

CITY OF MARTENSVILLE

ZONING BYLAW 1-2015

Prepared for:

THE CITY OF MARTENSVILLE

Prepared by:

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LANDSCAPE ARCHITECTURE AND PLANNING

SASKATOON, SK

CONSOLIDATED TO 20-2022

THE CITY OF MARTENSVILLE

Exhibit "A"

ZONING BYLAW

A Bylaw of the City of Martensville to adopt a Zoning Bylaw.

The Council of the City of Martensville, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the City of Martensville hereby adopts the City of Martensville Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Mayor and City Clerk are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 18-2008, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 16th day of June, 2015

Read a Second Time the 3rd day of November, 2015

Read a Third Time the 15th day of December, 2015

Adoption of the Bylaw this 15th day of December, 2015


(Mayor)


(City Clerk)



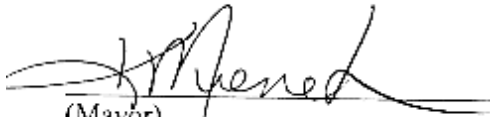
Certified a True Copy of the Bylaw adopted by Resolution of Council

On the 15th day of December, of the year 2015



THE CITY OF MARTENSVILLE
ZONING BYLAW

Being Schedule "A" to Bylaw No. 1-2015
of the City of Martensville


(Mayor)



(City Clerk)



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1 INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 17-2008, the Official Community Plan of the City of Martensville, the Council of the City of Martensville in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

This Bylaw shall be known and may be cited as the *Zoning Bylaw* of the City of Martensville.

1.2 SCOPE

Development shall be permitted within the limits of the City of Martensville only when in conformity with the provisions of this Bylaw subject to the right of appeal provisions of *the Act*.

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the City of Martensville.

1.4 SEVERABILITY

If any section, clause or provision of this Bylaw, including anything shown on the *Zoning District Map*, 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 the *Zoning District Map*, declared to be invalid.

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:

Abutting: touching and sharing a common site line or boundary.

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 use 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.

Act: *The Planning and Development Act, 2007.*

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: shall mean, whether as a principal, accessory or ancillary use, a venue which features live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions of adult entertainment including strip-tease, wet clothing contests or similar adult performances.

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.

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.

Boarding House: a building where the proprietor supplies sleeping accommodations to not more than 15 individuals and where meals and other services may be provided, and where no cooking facilities are present in any individual sleeping room or accommodations.

Boulevard: the strip of land between the curb and the property line, or in the absence of a curb, the strip of land between the road/pavement edge and the property line. The boulevard is located within the road right-of-way.

Building: a structure constructed or placed on, in, or over land, but does not include a public highway, and includes any structure covered by a roof and supported by walls or columns.

Building Bylaw: any Bylaw of the City of Martinsville regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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. For multiple unit dwellings with a gable, hip or gambrel roof, building height shall be measured from grade level to the mean height level between the eaves and the ridge.

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 Permit: a permit issued under a Building Bylaw of the City of Martinsville authorizing the construction of all or part of a building or structure.

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.

Bulk Fertilizer Operation: means a facility for the storage and distribution of fertilizer in bulk quantities, but not including retail sales or processing.

Bylaw, this: the *Zoning Bylaw of the City of Martinsville*.

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.

Cemetery: property used for the interment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

City: the City of Martensville.

City Clerk: the City Clerk for the City of Martensville.

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.

Common Wall: a vertical wall without an opening, separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be common to both dwelling units over at least 40% of the length of each dwelling unit.

Community Centre: a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, 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, sale at a farmers' market or farm stand, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

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.

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

Council: the Council of the City of Martensville.

Cultural Institution: an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest which are not commercially operated.

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 four.

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 platform, with or without rails, for use by those occupying the 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*.

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

Distilleries, Wineries and Breweries: means a facility 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 beverages.

Dwelling: a building used or intended for residential occupancy, and may include a Modular Dwelling or a Ready-to-Move Dwelling, but excluding a Manufactured Dwelling or Mobile Home Dwelling, as herein defined.

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, Manufactured: a factory-built, one or two section dwelling, conforming to CSA Standard A277, and which is transported to the site for placement on a fixed approved foundation which complies with the requirements of the National Building Code.

Dwelling, Modular: a dwelling which is constructed of pre-fabricated parts, unit modules and/or finished sections built in a factory, and which are transported to the site for assembly on a fixed approved foundation which complies with the requirements of the National Building Code.

Dwelling, Mobile Home: a dwelling that may be used all year round and that conforms to *Canadian Standards Association, Construction Standard No.Z240.2.1-1979* and amendments thereto.

Dwelling, Multiple Unit: a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartment dwellings but not hotels or motels.

Dwelling, Multiple Unit Apartment: a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence and is accessed from the outside, a common indoor area, or both, but not including hotels, motels or townhouses.

Dwelling, Multiple Unit Townhouse: a multiple-unit dwelling in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall or ceiling which has no openings.

Dwelling, Ready-to-Move (RTM): a ready-to-move one unit dwelling which is built to completion off-site using conventional lumber and building practices according to the current National Building Code of Canada, and which is transported to the site as a complete unit for placement on a fixed approved foundation which complies with the requirements of the National Building Code.

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

Dwelling, Semi-Detached: a building divided vertically into two dwelling units by a common party wall which separates the two units without opening.

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

Dwelling, Street Townhouse: a building consisting of at least three dwelling units horizontally attached, designed with a cohesive theme in terms of architectural design, with each dwelling unit located on a separate site provided access to both a registered front street and rear lane.

(Bylaw #2-2017)

Dwelling, Two-Unit: a building divided into two separate dwelling units on the same site but not including single detached dwellings which contain a secondary suite as defined herein.

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.

Educational Institution: a post-secondary college, university or technical institution, but shall not include a private school.

Fabric Covered Structure, Accessory: a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and a maximum of three sides with fabric, reinforced plastic, vinyl, or other sheet material, intended for temporary storage purposes.

Farmers' Market: a permanent structure or group of farm stands, 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: a bank, credit union, trust company, or similar establishment.

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, 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 Depot, Bulk: means a facility for the storage and distribution of petroleum and petrochemical in bulk quantities, but not including retail sales or processing, and may include tanker vehicle storage and key-lock pumps.

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.

Fuel Bulk Storage Tank, Bulk: a storage tank for the purpose of storing fuels for distribution.

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 to or by 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 major repairs.

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, not including any artificial embankment, depression, or berming beyond the requirements of the Lot Grade Plan. 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. (Bylaw 9-2019)

Gross Floor Area: means the sum of the gross horizontal area of the building measured at each floor level. All dimensions shall be measured between exterior faces of exterior walls.

Gross Floor Space Ratio: Means the ratio of the gross floor area of the principal building, exclusive of any parking area, divided by the site area.

Hard Surfaced: means the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement.

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, liquefied 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.

Indoor Storage Rental Facility: a building or buildings containing separate secured storage units designed to be rented or leased for private storage of personal goods, materials and equipment, household goods, furniture, general merchandise and vehicles, excluding:

- (a) highly flammable materials, chemicals, odorous, explosive or other inherently dangerous or noxious goods; and
- (b) hazardous materials as defined in this Bylaw.

Industrial Complex: a building or a group of buildings located on the same site that are managed as a single unit, all for their mutual benefit, including the use of off-street parking and other joint facilities; and more than two approved permitted or discretionary uses are located on that site.

Industrial, General Use: any of the following uses:

- (a) the processing of raw or finished materials;
- (b) the manufacturing or 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 of 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 transshipment of materials, goods and equipment, including warehouses.
- (e) The training of personnel in general industrial operations;
- (f) Indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

Intensive Agricultural Use: means a principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including a livestock facility.

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

Junk and Salvage Yards: uses including, but not limited to, uses involved in salvaging, storing or selling scrap metal, paper, plastic, glass, wood and other waste material, as well as unlicensed vehicles and used vehicle parts.

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

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.

Landscaping, Hard: landscape features consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding gravel, loose rock, outdoor carpeting, or monolithic concrete and asphalt.

Landscaping, Soft: landscape features consisting of vegetation such as trees, shrubs, hedges, and grass.

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

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 Information Services Corporation by Certificate of Title.

Lot Grade Plan: a plan defining proposed elevations, prepared by an Engineer or Surveyor and accepted by the City of at time of subdivision or 600mm above back of walk for property not subject to an approved Lot Grade Plan or approved by the City of Martinsville. (Bylaw 9-2019)

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. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

~~**Manufacturing, Light:** 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.~~ (Bylaw 25-2015)

Mayor: the Mayor of the City of Martinsville.

Medical, Dental and Optical Laboratories: 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.

Minister: the member of the Executive Council who, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

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.

Municipal Facility: land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

- (a) Office and/or meeting space;
- (b) Storage of municipal equipment and/or supplies; and/or
- (c) Other institutional purposes.

Municipality: the City of Martinsville.

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, but not including adult entertainment, during certain hours of operation may also be provided.

Nonconforming 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.

Nonconforming 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.

Nonconforming 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; and,
- (b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

Non-Covered: a building structure open to the sky or without a substantial roof structure.

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.

Official Community Plan: the *Official Community Plan* for the City of Martinsville.

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 2.7 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 2.7 metres wide by 6.0 metres deep for all other.

Patio: an open horizontal, artificially surfaced area adjacent to the principal building, usually at grade level, intended for use as an outdoor private amenity space.

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.

Personal Service Shop: a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

- (a) beauty salons and barber shops;
- (b) shoe repair;
- (c) dry-cleaning pick-up depots;
- (d) self-serve laundry;
- (e) tailor or seamstress;
- (f) massage services;
- (g) photography studios;
- (h) tanning beds; and
- (i) tattoo parlours,

but does not include the provision of health related services.

