



# Zagimē Anishinabēk Zoning Bylaw (2022)



## 1.0 Administration

### 1.1 Purpose

- 1.1.1 The purpose of this Zoning Bylaw is to help implement and reinforce the land use planning in parallel to this Zoning Bylaw by:
- a) Dividing Sakimay First Nations land into zones where types of development and land uses are permitted;
  - b) Providing direction on site planning issues such as the location of main buildings and accessory buildings on a parcel of land; and
  - c) Providing direction on issues such as home-based businesses, secondary suites, and use of cargo containers in residential areas, use of mobile homes, and other matters.

This Zoning Bylaw will work in conjunction with other relevant bylaws and policies of Zagimē Anishinabēk.

### 1.2 Title

- 1.2.1 This Bylaw shall be referred to as the “Zagimē Anishinabēk Zoning Bylaw (2022)”.

### 1.3 Authority

- 1.3.1 This Bylaw is implemented pursuant to Zagimē Anishinabēk’s right to govern its lands and pursuant to Section 81 of the Indian Act.

### 1.4 Application/Subject Area

- 1.4.1 This Bylaw applies to all lands listed in Schedule A, buildings and structures including the surface of water within that area.

### 1.5 Development Officer

- 1.5.1 Chief and Council may, by resolution, appoint or designate a person as Development Officer whose duty it shall be to administer and enforce this Bylaw.

### 1.6 Bylaw Update Process

- 1.6.1 The process for updating this Bylaw are as follows:
- a) Publicly post amendments for 30 days for comments from members;
  - b) Any amendments authorizing the change of zoning for a piece of land should be reflected on an updated zoning map immediately after the amendment is approved by Council;
  - c) All applications for amendments must be made by the person seeking to develop the land;
  - d) In the event of a dispute, the dispute shall be presented to members for input. Then the Development Officer shall make a recommendation based on input from members to be considered as a resolution at a council meeting. The decision of Council will be deemed final; and
  - e) Approved updates relating to the amendment of this Bylaw will be kept in a “Master Copy” of the Zoning Bylaw to ensure that these are easily accessed.



## 2.0 Enforcement

### 2.1 Inspection

2.1.1 The Bylaw Enforcement Officer is hereby authorized to enter, at all reasonable times, upon any land subject to this Bylaw to ascertain whether this Bylaw is being obeyed.

### 2.2 Compliance

2.2.1 Compliance with other restrictions – no provision in this Bylaw shall reduce or mitigate any need to comply with existing policies, laws, and bylaws adopted by the Chief and Council of Zagimē Anishinabēk. In addition, no provision in this Bylaw shall reduce or mitigate any restrictions or regulations lawfully imposed by the Government of Canada, the Province of Saskatchewan, or any other governmental authority having jurisdiction to make such restrictions or regulations.

### 2.3 Violations

2.3.1 Any person who violates the provisions of this Bylaw, or who suffers or permits any act to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act which is required by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.

### 2.4 Penalties

2.4.1 Any person who commits a violation under Section 2.3 is liable to be fined for an amount determined on a case by case basis to a maximum of \$1000.00.

### 2.5 Severability

2.5.1 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

## 3.0 Definitions

**Accessory Building, Accessory Use, or Accessory Structure** means a use, detached building, or structure that is subordinate, customarily incidental, and exclusively devoted to the principal use, building or structure located on the same parcel.

**Agriculture** means the use of land for the husbandry of plants and livestock and includes the storage and sale of agricultural products and the storage and repair of farm machinery and implements used on the individual farm on which the storage and repair is taking place. Band means the Sakimay First Nations.

**Building** means any structure used or intended for supporting or sheltering any use or occupancy.

**Burial Site** means any place traditionally used for the interment of the remains of deceased persons.

**Bylaw Enforcement Officer** means the person appointed by the Council under this Bylaw and charged with the duty of enforcing the provisions of this Bylaw.

**Canadian Standard Association (CSA) A277** means an approved procedure for the certification of factory built manufactured homes and provides for certification and auditing of the plant Quality program, and in-plant inspection and certification of the product built. In the manufactured housing industry, CSA Certification forms the basis for acceptance by local inspection authorities responsible for the enforcement of building codes.

**Caretaker Suite** means a dwelling unit used solely to accommodate a person or persons for the purposes of providing on-site surveillance, maintenance or security for the primary use of the parcel.

**Cargo Container** means a container designed for the storage or transport of goods, including a container designed for the intermodal transportation of freight or goods, but excludes dumpsters and recycling receptacles.

**Carport** means a structure attached to a dwelling that provides a roof over a part of the driveway without a door covering the vehicular entrance. Any other walls may or may not be constructed in a carport.

**Cemetery** means and includes any parcel or tract of land set aside, used, maintained or operated as a place for the interment of the remains of dead persons.

**Community Facilities** means buildings and lands that are used for the governance of the Sakimay First Nation or used for public functions or services.

**Conservation Area** means the maintenance of the natural environment for the purpose of preservation, research, observation and outdoor uses such as hiking, hunting and fishing, and includes the erection and use of trail shelters and other similar structures ancillary to the foregoing uses, but does not include the use of a dwelling house, a mobile home, a tourist vehicle or a tourist trailer.

**Corner Lot** means a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle or less than 135°. For the purposes of this definition, the front yard is the yard adjacent to the shortest boundary abutting on a street or right of way.

**Daycare** means a use which provides nursery and/or pre-school care for all children and also for adults who are mentally and/or physically debilitated to a level which requires a care provider.

**Density** means the maximum number of dwelling units per each hectare/acre of usable site area.

**Derelict Vehicle** means a vehicle that has been deemed unfit by the Saskatchewan Government Insurance (has not passed vehicle inspection and cannot be registered or insured by SGI) or has not been insured and registered for operation for the past 12 months. Development Approvals Procedure Manual means the document that outlines procedures for approving any new development including changes in land use, density and siting on the Sakimay First Nation reserve lands.



**Development Approvals Procedure Manual** means the document that outlines procedures for approving any new development including changes in land use, density and siting on Zagimē Anishinabēk reserve lands.

**Discretionary Use** means those uses for any zone which require approval of Zagimē Anishinabēk prior to development. Refer to Section 4.6 for more information.

**Dwelling:** means a land use class where a building is used as a residence. The land use class includes the following land uses:

**Dwelling, Duplex** means a building that contains two dwelling units, each with a separate entrance.

**Dwelling, Multi-unit** means a townhouse or apartment dwelling that is limited to a maximum of four units and two storeys.

**Dwelling, Single Unit** means a building that contains one dwelling unit, and which may also contain a secondary suite where permitted by this Bylaw.

**Environmental Law** means:

- a. any Laws relating, in whole or in part, to the protection and enhancement of the Environment, public health, public safety, and the transportation of dangerous goods; and
- b. any specifications, mitigative measures, and environmental protection measures described, contained, or referred to in any audit, report, or environmental screening decision pertaining to any lands.

**Fence** means a railing, trellis, or other screening, other than vegetation, forming a boundary to or enclosing a parcel or part thereof.

**Floor Area** means the total area of all the floors of a building measured to the extreme outer limits of the building, including enclosed porches, verandas, and balconies, but excluding areas used for parking.

**Food Preparation Establishment** means a service business where food products like previously cooked or baked goods prepared to be baked by a customer, sandwiches, pickled products, sauces, etc. are prepared for wholesale distribution (e.g. supermarkets, vending machines, food trucks).

**Frontage** means that length of a parcel boundary which immediately adjoins a road or a street.

**Health Services** means the use of a building or buildings for the provision of a physical or mental health service on an out-patient basis and includes but is not limited to medical and dental offices, traditional healers, chiropractors, massage therapists, acupuncture clinics, reflexology, health clinics and counseling services.

**Highway** includes a street, road, lane, bridge, or any other way open to public use for vehicular traffic, but does not include a private right of way on private property.

**Industrial** means the use of land to store, process or manufacture materials or products made predominantly from extracted, bulk, or raw materials, or to use land for the storage or manufacture of flammable, explosive, hazardous, or noxious materials or products.

**Industry, Light** means the use of land to make, assemble, and service finished products, including packaging and wholesale distribution.

**Intensive Livestock Operation** means the confining of any of the following animals, where the space per animal unit is less than 370 m<sup>2</sup> (3982.78 ft<sup>2</sup>):

- poultry;
- hogs;
- sheep;
- goats;
- cattle;
- horses;
- buffalo; and
- any other prescribed animals.

**Land** means, for the purposes of this Zoning Bylaw, Zagimē Anishinabēk Reserve(s) as outlined in Schedule A and any other lands converted to reserve status.

**Lane** means a highway intended to provide secondary access to lots of land, but a lane is not a highway.

**Lane** means a highway intended to provide secondary access to parcels of land, but a lane is not a partial highway.

**Legal Non-Conforming** means a use that which does not conform, comply or agree with the provisions of this Bylaw as of the date it was adopted by Council, but is permitted as the use was in existence prior to this Bylaw coming into effect.

**Lot** means the same definition as parcel.

**Lot** means a unit of land which is identified as a separate and distinct lot on a legally recorded plan or description.

**Lot Coverage** means the percentage of the lot covered by buildings and structures. This is only applied in the Commercial zone and the Residential zone.

**Lot Depth** means the shortest horizontal distance between the front and rear lot lines.

**Lot Line** means the legally defined boundary of any lot.

**Lot Line, Exterior Side** means a side lot line which abuts the highway (excluding a lane, pathway, walkway, or trail) on a corner lot, as illustrated in Figure 3.1.

