



Chronological No - N consecutive
File Reference - N de référence du dossier

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

Note: The words "From our Band Funds", "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
Note: Les Mots "des fonds de notre bande", "capital" ou "Revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

The council of the Le conseil de la bande indienne	Red Pheasant Cree Nation	Current Capital Balance Solde de capital	\$ _____
Agency District	North Central	Committed Engagé	\$ _____
Province	Saskatchewan	Current Revenue Balance Solde de revenu	\$ _____
Place Nom de l'endroit	Red Pheasant Band Office	Committed Engagé	\$ _____
Date	14 Day - Jour	November Month - Mois	AD 2019 Year - Année

DO HEREBY RESOLVE:
DECIDE, PAR LES PRÉSENTES:

WHEREAS:

- A. Council for Red Pheasant Cree Nation wishes to enact a zoning bylaw for its urban reserve to provide for development in the form of commercial facilities and other compatible uses in a manner and at a scale consistent with the needs and the character of residential neighbourhoods; and
- B. Subsection 81(1)(h) of the *Indian Act* authorizes the council of a band to make bylaws in according with (h) for the regulation of the construction, repair and use of buildings, whether owned by the band or by individual members of the band; and
- B. Council for the Red Pheasant Cree Nation has reviewed and considered the draft *Red Pheasant Indian Reserve Zoning Bylaw*, dated for reference October 2019.

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The *Red Pheasant Indian Reserve Zoning Bylaw*, substantially in the form dated October 2019, is hereby designated as a "Zoning Bylaw" for the Urban Reserve of Red Pheasant Cree Nation.
- 2. The Council agrees and acknowledges that this Band Council Resolution is irrevocable.

A quorum for this Band Pour cette bande le quorum est
Consists of Fixé à _____ 5 _____

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Chief - Chef)

(Councillor - Conseiller)

(Councillor - Conseiller)

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(Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE				
1. Band Fund Code Code Du compte De bande	2. Computer Balances - Soldes d'ordinateur A Capital B Revenue - Revenu	3. Expenditure - Dépenses	4. Authority (Indian Act Section) Autorité (Article de la Loi sur les Indiens)	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
6. Recommended - Recommendable		Approved - Approuvable		

*RED PHEASANT
INDIAN RESERVE

ZONING BYLAW*

Prepared for:

*THE URBAN RESERVE OF RED
PHEASANT INDIAN RESERVE*

OCTOBER 2019

SECTION 1 INTRODUCTION

WHEREAS the Red Pheasant Cree Nation (the “First Nation”), in the Province of Saskatchewan, considers it desirable to undertake measures to provide for development in the community specific to the Urban Reserve;

AND WHEREAS the First Nation is desirous of declaring in effect a Bylaw to provide for development in the form of commercial facilities and other compatible uses in a manner and at a scale compatible with the needs and the character of residential neighbourhoods;

NOW THEREFORE Red Pheasant Cree Nation makes the following Bylaw;

1.1 TITLE

This Bylaw shall be known and may be cited as the *Zoning Bylaw* of the Urban Reserve of Red Pheasant Indian Reserve.

1.2 SCOPE

Development shall be permitted within the limits of the Urban Reserve of Red Pheasant Indian Reserve only when in conformity with the provisions of this Bylaw.

1.3 SEVERABILITY

If any section, clause or provision of this Bylaw, including anything shown on the *Zoning District Map*, if any, is for any reason declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or in part, other than the section, clause, provision or anything shown on any *Zoning District Map*, declared to be invalid.

SECTION 2 INTERPRETATION

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 Building or Use: a building or use which:

- (a) is subordinate to and serves the principal building or principal use;
- (b) is subordinate in area, extent, and purpose to the principal building or principal used served;
- (c) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,
- (d) is located on the same site as the principal building or principal use served.

Administrator: an employee or other designate of the First Nation authorized, in writing, by the First Nation to act as an Administrator for the purposes of this Bylaw.

Adult Day Care: an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Day Care - Type I: an adult day care with up to five persons under supervision at any one time.

Adult Day Care - Type II: an adult day care with more than five persons under supervision at any one time.

Adult Entertainment Facility: premises used in whole or in part for entertainment (including activities, facilities, performances, exhibitions, viewings, or encounters) designed to appeal to eroticism or sexuality and wherein a principal feature or characteristic is the nudity or partial nudity, including suggestive exposure such as through translucent clothing, of any person.

Alteration: any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

Ambulance Station: a facility for receiving requests for ambulance service and for the stationing of one or more ambulances until dispatched in response to calls for service, which is operated by a person or corporation having a valid and subsisting ambulance licence issued pursuant to *The Ambulance Act* and having a current contract with the Regional Health Authority.

Ancillary Use: a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

Animal Hospital: a place used for the care and treatment of small and large animals involving out-patient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Apartment House: a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, as distinct from a hotel or motel.

Art Studio: a building, or portion thereof, used for the creation, display or sale of arts and crafts.

Bakery: an establishment for baking and/or selling locally baked goods.

Band: the Red Pheasant Cree Nation.

Band Council Resolution: a resolution in writing of a Council evidencing a decision of the Band Council passed by the majority of the Councillors present at a meeting duly convened at which a quorum is present.

Bare Land Condominium: a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

Bare Land Unit: a bare land unit as defined within *The Condominium Property Act, 1993*.

Bed and Breakfast Home: a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which:

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- (b) the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,
- (c) the meal which is provided is served before noon each day.

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

Building Front Line: the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

Building Height: the vertical distance of a building measured from grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof (refer to Figure 2-1).

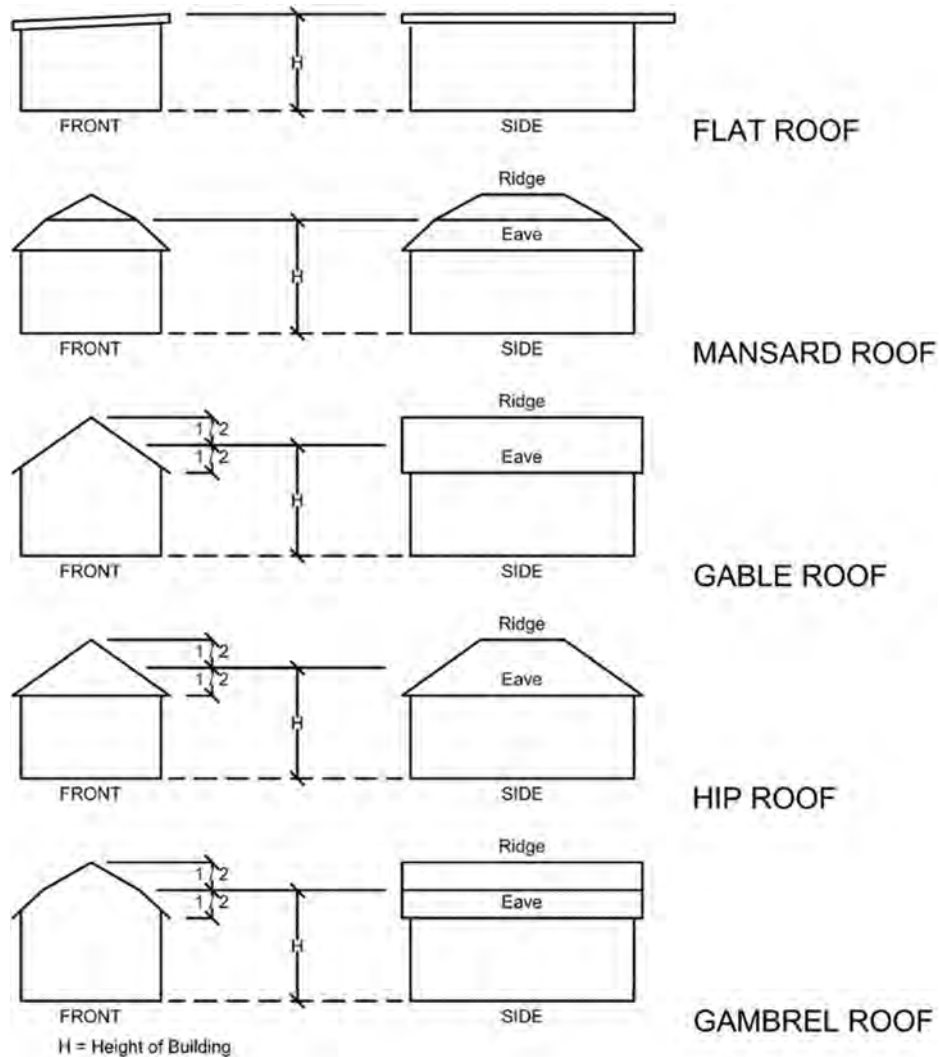


Figure 2-1: Interpretation of Building Height Measurement

Building Line, Established: a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

Building, Principal: the building in which is conducted the main or primary use of the site on which said building is situated.

Building Rear Line: the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

Building Side Line: the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which faces the side site line.

Cannabis: cannabis as defined in *The Cannabis Act (Canada)*.

Cannabis production facility: the federally licensed large-scale growing of cannabis plants and harvesting material from those plants, or the large-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially authorized distributors, or both.

Cannabis retail outlet: the premises specified in a retail cannabis permit where the retail sale of cannabis is authorized by *The Cannabis Control Act (Saskatchewan)*. This includes the sales of dried cannabis, cannabis plant seeds, cannabis plants, fresh cannabis, edibles containing cannabis, and cannabis concentrates.

Carport: a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

Car Wash: a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Club: a group of people organized for a common purpose, to pursue common goals, interests or activities, usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws; and shall include lodges and fraternal organizations.

Community Centre: a building or facility used for recreational, social, educational or cultural activities and which is owned by a corporation of the First Nation, non-profit corporation or other non-profit organization.

Community Garden: an area of land managed and maintained by a formal or informal group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, donation, or sale at a farmers' market or farm stand. Community gardens may occupy a portion of any public park subject to the opinion of the Development Officer.

Construction Trades: offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

Convenience Store: a store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day-to-day service to residents in the vicinity.

Copy: an image, word, letter, number, graphic, animation, video or dynamic text exhibited from a digital Sign.

Corner Site: a site at the intersection or junction of two or more streets.

Crematorium: a building or structure fitted with the proper equipment for the purposes of the cremation of human or animal remains.

Cultural Institution: an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility: either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act (Canada)* or *The Summary Offences Procedure Act, 1990 (Saskatchewan)*; or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

in which the number of persons in detention, custody or residence does not exceed five.

Date & Time Digital Centre: a monochrome variable message sign that utilizes computer generated copies involving letters, words, symbols, graphics and numbers. These signs include incandescent lamps, LED's, LCD's, plasma or other related technology, whereby the copy can be altered by digital means. The purpose of a Date & Time Digital Centre is to make aware the date, time, temperature, petroleum prices, hotel rates or similar numerical messages to the general public.

Day Care Centre: a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

Deck: a raised open platform, with or without rails, attached to a principal building.

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*.

Digital Billboard: a variable message sign that utilizes computer generated copies involving letters, words, symbols, graphics, animation, video or dynamic text. These signs include incandescent lamps, LED's, LCD's, plasma or other related technology, whereby the copy can be altered by digital means. The purpose of a Digital Billboard sign is to conduct Third Party Advertising for the general public.

Digital Message Centre: variable message sign that utilizes computer generated copies involving letters, words, symbols, graphics, animation, video or dynamic text. These signs include incandescent lamps, LED's, LCD's, plasma and other related technology, whereby the copy can be altered by digital means. The purpose of a Digital Message Centre is to identify a building or premise and its use to the general public and make aware the products and services provided.

Digital Sign: a sign where the copy can be altered or changed by digital means and includes Digital Message Centre, Digital Billboard and Date & Time Digital Centre.

Discretionary Use: a use or form of development that may be allowed in a zoning district

following application to, and approval of the First Nation; and which complies with the development standards, as required by the First Nation, contained in this Bylaw.

Distilleries, Wineries and Breweries: facilities for the small-scale or craft production of alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion, and sale of said beverages.

Dwelling: a building used or intended for residential occupancy.

Dwelling Group: a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

Dwelling, Multiple Unit Apartment Style Configuration: a building divided into three or more dwelling units as herein defined and shall include apartment houses, but not hotels, motels or townhouses.

Dwelling, Multiple Unit Townhouse: a building divided into three or more dwelling units, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Semi-Detached: a dwelling unit on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached: a detached building consisting of one dwelling unit as herein defined, but shall not include a modular home as herein defined.

Dwelling, Street Townhouse: a dwelling unit on its own site, attached to at least one other dwelling unit, each on their own sites, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Two-Unit: a detached building divided into two dwelling units.

Dwelling Unit: a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

Educational Institution: a post-secondary college, university or technical institution.

Efficiency Unit: a dwelling unit in a multiple unit dwelling that contains no bedroom separate from a living room or living-dining room.

Face Area, Sign: the area of the single face of any sign and is calculated using the illustration in Figure 2-2.

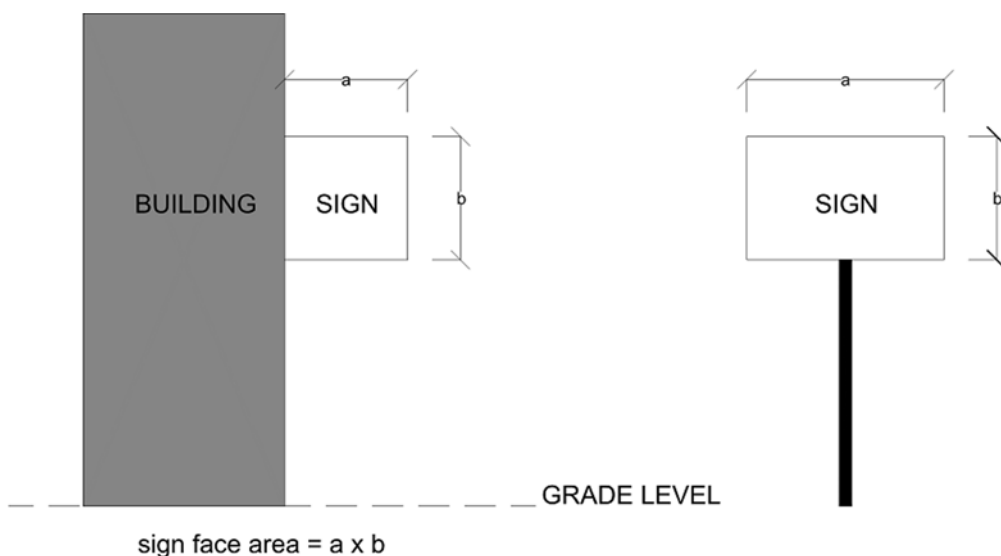


Figure 2-2: Calculation of Sign Face Area

Face Area, Total Sign: the total amount of sign face area on a sign including all sides.

Farmers' Market: a permanent structure, operated on a seasonal or year-round basis, which allows for agricultural or horticultural producers to retail their products and other agriculture-related items, including those produced in a community garden, directly to consumers and enhance income through value-added products, services, and activities.

Farm Stand: a seasonal direct-marketing operation without a permanent structure and offering outdoor shopping for the sale of locally-produced agricultural products including those produced in a community garden, enhanced agricultural products, and handmade crafts.

Fence: an artificially constructed barrier erected to enclose or screen areas of land.

Financial Institution, Major: the operation of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, or related business and may include accessory insurance sales.

Financial Institution, Minor: the operation of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker or related business and may include accessory insurance sales.

First Nation: Red Pheasant Cree Nation, as represented by its Chief and Council.

Flankage: the side site line of a corner site which abuts the street.

Floor Area: the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling unit any private garage, porch, sunroom, unfinished attic or unfinished basement.

Frontage: the side of a site abutting a street and, in the case of a corner site, the shorter of the sides is the frontage.

Fuel Storage Tank, Above Ground: a storage tank, any portion of which is above grade and containing gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Funeral Homes: an establishment with facilities for the preparation of the dead, for the viewing of bodies and for funerals.

Garage, Private: a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

Garage, Public: any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

Garage, Storage: a garage exclusively used for the storage of motor vehicles and where no repair facilities are maintained.

Gas Bar: a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

Grade Level: the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Hazard Land: land which is subject to flooding, ponding, subsidence, landslides or erosion.

Hazardous Material: any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:

- (a) Corrosives;
- (b) Explosives;
- (c) Flammable and combustible liquids;
- (d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases;
- (e) Gases, compressed, deeply refrigerated, liquified or dissolved under pressure;
- (f) Oxidizing substances; organic peroxides;
- (g) Poisonous (toxic) or infectious substances;
- (h) Radioactive materials;
- (i) Waste Dangerous Materials; and/or,
- (j) Any other environmentally hazardous substance.

Health Care Clinic: a facility or institution engaged in the provision of services for health maintenance, diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

Home Based Business: an accessory use of a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence, and does not change the residential character of the buildings or site.

Home Based Business - Type I: a home based business owned and operated by a resident or residents of the dwelling unit.

Home Based Business - Type II: a home based business owned and operated by a resident or residents of the dwelling unit, but where no more than one non-resident person may be employed on the site.

Hotel: a building or part of a building used as a place for sleeping accommodation with or without meals, and which may have a licensed beverage room, but does not include a motel.

Intersection: an area where two or more streets or lanes meet or cross at grade.

Kennel, Boarding: the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding: the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Land Farm: a bioremediation technology in which contaminated soils are mixed with soil amendments such as soil bulking agents and nutrients, and then they are tilled into the earth. The material is periodically tilled for aeration. Contaminants are degraded, transformed, and immobilized by microbiological processes and by oxidation. Soil conditions are controlled to optimize the rate of contaminant degradation. Moisture content, frequency of aeration, and pH are all conditions that must be controlled. Land farming differs from composting because it actually incorporates contaminated soil into soil that is uncontaminated.

Landscaping: the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

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

Light Manufacturing: a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewellery, instruments, computers, electronic devices.

Linear Park: dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Loading Space: a space, measuring at least 3.0 metres in width and 7.5 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

Lot: an area of land with fixed boundaries and which is of record with the Indian Lands Registry.

Lounge: a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mall: a single story commercial building in which, up to six (6) permitted or discretionary commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

Medical, Dental and Optical Laboratory: a place fitted with medical and scientific equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices, but does not include the manufacture of industrial chemicals.

Medical Marijuana Facility: any building in which an activity authorized by the *Access to Cannabis for Medical Purposes Regulations*, or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labelling and packaging, storing and transporting of marijuana.

Membrane Covered Structure: a structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or partially covered, but does not include gazebos.

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

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

Modular Home, Single Wide: a modular home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres in width.

Modular Home, Double Wide: a modular home that is designed to be moved and placed onto a permanent foundation in two or more modular units that, when joined together exceed 8 metres in width.

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

Municipality: the City of North Battleford.

Night Club: a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing during certain hours of operation may also be provided.

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.

Non-Conforming Site: a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use: a lawful specific use:

- (a) being made of land or a building or intended to be made of a land or of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw or any amendment hereto becomes effective; an
- (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.

Nurseries, greenhouses and garden centers: a building or structure and associated lands used for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, including the retail sale of those products, and may include the sale of gardening tools and implements. This does not include the growing, processing, labelling and packaging, storing, transporting or retail sale of cannabis.

Office and Office Building: a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, transhipped, sold or processed.

Office, Major: an office or office building 334 m² in gross floor area or larger.

Office, Minor: an office or office building under 334 m² in gross floor area.

Parking Lot: an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether free, for charge, or for accommodation of clients or customers.

Parking, Off-Street: accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle: a space within a building or parking lot for the parking of one vehicle and which has access to a developed street or lane, having minimum dimensions of 2.6 metres wide by 6.7 metres deep with direct lane access; 3.0 metres wide by 6.7 metres deep for a parallel space; and 2.6 metres wide by 5.5 metres deep for all other.

Pawnshop or Pawn Broker: a development, business, or individual providing secured loans in exchange for goods offered as collateral, including the sale of such goods and the minor repair of goods sold on site, but not including a second hand store or a flea market. Typical uses include the resale of clothing, jewellery, electronics, household goods and musical instruments in pawn, but does not include the sale of used vehicles, recreation craft, or construction and industrial equipment.

Permitted Use: any 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.

Personal Care Home: a facility licensed under the *Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

(i) Personal Care Home, Type I: a personal care home in which the number of residents, excluding staff, does not exceed four.

(ii) Personal Care Home, Type II: a personal care home in which the number of residents, excluding staff, is greater than four.