Pet Grooming Establishment: a business associated with the grooming of small domestic animals not prohibited by the Animal Control Bylaw with the confinement of animals restricted to indoors; but not including kennels for overnight boarding.

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.

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

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

Public Work: includes:

- (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) facilities for the collection, treatment, movement or disposal of sanitary sewage.
- (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, but not including adult entertainment.

Recreational Facility, Public: a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public, but not including adult entertainment.

Recreational 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 permitted at a recycling collection depot:

- (a) processing of recyclable material other than compaction;
- (b) collection and storage of oil, solvents or other hazardous material;
- (c) outdoor compaction.

Residential Care Home: a licensed or approved group care home governed by Provincial regulations 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 Home - Type I: a residential care home in which the number of residents, excluding staff, does not exceed four.

Residential Care Home - Type II: a residential care home 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.

School, Private: a facility which meets Provincial requirements for elementary, secondary, or higher education, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public: a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

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

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

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 Container: 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 that are managed as a single unit, all for their mutual benefit, including the use of off-street parking and other joint facilities; and where more than two approved permitted or discretionary uses are located on that site.

Sight Triangle: the triangular area formed within a site by the intersecting front and side site lines at a street intersection, an intersection of a street and a flanking lane, or an intersection of a street and a driveway, and the straight line joining said site lines at points which are a measured distance along both site lines (refer to Figure 2-3 below). In the case of a street intersection, at a corner site, the measured distance shall be 7.6 m. In the case of a lane or driveway intersecting a street, the measured distance shall be 4.5 m.

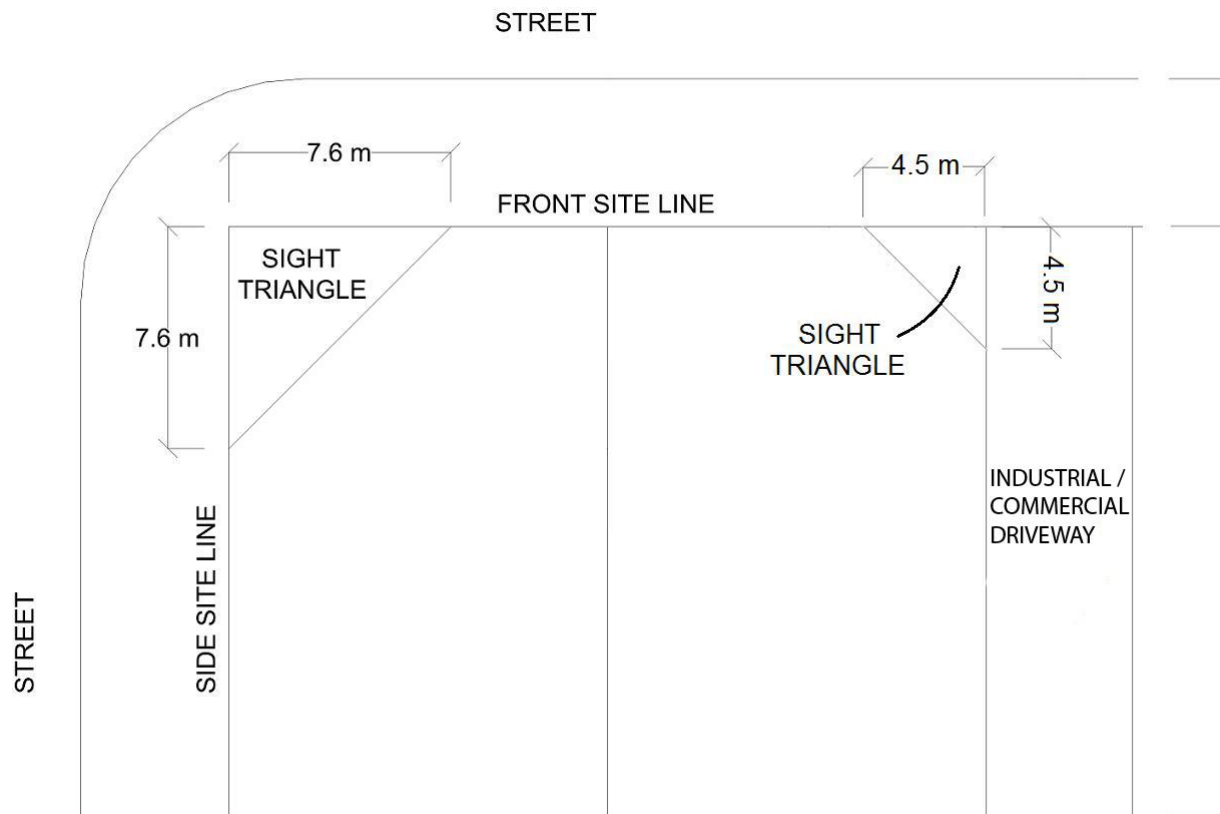


Figure 2-3: Sight Triangles

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 or from a street or public thoroughfare.

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)).

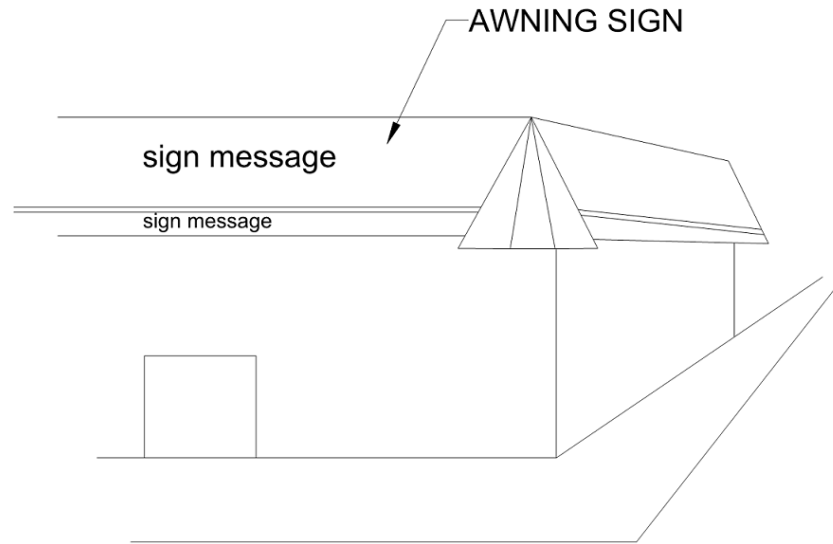


Figure 2-4(a): Illustration of Awning Sign

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)).

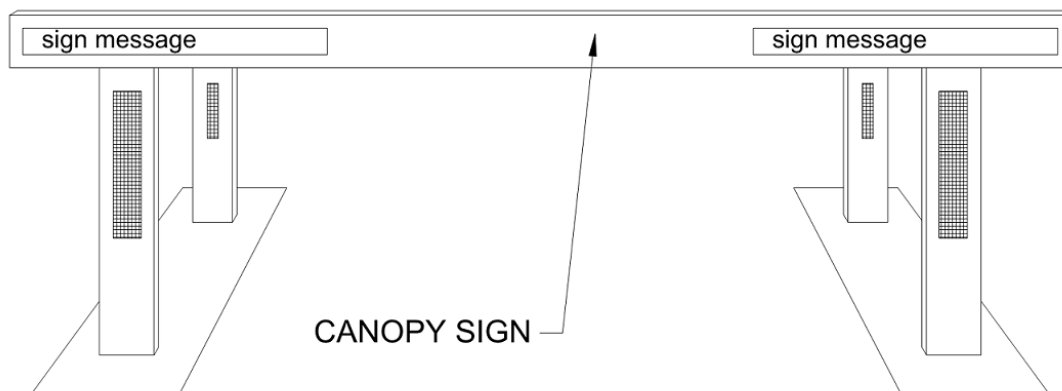


Figure 2-4(b): Illustration of Canopy Sign

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

Sign, Electronic Message Centre: A variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology, whereby the message can be altered by electric or electronic means.

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

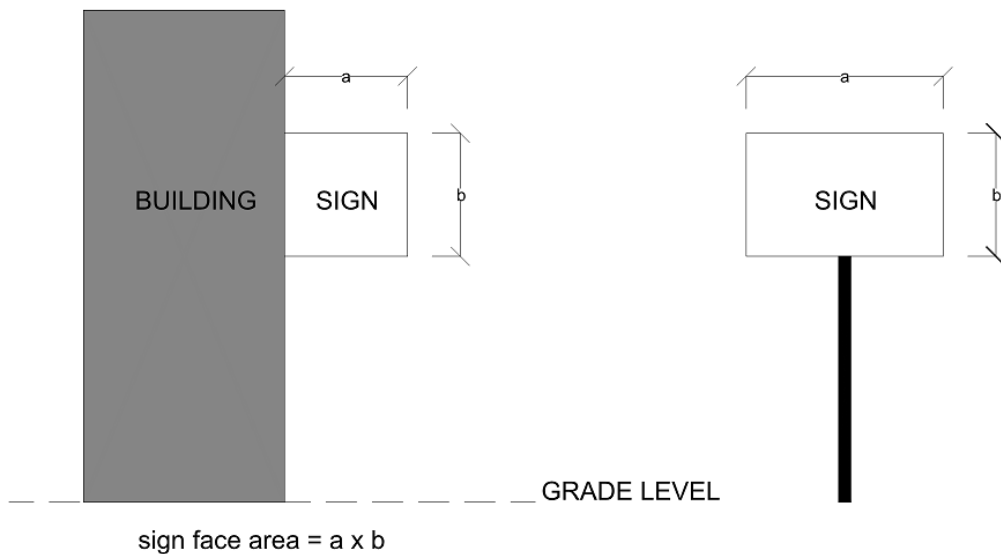


Figure 2-2: Calculation of Sign Face Area

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, Off Premise: means any sign displaying copy that directs attention to a business, activity, product, service, or entertainment that cannot be considered as the principal products sold nor a principal business, activity, service or entertainment provided on the premises or site where the sign is displayed.