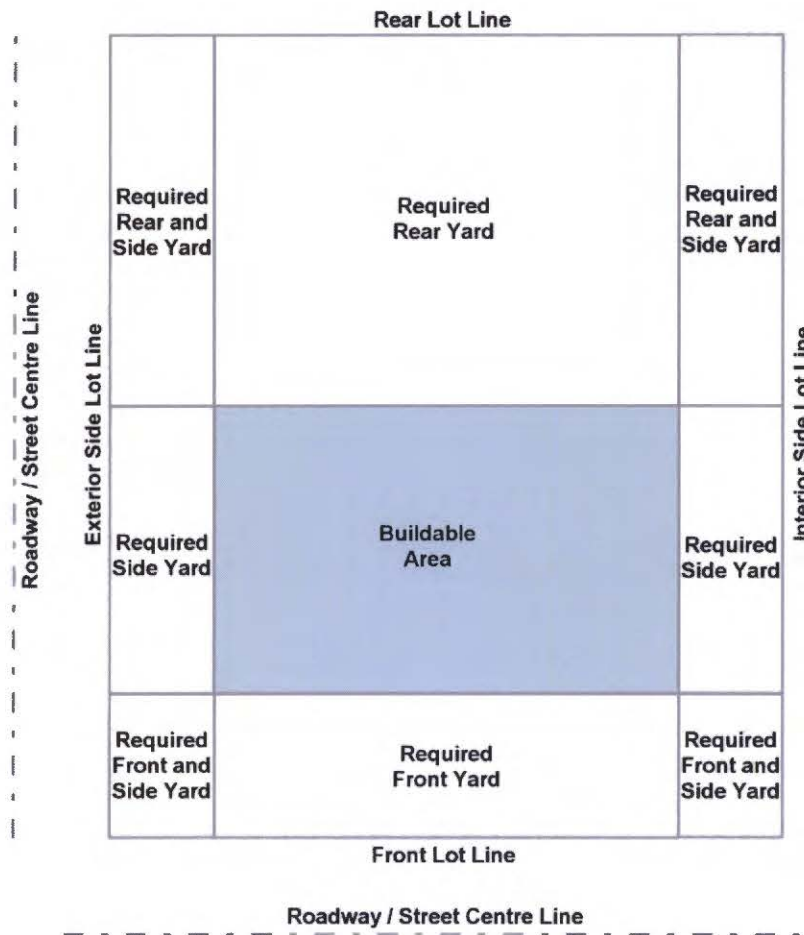
**Lot Line, Front** means any lot line common to a lot and one highway other than a lane as illustrated in Figure 2.1. Where a lot is contiguous to the intersection of two (2) highways, the front lot line is the shortest lot line contiguous to a highway other than a lane.

**Lot Line, Interior Side** means a lot boundary between two (2) or more lots or a lane, other than a front or rear lot line, as illustrated in Figure 3.1.

**Lot Line, Rear** means the boundary of a lot which lies the furthest from, and is not connected to, the front lot line, as illustrated in Figure 3.1.

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Figure 3.1 ILLUSTRATION OF LOT LINES



**Lot Width** means the horizontal distance between side lot lines.

**Manufactured Home** means factory-built and modular homes, which are constructed indoors as three dimensional “modules” before transportation to home sites. Manufactured homes are built in factories and using construction materials certified by the Canadian Standards Association (CSA).

**Mobile Home** means a factory constructed dwelling unit designed to be towed from site to site and subject to Canadian Standards Association (CSA) Z240 Mobile Home Series of Standards. CSA Z240 Standards are specifically for homes that may be moved from one home site to another.

**Motor Vehicle Fuel Service** (i.e. gas station) means an establishment where the primary purpose is the sale of fuel for motor vehicles. Motor vehicle repair and general cleaning (e.g. car wash, upholstery cleaning) as well as the retailing of convenience retail items and restaurants may be considered accessory uses to the fuel service establishment.

**Natural Boundary** means the visible high-water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long

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continued as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation and the nature of the soil and as determined by a surveyor.

**Non-Conforming** means that which does not conform, comply or agree with the provisions of this Bylaw as of the date it was adopted by Council.

**Noxious** means any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, and vibration or refuse matter.

**Office** means a building or part thereof designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or where not conducted on the site thereof, the administration of an industry.

**Open Space** means land designated for recreational activities such as walking, cycling, running, hiking, snowmobiling, and all-terrain vehicle use.

**Park** means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation.

**Permitted Use** means the principal permissible purpose for which land, buildings or structures may be used.

**Personal Service Establishment** means a use that provides personal services to an individual related to the care and appearance of the body or the cleaning and repair of personal effects, including barber shops, hairdressers, manicurists, tailors, dress makers, shoe repair shops, and laundries; but does not include health services.

**Place of Worship** means the use of land for a building used for prayer, worship or functions, and may also include accessory uses and buildings, including, but not limited to an assembly hall, auditorium, rectory and daycare.

**Principal Building** means the main building that is being used and occupied on a lot and shall include attached garages or carports.

**Principal Use** means the main purpose for which land, Buildings or Structure are ordinarily used.

**Public Use** means the use of land for Zagimē Anishinabēk operated buildings and facilities for public parks and recreation, sports, education, health, welfare, administration, safety, communications, or public works.

**Public Utility** means the use of land for buildings and facilities that distribute electricity, gas, water, telephonic or television signals.

**Recreation Service, Outdoor** means facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and soccer fields. Outdoor recreation services do not include camping.

**Resource Development** means buildings and structures used for exploration and processing of natural resources.

**Retail Store** means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such store.

**Setback** means the required minimum or maximum distance between a Building, Structure or Use and each of the respective lot lines.

**Short-term Accommodation** means a dwelling unit in which occupants use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation 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; and
- b. the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation.

**Structure** means a construction of any kind, whether fixed to, supported by, or sunk into land or water which requires permanent location on the ground or something attached to the ground, and includes buildings, walls, decks, fences, tanks, pools, piers, sheds, display signs, poles and towers.

**Water Mining** means the withdrawal (removal) of groundwater over a period of time that exceeds the recharge rate of the supply aquifer.

**Yard, Front** means that portion of the lot extending across the full width of the lot from the front lot line to the face of the nearest exterior wall of the principal building on the lot except in the case of a corner lot, the front yard shall parallel the shortest boundary thereof abutting on a street or right of way.

**Yard, Rear** means that portion of the lot extending across the full width of the lot from the rear lot line to the face of the nearest exterior wall of the principal building on the lot.

**Yard, Side** means that portion of the lot extending from the front yard to the rear yard and lying between the side lot line and the face of the nearest exterior wall of the principal building on the lot.

**Zagimē Land** means, for the purposes of this Zoning Bylaw, Sakimay Indian Reserve(s) and as may be added to the Sakimay Indian Reserves in accordance with applicable legislation and including the following:

- |                   |                  |                 |
|-------------------|------------------|-----------------|
| ○ Little Bone 74B | ○ Minoahchak 74C | ○ Sakimay 74    |
| ○ Sakimay 74-1    | ○ Sakimay 74-2   | ○ Sakimay 74-3  |
| ○ Sakimay 74-4    | ○ Sakimay 74-5   | ○ Sakimay 74-6  |
| ○ Sakimay 74-7    | ○ Sakimay 74-9   | ○ Sakimay 74-10 |
| ○ Sakimay 74-11   | ○ Sakimay 74-12  | ○ Sakimay 74-14 |

○ Sakimay 74-16

○ Sakimay 74-17

○ Shesheep 74A

**Zone** means a zone created by this Bylaw or as amended or as replaced.

**Zoning Bylaw** means this Zoning Bylaw, a bylaw enacted pursuant to Section 81 of the Indian Act.

**Zoning Bylaw Map** means the zoning maps of Zagimē .

## 4.0 General Regulations

### 4.1 Applicability of General Regulation

4.1.1 Except as otherwise specified in this Bylaw, this section applies to all zones established under this Bylaw.

### 4.2 Existing Uses

4.2.1 Existing uses and requests for development prior of the adoption of this Bylaw are legal non-conforming and therefore allowed to continue. Any changes in the land use (i.e. changes from residential to commercial use) or construction of new structures (i.e. construction of a fence; construction of an accessory building) made after the adoption of this Zoning Bylaw must comply with this Zoning Bylaw.

### 4.3 Uses and Regulations

4.3.1 No land, building, or structure within Zagimē Anishinabēk shall be developed, used, constructed, erected, modified, converted, enlarged, re-constructed, altered, placed, or maintained except in conformance with the provisions of this Bylaw, if initiated after the adoption of this Bylaw.

4.3.2 If a building or structure, the use of which does not conform to the provisions of this Bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by a building inspector, it must not be repaired or reconstructed except for a conforming use in accordance with this Bylaw.

### 4.4 Inconsistencies and Severability

4.4.1 Where a zoning activity is significantly inconsistent with or cause harm to a neighbouring municipal jurisdiction's bylaws this bylaw will remain enforceable until such time that the inconsistency or harm is addressed.

4.4.2 If any section, subsection, or other portion of this Bylaw is for any reason held invalid by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and the holding of the court shall not affect the validity of the remaining portions of the Bylaw.

### 4.5 Public Utility Facilities

4.5.1 The following uses are permitted in all zones except Protected Areas subject to the approval of Chief and Council:

- a) Public utility facilities for local transmission of water, electrical power, telephone, natural gas, cable television and other similar service
- b) but not including electrical substations, storage yards, works, yards, maintenance buildings or maintenance offices.

#### 4.6 Prohibited Uses

4.6.1 The following uses are prohibited in all zones:

- a) Mobile homes;
- b) Water mining;
- c) Oil and gas well;
- d) Intensive livestock operations;
- e) Mining; and
- f) Mining and minerals exploration.

#### 4.7 Discretionary Uses

4.7.1 Uses listed as Discretionary under any zoning classification require the approval of the Development Officer prior to any development.

4.7.2 Prior to the approval of a discretionary use, the Development Officer may require the applicant to meet specific development standards or conditions for the proposed discretionary use to meet the objectives of the Zoning Bylaw and may be related to:

- a) The nature and context of the proposed site;
- b) Safeguards to minimize negative impacts on neighboring properties and residents or offensive emissions including noise, glare, dust, and odour; and
- c) Specific design features as they relate to meeting the objectives of the Zoning Bylaw.

4.7.3 Once all standards and conditions have been met in a discretionary use application to the satisfaction of the Development Officer, a development permit will be issued.