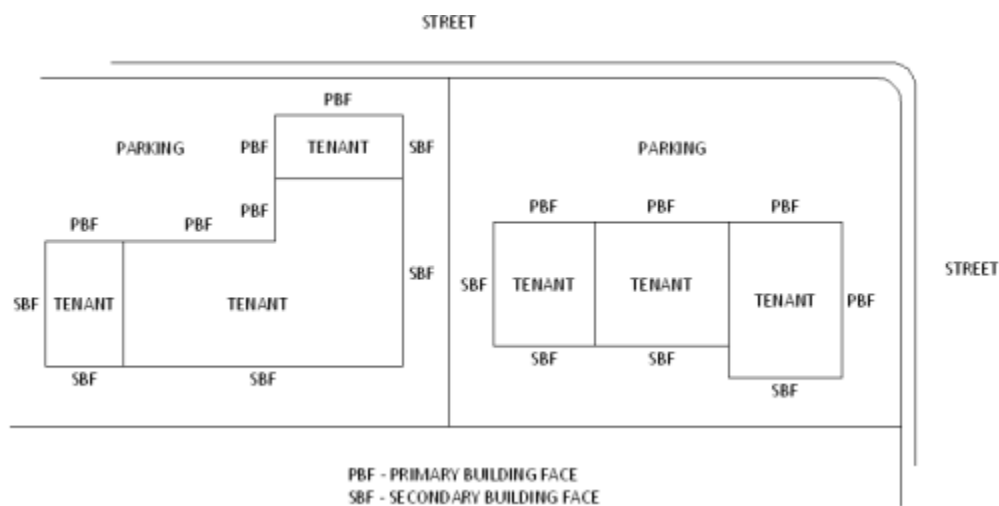
Personal Service Shops: establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

Photography Studio: a place used for portrait or commercial photography, including the developing and processing of film, and the repair or maintenance of photographic equipment.

Place of Worship: a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Preschool: a facility which provides a program for preschool aged children.

Primary Building Face: the exterior building walls facing a street and any other exterior building wall facing a parking lot that contains a public entry to the principal building, not including rear lanes, as illustrated below:



Private Service Homes: a service home for 5 persons or less (exclusive of receiving family) and approved by Provincial regulations and certified by the province, that provides care in a residential family setting to those in need of personal services, supervisions or assistance essential for sustaining the activities of daily living.

Public Hospital: a hospital operated by the Regional Health Authority.

Public Utility: a government, reserve or corporation under Federal or Provincial statute which operates a public work.

Public Work: shall include:

- (a) systems for the production, distribution or transmission of electricity;
- (b) systems for the distribution, storage or transmission of natural gas or oil;
- (c) facilities for the storage, transmission, treatment, distribution or supply of water; and/or,
- (d) solid or liquid waste management or disposal facility;
- (e) telephone, internet, cable television or light distribution or transmission lines; and,
- (f) facilities for the collection, storage, movement and disposal of storm drainage.

Recreational Facility, Commercial: a recreation or amusement facility operated as a business and open to the general public for a fee.

Recreational Facility, Public: a recreation or amusement facility operated by the Urban Reserve, First Nation, or a non-profit organization and open to the general public.

Recreation Vehicle: a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

Recycling Collection Depot: a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be allowed at a recycling collection depot:

- (a) processing of recyclable material other than compaction;
- (b) collection and storage of paints, oil, solvents or other hazardous material(s); nor,
- (c) outdoor compaction.

Residential Care Facility: a group care facility that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential Care Facility - Type I: a residential care facility in which the number of residents, excluding staff, does not exceed four.

Residential Care Facility - Type II: a residential care facility in which the number of residents, excluding staff, is more than four.

Restaurant: a place where food and beverages are prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service window.

Retail Store: a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Rooming House: a building that contains more than one rooming unit, including a boarding or lodging house.**Rooming Unit:** a room or rooms for accommodation, other than a dwelling unit or other form of accommodation defined elsewhere defined elsewhere in this Bylaw, with sleeping facilities but without private toilet facilities.

School, Private: a facility for elementary, secondary, or higher education which does not secure the majority of its funding from the Federal government or the First Nation, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public: a facility which meets Federal requirements for elementary or secondary education, and which secures the majority of its funding from the Federal government and the First Nation.

Screening: a fence, wall, berm or planted vegetation located so as to visually shield or obscure one abutting area of use from another.

Second Hand Store: a retail establishment carrying on the business of purchasing, selling, collecting, exchanging, or otherwise dealing in second hand or used goods, including the minor repair of such goods, but not including a pawnshop as herein defined or otherwise carrying on the business of a pawn broker.

Service Station: a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, rental, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed, but not including painting, body work and major repairs.

Shipping Containers: a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck.

Shopping Centre: a building, or group of buildings, located on the same site and managed as a single unit, in which individual spaces are leased to permitted or discretionary commercial uses for their mutual benefit, including the use of off-street parking and other joint facilities.

Sight Triangle: the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distance along said site lines (refer to Figure 2-3).

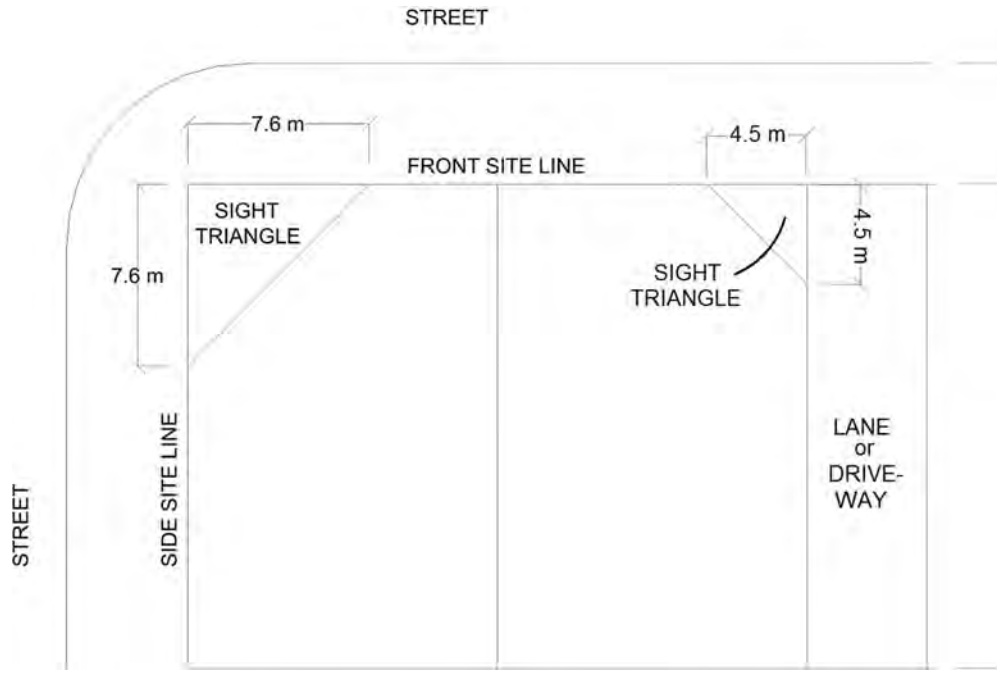


Figure 2-3: Sight Triangles

Sign: any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization or business; and which is visible on a street or public thoroughfare.

Signable Area: area of a building's primary building face where a fascia sign may be affixed to.

Sign, Awning: a sign made from canvas, plastic or similar non-rigid material affixed to a frame and attached to a building wall (refer to Figure 2-4(a)).

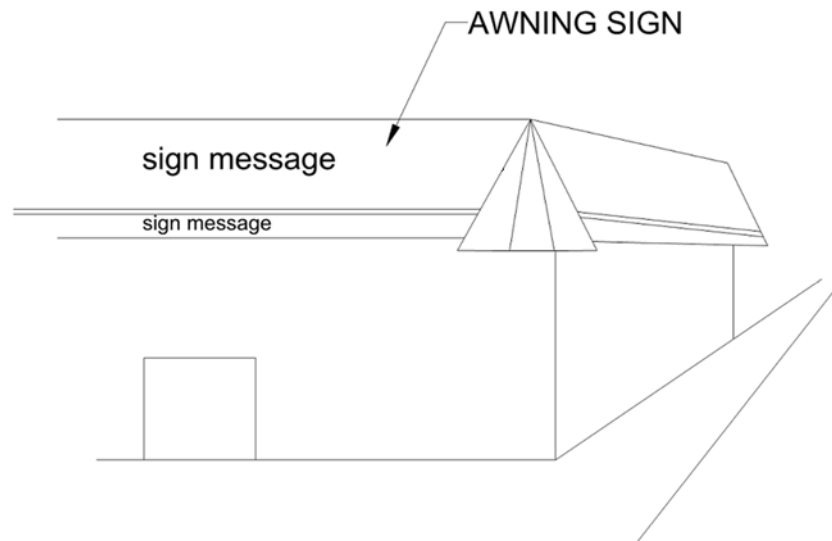


Figure 2-4(a): Illustration of Awning Sign

Sign, Canopy: a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-4(b)).

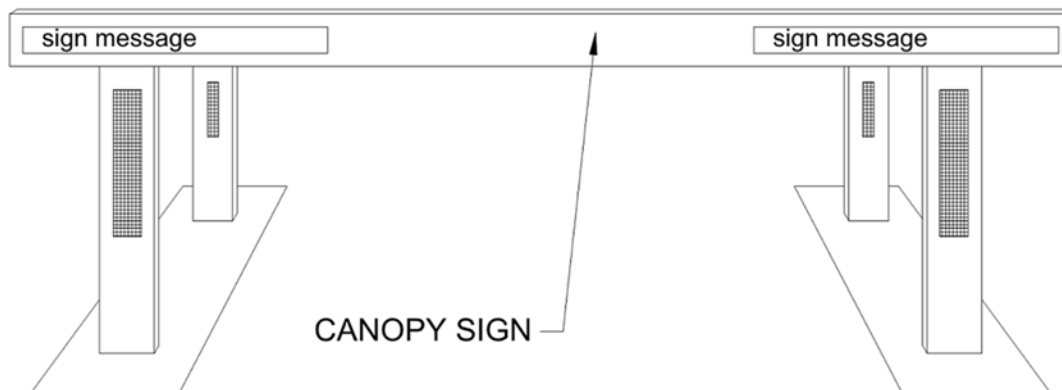


Figure 2-4(b): Illustration of Canopy Sign

Sign, Directional / Information: a sign giving directions, instructions or facility information but not including any advertising copy.

Sign, Fascia: a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 0.25 metres from such building or structure.

Sign, Free-Standing: a non-movable sign, not affixed to a building, and which is supported by a pole or similar structure.

Sign, Marquee: a sign that is mounted or painted on, or attached to an awning, canopy or marquee.

Sign, Monument: a freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign.

Sign, Portable: a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4(c)).

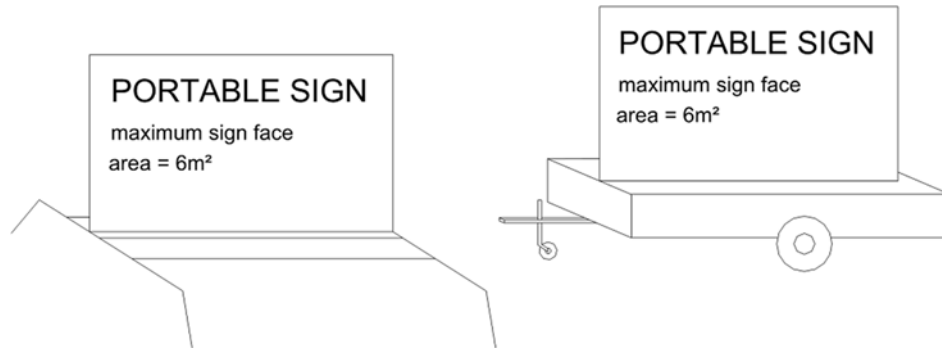


Figure 2-4(c): Illustration of Portable Signs

Sign, Projecting: a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-4(d)).

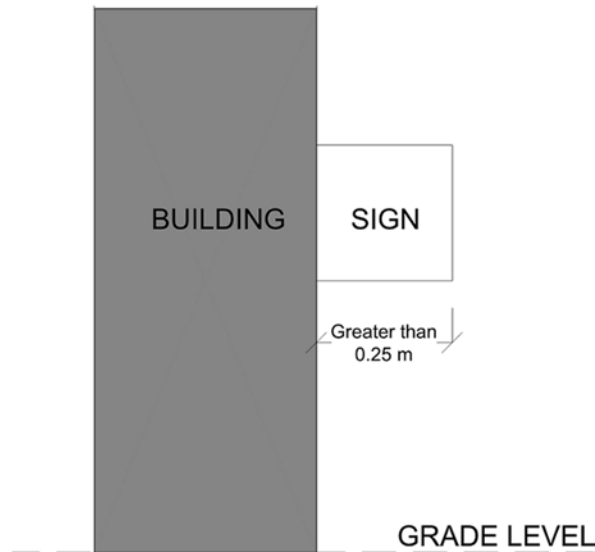


Figure 2-4(d): Illustration of Projecting Sign

Sign, Roof: a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary: a removable sign erected for a period of time not exceeding six months.

Site: one or more contiguous lots under one ownership and used, or intended to be used, by a single principal use or principal building.

Site, Corner: a site at the intersection of two or more streets (refer to Figure 2-5).



Figure 2-5: Illustration of Site Definition

Site, Interior: a site other than a corner site or through site (refer to Figure 2-5).

Site Coverage: that portion of the site that is covered by principal and accessory buildings.

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

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

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

Site, Through: a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-5).

Site Width: for rectangular sites, the horizontal distance between the side boundaries of the site measured along the front site line. For non-rectangular sites, the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines (refer to Figure 2-6).

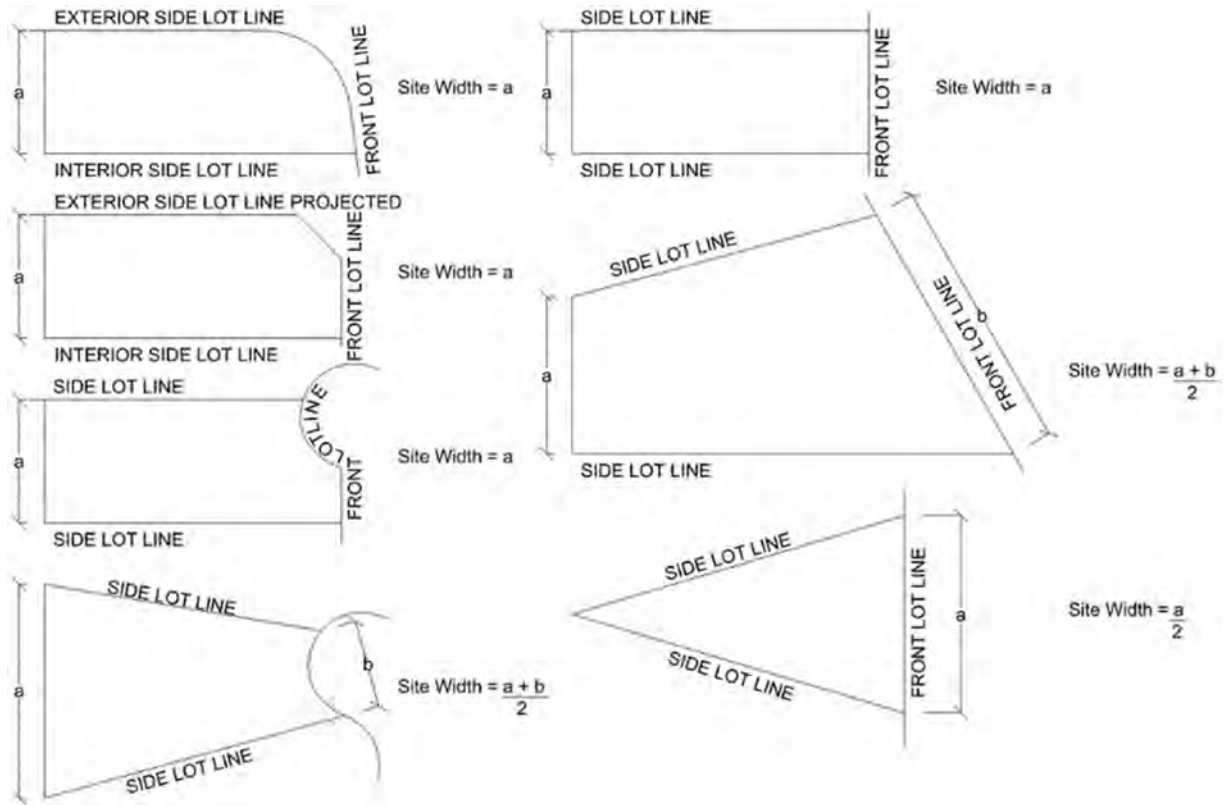


Figure 2-6: Illustrations of Site Width

Solar Collectors: the components and subsystems required to convert solar energy into electric or thermal energy. Solar collectors shall operate as an accessory structure to the principal building or use of the same site.

Solar Farms: an installation or area of land in which the components and subsystems required to convert solar energy into electric or thermal energy are set up to generate electricity as the principal use of the site.

Street: a public thoroughfare which affords the principal means of access to the abutting property.

Streetscape: the physical elements of the street, as seen from a human perspective, including but not limited to: trees and other vegetation; sidewalks, medians, and boulevards; the frontages, façades, massing, scale, and architectural aesthetic of buildings; moving and parked vehicles; pedestrians; roadways and lanes; signage; and utility elements that define the character, perception, scale, or overall “feel” of the street or neighbourhood.

Structural Alteration: the construction or reconstruction of supporting elements of a building or other structure.

Structure: anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Suite, Garage: a self-contained dwelling unit that is attached to a detached garage on a site in which the principal use is a one unit dwelling, and to which the suite is an accessory use.

Suite, Garden: a self-contained dwelling unit that is located in the rear or side yard of a site in which the principal use is a one unit dwelling, and to which the suite is an accessory use.

Suite, Secondary: a self-contained dwelling unit that is an accessory to, and located within, a building in which the principal use is a single detached dwelling, semi-detached dwelling, or two-unit dwelling.

Tavern: a building or portion thereof where beer, wine, or spirits are served to patrons for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted.

Telecommunication Tower: a development including:

- (a) microwave towers, including mobile (cellular) phone towers and associated facilities;
- (b) internet receiving and/or transmittal towers and associated facilities;
- (c) radar stations;
- (d) radio and television towers and associated facilities;
- (e) private antennas or structures including those used for ham radio, CB, SCADA, etc;
- (f) any other tower or structure used for receiving and/or transmitting electromagnetic radiation; and
- (g) an accessory building or structure to the above.

Telecommunication Tower, Major: a telecommunication tower with a height measuring 15 metres or more.

Telecommunication Tower, Minor: a telecommunication tower measuring under 15 metres in height.

Temporary Building: a building under 34 square metres in floor area without a foundation or footing, and that is to be removed upon expiration of a designated time period.

Temporary Use: a use established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified for that use.

Terrace: a level, artificially surfaced area adjacent to a principal building, not covered by a roof, at or within 0.6 metres of the finished grade; including patios.

Theatre: a place devoted to showing motion pictures or dramatic, dance, musical or other live performances.

Tourist Campground: a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

Townhouse: a dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.

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

Urban Reserve: The Urban Reserve of Red Pheasant Indian Reserve No. 108, which includes the following lands:

Surface Parcel No. 131425332 being Legal Subdivision 10 and those portions of Legal Subdivisions 15 and 16 in Section 9, in Township 44, in Range 16, West of the Third Meridian, in the Province of Saskatchewan, Dominion of Canada that lie to the South of the Southern limit of the road right of way as shown on a Plan of record in the Saskatchewan Land Surveys Directory as No. 87B16724, containing together 48.232 hectares (119.18 acres) more or less;

Surface Parcel No. 131430259 being all that portion of the North West Quarter of Section 9, in Township 44, in Range 16, West of the Third Meridian, in the Province of Saskatchewan, Dominion of Canada that lies outside the limits of the Plans of record in the Saskatchewan Land Surveys Directory as No. G3689 as amended by Master of Titles Order No. AE1167, No. 82B07947 and No. 87B16724, containing 59.208 hectares (146.31 acres) more or less;

Surface Parcel No. 131425310 being all that portion of the South East Quarter of Section 9, in Township 44, in Range 16, West of the Third Meridian, in the Province of Saskatchewan, Dominion of Canada that lies outside the limits of the Plans of record in the Saskatchewan Land Surveys Directory as Nos. 71B01629, 83B10762 and 91B06742, containing 16.142 hectares (39.89 acres) more or less; and,

Surface Parcel No. 131425321 being all that portion of the South West Quarter of Section 9, in Township 44, in Range 16, West of the Third Meridian, in the Province of Saskatchewan, Dominion of Canada that lies outside the limits of the Plan of record in the Saskatchewan Land Surveys Directory as No. G3689 as amended by Master of Titles Order No. AE1167, containing 16.898 hectares (41.76 acres) more or less.