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 or a gross area no greater than 12.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4(c)).

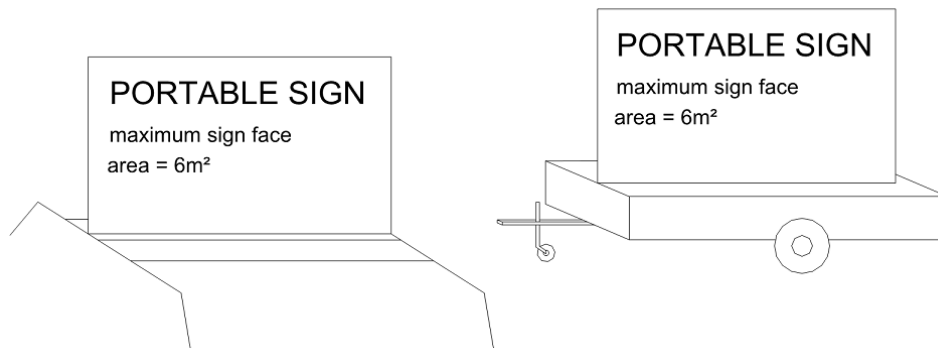


Figure 2-4(c): Illustration of Portable Signs

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)).

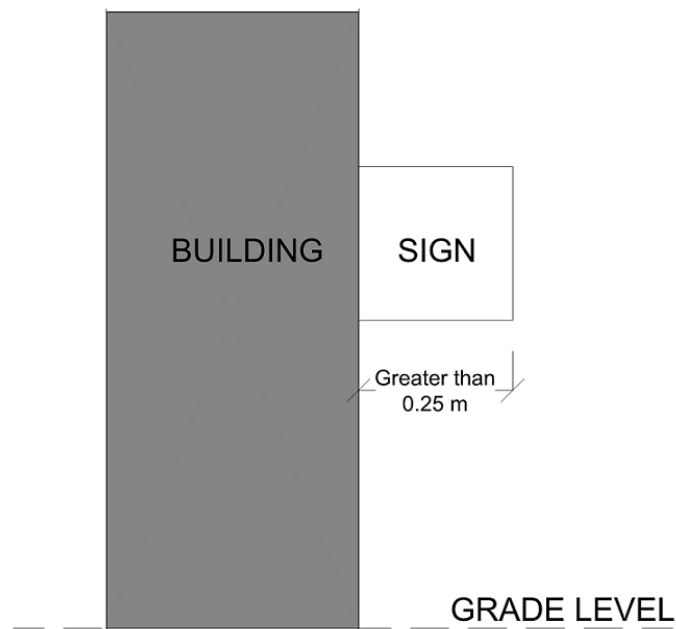


Figure 2-4(d): Illustration of Projecting Sign

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: an election sign or temporary sign bearing notice of sale or lease or other information relating to a temporary condition affecting the property.

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

Site: means an area of land:

- (i) under one ownership considered as a unit;
- (ii) having its principal frontage on a public street; and
- (iii) not divided by a public street.

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 (refer to Figure 2-5).

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

Site Line, Front: the line that divides the site from the street right-of-way. 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 right-of-way.

Site Line, Rear: the line (or point) at the rear of the site adjacent to a rear lane and opposite the front site line or in the case of no rear lane, the line or point at the rear of the site and opposite the front site line (refer to Figure 2-6).

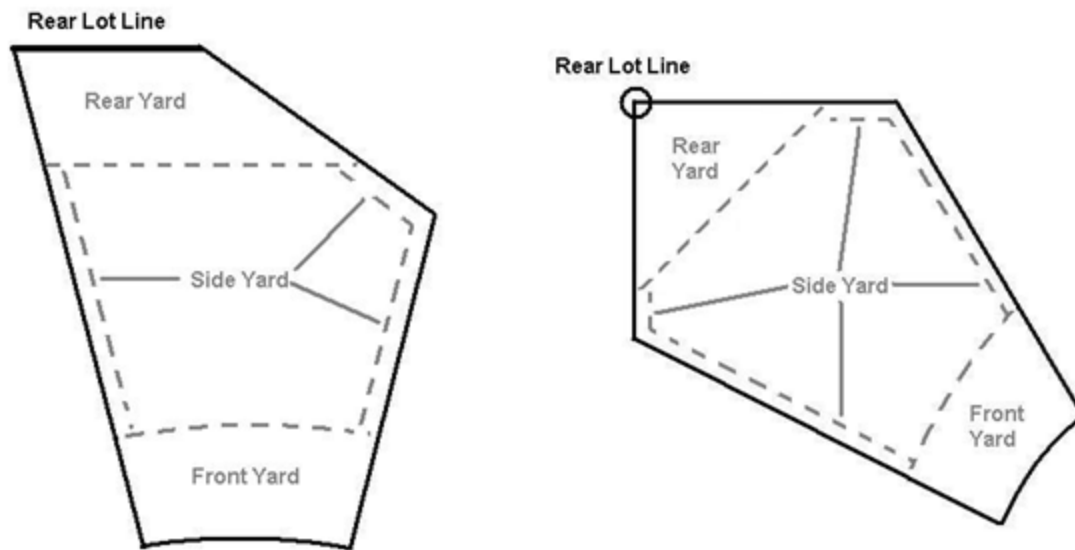


Figure 2-6: Illustration of Rear Site Lines

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: the horizontal distance between the side boundaries of the site measured at a distance equal to the required minimum front yard from the front site line for the district in which the site is located (refer to Figure 2-7).

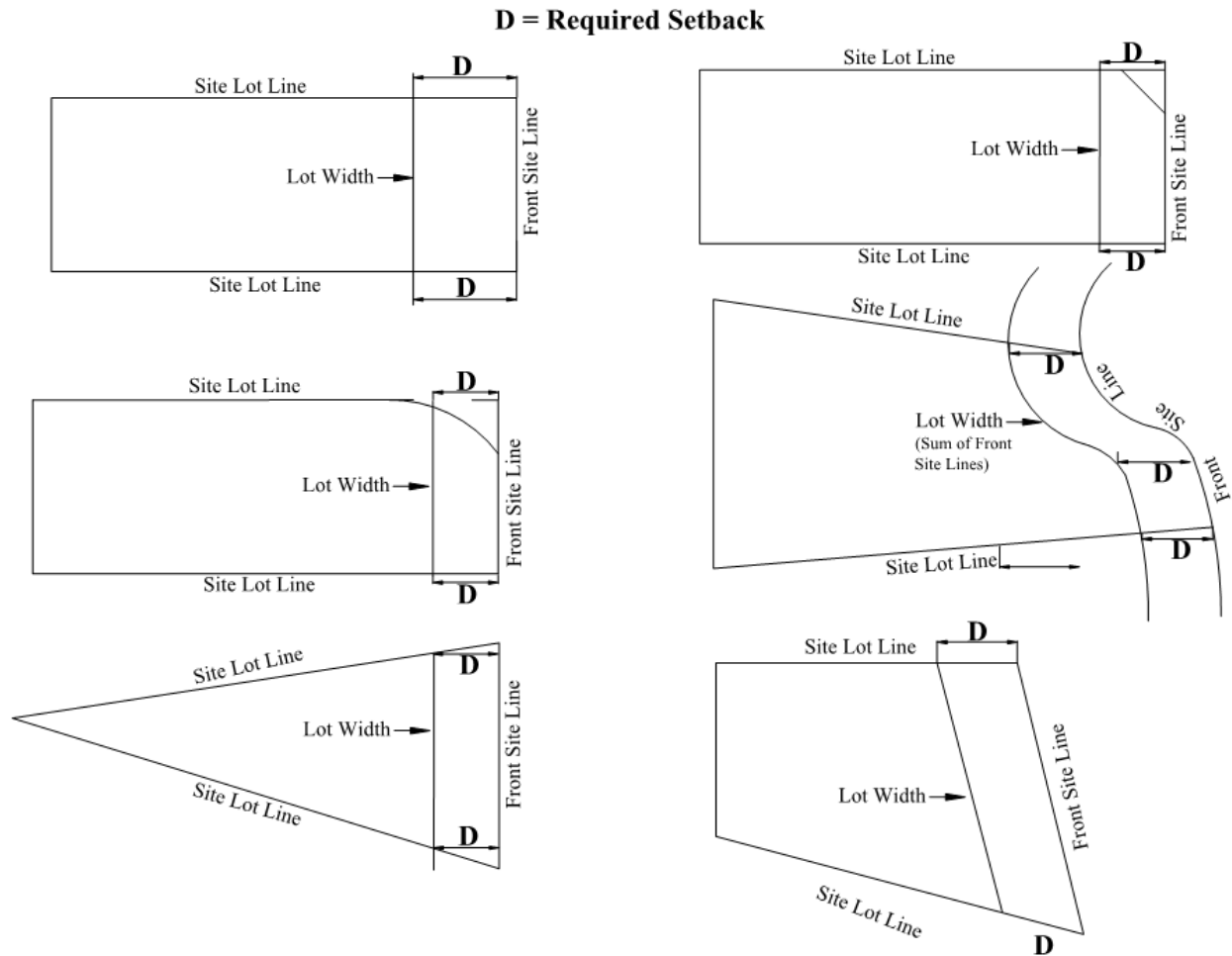


Figure 2-7: Illustrations of Site Width

Special Care Home: a nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

Storey: that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A basement or cellar shall not be counted as a storey if it is designed or used for ancillary activities such as long term storage, mechanical rooms, stairways, janitorial rooms, or parking garage; and at least one half of the height of the basement or cellar, from finished floor to finished ceiling, is located below grade level.