4.7.4 The following procedure shall apply for a discretionary use application:

- a) Applicants must submit a discretionary development permit including a site plan and description of the proposed use.
- b) The application will be reviewed by the Development Officer for compliance with the Community Plan, Zoning Bylaw, and other applicable legislation. Applications found to conflict with the spirit or intent of these documents may be rejected.
- c) A public notice will be prepared and released to the community for public feedback. If deemed necessary by the Development Officer, a public meeting may be held to gather feedback. Once feedback has been obtained, the Development Officer will compare the proposal with the public feedback and provide a list of additional conditions for development to the applicant. An updated application may be required which demonstrates compliance with these conditions.

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d) Once all conditions for development have been met, the application, feedback, and additional development conditions will be summarized and presented to the Chief and Council. The Development Officer then approves or dismisses the application.

4.7.5 Where a use or building existed on a site within a zone prior to the adoption of this Bylaw and is listed as a discretionary use in that zone, it shall be deemed as an approved discretionary use, but any change of use, addition or alteration must then conform to the appropriate Discretionary Use Regulations and any other provisions of this Bylaw.

#### **4.8 Siting, Size and Dimensions of Buildings and Structures**

4.8.1 No building or structure shall be constructed, reconstructed, altered, moved or extended by the owner, occupier or any other person so that it contravenes the requirements for the zone in which it is located.

4.8.2 Notwithstanding the provisions of this Bylaw, no building, structure, or projection into a setback area shall be located on a lot so as to interfere with the construction, operation, maintenance and replacement of an on-site septic system that has been approved by Health Canada.

#### **4.9 Fencing**

4.9.1 There shall be no height limits on natural vegetation such as hedges and trees on lot lines in any zone.

4.9.2 No fence in a Residential – Community Core zone or Residential – Cottage zone shall exceed 1.8 m (6.0 ft) in height in any yard.

4.9.3 In the Commercial and Community Use zones, full perimeter fencing is permitted up to 2.5 m (8.0 ft) in height. No fence, wall or projecting retaining wall shall:

a) Exceed 1.8 m (6.0 ft) in height between the front lot line and the front building line; and

b) Exceed 2.5 m (8.0 ft) in height at rear and side yards.

#### **4.10 Accessory Buildings and Structures**

4.10.1 Accessory buildings shall be located at least 2.0 m away from any principal building and 2.0 m away from any lot line.

4.10.2 On corner lots, accessory buildings and structures setbacks from the exterior side lot line shall be equal to the front lot line setback.



4.10.3 Accessory buildings shall not be used for human habitation.



*Example of typical accessory building in a residential area*

#### **4.11 Accessory Storage Units – Cargo Containers in Residential Zones**

4.11.1 Cargo containers are only permitted in Residential zones as accessory buildings if used as temporary storage units related to a principal use (during construction or demolition).

4.11.2 Cargo containers must not be located on any street, sidewalk or trail, or in any location that blocks or interferes with vehicular and/or pedestrian circulation.

4.11.3 Cargo containers must not exceed a height of 2.6 m (8.5 ft) and must not be stacked.

4.11.4 Multiple cargo containers may be located on a Residential zone lot but they must not exceed a cumulative gross floor area of 60 m<sup>2</sup> (640 sq. ft).



*Example of cargo container storage box in residential area*

#### **4.12 Projections into Setback Areas**

4.12.1 Projections into setback areas include parts of buildings and structures that encroach into a setback area, which is the required distance between a building and a lot line. No part of a building or structure shall project into a required front, side or rear yard setback required by this Bylaw, except for the following:

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- a) Steps and landings complete with handrails, fireplaces, balconies, and awnings.
- b) A covered porch addition.
- c) Wheelchair ramps.
- d) Eaves, sills, belt courses, bay windows, chimneys, or other similar features.
- e) An uncovered patio, sundeck, or terrace in a side or rear yard, that is not closer than 2.0 m (6 ft) to a lot line.
- f) Arbors and trellises, fishponds, flag poles or similar landscape features.



*For this house, the setback from the property line is measured from the house, while the steps leading to the front door project or intrude into the setback area*

#### **4.13 Derelict Vehicles**

4.13.1 No land in a Residential, Commercial, Community Use, Protected Area, Agricultural, or Future Development zone shall be used for the storage of derelict vehicles, or as a wrecking yard or junkyard.

#### **4.14 Offensive or Dangerous Uses**

4.14.1 No use is permitted which is noxious by reason of the emission of odour, smoke, dust, noise, gas, fumes, and vibration or refuse matter, except in Resource Extraction zones.

#### **4.15 Multiple Uses on a Lot**

4.15.1 Where any lot is used for more than one purpose, all provisions of this Bylaw relating to each use shall be satisfied. In situations where there are multiple uses proposed on a lot, the combined best judgement of Chief and Council, Zagimē Anishinabēk staff, and the builder/developer will be relied upon.

#### **4.16 Archaeological, Cultural, and Environmental Site Assessments**

4.16.1 Prior to development an environmental site assessment may be required to identify environmentally sensitive areas.

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4.16.2 Prior and/or during development a culturally knowledgeable community member may be required to monitor the site to identify archaeological and/or cultural artifacts. In the event of artifacts being found a stop work order will be placed on the development and additional site assessment will be required. Community Knowledge Keepers will make the decision on whether or not to allow the development to proceed and the Developer/Proponent will bear the cost of Community Knowledge Keeper consultation.

**4.17 Wildlife and Fish Recognition Designated**

4.17.1 wildlife crossings, wildlife protection studies and fish habitat areas must be referenced and consulted with the community as part of environmental impact assessments. The completed report must be presented to the Chief and Council and the community prior to any approval of development.

**4.18 Setbacks from Watercourses**

4.18.1 Any setback from a watercourse shall be from the high-water mark or the top-of-the-bank.

4.18.2 Any development located adjacent to a watercourse (i.e. river, stream) must comply with applicable Environmental Laws.

**4.19 Age of Manufactured Homes**

4.19.1 All manufactured homes must be manufactured no later than 10 years (excluding heritage properties) from the date it is placed on a lot and must have a Saskatchewan registration number.

**4.20 Septic Systems**

4.20.1 All septic systems must be designed to comply with Health Canada standards and approved by Health Canada.

**5.0 Establishment of Zones**

**5.1 Zoning Map**

5.1.1 Zagimē Anishinabēk lands are divided into zones as described in Table 5.1.

*Table 5.1 Zoning Designations*

<b>RESIDENTIAL ZONES</b>
RC - Residential – Community Core
RA - Residential – Acreage
RL - Residential – Low Density
RS - Residential – Seasonal
<b>COMMERCIAL ZONES</b>
CML – Mixed Low Rise

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<b>INDUSTRIAL</b>
IP – Industrial Prestige
IL – Industrial Light
<b>COMMUNITY USE</b>
PR – Parks & Recreation
IS – Institutional Services
FD – Future Development
CM – Cemetery
<b>SPECIAL USE</b>
AG – Agricultural
PA – Protected Area
<b>OVERLAYS</b>
OAR – Airport Restriction
OES – Environmentally Sensitive
OCA – Culturally & Archaeologically Sensitive
OLD – Lease Designation
ORD – Resource Development

## 5.2 Zone Boundaries

5.2.1 The zone boundaries on the Zoning Map shall be interpreted as follows:

- a) Where a zone boundary follows a street, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the centerline, unless otherwise clearly indicated on the Zoning Bylaw Map;
- b) Where a zone boundary is shown as approximately following the reserve boundary, it follows the reserve boundary;
- c) Where a zone boundary is shown as approximately following the natural boundary, it follows the natural boundary and changes with the change in the natural boundary;
- d) Where a zone boundary is shown as approximately following a property line, it follows the property line;
- e) Where a zone boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
- f) Where a zone boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so; and
- g) In circumstances not covered above, the zone boundary shall be determined by the scale of the Zoning Bylaw Map.

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## RESIDENTIAL

### 6.0 Residential – Community Core RC

#### 6.1 Purpose

6.1.1 The purpose of this zone is to facilitate the development of residential dwellings within the community core area.

#### 6.2 Permitted Uses

6.2.1 The following uses shall be permitted in the Residential Community Core zone:

Single unit dwelling	A multi-unit dwelling can have no more than two units
Multi-unit dwelling	

#### 6.3 Discretionary Uses

6.3.1 The following uses are permitted in the Residential Community Core zone:

Accessory building	
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#### 6.4 Regulations

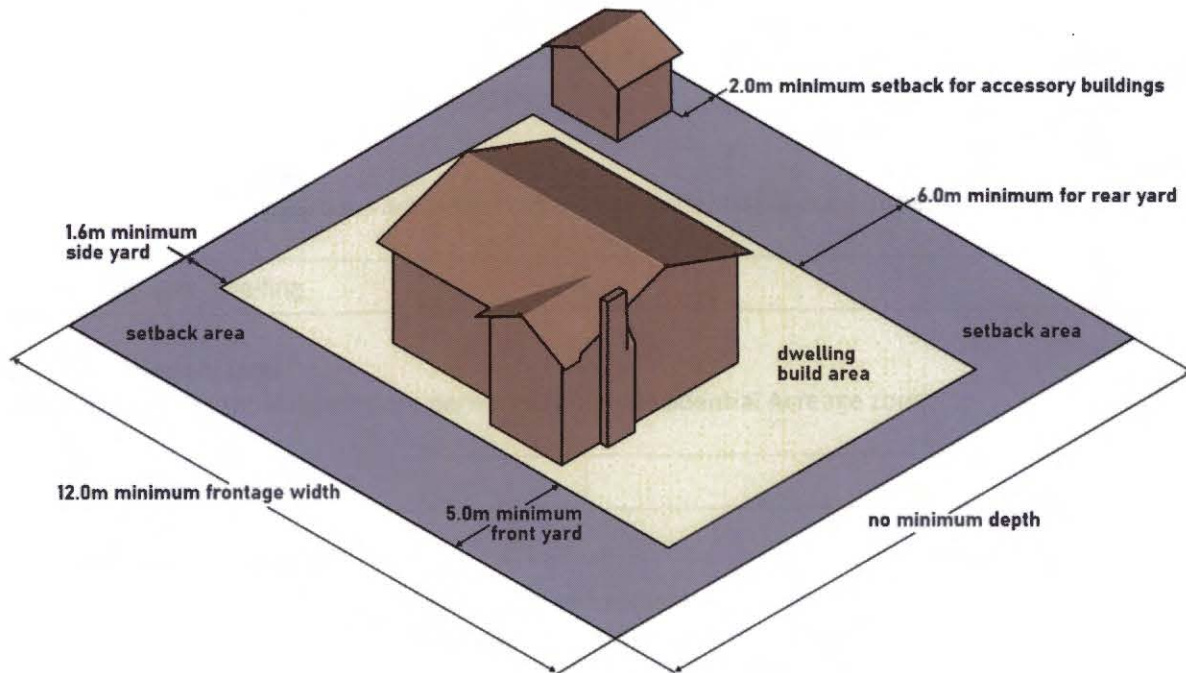
6.4.1 On a lot located in an area zoned as Residential Community Core, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 6.1 and Figure 6.1.