Use: the purpose or activity for which a piece of land, or its building is designed, arranged, intended, occupied or maintained.

Use, General Industrial: any of the following activities:

- (a) the processing of raw or finished materials;
- (b) the manufacturing of assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial

- development;
- (d) the storage or transshipping of materials, goods and equipment, including warehouses;
 - (e) the training of personnel in general industrial operations; and/or,
 - (f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

Veterinary Clinic: a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

Wall Height: the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

Warehouse: a building used primarily for the storage of goods and materials.

Waste Management or Disposal Facility, Liquid: Shall mean a facility to accommodate any liquid waste in solution or suspension from residential, commercial, institutional and industrial sources, but does not include a septic system for a single residence, or a manure storage area for an intensive livestock operation.

Waste Management or Disposal Facility, Solid: Shall mean a facility, including waste transfer stations and landfills, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources, but not including dangerous goods, hazardous waste or biomedical waste.

Waste Transfer Station: Shall mean a facility where solid waste is stored and sorted prior to being transported to another or adjacent site for recycling, treatment or disposal.

Waste, Liquid: Shall mean any liquid waste in solution or suspension from residential, commercial, institutional and industrial sources.

Waste, Solid: Shall mean discarded solid materials or objects which originated from residential, commercial, institutional and industrial sources.

Wholesale Establishment: the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

Wind Collectors: the components and subsystems required to convert wind energy into electric energy. Wind collectors shall operate as an accessory structure to the principal building or use of the same site.

Yard: an unoccupied space open to the sky on the same site with a building or structure.

Yard, Front: the area between the side site lines and the front site line to the front building line.

Yard, Rear: the area between the side site lines, and the rear site line to the rear building line.

Yard, Required: a yard or yards required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

Yard, Side: the area between the front and rear yards and between the side site line and the side building line.

Zero-Setback: a front yard on a site that measures zero metres. A property with a zero-setback has its principal building built immediately up to the front site line. The most common zero-setback properties are within the downtown core area.

Zoning District: a specifically delineated area of the Urban Reserve within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.

SECTION 3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Development Officer shall administer this Bylaw.

3.1.2 The Development Officer shall be the person authorized, in writing, by the First Nation to act as a Development Officer for the purposes of this Bylaw.

3.2 DEVELOPMENT PERMIT

3.2.1 Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit shall not be issued in contravention of any of the provisions of this Bylaw.

3.2.2 A development permit is not required, but all other applicable provisions of this Bylaw are to be followed, for the following:

- (1) the maintenance of a public work by the First Nation/municipality or a public utility;
- (2) the construction of a public work by the First Nation/municipality;
- (3) the installation of a public work on any street or other public right-of-way by the First Nation/municipality;
- (4) maintenance and repairs that do not include structural alterations;
- (5) fences, subject to Section 4.7;
- (6) accessory buildings smaller than 9.3 m² in area, subject to Section 4.8;

3.2.3 The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder. A development permit shall be invalid:

- (1) if the proposed development is not commenced within 12 months from the permit issuance date, or

- (2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by the First Nation or the Development Officer.
- 3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.
- 3.2.5 An application for a development permit shall be processed concurrently with an application for a sign permit. The development permit shall take the form of a stamp affixed to the required sign permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- 3.3.1 Except in the case of applications for a sign permit, a portable sign license or a home based business, every application for a development permit shall be accompanied by the following:
- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person;
 - (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations;
 - (3) the complete legal description and civic address of the subject property;
 - (4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing trees;
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas; and,
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site; and
 - (5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

- 3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.15 of this Bylaw, where relevant.

3.4 DEVELOPMENT PERMIT APPLICATION PROCESS

- 3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.
- 3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw.
- 3.4.3 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by the First Nation, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by the First Nation.
- 3.4.4 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.4.5 The Development Officer may revoke a development permit where:
- (1) the development permit has been issued in error;
 - (2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;
 - (3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,
 - (4) a development is subject to an agreement which has been cancelled by the First Nation.
- 3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT APPEALS BOARD

- 3.5.1 A Development Appeals Board of the Urban Reserve shall be determined by the First Nation.

3.6 RIGHT OF APPEAL

- 3.6.1 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 Urban Reserve.

- 3.6.2 Where an application for a DISCRETIONARY USE has been APPROVED by the First Nation, WITH PRESCRIBED SPECIAL 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 First Nation.
- 3.6.3 Where an application for a DISCRETIONARY USE has been REFUSED by the First Nation, the applicant shall be advised that there is no appeal.
- 3.6.4 An application for a Development Permit for a PERMITTED USE 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 3.7.1 as though the application had been refused at the end of the period specified in this subsection.
- 3.6.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with a sum of not more than \$50.00 that the Board may specify to be applied to the expenses of the appeal.

3.7 MINOR VARIANCES

- 3.7.1 The Development Officer may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in this Bylaw.
- 3.7.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.
- 3.7.3 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by the application fee.

3.8 NON-CONFORMING USES, BUILDINGS AND SITES

- 3.8.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to review by the First Nation.
- 3.8.2 No existing building, site or use shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.9 DISCRETIONARY USE APPLICATIONS

3.9.1 The following procedures shall apply to discretionary use applications:

- (1) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
- (2) The application will be examined by the Development Officer for conformance this Bylaw;
- (3) The Development Officer may request comments from other government agencies where applicable;
- (4) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
- (5) The Development Officer will set a date for the meeting at which the application will be considered by the First Nation and will give notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land.
- (6) The First Nation shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by the First Nation;
- (7) The First Nation may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site; and,
- (8) The Development Officer shall notify the applicant of the First Nation's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (9) Where an application for a discretionary use is approved by resolution of the First Nation, the Development Officer shall issue a development permit subject to any specified development standards prescribed by the First Nation pursuant to Section 3.10.4.
- (10) Where an application for a discretionary use is approved by resolution of the First Nation but the proposed development does not meet the zoning regulation for the applicable zoning district, the Development Officer shall:
 - (a) advise the applicant of the First Nation's approval of the discretionary use application; and

(b) advise the applicant that the development permit application must be refused on the grounds of zoning non-compliance but that applicant has the right of appeal.

- (11) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

3.9.2 *Terms and Conditions for Discretionary Use Approvals*

Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use to minimize land use conflict, the First Nation may prescribe specific development standards related to:

- (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent properties;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs; and / or
 - (h) intensity of use.
- (3) The First Nation's approval of a discretionary use application is valid for a period of twelve (12) months from the date of the approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the First Nation determines, within the twelve (12) month approval period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant when an approval is no longer valid and shall revoke the associated development permit.
- (4) If an approved discretionary use or form of development ceases to operate for a period of six (6) months or more, the discretionary use approval shall

no longer be valid. The Development Officer shall advise the owner and the First Nation when a prior approval is no longer valid.

- (5) The First Nation may agree to an extension of a discretionary use approval for an additional twelve (12) month period and direct the Development Officer to issue a development permit for the extended period.

3.9.3 *General Discretionary Use Evaluation Criteria*

The First Nation will apply the following general criteria and where applicable the use specific criteria in Section 3.10.4 in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

- (1) The proposal must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (4) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.

- (8) All operations shall comply with all Federal regulations which govern their operation and development.
- (9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.9.4 Use Specific Discretionary Use Evaluation Criteria

The First Nation will apply the following use specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development.

(1) *Bus Terminals and Car Washes:*

- (a) The location of the bus terminal or car wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) reserve servicing capacity;
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and/or,
 - iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.
- (b) Bus terminals are also subject to Section 4.12.6

(2) *Convenience Stores:*

- (a) Convenience stores should, where possible, be located on corner sites to facilitate access;
- (b) The location of the convenience store will only be favourably considered where it can be demonstrated that residential amenity will not be unreasonably compromised;
- (c) Vehicle car parking and access areas should not form a dominant element in the streetscape; and,
- (d) Any new parking and loading areas should be landscaped to improve the visual appearance of this site.

- (3) *Community Service Uses, Clubs, Public and Commercial Recreation Facilities:*
- (a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access;
 - (b) Public elementary and secondary schools should, where possible, be located adjacent to public open space;
 - (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads;
 - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units; and,
 - (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (4) *Dwelling Groups* - also refer to Section 4.12.5:
- (a) All parking areas, private garages or vehicular access to units or sites within a dwelling group should be from a roadway which is common property internal to the parcel;
 - (b) All dwelling groups should have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in case of emergency;
 - (c) The suitability of a proposal will be considered with respect to:
 - i) the capacity of the adjoining street system to handle the size and location of the development. The development will not cause excessive traffic to pass through adjoining low density residential development;
 - ii) the density of a dwelling group and building separations will be consistent with similar residential structures on separate subdivided parcels; and,
 - iii) bareland condominium proposals for dwelling groups will only be considered if there is provision for adequate common property on the parcel.
- (5) *Multiple Unit Dwellings:*
- (a) The location of multiple unit dwellings will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on

the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:

- i) reserve servicing capacity; and
 - ii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.
- (b) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, café and personal service use on the main floor;
 - (c) The parking required for multiple unit dwellings is additional to the parking required for the commercial uses;
 - (d) The suitability of a proposal will be considered with respect to:
 - i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
 - ii) the convenience of parking; and,
 - iii) appropriate size and quality of proposed dwelling units.

(6) *Night Clubs and Taverns:*

- (a) The location of the night club will only be favourably considered where it can be demonstrated that the use will have a minimal impact on the amenity of the surrounding district and adjacent areas and that these areas will not be unreasonably compromised;
- (b) The character of adjacent residential districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening;
- (c) Night clubs and taverns shall maintain the character, density and purpose of the surrounding area and the district they lay within.

(7) *Shopping Centres and Malls:*

- (a) Malls and shopping centres shall have clearly defined pedestrian walkways between the sidewalk and building entrances;
- (b) It must be demonstrated to the satisfaction of the First Nation that mitigation of vehicular traffic impacts has been addressed;

- (c) Parking lots, service areas, and loading zones shall be appropriately screened from view of the street;
 - (d) Primary access to malls and shopping centres shall preferably be from a thoroughfare street system; and,
 - (e) The number and location of vehicle entrances to a commercial development shall be consistent with the existing or anticipated design of adjacent streets and consideration shall be given to the minimum number of entrances needed to move traffic onto and off the site safely and efficiently.
- (8) *Ambulance stations:*
- (a) The site shall be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - (b) Consideration shall be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (c) The character of adjacent residential uses shall be protected and maintained through the provision of buffer areas, separation distances and screening.
- (9) *Restaurants, with or without associated lounges:*
- (a) Restaurants, with or without associated lounges, where possible, should be located near similar community and support facilities; and
 - (b) The character of adjacent residential districts, along the zone interface, should, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
- (10) *Lumber yards, home improvement centres, building supply establishments and construction trades:*
- (a) The location of lumber yards, home improvement centres, building supply establishments and construction trades will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) reserve servicing capacity;

- ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - iv) utilization of hazardous substances.
- (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening.
- (11) *Auto body shops, construction trades, freight handling facilities, taxidermy and accessory tanning of hides, warehouses, light manufacturing, and welding and machine shops:*
- (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) reserve servicing capacity;
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - iv) utilization of hazardous substances.
 - (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening;
 - (c) Warehouses and freight handling facilities shall be accessible from a major road network to avoid heavy traffic volumes on access roads. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and,
 - (d) No outside storage is permitted for a wholesale establishment.

(12) *Light manufacturing:*

- (a) All materials and goods used in conjunction with light manufacturing plants shall be stored within an enclosed building, or within an area hidden from view by screening; and,
- (b) All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.

(13) *Indoor storage rental facilities, recycling and collection depots, and storage garages:*

- (a) The use shall be located where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to the First Nation shall be provided in all yards facing a public roadway or properties in residential use.

(14) *Tourist campgrounds:*

- (a) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained;
- (b) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development;
- (c) There shall be adequate manoeuvring space on-site; and
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.

(15) *Laundromats:*

- (a) The location of laundromats will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface; and
- (b) Consideration shall be given to the area's reserve servicing capacity.

(16) *Golf courses:*

- (a) Consideration will be given to the compatibility of the golf course with adjacent land uses;

- (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainways of the site, and employ minimal clearing of native vegetation;
- (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility and traffic;
- (d) The First Nation will consider the following as an asset in the development of a golf course:
 - i) maximum use of existing landforms and native grasses and vegetation;
 - ii) an alternative water source to potable water; and,
 - iii) water conserving irrigation systems.

(17) *Intensive agricultural uses (excluding livestock):*

- (a) The location of agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) reserve servicing capacity;
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - iv) utilization of hazardous substances.

(18) *Accessory Dwelling Units:*

- (a) Dwelling units attached to commercial establishments shall have a main entrance separate from that of the commercial establishment. An emergency exit must be provided in addition to the main entrance; and,
- (b) The minimum floor area of each dwelling unit shall be 28 square metres.

- (c) The development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with.

(19) *Bulk Petroleum Tanks:*

- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels.

(20) *Solid Waste Management or Disposal Facilities:*

- (a) Applications for new solid waste management and disposal facilities shall be located in accordance with the North Battleford Airport Zoning Regulations and Transport Canada Guidelines.

(21) *Telecommunication Towers:*

- (a) Shall be designed to limit the overall visual impact on the surrounding area.

(22) *Cannabis Retail Outlets:*

(a) shall have a minimum separation distance of 225m, measured from the centre, of all public schools, playgrounds, libraries, and reserve recreation centres;

(b) shall maintain the character, density and purpose of the surrounding area and the district they lay within; and

(c) any signs promoting these types of businesses shall adhere to the sign regulations in Section 4.10 Signs of this Bylaw and must meet the following additional criteria:

- i. Compatible with the overall character to be achieved in the neighbourhood; and
- ii. Aesthetic appearance should safeguard and, where possible, enhance property values.

(23) *Solar Farms:*

The installation and operation of a solar farm shall be a discretionary use in the FUD – Future Urban Development and M2 – Heavy Industrial Zoning Districts and are subject to the following provisions:

- (1) In any Future Urban Development District, the developer shall be held accountable for decommissioning and site restoration. The owner of the Facility, as provided for in its lease with the land owner, will do the following as a minimum to decommission the project:
 - i. Remove all non-utility owned equipment, conduits, structures,

fencing, and foundations to a depth of at least 1m below grade;

- ii. Remove all graveled areas and access roads unless the owner of the leased real estate requests in writing for it to stay in place;
 - iii. Restore the land to a condition reasonably similar to its condition before development, including replacement of top soil removed or eroded; and
 - iv. Revegetate any cleared areas with grasses that are native to the region, unless requested in writing by the owner of the real estate to not revegetate due to plans for future urban development or agricultural planting.
- (2) In any Future Urban Development District, the subject lands may be required to undergo an Environmental Impact Assessment prior to development.
- ~~(3)~~ In any Future Urban Development District or Heavy Industrial District, the applicant shall submit an analysis of the solar glare aviation hazard of the proposed project with the permit application.
- (24) Crematoriums:
- (a) The location of a crematorium will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) anticipated levels of odour, smoke, fumes, dust, or other emissions emanating from the operation;
 - (b) The use should be appropriately screened from the street and adjacent properties.

3.10 AMENDING THE ZONING BYLAW

- (1) Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to the First Nation for consideration.
- (2) The First Nation may authorize a proposed amendment to the Zoning Bylaw, and that amendment may be adopted by bylaw, subject to Section 3.11.3.
- (3) The First Nation shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.
- (4) The First Nation shall give notice of its intention to consider a Zoning Bylaw amendment.

3.11 ZONING BY AGREEMENT

- (1) A zoning designation which is subject to an agreement entered into shall be indicated on any *Zoning District Map* by the addition of the Bylaw number authorizing agreement after the zoning district designation.

3.12 FEES

- (1) The following fees shall be in addition to any fee required by Section 3.12.4. There shall be no development permit application fees for accessory buildings under 9.3 square metres in area, for fences or for sign permits. Sign permit fees are set out in Section 4.10.4 of this Bylaw. An applicant for a development permit shall pay an application fee in accordance with the following:

- (a) Permitted principal use: \$100.00
 - (b) Permitted accessory use: \$100.00
 - (c) Permitted ancillary use: \$100.00
 - (d) Discretionary principal use: \$500.00
 - (e) Discretionary accessory use: \$500.00
 - (f) Discretionary ancillary use: \$500.00
 - (g) Minor variance: \$ 50.00
 - (h) Development Appeal Fee: up to \$50.00 as specified by the Development Appeals Board.
- (2) Subdivision review for all subdivision applications:
- (a) \$200 per proposed lot plus \$150 for issuance of a Certificate of Approval.
- (3) Detailed review costs:
- (a) General: Where a development or subdivision proposal involves a detailed review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, the First Nation may require the applicant to pay the full cost of the additional application review and administration costs, as the First Nation may determine by resolution.
 - (b) Items: Such costs may include the First Nation meetings, legal and professional planning costs, reserve administration fees and site inspection fees, as determined by the First Nation.
 - (c) Documentation: Such costs may be addressed and clarified in the First Nation specified documents, including development and servicing agreements.
- (4) An applicant seeking amendment to this Bylaw shall pay the following fees, where applicable:
- (a) Text amendments: \$200; and/or,

- (b) Map amendments:
 Class 1 Districts: PR, FUD, CS
 Class 2 Districts: C2, C3, C4, MU, M1, M2 Class
 3 Districts: R1, R1A, R2, R3, R4

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$100	\$500	\$2500
	Class 2	\$500	\$1000	\$2500
	Class 3	\$500	\$1500	\$2500

- (c) Where an application to amend this Bylaw involves amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for a text amendment, if applicable.
- (d) In addition to the fees outlined in Section 3.12 (4), where a person requests the First Nation to amend this Bylaw, that person shall pay to the First Nation a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. the First Nation may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.

3.13 OFFENSES AND PENALTIES

- (1) The Development Officer may inspect any development suspected of contravening this Bylaw. If it is determined that a contravention exists, the Development Officer may notify the owner in writing and instruct the owner to correct the contravention within a set time period. If for any reason the contravention has not been corrected within that time, the Development Officer may extend the time period or issue a zoning compliance order to achieve bylaw conformance.

SECTION 4 GENERAL REGULATIONS

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other Federal regulations and requirements and from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 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.

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, health care clinics, recreation facilities, schools, hospitals, senior citizens' homes, personal care homes and public works.

4.4 HEIGHT RESTRICTIONS

Any height limitations or regulations shall not apply to spires, belfries, cupolas, television and solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS

On a corner lot, in any residential district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of 1 metre or greater above the elevation of the centre of the abutting street within a triangular area formed by the intersecting lot lines abutting the streets and a straight line joining said lot lines at points 6 metres distant from the intersection of the lot lines.

4.6 REQUIRED YARDS AND OPEN SPACE

4.6.1 Minimum Yards Required

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

4.6.2 Permitted Obstructions in Required Yard

The following shall not be considered to be obstructions and shall not be considered in the determination of yard dimensions or site coverage:

(1) *In all yards:*

- (a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane; trees; shrubs; walks; uncovered driveways; fences; trellises; flag poles and wheelchair ramps; and
- (b) installations of insulation and building finishes of 0.10 metres or less, where such insulations and finishes are intended to improve the energy efficiency of the building.

(2) *In front yards:*

- (a) Overhanging eaves and gutters projecting not more than 1 metre into the required yard;

- (b) Lighting fixtures, lamp posts, raised open patios, open decks, canopies or balconies projecting not more than 1.8 metres into the required yard; and,
- (c) Sills, belt cornices, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required yard.

(3) *In rear yards:*

- (a) Raised patios and decks measuring more than 0.6 metres in height above grade, and canopies and balconies provided they do not project to within 3 metres of the rear site line;
- (b) Raised patios, terraces and decks measuring 0.6 metres or less in height above grade, having a projection of not more than 3 metres into the required yard;
- (c) Overhanging eaves and gutters, sills, belt courses, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1 metre into the required yard;
- (d) On interior sites, enclosed private swimming pools when attached to the principal building, projecting not more than 3 metres into the required yard; and,
- (e) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

(4) *In side yards:*

- (a) Raised patios, terraces and decks measuring 0.6 metres or less in height above grade;
- (b) Raised patios and decks measuring more than 0.6 metres in height above grade and canopies and balconies provided they do not project more than 1.2 metres into the required yard;
- (c) Sills, belt courses, pilasters or other similar vertical columns, cornices, eaves and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required yard; and,

4.7 FENCES

- (a) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

4.7.1 A principal building or use must be established on a site prior to the erection of a fence or wall on the site.

- 4.7.2 A fence may be erected to safeguard public safety on a site during the period of construction of the principal building or use or due to the presence of a natural hazard on the site.
- 4.7.3 No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.
- 4.7.4 No wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level.
- 4.7.5 Sections 4.7.1 and 4.7.2 (above) do not apply in **C, M or FUD** Districts, except that in the case of a corner site, no wall, fence, screen, hedge or other structure shall be placed so as to create a visual obstruction in an established intersection sight triangle.
- 4.7.6 A development permit is required for the erection of all fences.