Street: a public space, commonly used as a thoroughfare, which affords the principal means of access to abutting properties.

Streetscape: the physical elements of the street, as seen from a human perspective, that help define the character, perception, scale, and overall “feel” of the street or neighbourhood, including:

- (a) trees and other vegetation;
- (b) sidewalks, medians, and boulevards, including textural elements;
- (c) street furniture and decoration;

- (d) frontages, façades, massing, scale, and architectural aesthetic of buildings;
- (e) pedestrians and bicyclists;
- (f) moving and parked vehicles;
- (g) roadways and lanes;
- (h) signage; and
- (i) utility elements.

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.

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.

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.

Trailer: a vehicle, other than a semi-trailer, farm machinery, or a recreational vehicle, that is drawn on a highway by a motor vehicle and that is designated for the conveyance of goods. Examples of a trailer include but are not limited to small utility trailers (open or enclosed), and trailers to carry boats, snowmobiles, all-terrain vehicles, jet-skis, or motorcycles.

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

-Vehicle: a device in or by which a person or thing may be transported or drawn on a street and includes motor vehicles, trailer coaches, semi-trailers, fire engines, fire department apparatus, and all vehicles propelled by muscular power; but does not include railway cars and other motor vehicles running only upon rails or tracks or solely upon railway company property.

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.

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.

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.

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

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 Planning Manager for the City of Martinsville and any other person authorized, in writing, by the Planning Manager to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMITS

- 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 cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.
- 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 municipality or a public utility;
 - (2) the construction of a public work by the municipality;
 - (3) the installation of a public work on any street or other public right-of-way by the municipality;
 - (4) maintenance and repairs that do not include structural alterations;
 - (5) accessory buildings under 9.3 square metres in area; and
 - (6) fences.
- 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 automatically 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 Council 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 Council's Zoning Policy 75 – 2008 includes application forms and application decision forms relevant to this Bylaw.

3.3.2 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;
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site;
 - (d) the location of commercial signage.
- (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.
- (6) two copies of the landscaping plan clearly indicating the following:
 - (a) the location and description of other landscape improvements, such as, but limited to: earth berms, drainage swales, catch basins, walls, fences, screens, sculptures, fountains, site furnishings, screened refuse containment areas, and bicycle racks;
 - (b) location, type and quantity of existing plant materials;
 - (c) the location, type, quantity and spacing of new plant material showing a list of plant material to be planted identifying caliper size and height at planting and a table indicating the minimum site landscaping requirements of the site and the actual landscaping provided. Conformance to Policy 79-2011 as required. The planting and installation details as necessary to ensure conformance with all requirements;

- (d) footprint of existing and proposed structures along with signage, driveways, overall parking areas, sidewalks, curbs, and refuse collection areas. The surface materials proposed for the property shall be indicated;
- (e) location, type and quantity of existing plant materials including caliper size and height at planting;
- (f) snow removal storage and drainage plans.

3.3.3 The Development Officer may require the submission of documentation relating to the requirements of Section 4.16 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, the *Official Community Plan* and *The Act*.

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 Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.

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 Council pursuant to Sections 65 or 69 of *The Act*.

3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT PERMIT APPLICATION FEES

3.5.1 Development permit fees are set out in Section 3.11.1 of this Bylaw.

3.5.2 There shall be no development permit application fee for business license applications.

3.6 DEVELOPMENT APPEALS BOARD

- 3.6.1 A Development Appeals Board of the City of Martinsville shall be appointed in accordance with Sections 213 to 227 of *The Act*.

3.7 RIGHT OF APPEAL

- 3.7.1 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 City of Martinsville.
- 3.7.2 Where an application for a DISCRETIONARY USE has been APPROVED by Council, 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 City of Martinsville.
- 3.7.3 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.
- 3.7.4 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.
- 3.7.5 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 an application fee of \$50.00.

3.8 MINOR VARIANCES

- 3.8.1 The Development Officer may grant a variance of up to ten percent (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. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.8.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.
- 3.8.3 An application for a minor variance shall be in a form prescribed by the Development Officer, together with an application fee of \$100.

3.9 NONCONFORMING USES, BUILDINGS AND SITES

- 3.9.1 Nonconforming uses, nonconforming buildings and nonconforming sites shall be subject to Sections 88 – 93 inclusive of *The Act*.
- 3.9.2 No existing building, site or use shall be deemed to be nonconforming by reason only of the conversion between the Imperial System of Measurement and 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.

3.10 DISCRETIONARY USE APPLICATIONS

3.10.1 Discretionary Use Application Process

- (1) The following procedures shall apply to discretionary use applications:
 - (a) 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.
 - (b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations.
 - (c) The Development Officer may request comments from other government agencies where applicable.
 - (d) The Development Officer will prepare a report concerning the application including recommended conditions that may be applied to an approval.
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land. This notice will be provided at least 14 calendar days before the application is to be considered by Council. The Development Officer will prepare on-site notification posters which must be placed on the site by the applicant and must remain on the site until is considered by Council.
 - (f) Onsite notifications shall be as follows:
 - i) Discretionary Uses:
 - 1) Residential Districts - All discretionary uses except residential uses exceeding four (4) units – standard City sign with brochures to be placed along the front property line and accessible from the sidewalk or in the case of no sidewalk, the street right of way.
 - 2) Residential Districts – Discretionary uses exceeding four (4) units – 1.2m X 2.4m sign installed by applicant and must include a sketch or rendering of the proposal.
 - 3) All Other Districts:
 - a) Discretionary use application for a primary use or ancillary use - 1.2m X 2.4m sign installed by applicant and must include a sketch or rendering of the proposal.
 - b) Notwithstanding a), a discretionary use application for a tenant improvement within an existing shopping mall or industrial complex and accessory use applications – standard City sign with brochures.

- ii) Rezoning:
 - 1) Onsite notification is not required for sites consistent with an adopted Concept Plan.
 - 2) When a zoning change is requested for a residential usage not exceeding four (4) dwelling units, a standard City sign with brochures shall be placed along the front property line and accessible from the sidewalk or in the case of no sidewalk, the street right of way.
 - 3) Notwithstanding 1) and 2) above, all zoning applicants shall install a 1.2m X 2.4m notification sign on the site subject to the application. Notification must include a map.
- iii) On site notification must be installed on the subject site a minimum of 14 days prior to the Public Hearing as per subsections i) or ii) above and maintained until Council makes a final decision regarding the application.
- iv) Notification signage content and proposed location must be approved by the City prior to installation.
- v) If an Applicant fails to post the required sign, Council may postpone its consideration of the application and the Applicant must pay all costs of the additional public notification necessary as a result of such postponement.
- vi) Onsite notification shall contain at minimum the following:
 - 1) Location and description of proposed development;
 - 2) Date, time, and location of the meeting;
 - 3) Applicant name, contact information and address;
 - 4) One small company logo may be included on the sign. No other advertising shall be permitted.
- (g) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.
- (h) Council 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.
- (i) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (j) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any conditions prescribed by Council. Council shall consider applications in terms of the requirements contained in Section 3.10.2 and 3.10.4.
- (k) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

3.10.2 Terms and Conditions for Discretionary Use Approvals

- (1) 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, Council may prescribe specific development standards related to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent property;
 - (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;
 - (h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and,
 - (i) intensity of use.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of approval. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
- (4) A discretionary use approval shall be deemed to be invalid for the following reasons:
 - (a) if the proposed use or proposed form of development has not commenced within the 12 month period;
 - (b) the proposed development is not proceeding in accordance with the terms and conditions of its approval;
 - (c) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more.

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

3.10.3 General Discretionary Use Evaluation Criteria

Council 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 be in conformance with all relevant sections of the *Official Community Plan* and 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 or other impacts 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 applicable provincial or federal requirements 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.

3.10.4 Use-Specific Discretionary Use Evaluation Criteria

Council 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, fleet services 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) municipal 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.

(2) *Community service uses, clubs, places of worship, 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 arterial or collector streets to avoid heavy traffic volumes on local streets.
- (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.
- (e) Parking and loading areas shall be landscaped to minimize their impact on the streetscape and to improve the visual appearance of the site.
- (f) Parking for a commercial recreation facility in an Industrial District shall be appropriately segregated from other uses on the site so as to minimize any potential conflicts between pedestrians and vehicles.

(3) *Dwelling groups:*
(also refer to Section 4.12.7)

- (a) 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.
- (b) The suitability of a proposal will be considered with respect to:
 - (i) the capacity of the adjoining street system to handle the expected traffic volumes;
 - (ii) the density of the proposed dwelling group, the arrangement on the site of the proposed buildings, on-site parking and traffic considerations, and access for fire fighting and other emergency equipment.
- (c) Council may approve to increase the maximum building height for multiple unit dwellings within a dwelling group to 18m and 5 storeys in the R3 District and the suitability of a proposal will be considered with respect to:
 - (i) Shadowing on the adjacent properties and public spaces caused by increasing the height of the building.
 - (ii) Compatible with adjacent building heights;
 - (iii) Adjacent land uses; and
 - (iv) Street scape.