Table 6.1: Residential - Community Core Lot Area

1. Minimum lot size for new lot for single unit dwelling	1,000.0 m <sup>2</sup> (0.1 hectare)
2. Minimum lot size for new lot for multi-unit dwelling	2,000.0 m <sup>2</sup> (0.2 hectare)
3. Maximum lot size for new lot for single unit dwelling and multi-unit dwelling	4,046.0 m <sup>2</sup> (0.40 hectare)
4. Minimum frontage	12.0 m (39.4 ft)
5. Maximum number of principal buildings	1 dwelling per lot
6. Minimum setback from lot lines for principal building:	
a. Front lot line	5.0 m (16.4 ft)
b. Rear lot line	6.0 m (19.7 ft)
c. Interior side lot line	1.6 m (5.25 ft)
d. Exterior side lot line (on a corner lot)	5.0 m (16.4 ft)
7. Minimum rear lot line setback for accessory building	2.0 m (6.5 ft)

*BH*

Figure 6.1: Residential Community Core Lot Diagram



## 6.5 Conditions of Use

- 6.5.1 Dwellings must be connected to community-supplied infrastructure. If a dwelling is not connected to a community-supplied sewer system, a septic system approved by Health Canada is required.

*BRJ*

## 7.0 Residential – Acreage RA

### 7.1 Purpose

7.1.1 The purpose of this zone is to facilitate Residential Acreage development, including single unit dwellings on larger rural lots.

### 7.2 Permitted Uses

7.2.1 The following uses are permitted in the Residential Acreage zone:

Single unit dwelling	
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### 7.3 Discretionary Uses

7.3.1 The following uses are permitted in the Residential Acreage zone:

Accessory building	
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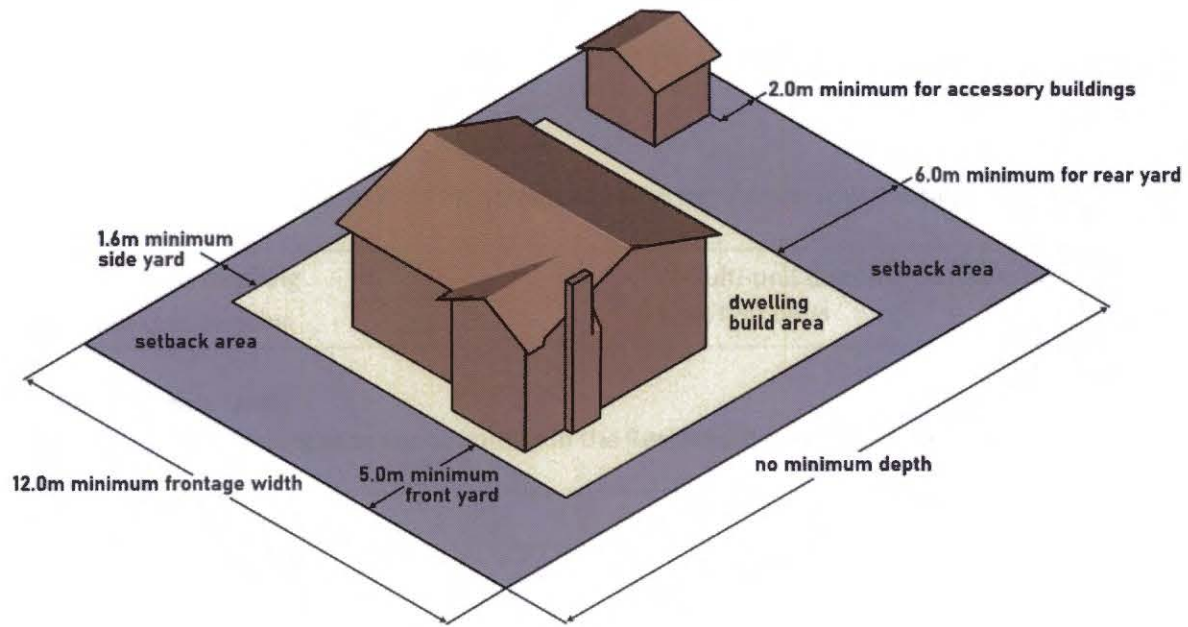
### 7.4 Regulations

7.4.1 On a lot located in an area zoned as Residential – Acreage, no building or structure shall be constructed, located, or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 7.1 and Figure 7.1.

*Table 7.1: Residential - Acreage Lot Area*

1. Minimum lot size for new subdivisions for single unit dwellings	1,250.0 m <sup>2</sup> (0.125 hectare)
2. Minimum frontage	12.0 m (39.4 ft)
3. Maximum number of principal buildings	1 dwelling per lot
4. Minimum setback from lot lines for principal building:	
a. Front lot line	5.0 m (16.4 ft)
b. Rear lot line	6.0 m (19.7 ft)
c. Interior side lot line	1.6 m (5.25 ft)
d. Exterior side lot line (on a corner lot)	5.0 m (16.4 ft)
5. Minimum rear lot setback for accessory building	2.0 m (6.5 ft)

Figure 7.1: Residential Acreage Lot Diagram



## 7.5 Conditions of Use

- 7.5.1 Dwellings must be connected to community infrastructure. If a dwelling is not connected to a community-supplied sewer system, a septic system approved by Health Canada is required.

*ERT*

## 8.0 Residential – Low Density RL

### 8.1 Purpose

8.1.1 The purpose of this zone is to facilitate development of residential dwellings on lands in low density urban centres.

### 8.2 Permitted Uses

8.2.1 The following uses shall be permitted in the Residential Low Density zone:

Single unit dwelling	A multi-unit dwelling can have no more than two units
Multi-unit dwelling	

### 8.3 Discretionary Uses

8.3.1 The following uses are permitted in the Residential Low-Density zone:

Accessory building	
--------------------	--

### 8.4 Regulations

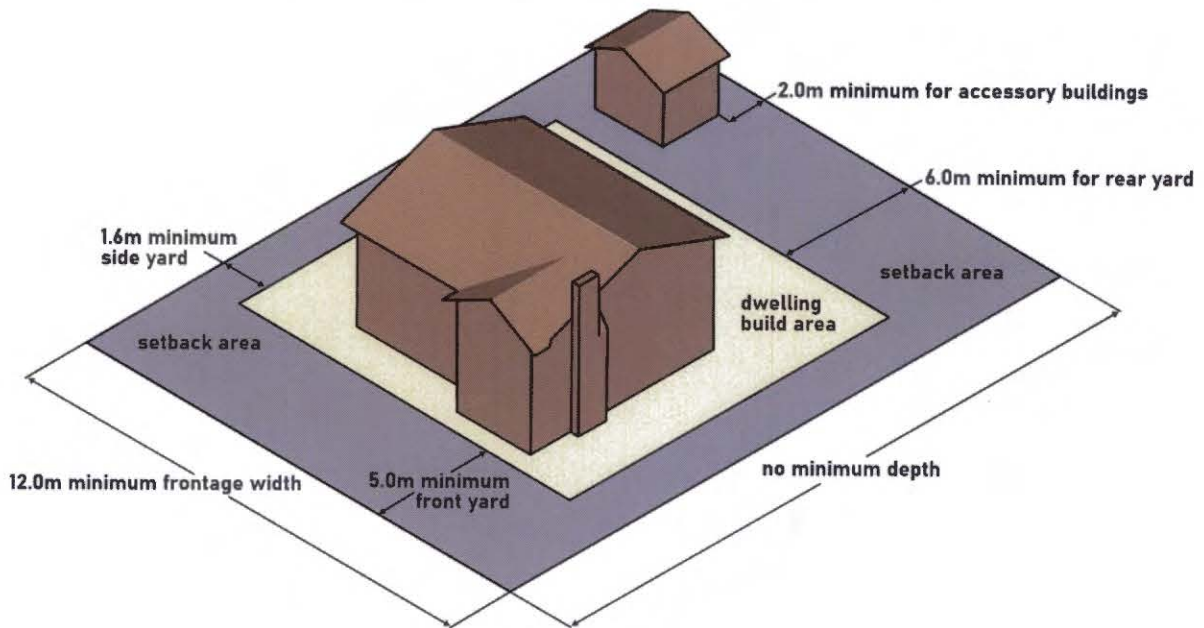
8.4.1 On a lot located in an area zoned as Residential Low Density, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 8.1 and Figure 8.1.