4.8 ACCESSORY BUILDINGS AND STRUCTURES

- 4.8.1 Accessory buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

4.8.2 Time of Construction

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following cases:

- (1) Where a Development Permit has been issued for a principal building, the First Nation shall allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.8.3 Height of Accessory Buildings

- (1) In any Commercial, Industrial, Community Service, Mixed Use, Parks or Future Urban Development District accessory buildings are not to exceed the height of the principal building.
- (2) In any Residential District accessory buildings are not to exceed the height of the principal building and in no case shall the wall height exceed 3 metres.

4.8.4 Private Garages and Carports

- (1) Private garages and carports attached to the principal building by a substantial roof structure are considered as part of the principal building and subject to the regulations governing the principal building.

- (2) On any site in any residential zoning district only one detached garage, not exceeding 90 square metres in area, subject to Sections 4.8.5 and 4.8.6 (below), is permitted.
- (3) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 6 metres of the front site line faced by the door.
- (4) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 3.0 metres of the side site line faced by the door.

4.8.5 *Location and Size of Accessory Buildings (including private garages and carports)*

- (1) Detached accessory buildings in all Residential Districts are subject to the following regulations:
 - (a) All accessory buildings shall not occupy more than 10.4% of the site, up to a combined maximum of 100 m².
- (2) Detached accessory buildings in all Zoning Districts are subject to the following regulations:
 - (a) Detached accessory buildings are not to be located in any front yard;
 - (b) *Yard, rear:* minimum - 0.6 metres, except where the main door faces the rear site line, the minimum shall be 1.5 metres;
 - (c) *Yard, side:* except as provided for in Section 4.8.4(4), minimum - 0.75 metres where the accessory building is over 1.8 metres behind the rear wall of the principal building, otherwise 1.2 metres.
 - (e) Detached accessory buildings shall be located at least one metre from the principal building.

4.8.6 *Number of Accessory Buildings*

In any Residential District, there shall be no more than three (3) accessory buildings on a site.

4.8.7 *Satellite Dishes, Solar Collectors, and Wind Collectors*

The installation and operation of a satellite dish, solar collector, wind collector, and their supporting structures shall be permitted in all zoning districts subject to the following:

- (1) In any Commercial, Community Service, Mixed Use or Residential District such structures shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within three (3) metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;

- (2) In any Commercial, Community Service, Mixed Use or Residential District such structures, if freestanding, shall not exceed a height of five (5) metres above grade level;
- (3) In any Commercial, Community Service, Mixed Use or Residential District such structures if attached to a principal building, shall not exceed a height of five (5) metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and,
- (4) In any Commercial, Community Service, Mixed Use or Residential District such structures, if attached to or erected upon an accessory building, shall not exceed the maximum permitted height of the accessory building upon which such structure is attached or erected.

4.8.8 *Permanent Membrane Covered Structures*

- (1) In all districts anchored membrane covered structures up to 18.6m² (200 square feet) are allowed.
- (2) In all industrial districts and the **C3** - Arterial Commercial District, anchored membrane covered structures are allowed.
- (3) Development applications for Permanent Membrane Covered Structures must include a drawing stamped by a Professional Engineer to prove the structure will meet Section 4 of the *National Building Code* and CSA Standard Section A660.
- (4) In all cases the membrane covered structure must comply with the siting requirements for the zoning district as if it were an accessory building.

4.8.9 *Temporary Membrane Covered Structures*

- (1) In any district, temporary membrane covered structures shall be allowed for a period not to exceed seven (7) days in a calendar year.

4.8.10 *Shipping Containers*

- (1) No shipping container shall be used, placed or stored on any site other than a site in an industrial or arterial commercial district.
- (2) A shipping container shall only be used for shipping and storage purposes accessory to the principal use of the site and shall comply with the siting requirements for accessory buildings for the applicable Zoning District.
- (3) All shipping containers must be sand blasted and repainted a neutral colour prior to their placement above grade on a site.
- (4) Shipping containers shall not be placed on any front yard and shall be screened from view by a solid fence or hedge.

- (5) When placed on a site pursuant to subsection (4), the shipping container shall:
 - (a) be located so as not to create a safety hazard.
 - (b) not be located on a public street or dedicated land.
- (6) A maximum of two (2) shipping containers may be placed on any site at any one time.
- (7) Notwithstanding subsection (1), shipping containers may be placed temporarily on site in any district:
 - (a) to be used solely for the storage of supplies and equipment required in connection with building construction on the site authorized by a building permit. The shipping container must be removed from the site upon completion of building construction;
 - (b) for the purpose of loading and unloading of items associated with the principal use; and,
 - (c) for a period of not more than 30 days or for an extended 30 day period for large scale construction projects, subject to the approval of the Development Officer.

4.9 OFF STREET PARKING AND LOADING

4.9.1 Parking and Loading Spaces Required with Development

- (1) No person shall erect, enlarge, or extend any building or structure permitted under this Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.
- (2) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.
- (3) Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.

- (4) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the **C2, C3, or C4** Districts, where required parking spaces may be located on a remote site. In the **C2, C3, or C4** Districts, remote parking may be approved where the remote site is within 150 metres of the principal building or use and where the remote site is located within a Commercial or Industrial district.
- (5) Pursuant to section 4.9.1 (4), remote parking within the **C2, C3, or C4** Districts is permitted provided the owner of the principal use site registers an interest on the parking lot title.
- (6) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

4.9.2 Payment in Lieu of Required Off Street Parking Facilities

- (1) The First Nation may exempt any applicant for a use permitted in **C3** - Arterial Commercial District from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay the First Nation the sum of money calculated by multiplying the number of off street parking spaces that would otherwise be required by \$2,000.
- (2) The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as the First Nation may determine.

4.9.3 General Regulations for Off Street Parking and Loading

- (1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, signage, sale or storage of goods of any kind.
- (2) Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:
 - (a) All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities;
 - (b) Where warranted, on-site traffic signs shall be provided;

- (c) In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes;
- (d) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the minimum dimensions set out in Table 4-1.

Table 4-1 PARKING AND LOADING SPACE DIMENSION REQUIREMENTS		
Type of Space	Minimum Dimension	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.6 metres x 5.5 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Parking spaces other than those described above	2.6 metres x 5.5 metres	2.0 metres
Loading space	3.0 metres by 7.5 metres	4.0 metres

- (e) All required parking and loading spaces shall, without excessive vehicular manoeuvring, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

<u>Parking Angle in Degrees</u>	<u>Width of Aisle or Driveway</u>
75 to 90	7.3 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)
49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle;

- (f) All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets;
- (g) Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles; and,
- (h) For multiple unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

4.9.4 *Required Off Street Parking and Loading in Residential and Community Service Districts*

- (1) The minimum off street parking requirements for all Residential and the Community Service Districts are set out in Table 4-2.
- (2) In all Residential Districts, required off-street parking shall not be located in any required front yard.
- (3) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

4.9.5 *Required Off Street Parking and Loading in Commercial Districts*

- (1) The minimum off street parking requirements for all Commercial Districts are set out in Table 4-2.
- (2) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

4.9.6 *Required Off Street Parking and Loading in the MU Mixed Use District*

- (1) The minimum off street parking requirements for the **MU** - Mixed Use District are set out in Table 4-2.
- (2) In the **MU** - Mixed Use District, required off-street parking for residential uses shall not be located in any required front yard.
- (3) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

4.9.7 *Required Off Street Parking and Loading in Industrial Districts*

- (1) The minimum off street parking requirements for all Industrial Districts are set out in Table 4-2.
- (2) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

4.9.8 *Required Off Street Parking and Loading in Parks and Recreation, Future Urban Development and Restricted Development Districts*

- (1) The minimum off street parking requirements for all Parks and Recreation, Future Urban Development and Restricted Development Districts are set out in Table 4-2.
- (2) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

TABLE 4-2 OFF-STREET PARKING REQUIREMENTS IN ALL DISTRICTS	
Parking Category	Parking Spaces Required
0	No off-street parking required
1	1 per dwelling unit
2	1 space per dwelling unit plus 0.1 space per dwelling unit for visitors
3	1 space plus 1 space for each guest room
4	1 space per 50 m ² of gross floor area
5	1 space per 37 m ² of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	1 space plus 1 space for each non-resident staff member
8	3 spaces per 10 seats in main assembly area (or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area.
9	1 space per 4 seats intended for patrons use
10	1 space per 2 guest rooms plus 1 space per 15m ² of gross floor area devoted to the public assembly plus the applicable parking requirements for any other use contained on the site.
11	1 space per 50 m ² of gross floor area, or 1 space per 3 employees, whichever is greater.
12	1 space per 90 m ² of gross floor area
13	1 space per 28 m ² of gross floor area, or 1 space per 3 employees, whichever is greater
14	1 space plus one space per 5 persons enrolled in the facility
15	1 space for 8 patrons at design capacity
16	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
17	1 space per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 7.5 m ² of gross floor area devoted to main assembly area
18	1 space per non-resident employee
19	1 space per staff member
20	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
21	1.2 spaces per classroom plus 1 space per 4 students at design capacity
22	1 space per bay
23	1 space per 3 beds plus 1 space per 4 employees

4.10 SIGNS

All signs shall be subject to the following regulations:

4.10.1 General

- (1) In addition to signs permitted as set out below, temporary election signs, and temporary signs bearing notice of sale or lease or other information relating to a temporary condition affecting the property, are permitted.
- (2) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety.
- (3) Except as otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (4) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.
- (5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m² in area, identifying the name of the home based business. Such sign shall not be illuminated and shall be affixed to the principal building. (Note: On multiple unit residential buildings, other permission may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw.)
- (6) Subject to the general provisions governing their location, one (1) monument sign, with a maximum height of 1.8 metres and subordinate to any other free-standing sign on the property, shall be permitted at the entrance of a property.

4.10.2 Application for Permits

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.
- (2) Prior to issuing a sign permit for a free standing, digital sign, projecting or roof sign, the Development Officer may require that the supplementary documentation described in (1) above, contain the professional stamp of a certified professional engineer qualified to certify that the sign design satisfies all relevant legislation, codes and Bylaws.
- (3) Applications for digital signs must be accompanied by contact information that includes the name and telephone number of person(s) having access to the technology controls for the digital sign, and who can be contacted 24

hours a day.

- (4) A permit shall not be issued for a Digital Message Centre or Date & Time Digital Message Centre unless a valid business license has been issued for the use occurring on the site.

4.10.3 Licensing of Portable Signs

- (1) Portable signs must be licensed and are subject to the fees contained in section 4.10.4 (2).
- (2) The annual license shall be in the form of a license sticker which must be affixed anywhere on the top one-third of the sign on the end or face closest to the street.
- (3) A license sticker is not transferable from one portable sign to another.

4.10.4 Permit and License Fees

- (1) Permanent signs
 \$60 for the first \$12,000 of sign construction value; and,
 \$5 for every \$1,000 of sign construction value in excess of \$12,000.
- (2) Portable signs
 an annual license fee of \$100; and
 a fee of \$200 per 30-day period for a portable sign occupying a required parking space.

4.10.5 Denying or Revoking Permits

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
 - (a) erection of the sign has not commenced within six months from the date of issue of the permit;
 - (b) the sign does not conform to all relevant provisions of this Bylaw;
 - (c) the sign being constructed or erected does not conform to the approved drawings;
 - (d) the sign is not in a proper state of repair; and/or

4.10.6 *On any site in any Parks and Recreation District, Future Urban Development District or Residential Districts, signs may be erected as follows*

- (l) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any Residential district, the Future Urban Development District or the Parks and Recreation District are set out in Table 4-7. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;
 - (c) Signs applying to community service uses must not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.; and,
 - (d) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-7 SIGN REGULATIONS IN PARKS AND RECREATION, FUTURE URBAN DEVELOPMENT AND RESIDENTIAL DISTRICTS						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 (1)	0.4 (1)	0	n/a	n/a	n/a
All principal commercial uses for which a permit has been issued	2	6	1	2.5	2	4
All principal community service uses for which a permit has been issued	2	10	1	3	2.5	5

- (1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group.

4.10.7 *On any site in the Community Service District, signs may be erected as follows:*

- (l) Sign provisions applying to permitted principal community service uses, residential uses and commercial uses in the Community Service District are set out in Table 4-8. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign; and,
 - (c) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-8 SIGN REGULATIONS IN COMMUNITY SERVICE DISTRICT						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All principal commercial uses for which a permit has been issued	2	18	1	6	6	12

(1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group.

4.10.8 In any site in any Commercial, Industrial District or Mixed Use Districts, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal commercial / industrial uses, community service uses and residential uses are set out in Table 4-9. The following provisions also apply:
 - (a) Illuminated signs applying to commercial / industrial or community service uses shall have an internal light source or an external light source shielded so that the light is directed only at the face of the sign;
 - (b) A free standing sign applying to a commercial / industrial use may be located in a required yard provided that the Development Officer is satisfied that it does not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - (c) Free standing signs shall maintain a minimum vertical clearance of 3.0 m above grade over any vehicle circulation area on the site;
 - (e) Signs other than free standing signs shall have a minimum vertical clearance of 3.0 m above grade where they project more than 7.5 cm from the building face;
 - (f) Awning signs shall not project more than 1.8 m from the building face;
 - (g) Projecting signs shall not project more than 1.8 metres above the eaves or parapet of a supporting building;
 - (h) No sign shall project beyond the property lines of the site to which it pertains;
 - (i) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building;
 - (j) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed; and

- (k) Apart from billboards, third-party advertising signs or display material are prohibited in any commercial or industrial district. All signs and display material shall be limited to advertising or offering products or services related to the principal use of the site.

Table 4-9						
SIGN REGULATIONS IN COMMERCIAL AND INDUSTRIAL DISTRICTS						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal commercial / industrial uses for which a permit has been issued	n/a	n/a	(1)	(2)	(3)	(3)
All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 (4)	0.4 (4)	0	n/a	n/a	n/a
All principle commercial uses for which a permit has been issued in the C2 - Neighbourhood Commercial District	2	6	1	2.5	2	4

- 1) In the C3, C4, MU Districts and M - Industrial Districts, a maximum of one free standing sign shall be permitted.
- 2) In the C3, C4, MU and M - Industrial Districts: 20 square metres sign face area and 40 square metres total sign face area.
- 3) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre, showing the name of the building or group.

4.10.9 *Portable Sign Regulations*

- (1) No portable sign shall have a single face area greater than 6.0 m².
- (2) No portable sign shall have a height greater than 3.0 metres above grade.
- (3) No portable sign shall occupy any required parking space, except under the fee conditions contained in section 4.10.4 (2).
- (4) A maximum of one portable sign is allowed per site.
- (5) No portable sign may be located closer than 20 metres from any other portable sign.

4.10.10 *Billboard Regulations*

- (1) The following areas are designated as “billboard corridors” wherein billboards shall be permitted:
 - (a) lands zoned Commercial, Industrial and Mixed Use;
- (2) The following areas are designated as “billboard-free areas” wherein billboards and other large signs are prohibited:
 - (a) any residential district;

4.10.11

Digital Signs on any site in any Commercial or Industrial District, apart from the C2 - Neighbourhood Commercial District, may be erected as follows:

- (l) Digital sign provisions applying to permitted principal commercial/ industrial uses are set out in Table 4-10. The following provisions also apply:
 - (a) If a component fails or malfunction in any way or fails to operate as indicated on the approved permit, the sign owner shall ensure that the sign is turned off until all components are operating as required.
 - (b) No digital sign shall be portable.
 - (c) Brightness levels shall not exceed 7,500 Nits when measured from the sign face at its maximum brightness, between sunrise to sunset, at those times determined by the sunrise/sunset calculator from the National Research Council of Canada.
 - (d) Brightness levels shall not exceed 500 Nits when measured from the sign face at its maximum brightness, between sunset to sunrise, at those times determined by the sunrise/sunset calculator from the National Research Council of Canada.
 - (e) Must not increase the light levels around the digital sign by more than 3.0 Lux above the ambient light level.
 - (f) Digital signs within 150 metres, and in direct line of sight of a residential dwelling unit, must be turned off from 11:00 p.m. to 6:00 a.m. every day.
 - (g) Transitions from one copy to another must remain at a consistent brightness level.
 - (h) Copy shall remain on the sign face area for no less than six seconds before changing to the next copy.
 - (i) Sound, live video feed and the broadcasting of television programs or movies is not permitted.
 - (j) Copy must not be shown in a manner that requires the message to be viewed or read over a series of sequential messages on a single digital sign, or sequenced on multiple digital signs.
 - (k) Copy must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.

- (l) Transitions must not involve any visible effects, including but not limited to blinking, intermittent, or flashing light or the illusion of such effects.
 - (m) No digital sign shall be erected, operated, used or maintained that:
 - (i) due to its position, shape, colour, format or illumination obstructs the view of, or shall be confused with, a traffic sign, signal or device;
 - (ii) display lights resembling lights associated with danger or those used by emergency vehicles;
 - (iii) uses spot or reflector lights directed at on-coming traffic that creates a hazard to traffic on public roadways from which the digital sign is visible; and/or
 - (iv) due to its illumination, competes with or dulls the contrast of the traffic control sign, signal or device for on-coming traffic.
 - (n) The City's Public Works and Engineering Department shall be satisfied that each digital sign:
 - (i) does not physically obstruct the sight lines or views of a traffic control sign, signal or device for on-coming traffic;
 - (ii) is not located in the field of view near or past the traffic control sign, signal or device for on-coming traffic;
 - (iii) is not located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps, or curved roadways.
 - (o) Third party advertising is prohibited on all digital signs except freestanding digital billboards.
- (2) The height of digital signs shall be as follows:
- (a) Freestanding Digital Message Centre - minimum 3.0 metres from final grade.
 - (b) Fascia Digital Message Centre:
 - (i) for a designated signable area for a single or two storey building - 3.0 metres from final grade to the eave line, or if there is a parapet, then to the upper edge of the parapet.
 - (ii) for a designated signable area for a building exceeding two storeys - 3.0 metres from the final grade to the floor line of the third storey.
 - (c) Freestanding Date & Time Digital Message Centre - minimum of 3.0

metres from final grade.

- (d) Freestanding Digital Billboard - minimum 3.0 metres from final grade.
- (3) The total number of digital signs permitted in commercial and industrial districts is inclusive of the total number of signs permitted on a site as indicated in Section 4.10.8 in Table 4-9.

Use	Max # of Freestanding Signs	Max Sign Face Area (m ²)	
		Per Face	Total
Freestanding Digital Message Centre	1	5	10
Fascia Digital Message Centre	(1)	--	(3)
Freestanding Date & Time Digital Message Centre	1	3	6
Digital Billboard	(2)	15	30

(1) One per primary building face for each ground level business unit within the principal building.

(2) Multiple in the industrial districts subject to a spacing requirement of 100 metres from any other freestanding digital billboard on site.

(3) Total face area shall not exceed 25%, to a maximum of 5 m², of the ground level business unit's primary building face(s) in which it is located.

4.11 HOME-BASED BUSINESSES – TYPE I AND TYPE II

- 4.11.1 All applications for home based businesses must be considered as a Type I or Type II Home Based Business. The development standards for Type I and Type II home based businesses are contained in Sections 4.11.4 and 4.11.5.
- 4.11.2 Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards contained within Sections 4.11.4 and 4.11.5:
- (1) art restoration;
 - (2) beauty parlours, barber shops;
 - (3) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
 - (4) dressmaker, seamstress, or tailor;
 - (5) electrology, acupuncture, reflexology, and massage therapy;
 - (6) the instruction of art, dancing, or music, limited to no more than three students at a time;
 - (7) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;

- (8) a photography studio;
- (9) typing, word processing, and computer programming services.

4.11.3 Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:

- (1) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products.
- (2) restaurants or tea rooms.
- (3) health or fitness clubs.
- (4) headquarters or base of operations of a trucking, delivery, or towing operation.
- (5) hotels and hospitals.
- (6) laundry services.
- (7) motion picture cinemas or studios.
- (8) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery.
- (9) rental services.
- (10) upholstery services.
- (11) veterinary services, boarding or care of animals.
- (12) welding or metal works.
- (13) furniture making.
- (14) the manufacturing or retail of cannabis and cannabis byproducts, including the manufacturing and retail sales of products with cannabis as an ingredient.