(Bylaw 9-2019)

(4) *Multiple unit dwellings:*
(also refer to Section 4.12.9)

- (a) 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) the size, quality, and amenities provided for the proposed dwelling units.
 - (b) council may approve to increase the maximum building height for multiple unit dwellings to 18m and 5 storeys in the R3 District and the suitability of a proposal will be considered with respect to:
 - (i) Shadowing on the adjacent properties and public spaces caused by increasing the height of the building.
 - (ii) Compatible with adjacent building heights;
 - (iii) Adjacent land uses; and
 - (iv) Street scape. (Bylaw 9-2019)
- (5) *Night clubs and taverns:*
- (a) The location of a 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.
- (6) *Shopping centres:*
- (a) Shopping centres shall have clearly defined pedestrian walkways between the sidewalk and building entrances.
 - (b) It must be demonstrated to the satisfaction of council 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 shopping centres shall be from a collector or arterial street.
 - (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.
- (7) *Protective services and ambulance stations:*
- (a) The site shall be accessible from collector and arterial streets 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.
- (8) *Restaurants, with or without associated lounges:*
- (a) Restaurants, with or without associated lounges, where possible, should be located near similar commercial facilities.
 - (b) The character of adjacent residential areas should be protected and maintained through the provision of buffer areas, separation distances and screening as appropriate.
- (9) *Lumber yards, home improvement centres, building supply establishments and construction yards:*
- (a) The location of lumber yards, home improvement centres, building supply establishments and construction yards 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) municipal 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.
- (10) *Auto body shops, freight handling facilities, taxidermy and accessory tanning of hides, warehouses, light industrial uses, 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) municipal 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 collector or arterial streets to avoid heavy traffic volumes on local streets. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.

- (d) No outside storage is permitted for a wholesale establishment.

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

- (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 Council shall be provided in all yards facing a public roadway or properties in residential use.

(12) *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.
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.

(13) *Golf courses:*

- (a) Consideration will be given to the compatibility of the golf course with future land use plans and adjacent land uses.
- (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainage 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) Council 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.

(14) *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) municipal 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.

(15) *Accessory dwelling units:*

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

(16) *Junk and salvage yards and auto wreckers:*

- (a) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2 metres in height, and not more than 4 metres in height, with no material piled higher than the height of the perimeter fence.
- (b) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.

(17) *Agrichemical sales and storage, bulk petroleum sales and storage, bulk fertilizer sales and storage, and seed cleaning plants:*

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

3.11 FEES

3.11.1 Application Fees

- (1) 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: | \$200.00 |
| (e) | Discretionary accessory use: | \$200.00 |
| (f) | Discretionary ancillary use: | \$200.00 |
| (g) | Permanent sign fee | \$30.00 for the first \$5,000 of construction value
plus \$5.00 for each additional \$1,000 of
construction value |
| (h) | Portable sign fee – annual | \$30.00 |
| (i) | Portable sign fee – temporary | \$20.00 |
| (j) | Development Appeal Fee: | \$50.00 |
| (k) | On Site notification sign (discretionary use or rezoning) | No fee (bylaw 6-2018) |

These fees shall be in addition to any other required fees.

- (2) Detailed review costs:

- (a) **General:** Where a development involves a detailed review, a plan or zoning amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.
 - (b) **Items:** Such costs may include Council meetings, legal and professional planning costs, municipal administration fees and site inspection fees, as determined by Council.
 - (c) **Documentation:** Such costs may be addressed and clarified in a development or servicing agreement.
- (3) An applicant seeking amendment to the Zoning Bylaw shall pay the following fees:
- (a) The costs of advertising associated with the application; and,
 - (b) The following fees, where applicable:
 - (i) Text amendments: \$200; and/or,
 - (ii) Map amendments:
 - Class 1 Districts: CS, FUD, PR
 - Class 2 Districts: C1, C2, C2A, MU, M
 - Class 3 Districts: R1, R1A, R2, R3, RMH

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$100	\$200	\$500
	Class 2	\$100	\$200	\$300
	Class 3	\$100	\$200	\$300

Where an application to amend the *Zoning 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.

3.11.2 Amendment of the Zoning Bylaw

- (1) In addition to the fees outlined in Section 3.11.2 (3), where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality 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. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.
- (2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Sections 207 to 211 of *The Act*.

3.12 ZONING COMPLIANCE, OFFENCES AND PENALTIES

- (1) Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.
- (2) Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act*.

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 municipal or provincial regulations and requirements nor from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 BUILDING LINES

Where a building line in a residential district has been established by existing buildings in a block having at least one half the lots built upon, the front yard requirement for the applicable zoning district will be considered to be the existing 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, street townhouses, shopping centres, industrial complexes, recreation facilities, schools, hospitals and public works.

(Bylaw #2-2017)

4.4 HEIGHT RESTRICTIONS

Any height limitations or regulations shall not apply to the following:

- (1) Spires, cupolas, television antennas, solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.
- (2) Mechanical penthouses, provided they are erected only to such heights as is necessary, and provided they do not cover more than 25% of the gross roof area upon which they are located.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS (SIGHT TRIANGLES)

In any district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of one (1) metre or greater above the elevation of the centre of the abutting street or lane within the triangular area labelled as “Sight Triangle”, with distances measured accordingly, in Figure 2-3 in Section 2 of this Bylaw.

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 Yards

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; non-covered driveways; fences; trellises; flag poles and wheelchair ramps.

(2) *In front yards:*

- (a) overhanging eaves and gutters projecting not more than 1.0 metre into the required front yard;
- (b) lighting fixtures and lamp posts;
- (c) non-covered raised patios and non-covered decks not more than 0.4 metres above grade;
- (d) non-covered raised patios and non-covered decks more than 0.4 metres above grade, projecting not more than 1.8 metres into the required front yard;
- (e) canopies or balconies projecting not more than 1.8 metres into the required front yard; and,
- (f) architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required front yard.

(3) *In rear yards:*

- (a) non-covered raised patios and non-covered decks measuring 0.6 metres in height above grade or less projecting not more than 3.0 metres into the required rear yard;
(Bylaw #10-2016)
- (b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade, provided they are located at least 3.0 metres from the rear site line;
(Bylaw #10-2016)
- (c) canopies or balconies projecting not more than 3.0 metres into the required rear yard;
- (d) overhanging eaves and gutters, architectural features, chimneys, bay windows,

bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard;

- (e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky; and,

(4) *In side yards:*

- (a) non-covered raised patios and non-covered decks measuring 0.6 metres or less in height above grade;
- (b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade provided they are located at least 0.5 metres from the side site line;
- (c) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.5 metres into the required side yard;
- (d) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky; and

4.7 BONUS PROVISIONS FOR MULTIPLE UNIT DWELLINGS

- 4.7.1 A reduction in required parking may be provided for multiple unit dwellings or dwelling groups operated by a non-profit corporation or public authority and used exclusively for the domestic habitation of senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above. The minimum parking requirement shall be determined by Council, however, in no case shall the required parking rate be less than 0.25 spaces per dwelling unit.
- 4.7.2 In the R1A, R2 and R3 districts, site coverage may be increased to 50% where more than 50% of the required parking is provided underground or enclosed as part of the principal or accessory building.

4.7A Calculation of Minimum Site Area, Site Width and Building Floor Area

- 4.7A.1 When determining development standards for site area, site width and floor area minimums as defined in tables located within section 5, the following shall apply:
 - a) When requirements are expressed as a “per unit”, the overall requirement is calculated by multiplying the number of units on the site by the minimum requirement shown in the table;
 - b) Bare land condominium plans shall be considered a single site for the purpose of determining minimum site width and site area.

4.8 FENCES

- 4.8.1 In any **Residential** district, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level as illustrated in Figure 4-1.
- 4.8.2 In any **Residential** district, 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 as illustrated in Figure 4-1.
- 4.8.3 In any **Commercial, Industrial, Community Service, Mixed Use, Parks** or **FUD** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 metres above grade level.
- 4.8.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-3 and Section 4.5 of this Bylaw, to a height greater than 1.0 metre as illustrated in Figure 4-1.

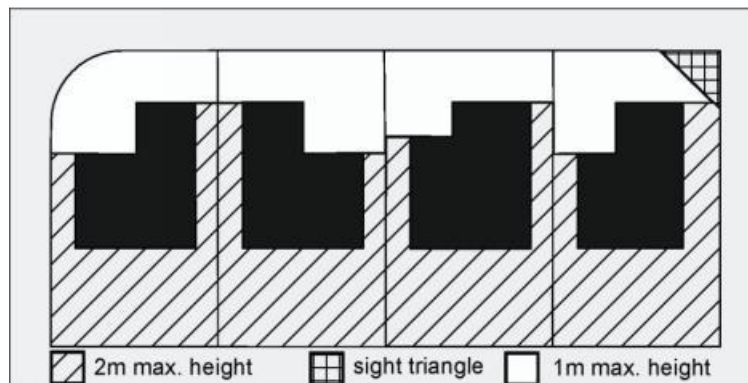


Figure 4-1: Fence Requirements

4.9 ACCESSORY BUILDINGS AND STRUCTURES

- 4.9.1 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.

4.9.2 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, Council 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.

4.9.3 Height of Accessory Buildings

- (1) In any **Residential** district or on any site where the principal use is residential, accessory buildings are not to exceed the height of the principal building and in no case shall the height of an accessory building exceed 5.0 metres from the floor or grade level to the peak height of the roof.
- (2) Except as provided for in Section 4.9.3(1), in all other districts, accessory buildings are not to exceed the height of the principal building.

4.9.4 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** district, only one detached garage exceeding 24.5 square metres is allowed.
- (3) Notwithstanding Section 4.9.5(1)(c), a detached garage, accessory to a single detached dwelling, shall not have a floor area exceeding either the floor area of the principal dwelling or 85 square metres, whichever is less.
- (4) Notwithstanding Section 4.9.4(2), detached garages or parking structures for multiple unit dwellings shall have a maximum rear yard coverage of 50%.
- (5) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 6.0 metres of the front site line faced by the door.
- (6) Except when conforming to established building lines, no main door of a garage which faces a street shall be within 3.0 metres of the side site line faced by the door.