*Table 8.1: Residential – Low Density Lot Area*

1. Minimum lot size for new lot for single unit dwelling	1,000 m <sup>2</sup> (0.1 hectare)
2. Minimum lot size for new lot for multi-unit dwelling	2,000 m <sup>2</sup> (0.2 hectare)
3. Maximum lot size for new lot for single unit dwelling and multi-unit dwelling	4,046 m <sup>2</sup> (0.40 hectare)
4. Minimum frontage	12.0 m (39.4 ft)
5. Maximum number of principal buildings	1 dwelling per lot
6. Minimum setback from lot lines for principal building:	
a. Front lot line	5.0 m (16.4 ft)
b. Rear lot line	6.0 m (19.7 ft)
c. Interior side lot line	1.6 m (5.25 ft)
d. Exterior side lot line (on a corner lot)	5.0 m (32.8 ft)
7. Minimum rear lot line setback for accessory building	2.0 m (6.5 ft)

*BRA*

Figure 8.1 Residential – Low Density Lot Diagram



## 8.5 Conditions of Use

8.5.1 Dwellings must be connected to the nearest local water and sewer infrastructure.

*ERT*

## 9.0 Residential – Seasonal RS

### 9.1 Purpose

9.1.1 The purpose of this zone is to facilitate seasonal cottage use development.

### 9.2 Permitted Uses

9.2.1 The following uses are permitted in the Residential Seasonal zone:

Single unit dwelling	
Short-term accommodation	

### 9.3 Discretionary Uses

9.3.1 The following uses are permitted in the Residential Seasonal zone:

Accessory building	
--------------------	--

### 9.4 Regulations

9.4.1 Development must conform to the Zagimē Anishinabēk Property Standards Bylaw (2017–01), Community Standards Bylaw (2017-02), and Environmental Standards Bylaw (2017–03) as well as any additional bylaws which may be relevant to the proposed development as issued by Zagimē Anishinabēk from time to time.

9.4.2 On a lot located in an area zoned as Residential – Seasonal, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 9.1 and Figure 9.1.

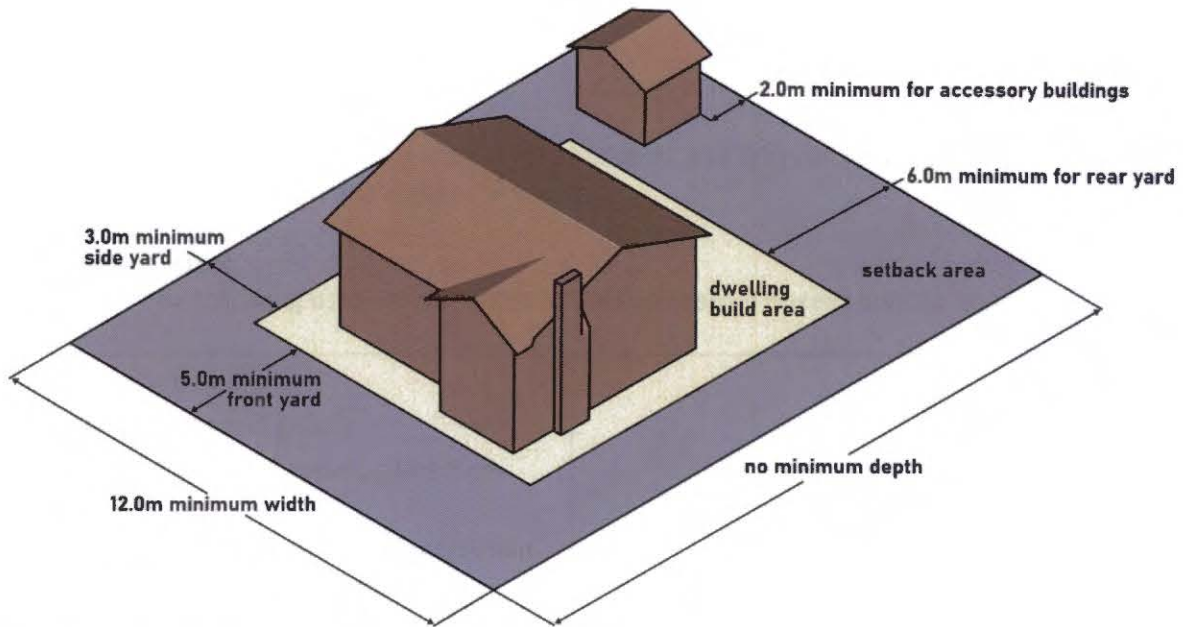
*Table 9.1 - Residential – Seasonal Lot Area*

1. Minimum lot size for new subdivisions for single unit dwelling	1,250 m <sup>2</sup> (0.125 hectare)
2. Minimum frontage	12.0 m (39.4 ft)
3. Maximum number of principal buildings	1 dwelling unit per lot
4. Minimum setback from lot lines for principal building:	
a. Front lot line	5.0 m (16.4 ft)
b. Rear lot line	6.0 m (19.7 ft)
c. Interior side lot line	3.0 m (9.8 ft)
d. Exterior side lot line (on a corner lot)	5.0 m (32.8 ft)
5. Minimum rear lot line setback for accessory building	2.0 m (6.5 ft)

*BRA*



Figure 9.1: Residential Seasonal Lot Diagram



## 9.5 Conditions of Use

- 9.5.1 Dwellings must be connected to community infrastructure. If a lot is not connected to a community-supplied sewer system, a septic system approved by Health Canada is required.

*BRK*

## COMMERCIAL

### 10.0 Commercial – Mixed CM

#### 10.1 Purpose

10.1.1 To facilitate small scale commercial buildings and light industrial uses to service the local neighbourhood and regional economy.

#### 10.2 Permitted Uses

10.2.1 The following uses are permitted in the Commercial Mixed Low-Rise zone:

<p>Animal grooming;</p> <p>Auction sales and galleries;</p> <p>Automobile rental, repair, paint, body and glass services;</p> <p>Automobile, boat, trailer and recreation vehicle repair, sales, and rental lot;</p> <p>Automobile storage yard;</p> <p>Bakery;</p> <p>Brewing on premises establishment;</p> <p>Butcher shop;</p> <p>Catering business;</p> <p>Coffee shop, café;</p> <p>Convenience store;</p> <p>Laundromat and commercial laundry establishment;</p> <p>Light Equipment rental;</p> <p>Food preparation establishment;</p> <p>Funeral parlors;</p> <p>Health services;</p> <p>Home manufacturing, assembly, and storage;</p> <p>Hotel/Motel;</p> <p>Light manufacturing, processing, finishing and/or packaging;</p> <p>Motor vehicle fuel service station (gas station);</p> <p>Moving and storage;</p> <p>Non-industrial equipment and equipment parts sales and service;</p> <p>Non-motorized sports equipment rental, sales and repair;</p> <p>Nursery or greenhouse;</p>	
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Office related to a storage building, workshop and/or a yard used by a general contractor or trade contractor; Personal service establishment; Printing and media services; Printing, reproduction and data processing establishment; Restaurant; Retail store; Wholesale trade indoor; Storage building, warehousing and wholesale establishment, packing and crating, cold storage; Taxidermy; Trade contractors; Upholstery shop; and Welding shop.	
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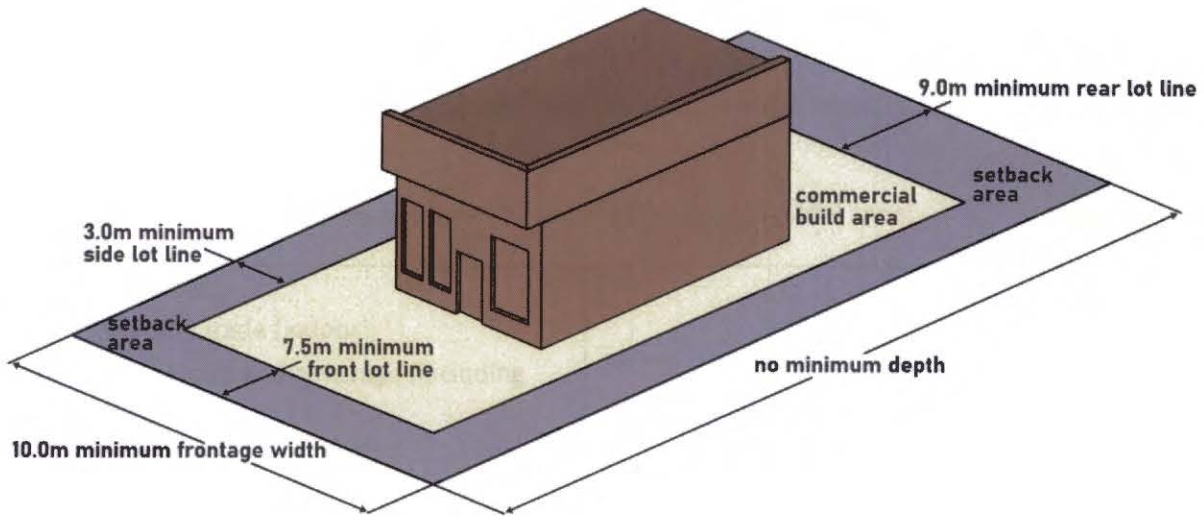
### 10.3 Regulations

10.3.1 On a lot located in an area zoned as Mixed Low-Rise, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 10.1 and Figure 10.1.

*Table 10.1: Mixed Low-Rise Lot Requirements*

1. Minimum lot size for new subdivisions	100 m <sup>2</sup> (8,073 ft <sup>2</sup> )
2. Minimum frontage for new subdivisions	5 m (16.4 ft)
3. Minimum setback from lot lines for principal building:	
a. Front lot line	4.5 m (14.8 ft)
b. Rear lot line	3.25 m (10.7 ft)
c. Interior side lot line	1.6 m (5.25 ft)
i. When side lot line abuts a residential lot and any building over 8.5 m in height	3.25m (10.7 ft)
d. Exterior side lot line (on a corner lot)	7.5 m (24.6 ft)
4. Maximum site coverage of all buildings	65% of lot area
5. Maximum building Height:	15 m (49.2 ft)
a. When lot abuts a residential zone	11 m (36 ft)

Figure 10.1: Mixed Low-Rise Lot Diagram



- 10.3.2 Any Commercial Mixed Low-Rise lots that abut a Residential zone must provide a buffer of at least 3 m wide and which is for aesthetics or designed to mitigate noise.
- 10.3.3 An accessory structure or building may be located within a rear or side yard setback where it is:
- 10 square metres or less in area; and
  - 4 metres or less in height.