4.11.4 *The following development standards shall apply to all Type I Home Based Businesses:*

- (1) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the

basement and any attached garage, up to a maximum of 30 m², may be occupied by home based businesses.

- (3) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 30 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property except for one permitted sign.
- (5) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (6) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (7) Regardless of the number of home based businesses that may be located on any one site, a total of no more than seven (7) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (8) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.11.5 *The following development standards shall apply to all Type II Home Based Businesses:*

- (1) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m², may be occupied by home based businesses.
- (3) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 40 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.

- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property except for one permitted sign.
- (5) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (6) One off-street parking space shall be required for a non-resident employee, and this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of the First Nation.
- (7) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (8) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (9) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.12 SPECIAL REGULATIONS AND STANDARDS

This section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

4.12.1 *Adult Day Care Facilities - Type I and Type II*

- (1) Adult day care facilities may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) In addition to the development standards of the zoning district, adult day care facilities that are listed as discretionary uses shall be evaluated and developed in accordance with Section 3.10 of this Bylaw.

4.12.2 *Bed and Breakfast Homes*

- (1) A bed and breakfast home may be located in a detached one unit dwelling or in a two-unit dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- (2) Notwithstanding Sections 4.9.4 (2) and 4.9.6 (2), required parking spaces may be permitted in a front yard.
- (3) Section 3.10 of this Bylaw shall apply to the review and approval of bed and breakfast homes.
- (4) The operator of the bed and breakfast lodging may advertise with a sign subject to Section 4.10.

4.12.3 *Custodial Care Facilities, Residential Care Facilities, Personal Care Homes and Private Service Homes*

- (1) Custodial care facilities, residential care facilities - type I and type II - personal care homes, and private service homes may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a residential care facility shall also be used for the purpose of keeping boarders or lodgers.
- (5) In addition to the development standards of the zoning district, custodial care facilities and residential care - type I and type II - facilities that are

listed as discretionary uses shall be reviewed and approved in accordance with Section 3.10 of this Bylaw.

4.12.4 *Day Care Centres and Pre-Schools*

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (2) Required parking spaces shall not be located in a required front yard.
- (3) In addition to the development standards contained within the zoning district, Section 3.10 of this Bylaw shall apply to the review and approval of day care centres and pre-schools which are listed as discretionary uses.

4.12.5 *Dwelling Groups* - also refer to Section 3.10.4 (4)

- (1) The minimum side yard of 3.0 m or $\frac{1}{2}$ the building height, shall be measured from the closest main wall of the principal building closest to the side site line.
- (2) All principal buildings forming part of the group shall be located at least 3.5 m from any other principal building in the group.
- (3) The site area shall provide at least 370 square metres for each dwelling unit in the group located at grade level plus 65 square metres for any dwelling unit located above the main floor.
- (4) The First Nation may apply special development standards regarding "yard requirements" to reduce conflict with neighbouring uses.

4.12.6 *Above Ground Fuel Storage Tanks*

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3.0 metres from any property line or building, the 3.0 metre separation distance may be reduced to 1.0 metre for tanks with a capacity of 5,000 litres or less;
 - (b) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and,

- (c) at least 15 metres from the boundary of any site within a Residential district.
- (4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (5) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- (6) At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- (7) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.
- (8) Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the zoning district.

4.12.7 *Secondary, Garden and Garage Suites*

- (1) A secondary, garden and garage suite may be allowed as a discretionary accessory use to a permitted single detached dwelling in the R1, R1A (secondary suites only), R2 and R3 and Residential zoning districts, subject to the Discretionary Use Evaluation Criteria contained in Section 3.10.3 herein and having regard to: the compatibility of the use with the siting, grade elevations, height, roof slopes and building types and materials characteristic of surrounding low density housing and development, and its effect on the privacy of adjacent properties.

The requirements for accessory buildings outlined in Section 4.8 herein, do not apply to secondary, garden and garage suites. Requirements for secondary suites are contained in section (2) and for garage and garden suites in section (3) below. All secondary, garage and garden suites are subject to the following general requirements:

- (a) No more than one secondary, garage or garden suite shall be allowed per residential site.
- (b) No more than three bedrooms allowed for any secondary, garage or garden suite.
- (c) No more than three persons are allowed to occupy any secondary, garage or garden suite.
- (d) One off street parking space is required for any secondary, garage or garden suite in addition to the required parking for the principal

residential building on the site. The parking space for the principal residential building may be located in a required front yard. The required parking space for any suite shall not be located in a required front yard, unless the subject site has no access to a rear lane, and shall be paved and screened to the satisfaction of the First Nation.

- (e) Any secondary, garage or garden suite shall comply with the requirements of the National Building Code.
 - (f) Any secondary, garage or garden suite shall not be separated from the principal building through condominium or bare land condominium conversion or subdivision of land.
- (2) Secondary suites shall be subject to the following additional requirements:
- (a) In order to accommodate a secondary suite, a single detached dwelling must have a gross floor area, including the area of any basement, of at least 100 m².
 - (b) The maximum floor area of a secondary suite shall be no more than 40% of the gross floor area of the single detached dwelling in which it is located, measured from the inside wall surfaces.
 - (c) The minimum floor area for a secondary suite shall be 30 m².
 - (d) The exterior finishing of a secondary suite shall be consistent with the exterior of the remainder of the principal building to give the entire building the appearance of a single dwelling.
- (3) Garden and garage suites shall be subject to the following additional requirements:
- (a) No above grade garden suites shall be allowed.
 - (b) Garden and garage suites shall only be permitted on sites that are served by a lane.
 - (c) The minimum side yard for garden and garage suites shall be the same as the yard requirement that applies to the principal building in the applicable zoning district for all lots in a residential block, including corner lots.
 - (d) The maximum height of a garden suite shall be 4.3 m. The maximum height of a garage suite shall be 5.5 m or the height of the garage whichever is the lesser.

- (e) The maximum floor area of a garden or garage suite shall be 50 m² and the minimum floor area shall be 30 m².
- (f) the minimum distance between a detached garage containing a garage suite and the principal building on the site shall be 4 m.
- (g) No decks on garage or garden suite roofs shall be allowed.
- (h) Windows contained within a garage or garden suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties by:
 - (i) offsetting window placement to limit direct views of abutting rear or side yard amenity areas or direct view into a garage or garden suite on an abutting site;
 - (ii) strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and,
 - (iii) placing larger windows such as living room windows, to face the lane, flanking street or towards the interior of the lot.

4.12.8 *Gas Bars*

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and six metres from any site line;
 - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart; and,
 - (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off street parking spaces on the site.

4.12.9 *Parking Lots*

- (1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.

- (2) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.
- (3) A durable surface, hard surfaced or gravelled, must be provided and maintained and the lot must be graded to dispose of all surface water.
- (4) Parking lots shall be landscaped to improve the visual appearance of the site.
- (5) Where parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 metres shall be provided.
- (6) A suitable car stop shall be provided along the perimeter of the parking lot, excepting entrances and exits, so that vehicles will not encroach on abutting property, streets or lanes.
- (7) Parking lots accessory to a permitted use in residential and commercial districts shall be located on the same site of the principal use to which it is accessory.

4.12.10 Service Stations

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least six metres from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point shall be on the flanking street.

4.12.11 Modular Homes

- (1) All modular homes shall be placed on a permanent, heated foundation comprised of a full or partial basement. Basement wall and grade beam support shall be attached to the perimeter of the building.

4.12.12 Multiple Unit Dwellings

- (1) 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.
- (2) Parking stalls should be located in the rear yard of a site or a side yard not abutting the street.
- (3) Parking lots shall be hard surfaced to the satisfaction of the Development Officer.
- (4) Garbage containers shall be suitably screened from view and be placed in locations convenient for pickup.

- (5) Apartments shall be buffered from adjacent properties by suitable fencing or screening.
- (6) Apartments should be located on or have good access to an arterial or a collector street.
- (7) Apartments should be located with an orientation that protects the privacy of adjacent sites.

4.13 *SERVICING*

- 4.13.1 Holding tanks, septic tanks and wells are not allowed in the areas of the Urban Reserve that can be serviced by existing water and sewer lines.
- 4.13.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994*.

4.14 *STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE MOTOR VEHICLES IN RESIDENTIAL DISTRICTS*

In any Residential District:

- 4.14.1 No front yard shall be used for the storage of unlicensed, whether insured or uninsured, motor vehicles or of materials or goods of any type.
- 4.14.2 No yard shall be used for storage or collection of hazardous material.
- 4.14.3 No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.
- 4.14.4 Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- 4.14.5 Only one (1) unlicensed motor vehicle, whether insured or uninsured, may be stored outdoors on a residential site.

4.15 *DEVELOPMENT ON HAZARD LANDS*

- 4.15.1 Prior to a proposed development or subdivision that is to be located on what the First Nation considers may be hazard land, the applicant shall submit a report prepared by a qualified professional. The report shall assess the hazard land, the suitability of the land for the proposed development or subdivision and, identify any required mitigation measures.

- 4.15.2 Actions identified, in a report prepared pursuant to Section 4.15.1, for prevention, change, mitigation or remedy may be incorporated as conditions to issuance of any development permit that may be issued. the First Nation shall refuse a permit for any development for which, in the First Nation's opinion, the proposed actions are inadequate to address the conditions present on the hazard land or will result in excessive costs.

4.16 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.17 EXISTING NONCONFORMING BUILDINGS

Where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum site width or area, or having less than the minimum front yard, side yard or rear yard required or more than the maximum site coverage permitted in this Zoning Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard, side yard or rear yard or further increase the site coverage that does not conform to this Zoning Bylaw.
- (2) all other applicable provisions of this Zoning Bylaw are satisfied.

4.18 FRONTAGE ON ROAD

No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on or access to an existing public road.

4.19 BUILDING TO BE MOVED

No building shall be moved within or into the Urban Reserve without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Zoning Bylaw.

4.20 DEMOLITION OF BUILDINGS

No building shall be demolished within the Urban Reserve without the issuance of a demolition permit, unless it is exempt under Section 3.2.2.

4.21 GRADING AND LEVELLING OF SITES

Any site for which a development permit has been issued shall be graded and levelled at the applicant's expense to provide for surface drainage which does not adversely affect adjacent property.

4.22 GARAGE AND YARD SALES

- (1) Garage or yard sales may be undertaken on any site in a Residential or Community Service zoning district provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.
- (2) No more than four (4) sales may be conducted from one site in one calendar year, and any one sale may not last for more than three consecutive days.

4.23 WATER

No development or use of land shall be permitted where the proposal will adversely affect domestic and water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority and the Saskatchewan Watershed Authority.

4.24 LANDSCAPING

4.24.0 Section 4.24 shall only apply to those zoning districts where landscaping is required.

4.24.1 Landscaping compliant with the rest of Subsection 4.24 shall be provided in the following areas:

- (1) The first three (3) metres of the minimum required front yard measured from the front property line.
- (2) A strip of soft landscaping abutting the front of the principal building, where loading does not occur, to an average depth of two (2) metres.
- (3) In the case of a corner site, the side yard abutting the flanking street to a minimum perpendicular width of three (3) metres.
- (4) In the case where a site abuts a residential district, the side or rear yard abutting the residential district to a minimum perpendicular width of three (3) metres.

4.24.2 General Landscaping Requirements:

Where this bylaw specifies that landscaping is required, it shall be developed and maintained in accordance with the following standards and policies:

- (1) Plant material shall be species capable of healthy growth in the region and shall conform to the current Canadian Standards for Nursery Stock of the Canadian Nursery Landscape Association;
- (2) Areas designated for planting shall be provided with an underground permanent irrigation system or other adequate means of irrigation commensurate with landscaping requirements, with at least one outside hose bib for each principal building. Commercial or industrial sites are required to use commercial grade irrigation products;
- (3) Landscaping areas required to be provided within front or side yards shall not be used for any purpose except for signs or structures otherwise permitted, or driveways leading to a parking or loading facility;
- (4) Required landscaping shall be completed in accordance with the approved landscape plan by the end of the construction season in which occupancy, partial occupancy, or use of the building or site has taken place. When occupancy, partial occupancy, or use of the building or site has taken place after the end of the construction season, all required and approved landscaping shall be completed by June 1st of the following year. For the purposes of this section, 'construction season' means May 1st through October 31st of the same calendar year; and,
- (5) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in healthy, vigorous condition at all times.

4.24.3 The Development Officer shall not approve an application for a development permit in the event that:

- (1) Any required landscape plans have not been submitted;
- (2) Any required landscape plans do not, in the opinion of the Development Officer, provide an adequate or suitable degree of landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw.

4.24.4 Landscaping shall be a condition of the issuance of a development permit when the existing use of a building or structure is significantly enlarged, undergoes a significant capacity increase, or is changed to a new use.

4.24.5 Any landscaping, including planting thereon, which is required to be provided by this Bylaw shall be maintained in a healthy growing condition or shall otherwise be replaced.

4.24.6 Any land for landscaped open space shall be included in any calculation of site area, setbacks, density, or yard requirements as required by this Bylaw.

4.24.7 Requirements for Landscape Plans

(1) When landscaping is required under this Bylaw, landscaping plans shall be attached to a development permit application and shall form part of that application. The landscape plans shall be prepared in accordance with Subsection 4.24.7 (2).

(2) Landscape Plan Submission Requirements:

(a) Two copies of every landscape plan must be submitted to the satisfaction of the Development Officer, showing, to scale, physical features, including existing and proposed grades, the size and type of existing vegetation to be removed and retained, the size, type and location of plant material to be provided, the location of hard landscaping such as fences, retaining walls, walkways and curbs, and the details of the proposed irrigation system, including the location of any outside hose bibs.

(b) A declaration, signed by the property owner and applicant, shall be affixed to required landscape plans, specifically acknowledging that the landscaping specified on the plans is a condition of the issuance of a development permit for the property and that such development will be complete by the date set out in the development permit.

4.24.8 The First Nation may waive the landscaping requirements of Section 4.24 at its discretion where it is demonstrated that site configuration or site size precludes the ability to landscape.

4.25 OUTSIDE STORAGE AND WASTE STORAGE

(1) Where permitted in association with any approved industrial, commercial or residential land use, all outside storage, including storage of garbage and waste materials, is subject to the following requirements:

(a) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.

(b) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping, screening a minimum of 1.9 metres in height.

- (c) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.26 BARE LAND CONDOMINIUMS

Regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to uses and bare land units that are part of an approved bare land condominium plan.

4.27 SWIMMING POOLS AND HOT TUBS

Private swimming pools, both above ground and in-ground, both open and covered and hot tubs, shall be permitted in any Residential Zoning District, subject to the following conditions:

(1) Open Pools:

(a) Open pools shall be enclosed within a fence a minimum of 1.8 metres in height and located not more than 1.2 metres from the pool.

(b) Open pools shall not be located closer than 1.5 metres to any site line plus an additional horizontal distance equal to the height of the top edge of the pool above finished grade at the site line(s). For the purposes of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.

(c) No part of an open pool including an associated apron or platform shall be constructed closer to a street line than the front yard requirements for the principal building in the zoning district in which it is located.

4.28 TELECOMMUNICATION TOWERS

- (1) Telecommunication towers proposed to be erected in the Urban Reserve shall be required to undertake public consultation as agreed upon by the First Nation.

SECTION 5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions of this Bylaw, the Urban Reserve is divided into the following Zoning Districts, the boundaries of which may be shown on a "Zoning District Map". Such districts may be referred to by the appropriate symbols.

Districts	Symbols
One Unit Residential	R1
Small Lot Residential	R1A
Low Density Residential	R2
Medium Density Residential	R3
High Density Residential	R4
Community Service	CS
Neighbourhood Commercial	C2
Arterial Commercial	C3
Large Lot Arterial Commercial	C3A
Regional Commercial	C4
Mixed Use	MU
Light Industrial	M1
Heavy Industrial	M2
Parks and Recreation	PR
Restricted Development 1	RD1
Restricted Development 2	RD2
Future Urban Development	FUD

5.2 THE ZONING DISTRICT MAP

Any zoning map adopted by the First Nation shall be known as the "Zoning District Map".

5.3 BOUNDARIES OF ZONING DISTRICTS

5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, may be shown on a map entitled "Zoning District Map".

- 5.32 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.33 Streets, lanes, and road allowances which are shown on any Zoning District Map and which have been permanently closed shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, land or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.34 In unsubdivided land, the zoning district boundary shall be determined as development occurs by the scale shown on the Zoning District Map, if any.

5.4 ZONING DISTRICTS

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

5.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to Section 4.3 herein.

SECTION 6 DISTRICT SCHEDULES

6.1 R1 – ONE UNIT RESIDENTIAL DISTRICT

6.1.1 Purpose

The objective of the **R1** – One Unit Residential District is to provide for residential development in the form of single detached dwellings and for other compatible uses.

6.1.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-1.

6.1.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.1.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-1.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to places of worship, elementary and high schools, clubs, convenience stores, and community centres in the **R1** – One Unit Residential District.

6.1.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **R1** – One Unit Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.1.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-1												
R1 – ONE UNIT RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS												
for the Urban Reserve of Red Pheasant Indian Reserve												
Principal Use	Designation	Parking Category	Subject to Sections	Development Standards								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
Residential Uses												
(1)	Secondary, garden and garage suites	D	1	4.12.7	Refer to Section 4.12.7							
(2)	Single detached dwellings	P	1		450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽³⁾	6	89	50
Commercial Uses												
(1)	Adult day care - type I	P	14	4.12.1	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽³⁾	6	89	50
(2)	Adult day care - type II	D	14	4.12.1	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽³⁾	6	89	50
(3)	Bed and breakfast homes	D	3	4.12.2	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽³⁾	6	89	50
(4)	Clubs	D	4	3.10.4 (3)	450	15	no max	7.5	3 ⁽⁴⁾	6	89	50
(5)	Convenience stores	D	5	3.10.4 (2)	450	15	no max	7.5	3 ⁽⁴⁾	6	89	50
(6)	Daycare centres and preschools	D	16	4.12.4	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽³⁾	6	89	50
(7)	Home based business - type I	P	1	4.11	same as home							
(8)	Home based business - type II	D	18	4.11	same as home							
(9)	Personal care homes - type I and type II	D	6	4.12.3	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽⁴⁾	6	89	50
(10)	Private service home	P	1	4.12.3	same as home							
(11)	Residential care facilities - type I and type II	D	7	4.12.3	450 ⁽¹⁾	15 ⁽²⁾	10.5	7.5	1.2 ⁽⁴⁾	6	89	50
Community Service, Reserve, Recreational, Institutional and Other Uses												
(1)	Community centres	P	4	3.10.4 (3)	450	15	no max	7.5	3 ⁽⁴⁾	6	89	50
(2)	Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(3)	Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(4)	Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(5)	Parks and playgrounds	P	0		no min	no min	no max	no min	no min	3	no min	no max
(6)	Place of worship	P	8	3.10.4 (3)	450	15	no max	7.5	3 ⁽⁴⁾	6	89	50
(7)	Public schools	P	19 ⁽⁵⁾ 20 ⁽⁶⁾	3.10.4 (3)	no min	no min	no max	7.5	3 ⁽⁴⁾	6	no min	no max
(8)	Public works excluding offices, warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(9)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max
(10)	Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.1.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-1 and the R1 – One Unit Residential District:

- (1) unless site is served by a lane, in which case 360 square metres
- (2) unless site is served by a lane, in which case 12 metres
- (3) except for corner sites, where it shall be 3 metres along the flanking street
- (4) or ½ the average building height, whichever is greater
- (5) elementary schools
- (6) secondary schools

6.2 R1A – SMALL LOT RESIDENTIAL DISTRICT

6.2.1 Purpose

The objective of the **R1A** - Small Lot Residential District is to accommodate single detached residential dwellings on small lots and other compatible uses.

6.2.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-2

6.2.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.2.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-2.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to places of worship, elementary and high schools, and community centres in the **R1A** - Small Lot Residential District.

