structure to which an addition is made or in which any structural change is made.

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

Building, accessory – 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.

Building, principal – The building in which is conducted the main or primary use of the lot on which said building is situated.

Building line, established (in a block) – shall mean the average distance from the street line to the main wall of existing buildings in any block where more than half the frontage has been built upon.

Clerk – The Clerk of the Village of Middle Lake.

Council – shall mean the Council of the Village of Middle Lake.

Development – The carrying out of any building, engineering, mining or other operations in, on, or over land, or the making of any material change in the use or intensity of use of any building or land.

Development Permit – A document authorizing a development, issued pursuant to this zoning bylaw.

Discretionary Use – A use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw.

Dwelling Unit – One or more habitable rooms constituting a self-contained unit used as a residence, each unit having sleeping, cooking and access to toilet facilities.

Dwelling, Semi-Detached – A building divided vertically into two dwelling units, separated by a common party wall without openings throughout the entire structure.

Dwelling, Single-Detached – A detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home as herein defined.

Dwelling, Duplex – A building divided horizontally into two dwelling units as herein defined.

Dwelling, Multiple-Unit – A building divided into three or more dwelling units as herein defined, and shall include row or town houses and apartments, but not rooming houses, hotels or motels.

Floor area – shall mean the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling any private garage, porch, verandah, sunroom, unfinished attic or unfinished basement.

Garage, public – 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.

Garage, private – shall mean a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity of not more than two vehicle spaces for each dwelling unit to which the garage is accessory.

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.

Lane – A public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Mayor – The Mayor of the Village of Middle Lake.

Mobile Home – A trailer coach:

- a) That may be used as a dwelling all year round;
- b) That has water faucets and shower or other bathing facilities that may be connected to a water distribution system;

- c) That has facilities for washing and a water closet or other similar facility that may be connected to a holding tank; and
- d) That conforms to Canadian Standards Association, Construction Standard No. z240.2.1-1979

Mobile Home Court – Any parcel of land on which two or more mobile homes intended for occupation are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

Mobile Home Site – An area of land in a mobile home court for the placement of a mobile home.

Non-Conforming Building – A building:

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

Minister – The member of the Executive Council to whom, for the time being the administration of the Act is assigned.

Motel – An establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or lots and designed for use by the public, and may include a licensed dining room.

Non-conforming use – a lawful specific use:

- A. Being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, at the date this Bylaw or any amendments hereto affecting the land or building becomes effective; and,
- B. That on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued will not comply with this Bylaw.

Overseer – shall mean the Mayor of the Village of Middle Lake.

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.

Parking space, automobile – shall mean a space within a building or parking lot for the parking of one (1) automobile.

Permitted Use – A use or form of development other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Public Work

- a) Systems for the production or distribution of electricity;
- b) Systems for the distribution of natural gas or oil;
- c) Facilities for the storage, transmission, treatment, distribution or supply of water;
- d) Facilities for the collection, treatment, movement or disposal of sanitary sewage; or
- e) Telephone or light distributions lines,

That are owned or operated by the Crown of a municipality.

Secretary-Treasurer – shall mean the Clerk of the Village of Middle Lake.

Site – shall mean an area of land considered as a unit devoted to a certain use, or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

Site line, front – shall mean the boundary that divides the site from the street. In the case of a corner location, the site boundary that abuts the street to the front of the main building shall be deemed to be the front site line.

Site line, rear – shall mean the boundary at the rear of the site and opposite the front site line.

Site line, side – shall mean a site boundary other than a front or rear site line.

Street – shall mean a public thoroughfare which affords the principal means of access to abutting property.

Street line – shall mean the boundary line between a site and a street.

Structure – shall mean anything that is built, constructed or erected, the use of which requires location on the ground, or attachment to something having a location on the ground.

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 a 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.

Village – shall mean the Village of Middle Lake.

Yard – shall mean any part of a site unoccupied and unobstructed from the ground to the sky.

Yard, front – shall mean a yard extending across the full width of a site between the front line of the site and nearest main wall of the main building or structure on the site.

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.

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.

SCOPE

3. 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 municipality, except in conformity with the provisions of this bylaw.