4.9.5 Location, Size, and Number of Accessory Buildings

- (1) Detached accessory buildings in all **Residential** districts are subject to the following regulations:
 - (a) There shall be no more than three accessory buildings on a site.
 - (b) Accessory buildings are not to be located in any front yard.
 - (c) The cumulative floor area of all accessory buildings on a site shall not exceed the floor area of the principal building, not including the area of any attached garage.
 - (d) Accessory buildings shall be located behind the front line of the principal building.
 - (e) Except as provided for in Section 4.9.4 (4), accessory buildings shall have a minimum side yard setback of 0.6 metres on one side yard and a minimum of 1.2 metres on the opposite side yard where the accessory building is over 1.8 metres

behind the rear wall of the principal building, otherwise a minimum of 1.2 metres on both sides.

- (f) Accessory buildings shall have a minimum rear yard setback of 0.6 metres, except where the main door faces the rear sight line, wherein the minimum shall be 1.2 metres. In no case shall any door, when opened or being opened, extend beyond the rear property line.

(Bylaw #10-2016)

- (3) Detached accessory buildings in all zoning districts, except Residential districts, are subject to the following regulations:
 - (a) Detached accessory buildings are not to be located in any required front yard.
 - (b) Accessory buildings shall have a minimum rear yard setback of 0.6 metres, except where the main door faces the rear site line, wherein the minimum shall be 1.2 metres. In no case shall any door, when opened or being opened, extend beyond the rear property line.
 - (c) Accessory buildings shall have a minimum side yard setback of 0.6 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 1.0 metre from the principal building.
 - (f) Accessory buildings shall have a minimum rear yard setback of 0.6 metres, except where the main door faces the rear sight line, wherein the minimum shall be 1.2 metres. In no case shall any door, when opened or being opened, extend beyond the rear property line

4.9.6 *Satellite Dishes, Solar Collectors and Wind Generators*

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

- (1) In any **Commercial, Community Service** or **Residential** district, such structures shall not be located in any required front yard or side yard, and in the case of a corner site, in any portion of the rear yard which is within 3.0 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** or **Residential** district, such structures, if freestanding, shall not exceed a height of 5.0 metres above grade level.
- (3) In any **Commercial, Community Service** or **Residential** district, such structures if attached to a principal building, shall not exceed a height of 5.0 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.
- (4) In any **Commercial, Community Service** 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.

4.9.7 Accessory Fabric Covered Structures

- (1) Fabric covered structures shall be prohibited as an accessory structure in all **Residential** districts.
- (2) Fabric covered structures shall be permitted as an accessory structure only in the **C2, C2A, MB** and **M** districts.
- (3) Notwithstanding subsections (1) and (2), fabric covered structures may be placed in any district for use as a public recreation facility, public school or education facility.
- (4) Development applications for fabric covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code.

4.9.8 Shipping Containers

- (1) Shipping containers shall be prohibited in all districts except the **C2, C2A, MB** and **M** districts. In addition to this, shipping containers may be permitted within the CS district at Council's discretion.
- (2) Shipping containers shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (3) Shipping containers shall:
 - (a) be properly anchored and maintained in good repair;
 - (b) be sandblasted and repainted to a neutral colour prior to their placement, above grade, on a site;
 - (c) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building; and
 - (d) meet the requirements of the National Building code as applicable.
- (4) The cumulative maximum floor area of shipping containers, to a total maximum of six containers, shall not exceed more than 50% of the gross floor area of the principal structure except in the case of approved development permits for Transfer Yards utilizing shipping containers and approved discretionary use applications for shipping containers within the CS district
- (5) Notwithstanding subsection (4), shipping containers located on any site along Centennial Drive shall be appropriately screened from the general public in the vicinity and no more than one shipping container shall be permitted per site along Centennial Drive.

- (6) Shipping containers shall be located in the side or rear yard only. They shall not project beyond the building front line of the primary building.
- (7) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner. Application for a development permit for shipping containers must occur prior to relocation to the site and must include photos of the shipping container.
- (8) Shipping containers shall be prohibited for use as human habitation.
- (9) Shipping containers shall not block, obstruct, or reduce exits, windows, parking spaces, or driveways.
- (10) Shipping containers shall not be used for the purpose of screening or fencing.
- (11) Shipping containers are prohibited from being plumbed in any manner.
- (12) Shipping containers shall not be stacked on top of one another.
- (13) Notwithstanding subsection (1), shipping containers may be temporarily placed on a site in any district:
 - (a) during active construction on a site where the shipping container is used solely for the storage of supplies and equipment that are used for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the shipping container is removed from the site upon completion of construction; or,
 - (b) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.
- (14) When placed on a site pursuant to subsection (13), the shipping containers shall:
 - (a) be located so as not to create a safety hazard;
 - (b) not be placed on a public right-of-way or dedicated lands; and
 - (c) not be located within 1.2 metres of the interior edge of a sidewalk.

4.9.9 Boarding Kennels

- (1) Boarding kennels shall be permitted as an accessory use only in the C2, MB and M districts.

4.10 OFF-STREET PARKING AND LOADING

4.10.1 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 and loading facilities shall be clearly demarcated, have adequate storm water drainage, and shall be hard surfaced. Hard surfacing shall mean the provision of a durable, dust free material constructed of concrete, asphalt or similar pavement capable of withstanding expected vehicle loads.
- (5) Notwithstanding subsection (4), required parking for single detached dwellings may be gravel surfaced.
- (6) Continuous raised or pre-cast curbing, of not less than 150 mm in height, shall be provided adjacent to streets and required landscaped areas. Concrete curb stops shall be placed to ensure that vehicles do not overhang boulevards, sidewalks, or required landscaped areas. Curbing shall also be required to clearly demarcate the required portion of a driveway leading to an internal roadway, aisle, ramp, parking space or loading space.
- (7) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the **C1, C2, or C2A** districts, where required parking spaces may be located on a remote site. In these 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.
- (8) Pursuant to subsection (4), remote parking within the **C1, C2, or C2A** districts is permitted provided the owner of the principal use site registers an interest on the parking lot title to ensure that the land remains as a required parking lot in accordance with Section 235 of *The Act*.
- (9) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded to the next whole number.
- (10) Wheelchair accessible parking must be provided for as required by the *Uniform Building and Accessibility Standards Act* and shall be provided for in addition to off-street parking required by this Bylaw.

4.10.2 Payment in Lieu of Required Off-street Parking Facilities

- (1) Council may exempt any applicant from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay Council the sum of money calculated by multiplying the number of off-street parking spaces that would be required by \$5,000 for the following land uses:

a) for a use permitted in the C1, C2, and C2A districts

b) for shopping centres located on sites where the cumulative gross floor area of all buildings on a site exceeds 4600 m², Council may exempt the requirement of required parking up to a maximum of 5% subject to:

- i) demonstration the required parking is excessive,
- ii) up to 5 parking spaces is to be paid in lieu and the remainder of the 5% may be exempt from payment at Council's discretion.

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c) off-street visitor parking facilities for multiple unit dwellings of four units or less in the R3 district.

(2) The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.

(3) A reduction in required parking spaces shall not:

- a) Include required loading or accessible parking spaces; and
- b) Adversely interfere with the amenity of the neighbourhood or surrounding development(s)."

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4.10.3 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/egress, commercial repair work or long-term display, signage, sale or storage of goods of any kind.

(2) No portable sign shall be parked in any space required for off-street parking unless the site contains more parking spaces than required by this Bylaw.

(3) 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) All non-required parking and loading facilities shall be appropriately surfaced by gravel, asphalt, concrete or other similar material.

(c) Where warranted, on-site traffic signs shall be provided.

(d) 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.

- (e) 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	2.7 metres x 6.7 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Parking spaces other than those described above	2.7 metres x 6.0 metres	2.0 metres
Loading space	3.0 metres by 7.5 metres	4.0 metres

- (f) 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	6.0 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.

- (g) 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.
- (h) 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.
- (i) 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.

4.10.4 Required Off-street Parking and Loading in All Districts

- (1) The minimum off-street parking requirements for all districts are set out in Table 4-2. The required off-street parking categories are then cross-referenced by use in the District Development Standards tables throughout Section 6 of this Bylaw.

- (2) In all **Residential** and Mixed Use districts and for any residential uses in any other zoning district, required off-street parking shall not be located in any required front yard except where otherwise permitted.
- (3) In all districts, all required driveways, aisles, ramps and required parking and loading spaces must be hard-surface paved.
- (4) Notwithstanding Section 4.10.4(3) in the **M** District, the following requirements shall apply:
 - (a) Where a City street abutting the development site is asphalt paved, all required driveways, aisles, ramps and required parking and loading spaces must be hard-surface paved.
 - (b) Where a City street abutting the development site is not asphalt paved at the time of development, the developer or property owner is required to provide hard surfacing for all driveways, aisles, ramps and required parking areas and loading spaces within the development site within one year that the street abutting the site is paved. The required parking allotment and design will be in accordance with the requirements of the zoning regulations in effect on the day the street is paved.
 - (b) Where a proposed development of a property is subject to subsection (b) above, an agreement must be entered into by the property owner for the paving of the site as per the regulations of this Bylaw for parking lot development prior to issuance of a development permit.

Table 4-2: Off-Street Parking Requirements in All Districts

Parking Category	Off-Street Parking Spaces Required
0	No off-street parking required
1	1 space 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 28 m ² of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	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.
8	1 space per 4 seats intended for patrons use
9	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.
10	1 space per 50 m ² of gross floor area, or 1 space per 3 employees, whichever is greater.
11	1 space per 90 m ² of gross floor area
12	1 space plus one space per 5 persons enrolled in the facility
13	1 space for 8 patrons at design capacity
14	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
15	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
16	1 space per non-resident employee
17	1 space per staff member
18	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
19	1 space per bay
20	1.2 spaces per classroom plus 1 space per 8 students at design capacity
21	1 space per 50 m ² of gross floor area, excluding garage area
22	1 space per 50 m ² of gross floor area or, for primarily outdoor recreational uses, 1 space per 8 patrons at design capacity

4.10.5 Passenger Drop-off and Loading Spaces for Elementary and High Schools

- (1) Public and private elementary and high schools shall provide passenger drop-off spaces in conjunction with the development of new schools or in conjunction with any addition with a design capacity of seventy-five (75) or more students to an existing school.
- (2) For the purposes of this section, “passenger drop-off space” means a full size parking space located on school property or a full size parking space approved by the Development Officer located on school property and accessed by a service road, which has at least two (2) access points.