## INDUSTRIAL

### 11.0 Industrial – Prestige IP

#### 11.1 Purpose

11.1.1 The purpose of this zone is to provide land for prestige industry.

#### 11.2 Permitted Uses

11.2.1 The following uses are permitted in the Prestige Industrial zone:

Retail trade; Wholesale trade (indoor); Outdoor food and beverage (including licensed); Clubs (including licensed); Humanitarian services; Training centre or institution; Commercial services; Service trade, heavy; Personal self storage facilities; Storage, warehousing; Recreation service facilities Agriculture, indoor (excluding livestock) Industry, laboratory	
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#### 11.3 Discretionary Uses

11.3.1 The following are discretionary uses which may be permitted in the Industrial Prestige zone;

Day care centre; Home improvement centre; Licensed beverage and cocktail room; Licensed dining room; and Licensed restaurant.	
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#### 11.4 Regulations

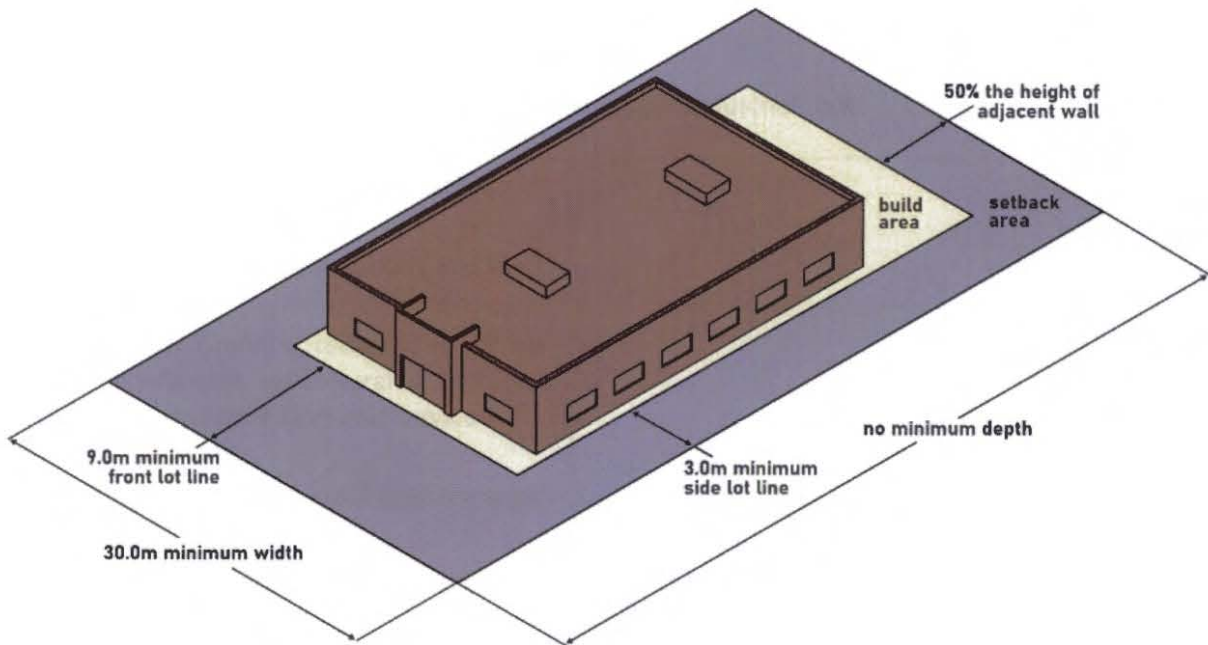
11.4.1 Industrial proposals must meet current bylaw requirements and must clearly describe their anticipated environmental and community impacts in a report.

11.4.2 On a lot located in an area zoned as Industrial, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 11.1 and Figure 11.1.

Table 11.1: Industrial Prestige Lot Area

1. Minimum lot size	2,000.0 m <sup>2</sup> (21,527.8 ft <sup>2</sup> )
2. Minimum frontage	30.0 m (98.4 ft)
3. Minimum setback:	
a. Front lot line	9.0 m (29.5 ft)
b. Side lot line	3.0 m (9.8 ft)
c. Rear lot line	50% of the height of adjacent wall
4. Maximum site coverage of all buildings	50% of lot area

Figure 11.1: Prestige Industrial Lot Diagram



**11.5 Conditions of Use**

11.5.1 Any Industrial lots that abut any Residential zone must provide a buffer of at least 3 m wide and which is designed for aesthetics or to mitigate noise. Industrial zone lots require protection of a green visual buffer from the highway not less than 30 m wide.

*BRA*

## 12.0 Industrial – Light IL

### 12.1 Purpose

12.1.1 The purpose of this Zone is to provide for light industrial uses engaged in manufacturing, predominately from previously prepared materials, or finished products, or both, including:

- processing;
- fabrication;
- assembly;
- treatment;
- packaging;
- incidental storage;
- sales; and,
- distribution.

12.2 Uses that may be offensive by reason of noise, smell or other forms of pollution are excluded.

### 12.3 Permitted Uses

12.3.1 The following uses are permitted in the Light Industrial zone:

Auction markets, excluding livestock auction facilities; Automobile repair, paint, body and glass services; Automobile, marine, recreational vehicle and equipment, agricultural equipment and mobile home sales and service establishments; Automotive and industrial supply stores; Automobile storage yard; Cartage, delivery or express facility; Consignment centres; Construction trades; Financial institutions; Lumber yards, home improvement centres and building supply establishments; Home manufacturing, assembly, and storage; Light manufacturing, processing, finishing and/or packaging; Offices and office buildings; Personal services; Moving and storage;	
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*BRA*

Nursery or greenhouse; Printing, reproduction and data processing establishment; Public Utilities; Storage building, warehousing and wholesale establishment, packing and crating, cold storage; Truck and truck-tractor sales, rental lot, and repair; Trucking operations; Warehousing; and Welding and machine shops.	
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## 12.4 Discretionary Uses

12.4.1 The following are discretionary uses which may be permitted in the Light Industrial zone;

Car washes	
------------	--

## 12.5 Regulations

12.5.1 Industrial proposals must meet current bylaw requirements and must clearly describe their anticipated environmental and community impacts in a report.

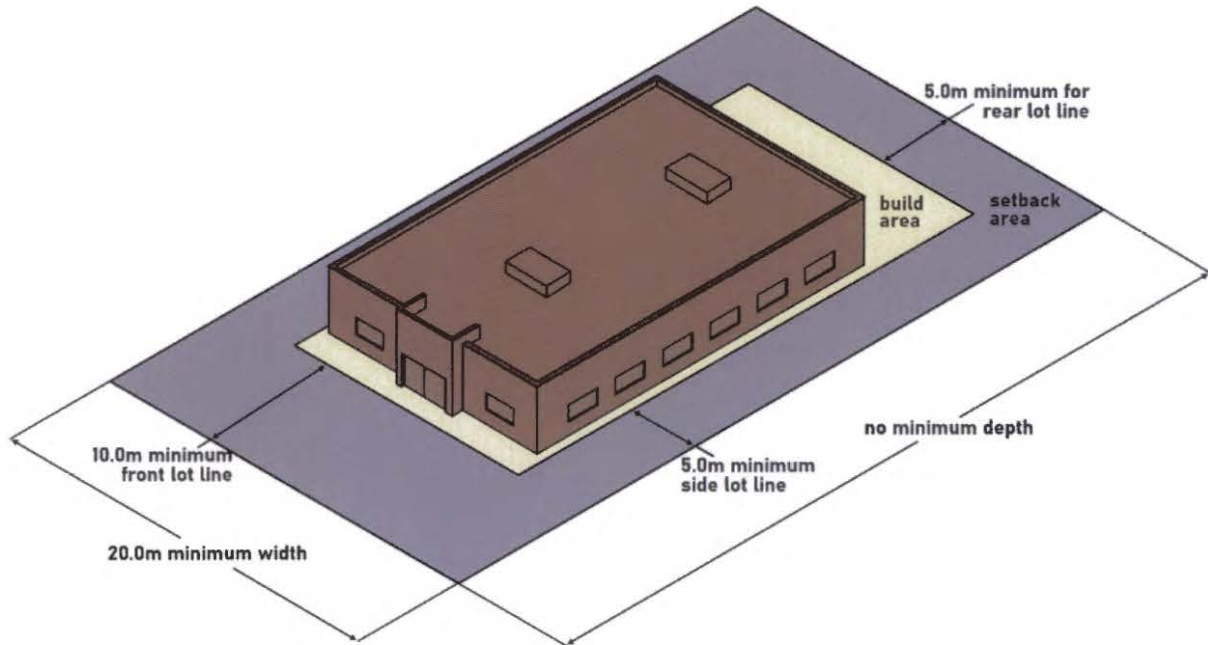
12.5.2 On a lot located in an area zoned as Light Industrial, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 12.1 and Figure 12.1.

*Table 12.1: Industrial Light Lot Area*

5. Minimum lot size	2,000.0 m <sup>2</sup> (0.2 hectare)
6. Minimum frontage	20.0 m (65.6 ft)
7. Minimum setback:	
d. Front lot line	10.0 m (32.8 ft)
e. Side lot line	5.0 m (16.4 ft)
f. Rear lot line	5.0 m (16.4 ft)
8. Minimum lot width	No minimum
9. Maximum height of principal building	15.0 m (49.2 ft)



Figure 12.1: Light Industrial Lot Diagram



## 12.6 Conditions of Use

- 12.6.1 Any Industrial lots that abut any Residential zone must provide a buffer of at least 3 m wide and which is designed for aesthetics or to mitigate noise.
- 12.6.2 Industrial zone lots require protection of a green visual buffer from the highway not less than 30 m wide.

## COMMUNITY USE

### 13.0 Community Use – Parks & Recreation PR

#### 13.1 Purpose

13.1.1 The purpose of this zone is to provide for and designate areas for passive and active indoor and outdoor recreational and leisure activities. This includes the operation of facilities that support or host these activities.