PART I

ZONING DISTRICTS

4. Classification of Zoning Districts

In order to carry out the purpose and regulations of this bylaw the municipality is hereby divided into five (5) classes of zoning districts, to wit:

A	Agricultural District
R	Residential District
C1	Commercial District
C2	Commercial District
M	Industrial District

5. Boundaries of Zoning Districts

The boundaries of such districts referred to above, together with explanatory legend, notation and reference, are shown on the map entitled the "Zoning District Map." Where shown along streets and lanes the boundaries, unless otherwise indicated on the map, shall be interpreted to be the boundaries of the allowances of the streets and lanes; where zoning district boundaries are not shown along streets and lanes and where the property has been subdivided into blocks of lots, the boundaries shall be construed to be the lot lines; in unsubdivided land the boundaries shall be determined by the scale shown on the map.

6. The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in the Zoning Bylaw No. 3 adopted by the Village of Middle Lake" and signed by the Overseer and Secretary Treasurer

under the seal of the Village, 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.

7. District Schedules

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

7.1 A Agricultural District,

(1) Uses Permitted

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

A. Agricultural

Field crops, truck farming, market gardening, tree nurseries, and any other similar agricultural uses, but not including the care and raising of animals or birds.

B. Recreation

Sports fields, parks, golf courses, and other similar uses.

C. Accessory

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

D. Public Works

(2) Regulations

A. Site area – minimum holding 6 acres.

B. A maximum of two single-detached dwellings is permitted on any one agricultural land holding.

C. All buildings shall be set back at least 50 feet from the edge of any road allowance.

7.2 R Residential District

(1) Uses Permitted

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an R Residential District

only the following uses shall be permitted:

A. Residential

- (1) Single-detached dwellings
- (2) Duplex or semi-detached dwellings
- (3) Multiple-unit dwellings
- (4) Row houses or terrace houses
- (5) Boarding, lodging or rooming houses
- (6) Any other similar type of multiple family dwellings.

B. Home Occupations

Offices of physicians, dentists, drugless practitioners and other customary home occupations.

C. Institutional

- (1) Schools, educational institutions;
- (2) Churches, religious institutions;
- (3) Hospitals, sanatoria, convalescent homes, health centres;
- (4) Lodges, fraternal organizations, social clubs;
- (5) Libraries, cultural institutions;
- (6) Public Works

D. Recreational

Sports fields, parks and similar uses.

E. Accessory

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

(2) Regulations

A. Site area – minimum –

- Single-detached dwellings – 5,000 sq. ft.
 - Semi-detached or duplex dwellings – 6,000 sq. ft.
 - Multiple-unit dwellings – 6,000 sq. ft.
- Plus 1,999 sq. ft. for each family in excess of two (2).

B. Site frontage – minimum –

- single-detached dwellings – 50 feet
- semi-detached or duplex dwellings – 60 feet
- multiple-unit dwellings – 75 feet

C. Yard, front – minimum 20 feet

D. Yard, side – minimum 5 feet on each side of the main building except for buildings higher than 35 feet, in which case side yards shall be a minimum of 10

feet on each side, plus an additional two feet for every 10 feet or part thereof of additional height above 35 feet. Institutional uses however shall have a minimum side yard 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 10 feet.

E. Yard, rear – minimum 25 feet or 25% of the depth of the site, whichever is the greater.

F. Floor area – minimum 700 sq. ft. per dwelling unit, except in the case of apartments intended for single person or two person occupancy, in which case the minimum floor area shall be 400 sq. ft.

G. Signs and billboards are prohibited except signs showing the names of occupants, signs bearing notices of sale or lease or other information relating to a temporary condition affecting the premises and signs relating to home occupations, boarding houses, rooming houses, and lodging houses as set out in paragraph (H)(b) below:

H. (a) Home occupations shall be located in single-detached dwellings used as the practitioner's own private residence.

(b) There shall be no external evidence of home occupation, or of the use of a building as a boarding house, lodging house or rooming house, except for a business or professional sign or notice not exceeding one square foot in area.

I. Obstructions in Front Yards

In any required front yard only the following structures are permitted:

- i) Fences
- ii) Lighting fixtures
- iii) Sidewalks
- iv) Driveways

J. Accessory Buildings

- i) All detached accessory buildings shall be located at least 0.6 metres (2 feet) from the rear lot line.
- ii) All accessory buildings with a door or doors opening onto a street or lane shall ensure that the door or doors when open or opening do not extend past the lot line.
- iii) Detached accessory buildings are to be located at least 0.6 metres (2 feet) from the side lot lines.