- (3) Required on-site parking spaces shall not be used to satisfy the requirements for the provision of passenger drop-off spaces.
- (4) For elementary schools, passenger drop-off spaces shall be provided at the rate of at least eight spaces for the first one hundred (100) students and at least two spaces for each additional one hundred (100) students.
- (5) For high schools, passenger drop-off spaces shall be provided at the rate of at least eight spaces for the first one hundred (100) students, and at least one space for each additional one hundred (100) students.
- (6) Passenger drop-off spaces shall be located:
 - (a) within 50 metres of a school entrance;
 - (b) at least 3.0 metres from a driveway or marked cross-walk; and
 - (c) at least 15 metres from any intersection.
- (7) The Development Officer may reduce the number of required passenger drop-off spaces for additions to existing schools where there are demonstrated site constraints, which limit the number and location of spaces that may be provided.

4.11 SIGNS

All signs shall be subject to the following regulations:

4.11.1 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, subject to Section 4.5 of this Bylaw.
- (3) Except when 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 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.
- (6) Signs may not be erected or maintained upon trees or painted or drawn upon natural features.
- (7) Neighbourhood identification signs are allowed in all **Residential** districts and shall comply with Section 4.11.9 of this Bylaw.

4.11.2 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, projecting or roof sign, the Development Officer may require that the supplementary documentation described in subsection (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.

4.11.3 Licensing of Portable Signs

- (1) Portable signs intended for rental or lease at more than one site during a one-year period, or located at more than one site during a one-year period, must be licensed.
- (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.

4.11.4 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 three 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; and/or,
 - (d) the sign is not in a proper state of repair.

4.11.5 On any site in any **Residential, Future Urban Development, or Parks** district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any **Residential, Future Urban Development, or Parks** district are set out in Table 4-3. 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 display advertising of any commercial service or product.

Table 4-3: Sign Regulations in Residential, FUD and Parks 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⁾	1 ⁽¹⁾	2 ⁽¹⁾	1	2
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 1.5 m² area, showing the name of the building or group.

4.11.6 On any site in any **Community Service** or **Mixed Use** district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal community service uses, residential uses, and commercial uses in the **Community Service** or **Mixed Use** districts are set out in Table 4-4. 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 display advertising of any commercial service or product.

Table 4-4: Sign Regulations in Community Service and Mixed Use 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⁾	1 ⁽¹⁾	2 ⁽¹⁾	1	2
All principal commercial uses for which a permit has been issued	2	18	1	6	6	12
All principal community service uses for which a permit has been issued	3	18	1	3	6	12

(1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to 1.5 m² area, showing the name of the building or group.

4.11.7 On any site in any **Commercial** or **Industrial** district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal commercial/industrial uses, community service uses and residential uses in **Commercial** and **Industrial** districts are set out in Table 4-5. 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;
 - (d) Signs other than free standing signs shall have a minimum vertical clearance of 2.7 m above grade where they project more than 75 mm from the building face;
 - (e) Awning signs shall not project more than 1.8 m from the building face;
 - (f) Projecting signs shall not project more than 1.8 m above the eaves or parapet of a supporting building;
 - (g) Electronic message centre signs are permitted in the **C2**, and **C2A** districts subject to compliance with the following requirements:
 - (i) Electronic message centre signs shall comply with all requirements contained herein;
 - (ii) Electronic message centre signs shall be equipped with a dimmer switch, which must be adjusted in accordance with any direction given by the Development Officer.
 - (iii) Flashing images or flashing lights are not permitted on electronic message centre signs.
 - (iv) Sound, live video feeds, or video clips exceeding 10 seconds in length are not permitted on an electronic message centre sign.
 - (v) Electronic message centre signs shall be located at least 50 metres from any residential property line.
 - (h) Signs applying to community service uses must not display advertising of any commercial service or product;
 - (i) Except in the **C1** district, no sign shall project beyond the property lines of the site to which it pertains;
 - (i) In the **C1** district, no projecting sign may project perpendicularly from the property line more than 3.0 m or beyond a point 0.6 m from the building side of the curb line, whichever is less;
 - (ii) In the **C1** district, no projecting sign may be suspended less than 2.6 m above the surface of a public sidewalk or pedestrian right-of-way;

- (j) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building; and,
- (k) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed.

Table 4-5: 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 ⁽⁵⁾	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

- (1) In the **C1** district, a maximum of one free standing sign shall be permitted on sites with a minimum site width of 20 metres.
In the **C2, C2A, MB** and **M** districts, a maximum of one free standing sign shall be permitted.
For sites with a minimum site area of 3.2 hectares, one additional free standing sign shall be permitted.
- (2) In the **C1** district: 6 m
In the **C2, C2A, MB** and **M** districts: 10 m
- (3) In the **C1** district: maximum 5 m² sign face area and 10 m² total sign face area.
In the **C2, C2A, MB** and **M** districts: maximum 9 m² sign face area and 18 m² total sign face area.
For sites with a minimum site area of 3.2 hectares, the additional free standing sign may have a maximum of 25 m² sign face area and 50 m² total sign face area.
- (4) 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.
- (5) Council may approve to increase the maximum sign height to 6m. (Bylaw #10-2017)

4.11.8 Portable Sign Regulations

- (1) No portable sign shall have a single face area greater than 6.0 m² or a gross face area greater than 12 m².
- (2) No portable sign shall have a height greater than 3.0 m above grade.
- (3) No portable sign shall occupy any space required for off-street parking unless the site contains off-street parking in excess of that required under this Bylaw.
- (4) On any single site, no portable sign may be located closer than 20 m to any other portable sign.

4.11.9 Neighbourhood Identification Sign Regulations

- (1) Neighbourhood identification signs shall have:
 - (a) a maximum single face area of 6 m²;
 - (b) a maximum total sign face area of 12 m²;
 - (c) a maximum height above grade of 3 m;
 - (d) no less than 40% of any sign face area devoted to the neighbourhood theme.
- (2) Neighbourhood identification signs may be illuminated by non-flashing, indirect illumination only.

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 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 metres from any property line or building, unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1 metre from same;
 - (b) located at least 6 metres from any property line or building in the case of a tank used in association with a service station or gas bar;
 - (c) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and,
 - (d) located at least 15 metres from the boundary of any site where the principal use is residential.
- (4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3 metres from any property line or 6 metres from any property line in the case of a service station or gas bar, 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, bollards, 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.

4.12.2 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, property, or streetscape.
- (2) Where otherwise permitted, required parking spaces may be located in a front yard.
- (3) Section 3.10 of this Bylaw shall apply to the review and approval of bed and breakfast homes that are listed as discretionary uses.
- (4) The operator of the bed and breakfast lodging may advertise with a small, static sign subject to Section 4.10.

4.12.3 Adult Day Care Facilities, Custodial Care Facilities, Residential Care Homes and Personal Care Homes

- (1) Adult day care facilities, custodial care facilities, residential care homes, and personal care 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, property, or streetscape.
- (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, a secondary suite or a home-based business.
- (5) In addition to the development standards of the Zoning District, adult day care facilities, custodial care facilities, and residential care homes, that are listed as a discretionary use shall be reviewed and approved in accordance with Discretionary Use Criteria.
- (6) Consideration of adult day care facilities, custodial care facilities, and residential care homes as a discretionary use shall include:
 - i. the proximity of the proposed development to other similar care homes,
 - ii. the location of the facility on the block and in the neighbourhood, and
 - iii. the street classification to ensure that there shall not be cumulative land use impacts on the neighbourhood in which the proposed care home is to be located.

- (7) Residential care homes and custodial care facilities shall be licensed and approved under Provincial requirements.
- (8) Where an adult day care facility, custodial care facility or residential care home is developed in a **Residential** district, it must be consistent with the scale and form of the residential dwelling types that are listed as either Permitted or Discretionary Use in that district and must meet the same dimensional requirements for lot sizes, building heights, setbacks, coverage, and provision of amenity space on site.
- (9) Limiting Residential Care Homes Type II in the R1A District to a maximum of 10 residents.

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, property, or streetscape.
- (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 that are listed as discretionary uses.
- (4) On-site passenger drop-off spaces shall be provided where a day care centre or pre-school does not have an on-street parking capacity to serve as a drop-off area without severely impeding traffic flow.
- (5) Parking spaces required pursuant to Section 4.9 shall not be used to satisfy any drop-off space required by subsection (4) above.
- (6) Drop-off spaces shall comply with Table 4-6 below.

Table 4-6: Regulations for Drop-off Spaces for Day Care Centres and Pre-Schools	
Capacity of day care centre / pre-school	Number of drop-off spaces required
10 to 15 children	2
16 to 30 children	3
31 to 45 children	4
46 to 60 children	5
60+ children	5 + 1 per additional 15 children (e.g. 5 for 74 children; 6 for 75 children)

- (7) All drop-off spaces shall be reserved and clearly marked for passenger drop-off.