6.2.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **R1A** - Small Lot Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section:

- (1) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.2.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-2												
R1A - SMALL LOT RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS												
for the Urban Reserve of Red Pheasant Indian Reserve												
<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards								
				Minimum Site Area (m²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m²)	Maximum Site Coverage (%)	
Residential Uses												
(1)	Secondary suites	D	1	4.12.7	Refer to Section 4.12.7							
(2)	Single detached dwellings	P	1		225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
Commercial Uses												
(1)	Adult day care - type I	P	14	4.12.1	225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
(2)	Adult day care - type II	D	14	4.12.1	225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
(3)	Bed and breakfast homes	D	3	4.12.2	225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
(4)	Daycare centres and preschools	D	16	4.12.4	225	7.5	no max	6	1.2 ⁽¹⁾	6	75	50
(5)	Home based business - type I	P	-	4.11	same as home							
(6)	Home based business - type II	D	18	4.11	same as home							
(7)	Personal care homes - type I and type II	D	6	4.12.3	225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
(8)	Private service homes	P	1	4.12.13	same as home							
(9)	Residential care facilities - type I and type II	D	7	4.12.3	225	7.5	10.5	6	1.2 ⁽¹⁾	6	75	50
Community Service, Reserve, Recreational, Institutional and Other Uses												
(1)	Community centres	P	4	3.10.4 (3)	450	15	no max	7.5	3 ⁽²⁾	6	no min	50
(2)	Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(3)	Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(4)	Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(5)	Parks and playgrounds	P	0		no min	no min	8.5	6	6	6	no min	10
(6)	Place of worship	P	8	3.10.4 (3)	450	15	no max	7.5	3 ⁽²⁾	6	no min	50
(7)	Public schools	P	19 ⁽³⁾ 20 ⁽⁴⁾	3.10.4 (3)	no min	no min	no max	7.5	3 ⁽²⁾	6	no min	no max
(8)	Public works excluding offices, warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min		no min	no min	no min	no min	no max
(9)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max
(10)	Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.2.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-2 and the R1A - Small Lot Residential District:

- (1) except for corner sites where it shall be 3 along the flanking street
- (2) or ½ the average building height, whichever is greater
- (3) elementary schools
- (4) secondary schools

6.3 R2 – LOW DENSITY RESIDENTIAL DISTRICT

6.3.1 Purpose

The objective of the **R2** - Low Density Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, and for other compatible uses.

6.3.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-3.

6.3.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.3.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-3.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to places of worship, elementary and high schools, clubs, convenience stores, community centres, ambulance stations, cultural institutions, private schools and parking lots in the **R2** - Low Density Residential District.

6.3.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **R2** - Low Density Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section:

- (1) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.3.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-3													
R2 - LOW DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS													
for the Urban Reserve of Red Pheasant Indian Reserve													
Principal Use					Development Standards								
					Designation	Parking Category	Subject to Sections	Minimum Site Area (m²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses													
(1)	Dwelling groups	D	2	3.10.4 (4) 4.12.5	4000	no min	10.5	no min	3 (4)	no min	50 / unit	60	
(2)	Secondary, garden and garage suites	D	1	4.12.7	Refer to Section 4.12.7								
(3)	Multiple unit dwellings (apartments) 4 units maximum	P	2	4.12.13	(8)	22	10.5	6	(5) (9)	6	40 / unit	60	
(4)	Multiple unit dwellings (apartments) 5 to 8 units maximum	D	2	3.10.4 (5) 4.12.13	(8)	22	10.5	6	(5) (9)	6	40 / unit	60	
(5)	Multiple unit dwellings (townhouses) 4 units maximum	P	1	4.12.13	225 / unit	6 / unit	10.5	6	(5) (9)	6	46 / unit	60	
(6)	Multiple unit dwellings (townhouses) 5 to 6 units maximum	D	1	3.10.4 (5) 4.12.13	225 / unit	6 / unit	10.5	6	(5) (9)	6	46 / unit	60	
(7)	Semi-detached dwellings	P	1		255 (2)	7.5	10.5	6	1.2 (5) (7)	6	46	60	
(8)	Single detached dwellings	P	1		450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50	
(9)	Street townhouse dwellings 4 units maximum	P	1	4.12.13	225	6	10.5	6	(5) (9)	6	46 / unit	60	
(10)	Street townhouse dwellings 5 to 6 units maximum	D	1	3.10.4 (5) 4.12.13	225	6	10.5	6	(5) (9)	6	46 / unit	60	
(11)	Two unit dwellings	P	1		510 (3)	15	10.5	6	1.2 (7) (5)	6	92	60	
Commercial Uses													
(1)	Adult day care - type I	P	14	4.12.1	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50	
(2)	Adult day care - type II	D	14	4.12.1	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50	
(3)	Bed and breakfast homes	D	3	4.12.2	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50	
(4)	Clubs	D	4	3.10.4 (3)	450	15	no max	6	3 (4)	6	no min	50	
(5)	Convenience stores	D	5	3.10.4 (2)	450	15	no max	6	3 (4)	6	no min	50	
(6)	Daycare centres and preschools	D	16	4.12.4	450 (1)	15 (6)	no max	6	1.2 (7)	6	89	50	
(7)	Home based business - type I	P	-	4.11	same as home								
(8)	Home based business - type II	D	18	4.11	same as home								

(9)	Parking lots	D	0	4.12.9	no min	no min	no max	3	3	3	no min	no max
(10)	Personal care homes - type I	P	6	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50
(11)	Personal care homes - type II	D	6	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50
(12)	Private service homes	P	1	4.12.3	same as home							
(13)	Residential care facilities - type I	P	7	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50
(14)	Residential care facilities - type II	D	7	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50
Community Service, Reserve, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	D	5	3.10.4 (8)	225	6	no max	6	3	6	no min	50
(2)	Community centres	P	4	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	no min	50
(3)	Cultural institutions	D	4	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	no min	50
(4)	Custodial care facilities	D	14	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50
(5)	Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(6)	Parks and playgrounds	P	0		no min	no min	8.5	6	6	3	no min	10
(7)	Places of worship	P	8	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	89	50
(8)	Private schools	D	21	3.10.4 (3)	no min	no min	no max	no min	3 ⁽⁴⁾	6	no min	no max
(9)	Public schools	P	19 ⁽¹⁰⁾ 20 ⁽¹¹⁾	3.10.4 (3)	no min	no min	no max	6	3 ⁽⁴⁾	6	no min	no max
(10)	Public works excluding offices, warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(11)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max
(12)	Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max
(13)	Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(14)	Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.3.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-3 and the R2 - Medium Density Residential District:

- (1) unless site is served by a lane, in which case 360 square metres
- (2) unless site is served by a lane, in which case 225 square metres
- (3) unless site is served by a lane, in which case 450 square metres
- (4) or ½ the building height, whichever is greater
- (5) except that no side yard is required where a common wall divides two dwelling units
- (6) unless site is served by a lane, in which case 12 metres
- (7) except for corner sites, in which case the minimum requirement shall be 3 metres along flanking street
- (8) for multiple unit dwellings containing three to six units, the minimum site area shall be 550 square metres; for multiple unit dwellings containing seven or more dwelling units, the minimum site area shall be 630 square metres
- (9) for one-storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless dwelling is on a corner site, in which case the minimum side yard requirement shall be 3 metres for the side flanking the street;
for multiple unit dwellings that are two (2) or three (3) storeys, the minimum side yard requirements shall be 3 metres;
for multiple unit dwellings that are four (4) storeys or higher, the minimum side yard requirement shall be ½ of the building height, to a maximum of six (6) metres
- (10) primary schools
- (11) secondary schools

6.4 R3 – MEDIUM DENSITY RESIDENTIAL DISTRICT

6.4.1 Purpose

The objective of the **R3** - Medium Density Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, multiple-unit dwellings, dwelling groups, and for other compatible uses.

6.4.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-4.

6.4.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.4.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-4.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to places of worship, elementary and high schools, clubs, convenience stores, community centres, ambulance stations, cultural institutions, private schools and parking lots in the **R3** - Medium Density Residential District.

6.4.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **R3** - Medium Density Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section:

- (1) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.4.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-4
R3 - MEDIUM DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
Residential Uses												
(1)	Dwelling groups	D	2	3.10.4 (4) 4.12.5	4000	no min	10.5	no min	3 (4)	no min	50 / unit	60
(2)	Secondary, garden and garage suites	D	1	4.12.7	Refer to Section 4.12.7							
(3)	Multiple unit dwellings (apartments) 8 units maximum	P	2	4.12.13	550	22	12	6	(5) (9)	6	40 / unit	60
(4)	Multiple unit dwellings (apartments) 9 or more units	D	2	3.10.4 (5) 4.12.13	630	22	15	6	(5) (9)	6	40 / unit	60
(5)	Multiple unit dwellings (townhouses) 6 units maximum	P	1	4.12.13	(11)	(12)	10.5	6	(5) (9)	6	46 / unit	60
(6)	Multiple unit dwellings (townhouses) 7 or more units	D	1	3.10.4 (5) 4.12.13	1350	36	12	6	(5) (9)	6	46 / unit	60
(7)	Semi-detached dwellings	P	1		255 (2)	7.5	10.5	6	1.2 (5) (7)	6	46	60
(8)	Single detached dwellings	P	1		450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50
(9)	Street townhouse dwellings 6 units maximum	P	1	4.12.13	225	6	10.5	6	(5) (9)	6	46 / unit	60
(10)	Street townhouse dwellings 7 or more units	D	1	3.10.4 (5) 4.12.13	225	6	10.5	6	(5) (9)	6	46 / unit	60
(11)	Two unit dwellings	P	1		510 (3)	15	10.5	6	1.2 (5) (7)	6	92	60
Commercial Uses												
(1)	Adult day care - type I	P	14	4.12.1	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50
(2)	Adult day care - type II	D	14	4.12.1	450 (1)	15 (6)	10.5	6	1.2 (7)		89	50
(3)	Bed and breakfast homes	D	3	4.12.2	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50
(4)	Clubs	D	4	3.10.4 (3)	450	15	no max	6	3 (4)	6	no min	50
(5)	Convenience stores	D	5	3.10.4 (2)	450	15	no max	6	3 (4)	6	no min	50
(6)	Daycare centres and preschools	D	16	4.12.4	450 (1)	15 (6)	no max	6	1.2 (7)	6	89	50
(7)	Home based business - type I	P	-	4.11	Same as home							
(8)	Home based business - type II	D	18	4.11	Same as home							
(9)	Parking lots	D	0	4.12.9	no min	no min	no max	3	3	3	no min	no max
(10)	Personal care homes - type I	P	6	4.12.3	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50
(11)	Personal care homes - type II	D	6	4.12.3	450 (1)	15 (6)	10.5	6	1.2 (7)	6	89	50

Table 6-4
R3 - MEDIUM DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
(12) Private service homes	P	1	4.12.3	same as home								
(13) Residential care facilities - type I	P	7	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50	
(14) Residential care facilities - type II	D	7	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	10.5	6	1.2 ⁽⁷⁾	6	89	50	
Community Service, Reserve, Recreational, Institutional and Other Uses												
(1) Ambulance stations	D	5	3.10.4 (8)	225	6	no max	6	3	6	no min	50	
(2) Community centres	P	4	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	no min	50	
(3) Cultural institutions	D	4	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	no min	50	
(4) Custodial care facilities	D	14	4.12.3	450 ⁽¹⁾	15 ⁽⁶⁾	no max	6	1.2 ⁽⁷⁾	6	89	50	
(5) Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(6) Parks and playgrounds	P	0		no min	no min	8.5	6	6	6	no min	10	
(7) Places of worship	P	8	3.10.4 (3)	450	15	no max	6	3 ⁽⁴⁾	6	89	50	
(8) Private schools	D	21	3.10.4 (3)	no min	no min	no max	no min	3 ⁽⁴⁾	6	no min	no max	
(9) Public schools	P	19 ⁽⁹⁾ 20 ⁽¹⁰⁾	3.10.4 (3)	no min	no min	no max	6	3 ⁽⁴⁾	6	no min	no max	
(10) Public works excluding offices, warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(11) Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max	
(12) Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max	
(13) Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(14) Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max	

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.4.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-4 and the R3 - Medium Density Residential District:

- (1) unless site is served by a lane, in which case 360 square metres
- (2) unless site is served by a lane, in which case 225 square metres
- (3) unless site is served by a lane, in which case 450 square metres
- (4) or ½ the building height, whichever is greater
- (5) except that no side yard is required where a common wall divides two dwelling units
- (6) unless site is served by a lane, in which case 12 metres
- (7) except for corner sites, in which case the minimum requirement shall be 3 metres along flanking street
- (8) for one-storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless dwelling is on a corner site, in which case the minimum side yard requirement shall be 3 metres for the side flanking the street; for multiple unit dwellings that are two (2) or three (3) storeys, the minimum side yard requirements shall be 3 metres; for multiple unit dwellings that are four (4) storeys or higher, the minimum side yard requirement shall be ½ of the building height, to a maximum of six (6) metres
- (9) primary schools
- (10) secondary schools
- (11) for townhouse dwellings containing 6 units or fewer, the minimum site area shall be 225 square metres per unit OR 900 square metres, whichever is least
- (12) for townhouse dwellings containing 6 units or fewer, the minimum site width shall be 6 metres per unit OR 24 metres, whichever is least

6.5 R4 – HIGH DENSITY RESIDENTIAL DISTRICT

6.5.1 Purpose

The objective of the **R4** - High Density Residential District is to provide for residential development in the form of multiple-unit dwellings, dwelling groups and for other compatible uses.

6.5.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-5.

6.5.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.5.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-5.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to places of worship, elementary and high schools, clubs, convenience stores, community centres, ambulance stations, cultural institutions, private schools and parking lots in the **R4** - High Density Residential District.

6.5.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **R4** - High Density Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section:

- (1) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.5.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-5
R4 - HIGH DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
Residential Uses												
(1)	Multiple unit dwellings (apartments)	P	2	4.12.13	(1)	22	no max	6	(2) (3)	6	40 / unit	60
(2)	Multiple unit dwellings (townhouses)	P	2	4.12.13	(7)	(8)	no max	6	(2) (3)	6	46 / unit	60
(3)	Street townhouse dwellings	P	2	4.12.13	225	6	no max	6	(2) (3)	6	46 / unit	60
Commercial Uses												
(1)	Clubs	D	4	3.10.4 (3)	450	15	no max	6	3 (4)	6	no min	50
(2)	Convenience stores	D	5	3.10.4 (2)	450	15	no max	6	3 (4)	6	no min	50
(3)	Daycare centres and preschools	D	16	4.12.4	450	15	no max	6	3 (4)	6	70	50
(4)	Farmers' markets	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(5)	Home based business – type 1	P	-	4.11	same as home							
(6)	Parking lots	D	0	4.12.9	no min	no min	no max	3	3	3	no min	no max
(7)	Private service homes	P	1	4.12.13	same as home							
Community Service, Reserve, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	D	5	3.10.4 (8)	225	6	no max	6	3	6	no min	50
(2)	Community centres	P	4	3.10.4 (3)	450	15	no max	6	3 (4)	6	no min	50
(3)	Cultural institutions	D	4	3.10.4 (3)	450	15	no max	6	3 (4)	6	no min	50
(4)	Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(5)	Parks and playgrounds	P	0		no min	no min	8.5	6	6	6	no min	10
(6)	Places of worship	P	8	3.10.4 (3)	450	15	no max	6	3 (4)	6	70	50
(7)	Private schools	D	21	3.10.4 (3)	no min	no min	no max	no min	3 (4)	6	no min	no max
(8)	Public schools	P	19 ⁽⁵⁾ 20 ⁽⁶⁾	3.10.4 (3)	no min	no min	no max	6	3 (4)	6	no min	no max
(9)	Public works excluding offices, warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(10)	Residential care facilities – type I	P	7	4.12.3	360	6	10.5	6	3 (4)	6	70	50
(11)	Residential care facilities – type II	D	7	4.12.3	360	6	10.5	6	3 (4)	6	70	50

Table 6-5
R4 - HIGH DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		<u>Designation</u>	<u>Parking Category</u>	<u>Subject to Sections</u>	<u>Development Standards</u>							
					<u>Minimum Site Area (m²)</u>	<u>Minimum Site Width (m)</u>	<u>Maximum Building Height (m)</u>	<u>Minimum Front Yard (m)</u>	<u>Minimum Side Yard (m)</u>	<u>Minimum Rear Yard (m)</u>	<u>Minimum Bldg Floor Area (m²)</u>	<u>Maximum Site Coverage (%)</u>
(12)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max
(13)	Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max
(14)	Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(15)	Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.5.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-5 and the R4 - High Density Residential District:

- (1) for multiple unit dwellings containing three to eight units, the minimum site area shall be 550 square metres; for multiple unit dwellings containing nine or more dwelling units, the minimum site area shall be 630 square metres
- (2) except that no side yard is required where a common wall divides two dwelling units
- (3) for one-storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless dwelling is on a corner site, in which case the minimum side yard requirement shall be 3 metres for the side flanking the street;
for multiple unit dwellings that are two (2) or three (3) storeys, the minimum side yard requirements shall be 3 metres;
for multiple unit dwellings that are four (4) storeys or higher, the minimum side yard requirement shall be ½ of the building height, to a maximum of six (6) metres
- (4) or ½ the building height, whichever is greater
- (5) primary schools
- (6) secondary schools
- (7) for townhouse dwellings, the minimum site area shall be 225 square metres per unit OR 1,350 square metres, whichever is least
- (8) for townhouse dwellings, the minimum site width shall be 6 metres per unit OR 36 metres, whichever is least

6.6 CS – COMMUNITY SERVICE DISTRICT

6.6.1 Purpose

The objective of the CS - Community Service District is to provide for development in the form of a range of community services and other compatible uses.

6.6.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-6.

6.6.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.6.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-6.
- (2) The regulations governing landscaping for the CS - Community Service District are contained within Section 4.24 of this Bylaw.

6.6.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the CS - Community Service District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.6.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-6
CS - COMMUNITY SERVICE DISTRICT DEVELOPMENT STANDARDS
for Urban Reserve of Red Pheasant Indian Reserve

	<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards								
					Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
Commercial Uses													
(1)	Clubs	P	5	3.10.4 (3)	225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(2)	Commercial recreational facilities, including rinks, golf courses and tourist campgrounds	P	4		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(3)	Daycare centres and preschools	P	16	4.12.4	225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(4)	Farmers' markets	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(5)	Farm stands	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(6)	Funeral homes	D	17		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(7)	Health care clinics	P	5		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(8)	Medical, dental and optical laboratories	P	5		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(9)	Parking lots	D	0	4.12.9	no min	no min	no max	3	3	3	no min	no max	
(10)	Private schools	P	21		no min	no min	no max	no min	3 ⁽¹⁾	4.5	no min	no max	
(11)	Restaurants, with or without associated lounges	D	9	3.10.4(9)	225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
Community Service, Government, Recreational, Institutional and Other Uses													
(1)	Ambulance stations	P	5		225	6	no max	6	3 ⁽¹⁾	4.5	no min	no max	
(2)	Community centres	P	4		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(3)	Community gardens	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(4)	Cultural institutions	P	4		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(5)	Educational institutions	P	21		no min	no min	no max	6	3 ⁽¹⁾	4.5	no min	no max	
(6)	Federal, provincial and First Nation buildings and uses, excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	6	3 ⁽¹⁾	4.5	no min	no max	
(7)	Reserve facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max	
(8)	Parks and playgrounds	P	0		no min	no min	no max	6	3	4.5	no min	no max	
(9)	Places of worship	P	8		225	6	no max	6	3 ⁽¹⁾	4.5	no min	50	
(10)	Public hospitals	P	6		no min	no min	no max	6	3 ⁽¹⁾	4.5	no min	no max	

Table 6-6
CS - COMMUNITY SERVICE DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

	<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards							
					Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
(12)	Public elementary and secondary schools	P	19 ⁽¹¹⁾ 20 ⁽¹²⁾		no min	no min	no max	no min	3 ⁽¹⁾	4.5	no min	no max
(13)	Public works excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no max	no min	no min	no min	no min	no max
(14)	Public recreational facilities	P	5		no min	no min	no max	no min	3 ⁽¹⁾	4.5	no min	no max
(15)	Residential care facilities – type I	P	7	4.12.3	225	6	no max	6	3 ⁽¹⁾	4.5	no min	50
(16)	Residential care facilities – type II	D	7	4.12.3	225	6	no max	6	3 ⁽¹⁾	4.5	no min	50
(17)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no max	no min	no min	no min	no min	no max
(18)	Minor telecommunication towers	P	0	4.28	no min	no min	14.9	no min	no min	no min	no min	no max

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.6.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-6 and the CS - Community Service District:

- (1) or ½ the building height, whichever is greater

6.7 C2 – NEIGHBOURHOOD COMMERCIAL DISTRICT

6.7.1 Purpose

The objective of the **C2** - Neighbourhood Commercial District is to provide for development in the form of commercial facilities and other compatible uses in a manner and at a scale compatible with the needs and the character of residential neighbourhoods.

6.7.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-7

6.7.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.7.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-7.
- (2) The regulations governing landscaping for the **C2** - Neighbourhood Commercial District are contained within Section 4.24 of this Bylaw.