K. Projections in Yard

Residential

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

- 1) In front yards:
 - a) Maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes
 - b) Maximum of 1.8 m projection of open cantilevered balconies, open porches, or open steps
 - c) Wheelchair ramps to main floor level
 - d) Fences less than 1 m in height unless provided otherwise in this Bylaw
 - e) Light standards, flag poles, and permitted signs
 - f) Detached accessory buildings are to be located at least 6 meters from the lot line or in line with the principal building.
- 2) In Rear Yards:
 - a) Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m
 - b) Unenclosed decks no higher than 0.6 m, balconies, porches, and steps to a maximum projection of 3 m
 - c) A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m
 - d) Wheelchair ramps to main floor level
 - e) Fences less than 2 m in height unless provided otherwise in this Bylaw.
- 3) Side Yards:
 - a) Fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m or ½ the required yard whichever is the less
 - b) Walkways and steps less than 0.6 m in height
 - c) Wheelchair ramps to main floor level
 - d) Fences not more than 2 m in height unless provided otherwise in this Bylaw.
- 4) Hedges and other closed landscaping plantings shall comply with the fence requirements.
- 5) Handrails are permitted in all yards, uncovered driveways, walkways.

L. Accessory Uses, Buildings, and Structures

- 1) Except as specifically provided in this Bylaw, accessory buildings shall comply with the yard requirements for a principal building. Any building located less than 1 metre from a principal building shall comply with all the minimum yard requirements of the principal building.

- 2) No door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 4.5 metres from a street to which it gives direct access, or less than 1.5 metres to a lane to which it gives direct access.
- 3) Private garages and accessory buildings if less than 10 m², subject to Clause (3), shall have a minimum side or rear yard of 0.75 m and a maximum projection of 0.5 m into the required yard for any eaves, gutters or drain spouts into that yard.
- 4) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 m
- 5) Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.
- 6) In rear yards, laundry drying equipment and garbage stands are permitted.

M. Storage

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

7.3 C1 Commercial District

(1) Uses Permitted

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.

A. Commercial

- (1) Banks, offices, studios;
- (2) Bakeries with retail sales;
- (3) Barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, show repair and similar types of personal service establishments.
- (4) Bus terminals;
- (5) Hotels, motels;
- (6) Lumber and building supply concerns with retail sales;
- (7) Medical and dental offices, clinics and surgeries;
- (8) Printing plants, newspaper offices;
- (9) Restaurants, confectioneries and other places for the sale and consumption of foods and other related items.
- (10) Retail stores;

- (11) Service stations and other establishments for the servicing, storage and sales of motor vehicles, trailers, farm machinery and equipment.
- (12) Telegraph offices, express offices;
- (13) Theatres, assembly halls, commercial recreation establishments;
- (14) Undertaking establishments.

B. Institutional

- (1) Churches, church halls;
- (2) Lodges, fraternal organizations;
- (3) Libraries, cultural institutions;
- (4) Regional health centres.
- (5) Public Works

C. Accessory

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.

(2) Regulations

- A. Site area – minimum – 2,500 sq. ft.
- B. Site frontage – minimum –
 - motels and service stations – 100 feet
 - all others – 25 feet
- C. Yard – front –
 - motels and service stations – 25 feet

G. Projections in Yards

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

(2) Signs, as allowed pursuant to Section 6, are permitted in required yards.

H. Fences and Hedges

(1) Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m in any required side or rear yard.

(2) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle or hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m and 2.5 m above grade.

I. Accessory Buildings and Structures

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

P. Discretionary Uses

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

- (1) Site drainage of storm water
- (2) The location of buildings with respect to buildings on adjacent properties
- (3) Access to, number and location of parking and loading facilities
- (4) Appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- (5) Control of noise, glare, dust and odour
- (6) Landscaping, screening and fencing to buffer adjacent properties.

7.4 C2 Commercial District

(1) Uses Permitted

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,

only the following uses shall be permitted:

A. Commercial

- (1) Banks and offices;
- (2) Bus terminals
- (3) Hotels, motels
- (4) Lumber and building supply establishments;
- (5) Restaurants, confectioneries and other places for the sale and consumption of food and related items.
- (6) Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, farm machinery and equipment.
- (7) Theatres, assembly halls, dance halls, commercial recreation establishments;
- (8) Veterinary hospitals and offices of veterinary surgeons.