#### 13.2 Permitted Uses

Public Parks & Playgrounds Green Spaces Tourist Campgrounds Public Sports Facilities Cultural or Interpretive Centre	
--	--

#### 13.3 Discretionary Uses

13.3.1 The following are discretionary uses which may be permitted in the Parks & Recreation zone;

Accessory building	
Food & Beverage, Outdoor Retail Trade, Outdoor Display	Up to 300m <sup>2</sup> /unit & 5,000m <sup>2</sup> /lot
Food & Beverage, Catering, lounge, Restaurant Retail Trade, Shop Service Trade, Personal	Up to 1,000m <sup>2</sup> floor area of building

## 14.0 Community Use – Institutional Services IS

### 14.1 Purpose

14.1.1 This zone provides space for institutional, administrative, parks and recreation space and public works facilities.

### 14.2 Permitted Uses

14.2.1 The following uses are permitted in the Community Use zone:

Administrative buildings Community facilities and halls Daycare and/or early education School or college Place of worship Open space Public works Parks, sports and recreational areas and buildings Playfields and playgrounds Cultural grounds Public use Accessory building	
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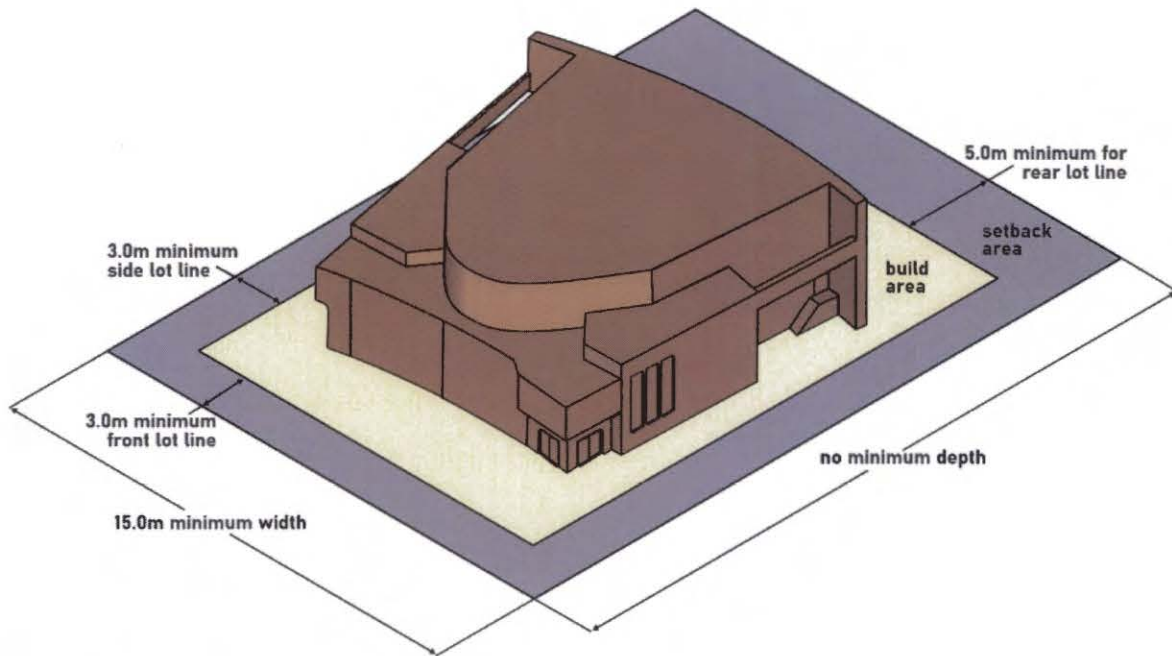
### 14.3 Regulations

14.3.1 On a lot located in a Institutional Service zone, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 14.1 and Figure 14.1.

*Table 14.1: Institutional Services Lot & Yard Requirements*

1. Minimum lot size for new subdivisions	1,000.0 m <sup>2</sup> (0.1 hectare)
2. Minimum frontage for new subdivisions	15.0 m (49.2 ft)
3. Minimum setback from lot lines for principal building:	
a. Front lot line	3.0 m (9.8 ft)
b. Rear lot line	5.0 m (16.4 ft)
c. Interior side lot line	3.0 m (9.8 ft)
d. Exterior side lot line (on a corner lot)	5.0 m (16.4 ft)

Figure 14.1: Institutional Services Lot Diagram



#### 14.4 Conditions of Use

Institutional Services that abut a Residential zone must provide a buffer of at least 3 m wide between lot lines and which is for aesthetics or designed to mitigate noise.

BRA

## **15.0 Future Development – FD**

### **15.1 Purpose**

15.1.1 The purpose of a Future Development zone is to identify and preserve land for future development.

### **15.2 Permitted Uses**

15.2.1 Open Spaces are a permitted use in the Future Development zones.

### **15.3 Discretionary Uses**

15.3.1 The following uses may be permitted in the Future Development zone, as approved by Chief and Council under recommendation from the Development Officer:

- a) Storage;
- b) Billboard signs; and
- c) Developments which do not permanently alter the land or might impede future redevelopment.

### **15.4 Regulations**

15.4.1 On a lot located in a Future Development zone, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the requirements set out in this Bylaw.



## 16.0 Cemetery – CM

### 16.1 Purpose

16.1.1 The purpose of this zone is to accommodate the operation of a cemetery and funeral services and the future interment of the remains of deceased persons.

### 16.2 Permitted Activities

16.2.1 The following uses are permitted in the Cemetery zone:

Cemetery	
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### 16.3 Discretionary Activities

16.3.1 The following uses may be permitted in the Cemetery zone, as approved by Chief and Council under recommendation from the Development Officer:

Accessory building	
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### 16.4 Regulations

16.4.1 The operation and maintenance of cemeteries will follow the applicable legislation, regulations, and bylaws.

16.4.2 Use of Cemetery zones for community gathering will require users to leave no impact on the land (i.e. removing any temporary structures or trash from the area).

16.4.3 Cemetery zones may be expanded upon the approval of the Development Officer.

*Bht*

## SPECIAL USE

### 17.0 Agricultural – AG

#### 17.1 Purpose

17.1.1 The purpose of the Agricultural zone is to accommodate agricultural activities and ensure uses are compatible with adjacent non-agricultural activities.

#### 17.2 Permitted Activities

17.2.1 The following uses are permitted in the Agricultural zone:

<p>Accessory uses</p> <p>Ag-related waste</p> <p>Agricultural compost facility</p> <p>Agricultural operation</p> <p>Agriculture (intensive horticulture)</p> <p>Cannabis Production Facility, Micro</p> <p>Controlled hunt farms</p> <p>Existing Electric Arc Furnace</p> <p>Game farms<sup>1</sup></p> <p>Home-based businesses</p> <p>Horticulture (garden centres, nurseries and greenhouses)</p> <p>Maximum of two primary residences:</p> <ul style="list-style-type: none"> <li>○ Garden suite</li> <li>○ Mobile homes</li> <li>○ Single detached dwellings</li> <li>○ Modular homes</li> </ul> <p>Mineral resource exploration and extraction</p> <p>Public utilities</p> <p>Solar Collector, On-Site Use</p> <p>Storage Container</p>	<p><sup>1</sup> Subject to development standards</p>
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#### 17.3 Discretionary Activities

17.3.1 The following uses may be permitted in the Agricultural zone:

<p>Abattoirs</p> <p>Aerodrome</p> <p>Agricultural businesses with more than 12 non-resident employees</p> <p>Agricultural contracting and service establishments</p>	
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RKA

<p>Agricultural equipment, fuel, and chemical supply establishments</p> <p>Agricultural machine shops and metal fabricators</p> <p>Agricultural product processing and accessory uses</p> <p>Agricultural Tourism and vacation farms</p> <p>Animal kennel / shelter</p> <p>Bed and Breakfast homes</p> <p>Campgrounds</p> <p>Cannabis Production Facility, contained within a building that is not a greenhouse</p> <p>Cannabis Production Facility, limited to outdoor and greenhouse cultivation</p> <p>Clean Fill Operations</p> <p>Commercial compost facility</p> <p>Distilleries, Wineries and Breweries</p> <p>Equestrian center's</p> <p>Grain terminals, elevators, and related uses</p> <p>Geothermal infrastructure</p> <p>Horticultural Operations</p> <p>Industry, Agricultural</p> <p>Institutional uses</p> <p>Intensive Livestock Operations</p> <p>Livestock auction market</p> <p>Land-farms for rehabilitating contaminated soils</p> <p>Mulching operations</p> <p>Multi-purpose recreation facilities</p> <p>Mineral resource processing</p> <p>Pet day cares</p> <p>Religious institutions and cemeteries</p> <p>Solar Collector, Commercial</p> <p>Storage of clean materials</p> <p>Vehicle storage (recreational vehicles and marine products)</p> <p>Wind energy generation system</p> <p>Water wells</p>	
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17.3.2 Separate sites for single detached dwellings and bed and breakfast homes shall comply with the following:



- a) Minimum site area – 1 ha. (In the case of a bare-land condominium, Council may reduce the minimum site area for sites within a bare-land condominium by up to 50%, to a minimum area of 0.5 ha, where, in the opinion of Council, the reduction will allow for enhanced communal property (e.g. providing a natural feature) and the reduction is in the public interest.)
- b) Maximum site coverage – 40%.
- c) Maximum site area – 2 ha.

17.3.3 Notwithstanding other provisions of this Bylaw, Agricultural Tourism is subject to the following:

- a) Uses shall be ancillary to an agricultural operation or agricultural residence. Other sites may be considered at Council’s discretion.
- b) Uses shall display a high visual quality and be integrated into the rural environment by appropriate design, location, and landscaping.
- c) Uses may only be approved where they would not:
  - (i) Unduly interfere with the amenities or change character of the neighbourhood.
  - (ii) Materially interfere with or affect the use and enjoyment of adjacent properties.
  - (iii) Adversely impact the environment.
  - (iv) Result in excessive demand on municipal services, utilities, or public roadway access.
- d) There shall be no external advertising other than a sign of not more than 1.5 m<sup>2</sup> erected in accordance with the signs and billboards regulations in Section 3.5.