6.7.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **C2** - Neighbourhood Commercial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.7.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-7
C2 - NEIGHBOURHOOD COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>						
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses											
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings	D	1	3.10.4 (5) 3.10.4 (18) 4.12.13	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Commercial Uses											
(1)	Bakeries with retail sales	P	5		225	6	no min	(2)	(3)	no min	no max
(2)	Clubs	P	5		225	6	no min	(2)	(3)	no min	no max
(3)	Commercial recreation facilities, excluding rinks and golf courses	D	5	3.10.4(3)	225	6	no min	(2)	(3)	no min	no max
(4)	Convenience stores, without associated gas bars	P	5		225	6	no min	(2)	(3)	no min	no max
(5)	Convenience stores, with associated gas bars	D			225	6	no min	(2)	(3)	no min	no max
(6)	Daycare centres and preschools	P	16	4.12.4	225	6	no min	(2)	(3)	no min	no max
(7)	Dairy processing	P	5		225	6	no min	(2)	(3)	no min	no max
(8)	Distilleries, wineries and breweries	D	5		225	6	no min	(2)	(3)	no min	no max
(9)	Farmers' markets	P	0		no min	no min	no min	no min	no min	no min	no max
(10)	Farm stands	P	0		no min	no min	no min	no min	no min	no min	no max
(11)	Gas bars, with or without associated convenience stores	D	5	4.12.6 4.12.8	225	6	no min	(2)	(3)	no min	no max
(12)	Healthcare centres	P	5		225	6	no min	(2)	(3)	no min	no max
(13)	Laundromats	D	5	3.10.4(15)	225	6	no min	(2)	(3)	no min	no max
(14)	Medical, dental and optical laboratories	P	5		225	6	no min	(2)	(3)	no min	no max
(15)	Offices and office buildings, both major and minor	P	4		225	6	no min	(1)	(2)	no min	no max
(16)	Parking lots	D	0	4.12.9	no min	no min	no min	(2)	(3)	no min	no min
(17)	Personal Service Shops	P	5		225	6	No min	(2)	(3)	No min	No max
(18)	Photographer studios	P	5		225	6	no min	(2)	(3)	no min	no max
(19)	Repair services, restricted to the repair of household goods and appliances	P	5		225	6	no min	(2)	(3)	no min	no max
(20)	Restaurants, without associated lounges	D	9	3.10.4(6)	225	6	no min	(2)	(3)	no min	no max

Table 6-7
C2 - NEIGHBOURHOOD COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

	<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards						
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
(21)	Retail stores except second-hand stores and pawnshops	D	5		225	6	no min	(2)	(3)	no min	no max
(22)	Taverns	D	9	3.10.4(6)	225	6	no min	(2)	(3)	no min	no max
(23)	Veterinary clinics	D	5		225	6	no min	(2)	(3)	no min	no max
Community Service, Reserve, Recreational, Institutional and Other Uses											
(1)	Ambulance stations	D	5	3.10.4 (8)	225	6	6	(2)	(3)	no min	no max
(2)	Reserve facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(3)	Parks and playgrounds	P	0		no min	no min	no min	no min	3	no min	no max
(4)	Places of worship	P	8		225	6	no min	(2)	(3)	no min	no max
(5)	Public works, excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(6)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min	no max
(7)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min	no max
(8)	Community gardens	P	0		no min	no min	no min	no min	no min	no min	no max

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.7.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-7 and the C2 - Neighbourhood Commercial District:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) where the side line of a site in any C2 - Neighbourhood Commercial District abuts any Residential District without an intervening street or lane: 1.5 metres; otherwise, no requirements
- (3) where the rear line of a site in any C2 - Neighbourhood Commercial District abuts any Residential District without an intervening street or lane: 4.5 metres; otherwise, no requirements

6.8 C3 – ARTERIAL COMMERCIAL DISTRICT

6.8.1 Purpose

The objective of the **C3** - Arterial Commercial District is to provide for development in the form of a range of arterial commercial and other compatible uses.

6.8.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-8.

6.8.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.8.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-8.
- (2) The regulations governing landscaping for the **C3** - Arterial Commercial District are contained within Section 4.24 of this Bylaw.

6.8.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **C3** - Arterial Commercial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.8.6 Exceptions to Development Standards

Table 6-8
C3 - ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses										
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	1	3.10.4(18)	(1)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses										
(1)	Auto body shops	D	5	3.10.4(10)	600	7.2	37	6	3	(2)
(2)	Automobiles, marine, recreational vehicle and equipment, and agricultural equipment	P	5	4.12.6	600	7.2	37	6	3	(2)
(3)	Automotive and industrial supply stores	P	5		600	7.2	37	6	3	(2)
(4)	Bingo halls	D	9		600	7.2	37	6	3	(2)
(5)	Bulk fuel dealers	D	5	4.12.6	600	7.2	37	6	3	(2)
(6)	Bus terminals	P	5	4.12.6 4.12.8	600	7.2	37	6	3	(2)
(7)	Cannabis retail outlets	D	5	3.10.4(25)	600	7.2	37	6	3	(2)
(8)	Car washes	P	22		600	7.2	37	6	3	(2)
(9)	Clubs	P	5	3.10.4.(3)	600	7.2	37	6	3	(2)
(10)	Commercial recreational facilities	P	4, 15		600	7.2	37	6	3	(2)
(11)	Convenience stores, with or without associated gas bars	P	5	4.12.6 4.12.8	600	7.2	37	6	3	(2)
(12)	Crematoriums accessory to funeral homes	D	17	3.10.4(27)	600	7.2	37	6	3	(2)
(13)	Dairy processing	P	5		600	7.2	37	6	3	(2)
(14)	Distilleries, wineries and breweries	P	5		600	7.2	37	6	3	(2)
(15)	Farmers' markets	P	5		600	7.2	37	6	3	(2)
(16)	Farm stands	P	0		no min	no min	no min	no min	no min	no min
(17)	Financial Institutions, minor	P	5		600	7.2	37	6	3	(2)
(18)	Freight handling facilities	D	5	3.10.4(11)	600	7.2	37	6	3	(2)
(19)	Funeral homes	P	17		600	7.2	37	6	3	(2)

Table 6-8
C3 - ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(20)	Gas bars, with or without associated convenience stores	P	4	4.12.6 4.12.8	600	7.2	37	6	3	(2)
(21)	Health care clinics	P	5		600	7.2	37	6	3	(2)
(22)	Hotels	P	10		600	7.2	37	6	3	(2)
(23)	Indoor storage rental facilities	D	12	3.10.4(13)	600	7.2	37	6	3	(2)
(24)	Malls	D	5	3.10.4 (7)	600	7.2	37	6	3	(2)
(25)	Miniature golf courses	P	5		600	7.2	37	6	3	(2)
(26)	Motels	P	10		1600	7.2	37	7.5	3	(2)
(27)	Night clubs	D	5	3.10.4 (6)	600	7.2	37	6	3	(2)
(28)	Nurseries, greenhouses and garden centres	P	4		600	7.2	37	6	3	(2)
(29)	Offices and office buildings, both major and minor	P	4		600	10	42.5	6	3	(2)
(30)	Parking lots	P	0		no min	no min	37	6	3	(2)
(31)	Personal service shops	P	5		600	7.2	37	6	3	(2)
(32)	Public garages	P	4		600	7.2	37	6	3	(2)
(33)	Rental stores	P	4		600	7.2	37	6	3	(2)
(34)	Repair services, restricted to the repair of household goods and appliances	P	5		600	7.2	37	6	3	(2)
(35)	Restaurants, with associated lounges	D	9	3.10.4 (6)	600	7.2	37	6	3	(2)
(36)	Restaurants, without associated lounges	P	9		600	7.2	37	6	3	(2)
(37)	Retail stores	P	5		600	7.2	37	6	3	(2)
(38)	Second hand stores and pawnshops	D	5		600	7.2	37	6	3	(2)
(39)	Service stations	P	11	4.12.6 4.12.10	600	7.2	37	6	3	(2)
(40)	Taverns	D	9	3.10.4(6)	600	7.2	37	6	3	(2)
(41)	Theatres	D	17	3.10	600	10	42.5	6	3	(2)
(42)	Tourist campgrounds	D	5	3.10.4(14)	600	7.2	37	6	3	(2)
(43)	Tourist information centres and booths	P	5		600	7.2	37	6	3	(2)

Table 6-8											
C3 - ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS											
for the Urban Reserve of Red Pheasant Indian Reserve											
Principal Use		Designation	Parking Category	Subject to Sections	Development Standards						
					Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
(44)	Veterinary clinics	P	5		600	7.2	37	6	3	(2)	
Community Service, Reserve, Recreational, Institutional and Other Uses											
(1)	Ambulance stations	D	5	3.10.4(8)	600	7.2	37	6	3	(2)	
(2)	Community gardens	P	0		no min	no min	no min	no min	no min	no min	
(3)	Reserve facilities	P	0		no min	no min	37	no min	no min	no min	
(4)	Parks and playgrounds	P	0		no min	no min	37	no min	no min	no min	
(5)	Places of worship	D	8	3.10.4(3)	600	7.2	37	6	3	(2)	
(6)	Public works, excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	37	no min	no min	no min	
(7)	Public recreational facilities	P	5		no min	no min	37	no min	no min	no min	
(8)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min	
(9)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min	

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.8.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-8 and the C3 - Arterial Commercial District:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) 10% of the site depth

6.9 C3A – LARGE LOT ARTERIAL COMMERCIAL DISTRICT

6.9.1 Purpose

The objective of the **C3A** – Large Lot Arterial Commercial District is to provide for development in the form of a range of arterial commercial and other compatible uses.

6.9.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-9.

6.9.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.9.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-9.
- (2) The regulations governing landscaping for the **C3A** – Large Lot Arterial Commercial District are contained within Section 4.24 of this Bylaw.

6.9.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **C3A** – Large Lot Arterial Commercial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.9.6 Exceptions to Development Standards

Table 6-9
C3A – LARGE LOT ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses										
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	1	3.10.4(18)	(1)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses										
(1)	Auto body shops	D	5	3.10.4(10)	1200	20	60	6	3	(2)
(2)	Automobiles, marine, recreational vehicle and equipment, and agricultural equipment	P	5	4.12.6	1200	20	60	6	3	(2)
(3)	Automotive and industrial supply stores	P	5		1200	20	60	6	3	(2)
(4)	Bingo halls	P	9		1200	20	60	6	3	(2)
(5)	Bulk fuel dealers	D	5	4.12.6	1200	20	60	6	3	(2)
(6)	Bus terminals	P	5	4.12.6 4.12.8	1200	20	60	6	3	(2)
(7)	Cannabis retail outlets	D	5	3.10.4(25)	1200	20	60	6	3	(2)
(8)	Car washes	P	22		1200	20	60	6	3	(2)
(9)	Clubs	P	5	3.10.4(3)	1200	20	60	6	3	(2)
(10)	Commercial recreational facilities	P	4, 15		1200	20	60	6	3	(2)
(11)	Convenience stores, with or without associated gas bars	P	5	4.12.6 4.12.8	1200	20	60	6	3	(2)
(12)	Crematorium	D	5		1200	20	60	6	3	(2)
(13)	Dairy processing	P	5		1200	20	60	6	3	(2)
(14)	Distilleries, wineries and breweries	P	5		1200	20	60	6	3	(2)
(15)	Farmers' markets	P	5		1200	20	60	6	3	(2)
(16)	Farm stands	P	0		no min	no min	no min	no min	no min	no min
(17)	Financial Institutions, minor	P	5		1200	20	60	6	3	(2)
(18)	Freight handling facilities	D	5	3.10.4(11)	1200	20	60	6	3	(2)
(19)	Funeral homes	P	17		1200	20	60	6	3	(2)

Table 6-9
C3A – LARGE LOT ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(20)	Gas bars, with or without associated convenience stores	P	4	4.12.6 4.12.8	1200	20	60	6	3	(2)
(21)	Health care clinics	P	5		1200	20	60	6	3	(2)
(22)	Hotels	P	10		1200	20	60	6	3	(2)
(23)	Indoor storage rental facilities	D	12	3.10.4(13)	1200	20	60	6	3	(2)
(24)	Malls	D	5	3.10.4 (7)	1200	20	60	6	3	(2)
(25)	Miniature golf courses	P	5		1200	20	60	6	3	(2)
(26)	Motels	P	10		1600	20	60	7.5	3	(2)
(27)	Night clubs	D	5	3.10.4 (6)	1200	20	60	6	3	(2)
(28)	Nurseries, greenhouses and garden centres	P	4		1200	20	60	6	3	(2)
(29)	Offices and office buildings, both major and minor	P	4		1200	20	60	6	3	(2)
(30)	Parking lots	P	0		no min	no min	60	6	3	(2)
(31)	Personal service shops	P	5		1200	20	60	6	3	(2)
(32)	Public garages	P	4		1200	20	60	6	3	(2)
(33)	Rental stores	P	4		1200	20	60	6	3	(2)
(34)	Repair services, restricted to the repair of household goods and appliances	P	5		1200	20	60	6	3	(2)
(35)	Restaurants, with associated lounges	D	9	3.10.4 (6)	1200	20	60	6	3	(2)
(36)	Restaurants, without associated lounges	P	9		1200	20	60	6	3	(2)
(37)	Retail stores	P	5		1200	20	60	6	3	(2)
(38)	Second hand stores and pawnshops	D	5		1200	20	60	6	3	(2)
(39)	Service stations	P	11	4.12.6 4.12.10	1200	20	60	6	3	(2)
(40)	Taverns	D	9	3.10.4(6)	1200	20	60	6	3	(2)
(41)	Theatres	D	17	3.10	1200	20	60	6	3	(2)
(42)	Tourist campgrounds	D	5	3.10.4(14)	1200	20	60	6	3	(2)
(43)	Tourist information centres and booths	P	5		1200	20	60	6	3	(2)

Table 6-9
C3A – LARGE LOT ARTERIAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Site Depth (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(44)	Veterinary clinics	P	5		1200	20	60	6	3	(2)
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>										
(1)	Ambulance stations	D	5	3.10.4(8)	1200	20	60	6	3	(2)
(2)	Community gardens	P	0		no min	no min	no min	no min	no min	no min
(3)	Reserve facilities	P	0		no min	no min	60	no min	no min	no min
(4)	Parks and playgrounds	P	0		no min	no min	60	no min	no min	no min
(5)	Places of worship	D	8	3.10.4(3)	1200	20	60	6	3	(2)
(6)	Public works, excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	60	no min	no min	no min
(7)	Public recreational facilities	P	5		no min	no min	60	no min	no min	no min
(8)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min
(9)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.9.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-9 and the C3A – Large Lot Arterial Commercial District:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) 10% of the site depth

6.10 C4 – REGIONAL COMMERCIAL DISTRICT

6.10.1 Purpose

The objective of the **C4** - Regional Commercial District is to provide for development in the form of retail outlets, commercial establishments, offices and other compatible uses developed on a single location.

6.10.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-10.

6.10.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.10.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-10.
- (2) The regulations governing landscaping for the **C4** - Regional Commercial District are contained within Section 4.24 of this Bylaw. These landscaping regulations shall not apply to public works.

6.10.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **C4** - Regional Commercial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.10.6 Exceptions to Development Standards

Table 6-10
C4 - REGIONAL COMMERCIAL DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (%)	
Commercial Uses										
(1)	Bakeries with retail sales	P	5		225	6	no min	3	(1)	no max
(2)	Cannabis retail outlets	D	5	3.10.4(25)	225	6	no min	3	(1)	no max
(3)	Carwashes	P	22		225	6	7.5	3	(1)	no max
(4)	Clubs	P	5	3.10.4(93)	225	6	no min	3	(1)	no max
(5)	Commercial recreation facilities, excluding golf courses	P	4, 15		225	6	no min	3	(1)	no max
(6)	Convenience stores, with or without associated gas bars	P	5		225	6	no min	3	(1)	no max
(7)	Dairy processing	P	5		225	6	no min	3	(1)	no max
(8)	Distilleries, wineries and breweries	P	5		225	6	no min	3	(1)	no max
(9)	Farmers' markets	P	5		225	6	no min	3	(1)	no max
(10)	Farm stands	P	0		no min	no min	no min	no min	no min	no max
(11)	Financial institutions, minor	P	5		225	6	no min	3	(1)	no max
(12)	Gas bars, with or without associated convenience stores	D	5	4.12.6 4.12.8	225	6	7.5	3	(1)	no max
(13)	Health care clinics	P	5		225	6	no min	3	(1)	no max
(14)	Hotels	P	10		225	6	no min	3	(1)	no max
(15)	Lumber yards, home improvement centres and building supply establishments	D	11	3.10.4 (10)	225	6	no min	3	(1)	no max
(16)	Malls	D	5	3.10.4 (7)	225	6	7.5	3	(1)	no max
(17)	Medical, dental and optical laboratories	P	5		225	6	no min	3	(1)	no max
(18)	Motels	P	10		225	6	no min	3	(1)	no max
(19)	Offices and office buildings, both major and minor	P	4		225	6	no min	3	(1)	no max
(20)	Parking lots	D	0	4.12.9	225	6	no min	3	(1)	no max
(21)	Personal service shops	P	5		225	6	no min	3	(1)	no max
(22)	Photography studios	P	5		225	6	no min	3	(1)	no max
(23)	Restaurants, with or without associated lounges	P	9		225	6	no min	3	(1)	no max
(24)	Retail stores except second-hand stores and pawnshops	P	5		225	6	no min	3	(1)	no max

Table 6-10
C4 - REGIONAL COMMERCIAL DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (%)
(25)	Service stations	P	11	4.12.6 4.12.10	225	6	7.5	3	(1)	no max
(26)	Shopping centres	D	5	3.10.4 (7)	225	6	7.5	3	(1)	no max
(27)	Tourist information centres and booths	P	5		225	6	no min	3	(1)	no max
(28)	Theatres	D	17	3.10	225	6	no min	3	(1)	no max
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>										
(1)	Community gardens	P	0		no min	no min	no min	no min	no min	no max
(2)	Reserve facilities	P	0		no min	no min	no min	no min	no min	no max
(3)	Parks and playgrounds	P	0		no min	no min	no min	no min	3	no max
(4)	Public works, excluding warehouses, storage yards, and solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	no min	no max
(5)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no max
(6)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no max

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.10.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-10 and the C4 - Regional Commercial District:

- (1) 10% of the site depth

6.11 MU – MIXED USE DISTRICT

6.11.1 Purpose

The objective of the **MU** - Mixed Use District is to provide for a mix of land uses, including higher density residential uses, a range of downtown commercial uses, and other compatible uses, proximal to the downtown area or other community centre.

6.11.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-11.

6.11.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.11.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-11.
- (2) The regulations governing landscaping for the **MU** - Mixed Use District are contained within Section 4.24 of this Bylaw. These landscaping regulations shall not apply to public works, residential uses, or uses ancillary to a residential use.

6.11.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **MU** - Mixed Use District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

- (1) Discretionary residential uses are subject to the following criteria:
 - (a) Dwellings shall maintain the mixed use character, density and purpose of the **MU** - Mixed Use district; and,
 - (b) As the purpose of the **MU** - Mixed Use district is to facilitate a mix of land uses including higher density residential; the building or expansion of semi-detached, two-unit dwellings, and single detached dwellings shall be considered on sites that hold existing dwellings of a similar nature and density.

- (2) Skating rinks and golf courses are not permitted in districts zoned **MU** - Mixed Use.
- (3) The character of adjacent/ residential districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
- (4) Off street parking spaces for uses located adjacent to a site used for residential purposes shall be located in a side or rear yard and shall be screened if they abut a site used for residential purposes.
- (5) Community service uses subject to Section 3.10.4 (3).

6.11.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

Table 6-11									
MU - MIXED USE DISTRICT DEVELOPMENT STANDARDS									
for the Urban Reserve of Red Pheasant Indian Reserve									
<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Uses									
Additional Uses									
(1)	Automobile, marine, recreational vehicle, and equipment, agricultural equipment	D	5		1100	30	6	3 ⁽¹⁾	6
(2)	Bingo halls and arcades	D	9		1100	30	6	3 ⁽¹⁾	6
(3)	Consignment centres	D	4		1100	30	6	3 ⁽¹⁾	6
(4)	Construction trades	D	4	3.10.4 (11)	1100	30	6	3 ⁽¹⁾	6
(5)	General industrial uses (see <i>Use, General Industrial</i> in Section 2)	D	4		1100	30	6	3 ⁽¹⁾	6
(6)	Nurseries, greenhouses and garden centres	D	4		1100	30	6	3 ⁽¹⁾	6
(7)	Public garages	D	4		1100	30	6	3 ⁽¹⁾	6
(8)	Recycling collection depots	D	0	3.10.4 (13)	1100	30	6	3 ⁽¹⁾	6
(9)	Restaurants, with associated lounges	D	9	3.10.4 (9)	1100	30	6	3 ⁽¹⁾	6
(10)	Second-hand stores and pawnshops	D	0		1100	30	6	3 ⁽¹⁾	6
(11)	Storage garages	D	11	3.10.4 (13)	1100	30	6	3 ⁽¹⁾	6
(12)	Trucking operations	D	12		1100	30	6	3 ⁽¹⁾	6
(13)	Warehouses	D	12	3.10.4 (11)	1100	30	6	3 ⁽¹⁾	6
(14)	Wholesale establishments	D	4		1100	30	6	3 ⁽¹⁾	6

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.11.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-11 and the MU - Mixed Use District:

- (1) except in the case of corner sites, in which case 4.5 metres is required on the side abutting the flanking street

6.12 M1 – LIGHT INDUSTRIAL DISTRICT

6.12.1 Purpose

The objective of the **M1** - Light Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

6.12.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-12.