(9) Public Works

B. Accessory

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

- A. Site area – minimum – motels – 18,750 sq. ft.
 - All others – 11,000 sq. ft.
- B. Site frontage – minimum – motels – 150 feet
 - All others – 100 feet
- C. Yard, front – minimum – motels – 50 feet
 - - all others – 25 feet
- D. Yard, side, minimum – 10 feet on each side
- E. Yard, rear, minimum – 10% of the depth of the site.
- F. 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:
 - (1) No more than two (2) signs shall be permitted on the premises;
 - (2) No sign shall be in excess of thirty-six (36) square feet in area, but the two permitted signs may be combined and the total facial area shall not exceed seventy (70) square feet. Each sign may be double faced;
 - (3) No sign shall be illuminated unless the source of light is steady and suitably shielded;
 - (4) The maximum height of any sign shall be twenty (20) feet.

(2) Regulations

- A. Site area – minimum – motels – 18,750 sq. ft.
 - all others – 11,000 sq. ft.
- B. Site frontage – minimum – motels – 150 feet
 - all others – 10 feet
- C. Yard, front – minimum – motels – 50 feet
 - all others – 25 feet
- D. Yard, side, minimum – 10 feet on each side
- E. Yard, rear, minimum – 10% of the depth of the site.
- F. Signs and billboards shall be prohibited except for signs advertising the principal use of the premises of the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:
 - (1) No more than two (2) signs shall be permitted on the premises;
 - (2) No sign shall be in excess of thirty-six (36) square feet in area, but the two permitted signs may be combined and the total facial area shall not exceed seventy (70) square feet. Each sign may be double faced;
 - (3) No sign shall be illuminated unless the source of light is steady and suitably shielded;
 - (4) The maximum height of any sign shall be twenty (20) feet.
- G. Projections in Yards

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

(2) Signs, as allowed pursuant to Section 6, are permitted in required yards.

H. Fences and Hedges

(1) Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m in any required side or rear yard.

(2) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle or hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m and 2.5 m above grade.

I. Accessory Buildings and Structures

(1) Accessory buildings shall comply with the yard requirements for a principal building.

(2) For gas bars and service stations, an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 m from any property line.

(3) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.

(4) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

P. Discretionary Uses

In approving any discretionary use to minimize land use conflict, Council may prescribed specific development standards related to:

- (1) Site drainage of storm water
- (2) The location of buildings with respect to buildings on adjacent properties
- (3) Access to, number and location of parking and loading facilities
- (4) Appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- (5) Control of noise, glare, dust and odour
- (6) Landscaping, screening and fencing to buffer adjacent properties.

7.5 M Industrial District

(1) Uses Permitted

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an M Industrial District

only the following uses shall be permitted:

A. Industrial

- (1) Bulk oil storage, coal yards, lumber yards, builders yards, gravel yards;
- (2) Grain elevators, feed mills, flour mills, seed cleaning plants;
- (3) Lumber and building supply establishments;
- (4) Machine shops, foundry works, boiler works;
- (5) Manufacturing and processing plants;
- (6) Service stations and other establishments for the servicing, storage and sales of motor vehicles, trailers, farm machinery and equipment.
- (7) Storage yards, stock yards;
- (8) Tanneries and hide storage;
- (9) Warehouses, supply depots.
- (10) Public Works

B. Accessory

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.

(2) Regulations

- A. Site area – minimum – 12,000 sq. ft.
- B. Site frontage – minimum – 100 feet
- C. Yard – front – minimum depth – 25 feet
 - Side – minimum width – 20 feet on each side.
 - Rear – no requirement

G. Projections in Yards

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

(2) Signs, as allowed pursuant to Section 6, are permitted in required yards.

H. Fences and Hedges

(1) Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m in any required side or rear yard.

(2) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle or hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m and 2.5 m above grade.

I. Accessory Buildings and Structures

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

P. Discretionary Uses

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

- (1) Site drainage of storm water
- (2) The location of buildings with respect to buildings on adjacent properties
- (3) Access to, number and location of parking and lading facilities
- (4) Appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- (5) Control of noise, glare, dust and odour
- (6) Landscaping, screening and fencing to buffer adjacent properties.