**17.4 Regulations**

17.4.1 In the Agriculture zone, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in Table 17.1 and Figure 17.1.

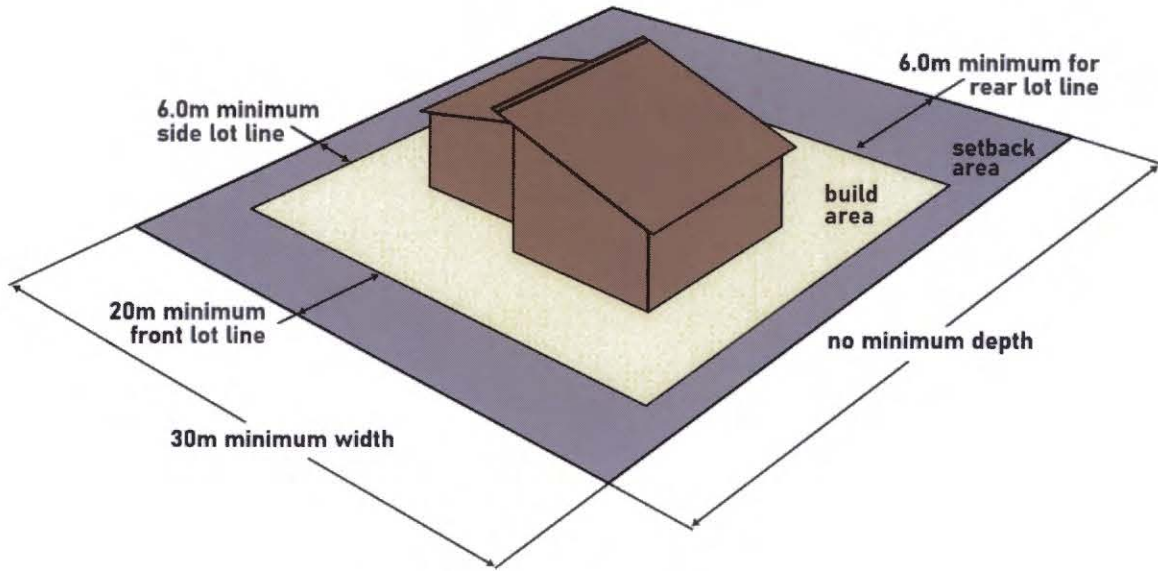
*Table 17.1: Agriculture Lot & Yard Requirements*

1. Minimum lot size	1 h (2.47 ac.)
2. Minimum setback:	
a. Front lot line	20 m (65.6 ft)
b. Side lot line	6 m (19.7 ft)
c. Rear lot line	6 m (19.7 ft)
3. Minimum lot width	30 m (98.4 ft)

17.4.2 The minimum setback for all buildings to a Highway shall be determined by the Ministry of Highways and/or Zagimē at the time of application.

17.4.3 The minimum setback for buildings from a developed road right-of-way or a road allowance shall be 20 metres.

Figure 17.1: Agricultural Zone Lot Diagram



### 17.5 Conditions of Use

- 17.5.1 All new access roads in the Agricultural zone shall be approved by Zagimē Anishinabēk.
- 17.5.2 Existing treed and vegetated areas shall be maintained in their natural condition to support the movement of wildlife across farm fields. Where these must be removed, they shall be replaced with a 3 m (10 ft) landscaped buffer.

*Boh*

## 18.0 Protected Areas – PA

### 18.1 Purpose

18.1.1 The purpose of this zone is to identify and protect areas from development due to environmental sensitivity, sacred and cultural values, heritage and/or open space.

### 18.2 Permitted Uses

18.2.1 The following uses are permitted in the Protected Areas zone:

Environmentally sensitive areas; Conservation areas (and walking trails for access); Cultural grounds; Ceremonial Sites; Harvesting of traditional medicines; Harvesting traditional plant-based foods; Appropriate accessory buildings (i.e. maintenance sheds); and Wildlife and fish habitats.	
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### 18.3 Discretionary Uses

18.3.1 The following uses may be permitted in the Protected Areas zone, as approved by Chief and Council under recommendation from the Development Officer:

Small-scale agricultural operations limited to the breeding and raising of bison; Grazing land for bison; Minimal site development limited to park space, trail space, or other related uses; Burial Sites (existing only).	
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### 18.4 Regulations

18.4.1 No building or structure shall be constructed, located or altered, and no plan of subdivision approved until a site plan illustrating any development is reviewed and approved by Chief and Council. Environmental, archaeological, and heritage assessments will be required to be prepared and submitted prior to consideration of development.

18.4.2 Use of Protected Areas for community gathering will require users to leave no impact on the land (i.e. removing any temporary structures or trash from the area).

18.4.3 There are a number of traditional uses such as ecological habitat, hunting and fishing areas outlined in the Zagimē Anishinabēk Traditional Land Use Study and should be referred to prior to any development to avoid negative impact to users.

## ZONING OVERLAYS

### 19.0 Airport Restrictions – OAR

#### 19.1 Purpose

19.1.1 The Airport Restrictions Overlay is intended to ensure that new developments in Zagimē Lands and in proximity to the Regina International Airport (RIA), are designed and constructed to comply with the regulations contained within this overlay provision. Federal 'Regina Airport Zoning Regulations' (AZR) apply to all the lands, including public road allowances, adjacent to or in the vicinity of the airport, that consist of:

- a) The lands within; and,
- b) The lands directly under that portion of an approach surface that extends beyond the outer limits of the AZR.

#### 19.2 Uses

19.2.1 These regulations include (but are not limited to):

- a) Noise attenuation related to new developments;
- b) Obstacle limitation heights; and/or,
- c) Bird Hazard and Wildlife limitations (where possible).

#### 19.3 Developments

19.3.1 All uses in the Airport Restrictions Overlay shall abide by criteria that ensures a development adheres to Federal 'Regina Airport Zoning Regulations'. Development

- a) Within the Airport Restrictions Overlay shown on the zoning map:
  - (i) New residential development will be approved if proposed development demonstrates that it is subject to all required amendments of or approvals under applicable land-use controls;
  - (ii) Existing dwellings, if destroyed or demolished, may be replaced with new dwellings which shall not exceed the original number of dwelling units;
  - (iii) All new dwelling units shall comply with airport vicinity construction standards;
  - (iv) Maximum building height standards, with limitations on the height of all temporary and permanent structures ("obstructions") are relative to sloped surface planes generated from the established geodetic elevation for the Regina International Airport at a defined reference point; and/or,
  - (v) New residential developments and other noise-sensitive land uses on previously undeveloped lands situated in proximity to the RIA and within the defined Noise Exposure Forecast (NEF) contours, are designed and constructed to comply with established acoustic standards for sound insulation.
  - (vi) Transport Canada's TP1247 – Part IV – Land Use Table 2 (Aircraft Noise Considerations) shall be the guiding document for recommended land uses within NEF contours of 30 or greater.
- b) All new development applications within the APA overlay shall:
  - (i) be circulated to, reviewed by and have comment from the following three authorities:
    - Transport Canada;

- NAV Canada; and,
  - Regina Airport Authority (RAA).
- (ii) Be accompanied by certification by a professional engineer or architect licensed to practice in the Province of Saskatchewan, confirming that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to the RIA.

19.3.2 The Regina Airport Authority:

- a) Shall circulate development applications to Transport Canada and NAV Canada;
- b) Coordinate communication from Transport Canada and NAV Canada back to Zagimē Anishinabēk;
- c) Has been tasked by Transport Canada through its ground lease to be responsible for local consultation in respect of existing or proposed land uses in the vicinity of the Airport which are incompatible with the operation of an airport or aircraft, and liaise with the Province of Saskatchewan and Zagimē Anishinabēk to ensure the land adjacent to or in the vicinity of the Airport is not used or developed in a manner that is incompatible with the safe operation of an airport or aircraft.

19.3.3 Land within the overlay will be used in a manner that is compatible with wildlife control measures to minimize attraction to birds and other potentially hazardous species. Development opportunities in the land adjacent to or in the vicinity of the RIA (as described in the Regina AZR) should consult a wildlife/bird hazard specialist to identify and propose mitigation measures relative to attractant and habitat concerns prior to the approval of development (i.e. Bird Strike Committee Canada (BSCC)).

19.3.4 The construction of telecommunications and electronic system structures and facilities within this district will include contacting regional Transport Canada Civil Aviation and NAV Canada for assistance in locating any potentially impacted radars, navigation aids or telecommunication facilities.



## 20.0 Resource Development – RD

### 20.1 Purpose

20.1.1 The purpose of this zone is to identify land to be utilized for resource development activities.

### 20.2 Permitted Uses

20.2.1 The following uses are permitted in the Resource Development overlay:

Sand and gravel extraction; Sustainable renewable resource extraction.	
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### 20.3 Discretionary Uses

20.3.1 The following uses may be permitted in the Resource Development overlay, as approved by Chief and Council under recommendation from the Development Officer:

Sand and gravel exploration	
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### 20.4 Conditions of Use

20.4.1 Any Resource Development lots that abut any Residential zone must provide a buffer of at least 10 m wide and are designed to mitigate public health and safety, noise, aesthetics, odors, and other nuisances.

BAA

**21.0 Into Effect and Adoption**

**21.1 Severability**


21.1.1 If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, the Court’s determination concerning that portion shall not affect the validity of the remaining portions of this Bylaw.

**21.2 Effective Date of Bylaw**

21.2.1 This bylaw shall come into force and take effect on August 22, 2022.

**21.3 Adoption**


21.3.1 The Council of Zagimē Anishinabēk have, at a duly convened meeting, held a third and final reading on the 30<sup>th</sup> day of June 2022.


  
Chief B. Lynn Acoose

  
Councillor Amber Sangwais


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Councillor Cynthia Sangwais

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Councillor Dana Acoose

  
Councillor Paula Acoose

  
Councillor Rachel Sangwais

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Councillor Randall Sparvier

  
Councillor Ruth Whitehat