6.12.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.12.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-12.
- (2) The regulations governing landscaping for the **M1** - Light Industrial District are contained within Section 4.24 of this Bylaw.

6.12.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **M1** - Light Industrial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

- (1) Discretionary commercial and industrial uses are subject to the following criteria:
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
 - i) reserve servicing capacity;
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;

- iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
- iv) utilization of hazardous substances.

6.12.6 Exceptions to Development Standards

Table 6-12									
M1 - LIGHT INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS									
for the Urban Reserve of Red Pheasant Indian Reserve									
<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Residential Uses									
(1)	Dwelling units accessory to permitted units integrated as part of principal buildings, for the use of caretakers, owners or night managers.	D	1	3.10.4(18)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses									
(1)	Adult entertainment facilities	D	5		1100	30	6	3 (2)	6 (3)
(2)	Art Studio	P	4		550	15	6	3(2)	6(3)
(3)	Auction markets, excluding livestock auction facilities	P	4		1100	30	6	3 (2)	6 (3)
(4)	Auto body shops	P	5		1100	30	6	3 (2)	6 (3)
(5)	Automobile, marine, recreational vehicle, and equipment, and agricultural equipment	P	5	4.12.6	1100	30	6	3 (2)	6 (3)
(6)	Bulk fuel dealerships and storage	D	5	3.10.4(21)	1100	30	6	3 (2)	6 (3)
(7)	Car washes	P	22		1100	30	6	3 (2)	6 (3)
(8)	Cement and concrete plants	D			1100	30	6	3 (2)	6 (3)
(9)	Clubs	P	5		550	15	6	3(2)	6 (3)
(10)	Consignment centres	P	4		1100	30	6	3 (2)	6 (3)
(11)	Construction trades	D	4		550	15	6	3 (2)	6 (3)
(12)	Convenience stores	P	5		550	15	6	3 (2)	6 (3)
(13)	Crematorium	D	5		1100	30	6	3(2)	6(3)
(14)	Distilleries, wineries and breweries	P	5		1100	30	6	3 (2)	6 (3)
(15)	Farm stands	P	0		no min	no min	no min	no min	no min
(16)	Funeral Homes	D	5		1100	30	6	3(2)	6(3)
(17)	Gas bars	P	4	4.12.6 4.12.8	1100	30	6	3 (2)	6 (3)
(18)	General industrial uses (see, <i>Use, General Industrial</i> in Section 2)	P	4		1100	30	6	3 (2)	6 (3)
(19)	Lumber yards and building supply establishments	P	11		1100	30	6	3 (2)	6 (3)
(20)	Nurseries, greenhouses and garden centres	P	4		1100	30	6	3 (2)	6 (3)
(21)	Parking lots	P	0		550	15	6	3 (2)	6 (3)

Table 6-12
M1 - LIGHT INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		<u>Designation</u>	<u>Parking Category</u>	<u>Subject to Sections</u>	<u>Development Standards</u>				
					<u>Minimum Site Area (m²)</u>	<u>Minimum Site Width (m)</u>	<u>Minimum Front Yard (m)</u>	<u>Minimum Side Yard (m)</u>	<u>Minimum Rear Yard (m)</u>
(22)	Public garages	P	4		1100	30	6	3 (2)	6 (3)
(23)	Recycling collection depots	P	0		1100	30	6	3 (2)	6 (3)
(24)	Restaurants without associated lounges	P	9		550	15	6	3 (2)	6 (3)
(25)	Restaurants with associated lounges	D	9		550	15	6	3 (2)	6 (3)
(26)	Seed cleaning plants and feed mills	D	11		1100	30	6	3 (2)	6 (3)
(27)	Service stations	P	11	4.12.6 4.12.10	1100	30	6	3 (2)	6 (3)
(28)	Storage garages	P	12		550	15	6	3 (2)	6 (3)
(29)	Trucking operations	P	12		1100	30	6	3 (2)	6 (3)
(30)	Taxidermy and accessory tanning of hides	P	12		1100	30	6	3 (2)	6 (3)
(31)	Veterinary clinics	P	5		550	15	6	3 (2)	6 (3)
(32)	Warehouses	P	12		550	15	6	3 (2)	6 (3)
(33)	Welding and machine shops	D	11		550	15	6	3 (2)	6 (3)
(34)	Wholesale establishments	P	4		1100	30	6	3 (2)	6 (3)
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>									
(1)	Community gardens	P	0		no min	no min	no min	no min	no min
(2)	Reserve facilities	P	0		no min	no min	no min	no min	no min
(3)	Parks	P	0		no min	no min	no min	no min	no min
(4)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	no min
(5)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min
(6)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.12.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-12 and the M1 - Light Industrial District:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) except in the case of corner sites, in which case 4.5 metres is required on the side abutting the flanking street
- (3) except in the case of abutting a railway, in which case no minimum is required.

6.13 M2 – HEAVY INDUSTRIAL DISTRICT

6.13.1 Purpose

The objective of the **M2** - Heavy Industrial District is to provide for development in the form of a range of heavy industrial and other compatible uses that may require isolation from many other kinds of land uses.

6.13.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-13.

6.13.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.13.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-13.
- (2) The regulations governing landscaping for the **M2** - Heavy Industrial District are contained within Section 4.24 of this Bylaw.

6.13.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **M2** - Industrial District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

- (1) Discretionary commercial and industrial uses are subject to the following criteria:
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
 - i) reserve servicing capacity;
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;

- iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
- iv) utilization of hazardous substances.

6.13.6 Exceptions to Development Standards

Table 6-13
M2 - HEAVY INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses									
(1)	Dwelling units accessory to permitted units integrated as part of principal buildings, for the use of caretakers, owners or night managers.	D	1	3.10.4(18)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses									
(1)	Animal hospitals	P	5		1100	30	6	3 (2)	(3)
(2)	Auction markets, excluding livestock auction facilities	P	4		1100	30	6	3 (2)	(3)
(3)	Automobile, marine, recreational vehicle, and equipment, and agricultural equipment	P	5	4.12.6	1100	30	6	3 (2)	(3)
(4)	Boarding Kennel	D	4		1100	30	6	3(2)	(3)
(5)	Bulk fertilizer operations	D	12	3.10.4(21)	1100	30	6	3 (2)	(3)
(6)	Bulk fuel dealerships and storage	D	5	3.10.4(21)	1100	30	6	3 (2)	(3)
(7)	Cannabis production facility	P	11		1100	30	6	3(2)	(3)
(8)	Car washes		22					3 (2)	(3)
(9)	Cement and concrete plants	P	4		1100	30	6	3 (2)	(3)
(10)	Consignment centres	P	4		1100	30	6	3 (2)	(3)
(11)	Construction trades	P	4		1100	30	6	3 (2)	(3)
(12)	Convenience stores	P	5		1100	30	6	3 (2)	(3)
(13)	Crematorium	D	5		1100	30	6	3(2)	(3)
(14)	Distilleries, wineries and breweries	D	5		1100	30	6	3 (2)	(3)
(15)	Farm stands	P	0		no min	no min	no min	no min	no min
(16)	Foundry works and boiler works	D	4		1100	30	6	3 (2)	(3)
(17)	Gas bars	P	4	4.12.6 4.12.8	1100	30	6	3 (2)	(3)
(18)	General industrial uses (see, <i>Use, General Industrial</i> in Section 2)	P	4		1100	30	6	3 (2)	(3)

Table 6-13
M2 - HEAVY INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(21)	Lumber yards and building supply establishments	P	11		1100	30	6	3 (2)	(3)
(22)	Manufacturing, processing and packing plants	P	11		1100	30	6	3 (2)	(3)
(23)	Medical Marijuana Facility	P	11		1100	30	6	3(2)	(3)
(24)	Nurseries, greenhouses and garden centres	P	4		1100	30	6	3 (2)	(3)
(25)	Parking lots	P	0		1100	30	6	3 (2)	(3)
(26)	Public garages	P	4		1100	30	6	3 (2)	(3)
(27)	Restaurants, with or without associated lounges	P	9		1100	30	6	3 (2)	(3)
(28)	Seed cleaning plants and feed mills	D	11		1100	30	6	3 (2)	(3)
(29)	Service stations	P	11	4.12.6 4.12.10	1100	30	6	3 (2)	(3)
(30)	Solar farms	D	19	3.10.4(26)	1100	30	60	3(2)	(3)
(31)	Storage yards	P	11		1100	30	6	3 (2)	(3)
(32)	Tanneries and hide storage yards	D	11		1100	30	6	3 (2)	(3)
(33)	Transportation terminals and yards	P	11		1100	30	6	3 (2)	(3)
(34)	Towers	D	0		1100	30	6	3 (2)	(3)
(35)	Veterinary clinics	P	5		1100	30	6	3 (2)	(3)
(36)	Warehouses	P	12		1100	30	6	3 (2)	(3)
(37)	Wholesale establishments	P	4		1100	30	6	3 (2)	(3)
Community Service, Reserve, Recreational, Institutional and Other Uses									
(1)	Community gardens	P	0		no min	no min	no min	no min	no min
(2)	Reserve facilities	P	0		no min	no min	no min	no min	no min
(3)	Parks	P	0		no min	no min	no min	no min	no min
(4)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	no min
(5)	Solid and liquid waste management disposal facilities	D	0		no min	no min	no min	no min	no min

Table 6-13									
M2 - HEAVY INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS									
for the Urban Reserve of Red Pheasant Indian Reserve									
<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(6)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min
(7)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.13.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-13 and the M2 - Heavy Industrial District:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) except in the case of corner sites, in which case 4.5 metres is required on the side abutting the flanking street
- (3) except in the case of abutting a railway, in which case no minimum is required.

6.14 PR – PARKS AND RECREATION DISTRICT

6.14.1 Purpose

The objective of the **PR** - Parks and Recreation District is to provide for parks and recreation development and other compatible uses.

6.14.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-14.

6.14.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.14.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-14.
- (2) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to community centres, cultural institutions, reserve facilities, recreation facilities, and tourist information centres and booths in the **PR** - Parks and Recreation District.

6.14.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **PR** - Parks and Recreation District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.14.6 Exceptions to Development Standards

Table 6-14
PR - PARKS AND RECREATION DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>		Designation	Parking Category	Subject to Sections	<u>Development Standards</u>				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
<i>Agricultural Uses</i>									
(1)	Intensive agricultural uses, including vegetable and fruit production, and excluding both operations relating to the raising of livestock and/or other animals, and operations carried on partially or entirely within buildings.	D	4	3.10.4(17)	1000	30	6	3 ⁽¹⁾	6 ⁽²⁾
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>									
(1)	Community centres	D	4	3.10.4 (3)	450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(2)	Community gardens	P	0		no min	no min	no min	no min	no min
(3)	Cultural institutions	D	4	3.10.4 (3)	450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(4)	Farmers' markets	D	5		450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(5)	Farm stands	P	0		no min	no min	no min	no min	no min
(6)	Golf courses	D	15	3.10.4 (3)	no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(7)	Reserve facilities	P	0		no min	no min	no min	no min	no min
(8)	Nature interpretation trails and associated facilities	P	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(9)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	6 ⁽²⁾
(10)	Public recreation facilities	D	5	3.10.4 (3)	no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(11)	Sports fields, parks and playgrounds	P	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(12)	Tourist information centres and booths	D	5	3.10.4 (3)	225	6	no min	3 ⁽¹⁾	6 ⁽²⁾
(13)	Tourist campgrounds	D	5	3.10.4 (3)	1000	30	6	3 ⁽¹⁾	6 ⁽²⁾
(14)	Walking, hiking and/or ski trails and associated facilities	P	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(15)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min
(16)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.14.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-14 and the PR - Parks and Recreation District:

- (1) or ½ the building height, whichever is greater
- (2) or 10% of the depth of the site, whichever is greater

6.15 RD1 – RESTRICTED DEVELOPMENT 1 DISTRICT

6.15.1 Purpose

The objective of the **RD1** - Restricted Development 1 District is to establish and preserve areas of highly restricted development so as to preserve the natural character of the land.

6.15.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-15.

6.15.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.15.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-15.
- (2) 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 the **RD1** - Restricted Development 1 District.
- (3) Non-recreation motorized vehicles are permitted but are confined to travel only on access roads, designated trails, and designated parking areas.
- (4) 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** - Restricted Development 1 District where the action is in keeping with the overall intent of the district and is compatible with principal uses.
- (5) All buildings shall be set back at least 15 metres from the edge of any road allowance.

6.15.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **RD1** - Restricted Development 1 District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section

- (1) Discretionary uses in the **RD1** - Restricted Development 1 District will only be permitted where the First Nation is assured that such development will be compatible with the future use of the area.

6.15.6 Exceptions to Development Standards

Table 6-15
RD1 - RESTRICTED DEVELOPMENT 1 DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>							
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>											
(1)	Community gardens	P	0		no min	no min	no min	no min	no min	no min	no max
(2)	Farm stands	P	0		no min	no min	no min	no min	no min	no min	no max
(3)	Natural habitat preservation	P	0		no min	no min	no min	no min	no min	no min	no max
(4)	Nature exhibits	D	0		no min	no min	no min	no min	no min	no min	no max
(5)	Nature trails	D	0		no min	no min	no min	no min	no min	no min	no max
(6)	Reserve facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(7)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	3	no min	no max
(8)	Wildlife management	D	0		no min	no min	no min	no min	no min	no min	no max
(9)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min	no max
(10)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min	no max

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.15.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-15 and the RD1 – Restricted Development 1 District:

6.16 RD2 – RESTRICTED DEVELOPMENT 2 DISTRICT

6.16.1 Purpose

The objective of the **RD2** - Restricted Development 2 District is to establish and preserve areas of highly restricted development so as to preserve the natural character of the land.

6.16.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-16.

6.16.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.16.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-16.
- (2) 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 the **RD2** - Restricted Development 2 District.
- (3) Non-recreation motorized vehicles are permitted but are confined to travel only on access roads, designated trails, and designated parking areas.
- (4) All buildings shall be set back at least 15 metres from the edge of any road allowance.
- (5) The regulations governing landscaping contained within Section 4.24 of this Bylaw shall apply to clubhouses in the **RD2** - Restricted Development 2 District.

6.16.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **RD2** - Restricted Development 2 District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section

- (1) Discretionary uses in the **RD2** - Restricted Development 2 District will only be permitted where the First Nation is assured that such development will be compatible with the future use of the area.

6.16.6 Exceptions to Development Standards

Table 6-16											
RD2 - RESTRICTED DEVELOPMENT 2 DISTRICT DEVELOPMENT STANDARDS											
for the Urban Reserve of Red Pheasant Indian Reserve											
<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>							
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
Community Service, Reserve, Recreational, Institutional and Other Uses											
(1)	Clubhouses ⁽¹⁾	D	5		500	15	6	6	6	no min	no max
(2)	Community gardens	P	0		no min	no min	no min	no min	no min	no min	no max
(3)	Farm stands	P	0		no min	no min	no min	no min	no min	no min	no max
(4)	Golf courses	D	15	3.10.4(16)	5000	15	6	6	6	no min	no max
(5)	Reserve facilities	D	0		no min	no min	no min	no min	no min	no min	no min
(6)	Natural habitat preservation	P	0		no min	no min	no min	no min	no min	no min	no min
(7)	Nature exhibits	D	0		no min	no min	no min	no min	no min	no min	no min
(8)	Nature trails	P	0		no min	no min	no min	no min	no min	no min	no min
(9)	Nurseries, greenhouses and garden centres	D	0		5000	15	6	6	6	no min	40
(10)	Sports fields, parks and playgrounds	P	0		no min	no min	no min	no min	no min	no min	no min
(11)	Outdoor recreation facilities	P	0								
(12)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	3	no min	no min
(13)	Wildlife management	D	0		no min	no min	no min	no min	no min	no min	no max
(14)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min	no max
(15)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min	no max

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application zoning to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.16.5 and others as required by the First Nation and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-16 and the RD2 - Restricted Development 2 District:

- (1) for non-profit recreational organizations with principal driveway access to an arterial or collector street

6.17 FUD – FUTURE URBAN DEVELOPMENT DISTRICT

6.17.1 Purpose

The objective of the **FUD** - Future Urban Development District is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

6.17.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-17.

6.17.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

6.17.4 Standards and Regulations

Site and building requirements are shown in Table 6-17.

6.17.5 Standards for Discretionary Uses

The First Nation will consider discretionary use applications in the **FUD** - Future Urban Development District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section

- (1) Discretionary uses in the **FUD** - Future Urban Development District will only be permitted where the First Nation is assured that such development will be compatible with the future use of the area.
- (2) Single detached dwellings may be favourably considered only where:
 - (a) The development will be located on or provide good access to an arterial or collector street;
 - (b) The dwelling will be oriented on the site with consideration for privacy of adjacent sites; and
 - (c) The development is consistent with any secondary or conceptual plan accepted by the First Nation.

6.17.6 Exceptions to Development Standards

Table 6-17
FUD - FUTURE URBAN DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
for the Urban Reserve of Red Pheasant Indian Reserve

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>							
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)	
<i>Agricultural Uses</i>											
(1)	Agricultural uses including crop farming, grazing and pasturage and cultivation of land, but not including intensive livestock or poultry operations	P	0		16000	15	6	6	6	no min	40
(2)	Nurseries, greenhouses and garden centres	P	5		5000	15	6	6	6	no min	40
<i>Community Service, Reserve, Recreational, Institutional and Other Uses</i>											
(1)	Community gardens	P	0		no min	no min	no min	no min	no min	no min	no max
(2)	Farm stands	P	0		no min	no min	no min	no min	no min	no min	no max
(3)	Golf courses	D	15	3.10.4(16)	16000	15	6	6	6	no min	no max
(4)	Reserve facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(5)	Public works, excluding solid and liquid waste management or disposal facilities	P	0		no min	no min	no min	no min	3	no min	no max
(6)	Minor telecommunication towers	P	0		no min	no min	no min	no min	no min	no min	no max
(7)	Major telecommunication towers	D	0		no min	no min	no min	no min	no min	no min	no max
(8)	Sand and gravel operations	D	0		16000	15	6	6	6	no min	no max
(9)	Sports fields, parks and playgrounds	P	0		no min	no min	no min	no min	no min	no min	no max
(10)	Major telecommunication towers	D	0	3.10.4 (24) 4.28	no min	no min	no min	no min	no min	no min	no max
(11)	Minor telecommunication towers	P	0	4.28	no min	no min	no min	no min	no min	no min	no max
<i>Commercial Uses</i>											
(1)	Offices and office buildings, both major and minor	P	4		no min	no min	no min	no min	no min	no min	no max
<i>Residential Uses</i>											
(1)	Single detached dwellings	D	1		0.2	15	7.5	6	1.2	89	50

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of the First Nation; and which complies with the development standards laid out in Section 6.17.5 and others as required by the First Nation and/or contained in this Bylaw.

**Table 6-17
FUD - FUTURE URBAN DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
for Urban Reserve of Red Pheasant Indian Reserve**

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	<u>Development Standards</u>					
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)

Special limitation and standards regarding Table 6-17 and the FUD - Future Urban Development District:

SECTION 7 GENERAL PROVISIONS

7.1 BYLAW ENFORCEMENT OFFICER

- 7.1.1 The First Nation may, by Band Council Resolution, provide for the appointment and the reasonable remuneration of a bylaw enforcement officer.

7.2 AMENDMENTS

- 7.2.1 This Bylaw may be amended by the First Nation at any duly convened Band Council Meeting.

7.3 FIRST NATION RESPONSIBILITY TO PASS REGULATIONS

- 7.3.1 The First Nation, in consultation with their citizens, may pass regulations for the administration of this Bylaw such that any regulations so passed shall not be inconsistent with this Bylaw.

7.4 COMING INTO FORCE

- 7.4.1 This Bylaw comes into force the day it is enacted.