PART II

GENERAL REGULATIONS

8. 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.

9. Projections in Yards

Where minimum front or rear yards are required in any zoning district, such minimum requirements 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 six (6) feet.

10. Building lines

Where a building line has been established by existing buildings in a block, and is less than 20 feet from the street line, new construction may conform to the established building line, provided that the established building line is not less than 15 feet from the street line.

11. Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot with the exception of schools, health care clinics, curling and skating rinks, recreation centres, nursing homes, senior citizen's homes, housing groups and mobile homes in courts.

12. Uses Permitted at Council's Discretion

- (1) Mobile Home Courts, cemeteries, homes for the aged 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.
- (2) Council may issue a permit for the location of trailer courts for a specified period of time.

13. Garages 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.

14. Service Stations

- (1) Service stations shall have a minimum frontage of 100 feet.
- (2) Where service stations occupy a corner site, only one access crossing shall be located on the flanking street.
- (3) Pumps and other devices shall be located at least twenty (20) feet from any street or lot line.
- (4) All automobile parts, dismantled vehicles and similar articles shall be stored within a building, except on those sites located in an Industrial Zone.

15. In any M Industrial District, where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

PART III

ADMINISTRATION

16. Administration:

- (1) Development Officer – the Clerk of the Village of Middle Lake shall be the Development Officer responsible for the administration of this Bylaw.
- (2) Development Permit
 - a) Except as provided for in section 16(2)B, no person shall undertake a development or commence a use unless he obtains a Development Permit for that development or use. A Development Permit is not valid unless it conforms with this Bylaw and the Act.

- b) A Development Permit is not required for the following uses provided all other provisions and regulations of this Bylaw are complied with:
 - a) The maintenance of a public work;
 - b) The construction of a public work by the Village;
 - c) The installation of public works on any street or other public right-of-way;
 - d) The construction of fences;
 - e) Maintenance and repairs that do not include structural alterations;
 - f) Accessory buildings under nine square metres.
- c) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of its issue, the permit is deemed to be void, unless an extension to this period shall first have been granted.
- d) A building permit shall not be issued unless a Development Permit, where required, has also been issued.

(3) Application for a Development Permit

- a) The application for a Development Permit shall be made, to the Development Officer, in Form A forming part of this bylaw. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.
- b) Where application is for a discretionary use the applicant shall also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

(4) Review of Applications

- a) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of the bylaw.
- b) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.

(5) Decision

- a) The decision on all applications shall be made in writing to the applicant, in Form B, forming part of this Bylaw.
- b) Where the application is for a PERMITTED USE the Development Officer shall, upon completion of the review:
 - i) Where the application conforms to all provisions of this Bylaw, issue a Development Permit; or
 - ii) Where the class of development or use is subject to special regulations, performance standards or development standards specified in this Bylaw, issue the Development Permit specifying those regulations or standards to which the development or use is subject; or
 - iii) Refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reason for the refusal.

- c) Where the application is for a DISCRETIONARY USE the Development Officer shall submit the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:
 - i) Issue a Development Permit incorporating any special development standards prescribed by Council in accordance with the provisions of this Bylaw; or
 - ii) Refuse the application, indicating the reasons for the refusal.
- d) Revocation of Decision – Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the Development Permit, Council may revoke or suspend the Development Permit. The Development Permit shall not be reissued or reinstated until all deficiencies have been corrected.

17. Development Appeals

- (1) Development Appeals Board – A Development Appeals Board of the Village of Middle Lake is appointed in accordance with Sections 71 and 1 to 104 of the Act.
- (2) Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Village of Middle Lake.
- (3) Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Village of Middle Lake.
- (4) An application for a Development Permit shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 17(2) as though the application has been refused at the end of the period specified in this subsection.

18. Offences and Penalties – Any person who violates this Bylaw is guilty of an offence and liable non summary conviction to the penalties set forth in the Act.

PART IV
NON - APPLICATION

19. Amendment of the Zoning Bylaw

Fees – Where an application for an amendment to this bylaw is made to Council, the applicant shall pay all costs associated with advertisement of the proposed amendment.

EFFECTIVE DATE OF THE BYLAW

20. This bylaw shall come into force on the date of final approval by the Minister.

SEAL

Overseer

Secretary-Treasurer