4.12.5 Elementary and High Schools

The following requirements shall apply to the construction of new public and private elementary and high schools or to any addition to an existing school:

(1) Traffic Safety

- (a) Prior to the issuance of a Development Permit, the applicant shall submit a Traffic Impact Study which appropriately addresses the following:
 - (i) Roadway capacity and intersection capacity within the area impacted by the school including background neighbourhood traffic.
 - (ii) Intersection control and turning lane warrants at every intersection in the study area including access points to the school site.
 - (iii) Walking and cycling routes to the school site including the location and appropriate design of pedestrian and bicycle crossings to a minimum of 1 km or as directed by the City of Martensville.
 - (iv) The safe and appropriate provision and design of on-site parking, vehicle and bus drop-off spaces, and lay-by zones.

(2) Passenger Drop-off Spaces

- (a) Public and private elementary and high schools shall provide passenger drop-off spaces in conjunction with the development of new schools or in conjunction with any addition to an existing school.
- (b) For the purposes of this section, “passenger drop-off space” means a full size parking space located on school property or if approved by the City, a full size parking space located on property within the roadway right-of-way provided the drop off area is separated from regular street traffic by a concrete median. In the case of schools which front on to a collector or arterial street, passenger drop-off spaces shall be located on school property and accessed by a service road or driveway.
- (c) Passenger drop-off spaces shall be provided at the rate of at least eight spaces for the first 100 students, and at least one space for each additional 100 students. The City may reduce the number of required passenger drop-off spaces where there are demonstrated site constraints which limit the number and location of spaces that can be provided on site and where it can be demonstrated that any drop-off spaces provided off site will be safe and adequate.
- (d) Where the calculation of drop-off spaces results in a fractional number, the number of required spaces shall be rounded off to the nearest whole number.
- (e) Required on-site parking spaces shall not be used to satisfy the requirements for the provision of passenger drop-off spaces.
- (f) All drop-off spaces shall be reserved and clearly marked for passenger drop-off.
- (g) Subject to the Traffic Impact Study, passenger drop-off spaces shall be located:
 - (i) within 50 metres of a school entrance;
 - (ii) at least 3.0 metres from a driveway or marked crosswalk; and
 - (iii) at least 15 metres from any intersection.

- (h) Passenger Drop-off Spaces shall be oriented parallel to the flow of traffic to accommodate through-movement of vehicles and to eliminate the need for backing or significant turning movements.
 - (i) The Development Officer may reduce the number of required passenger drop-off spaces for additions to existing schools where there are demonstrated site constraints, which limit the number and location of spaces that may be provided and where it can be demonstrated that any drop-off spaces provide off site will be safe and adequate as per the traffic impact study findings.
- (3) Site Development
 - (a) School sites shall have clearly defined pedestrian walkways between the sidewalk and building entrances. In order to direct the movement of students to safe pedestrian crossings and separated from vehicular dominated areas, school site designs shall include distinguishing features (including but not limited to fencing, landscaping, etc.) between all pedestrian/play areas and vehicular areas. This would include but not be limited to parking lots, frontage or flanking streets, and drop off areas. If fencing is used, it must be a minimum of 1.2m in height, non-climbable and consistent with the principals of Crime Prevention Through Environmental Design. If landscaping features are used to meet these criteria, the minimum plantings must be in conformity to the Commercial and Dedicated Lands Landscaping Policy 79-2011.
 - (b) School sites shall be appropriately landscaped in a manner consistent with the requirements contained in this Bylaw.
 - (c) Adequate bicycle parking facilities shall be provided on-site.
- (4) Garbage and Waste Material Storage
 - (a) Garbage and waste material storage shall be provided on site in a location which is safe and appropriately separated from pedestrian crossings and student play areas.
 - (b) Garbage and waste material storage shall be visually screened by a solid wall or fence at least 1.8 metres in height which shall be designed in a manner to be inaccessible to students.

4.12.6 Home Based Businesses

- (1) All applications for home based businesses must be considered as Type I or Type II. The development standards for Type I and Type II home based businesses are contained in Sections 4.12.5 and 4.12.6, respectively.
 - (a) Every application for a home based business shall be accompanied by the following:
 - (i) the names, addresses and telephone numbers of the applicant and property owner;

- (ii) the proposed use of the site or building;
 - (iii) the complete legal description and civic address of the subject property;
 - (iv) a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (1) north arrow, streets and lanes adjacent to the site, all property boundaries, location of any existing or proposed buildings or structures, and front, rear, and side yard setback dimensions;
 - (2) the location and size of all proposed and existing parking spaces;
 - (3) the location of proposed signage;
 - (v) a scaled floor plan identifying details of all business related areas including business storage areas within the principal and accessory buildings;
 - (vi) if the proposed home based business is to be located within a condominium, a letter from the condominium board must be provided to the City stating the proposed business will not contravene condominium bylaws.
- (8) 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 within Sections 4.12.6(5) and 4.11.6(6):
 - (a) art restoration;
 - (b) beauty parlours, barber shops;
 - (c) 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;
 - (d) dressmaker, seamstress, or tailor;
 - (e) electrology, acupuncture, reflexology, and massage therapy;
 - (f) the instruction of art, dancing, or music, limited to no more than three students at a time;
 - (g) 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;
 - (h) photography studios;
 - (i) typing, word processing, and computer programming services.
- (3) Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically at Council's discretion as home based businesses, subject to the applicable development standards contained within Sections 4.12.6(5) and 4.12.6(6):
 - (a) pet grooming establishments for small animals with the confinement of animals restricted to indoors, but not including kennels for overnight boarding;
- (4) 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:

- (a) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
 - (b) restaurants, drinking establishments or tea rooms;
 - (c) health or fitness clubs;
 - (d) base of operations of a taxi, trucking, delivery, or towing operation;
 - (e) hotels and hospitals;
 - (f) laundry services;
 - (g) motion picture cinemas or studios;
 - (h) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
 - (i) rental services;
 - (j) upholstery services;
 - (k) the sale, storage, or service of firearms, fireworks, or ammunition;
 - (l) veterinary services, boarding or care of animals;
 - (m) welding or metal works;
 - (n) any use that creates noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste, or electrical, television, or radio interference detectable by sensory perception or by scientific instruments at or beyond the boundaries of the building or beyond the unit walls within a multiple unit dwelling.
- (5) The following development standards shall apply to all Type I home based businesses:
- (a) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) 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.
 - (f) No more than one business related vehicle and one business related trailer, each 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.
 - (g) 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.

- (h) 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.
 - (i) An approved home based business may serve as the administrative headquarters for up to two associates or partners who may be permitted to work from their own dwelling provided they obtain a separate home based business approval, and that they are present at the administrative headquarters no more than two hours in any one week period.
- (6) The following development standards shall apply to all Type II home based businesses:
- (a) 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.
 - (b) 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.
 - (c) 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 58 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
 - (d) 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.
 - (e) 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.
 - (f) One off-street parking space shall be required for a non-resident employee, and, if otherwise permitted, 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 Council.
 - (g) No more than one business related vehicle and one business related trailer, each 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.

- (h) 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.
- (i) 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.
- (j) An approved home based business may serve as the administrative headquarters for up to two associates or partners who may be permitted to work from their own dwelling provided they obtain a separate home based business approval, and that they are present at the administrative headquarters no more than two hours in any one week period.

4.12.7 Dwelling Groups

- (1) The minimum side yard 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 dwelling group shall be located at least 1.5 m from any other principal building in the group.
- (3) Council may apply special development standards regarding "yard requirements" to reduce conflict with neighbouring uses.

4.12.8 Secondary Suites

- (1) No more than one secondary suite shall be located in any single detached dwelling.
- (2) No more than two bedrooms are allowed for any secondary suite.
- (3) No more than three persons are allowed to occupy any secondary suite.
- (4) One off-street parking space is required for any secondary suite in addition to the required parking for the principal residential building on the site. The required parking space for any secondary 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.
- (5) Any secondary suite shall comply with the requirements of the National Building Code, subject to the approval of the Municipal Building Official.
- (6) The floor area occupied by a secondary suite shall be considered as part of the principal dwelling. Any secondary suite shall not be separated from the principal building through condominium or bare land condominium conversion or subdivision of land.

- (7) 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.
- (8) The maximum floor area of a secondary suite shall be no more than 50% of the gross floor area, including the area of the basement, of the building in which it is located, or 80 m², whichever is the lesser.
- (9) The exterior finishing of a secondary suite shall be consistent with the exterior of the remainder of the principal dwelling to give the entire building the appearance of a single dwelling.
- (10) Where a secondary suite has an entrance which is separate from that of the principal dwelling, the entrance may only be located on a side or rear wall of the principal dwelling.

4.12.9 Dwelling Units, Boarding Houses and Multiple Unit Dwellings (in conjunction with and attached to any other permitted use)

- (1) Multiple unit dwellings and boarding houses may be developed where located on a second or higher floor over commercial uses on the main floor;
- (2) The parking required for dwelling units, multiple unit dwellings and boarding houses is additional to the parking required for the commercial uses;
- (3) The suitability of a proposal will be considered with respect to:
 - (a) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
 - (b) the convenience of parking; and,
 - (c) appropriate size and quality of proposed dwelling units.
- (4) Where the subject property was previously used for industrial purposes or where the Dev. Officer has reason to believe that the subject property may be contaminated, the City shall require the applicant to submit an Environmental Site Assessment, prepared by a qualified professional, and, as a condition of approval, shall remediate the property to appropriate standards. The costs of such study and remediation shall be borne by the applicant.

4.12.10 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) Sites shall be designed so that the delivery and unloading of bulk fuel shall not obstruct access to the fuel pumps or create obstructions on any adjacent street.

4.12.11 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) Sites shall be designed so that the delivery and unloading of bulk fuel shall not obstruct access to the fuel pumps or create obstructions on any adjacent street.

4.12.12 Shopping Centres and Industrial Complexes

- (1) Shopping centres and industrial complexes shall have clearly defined pedestrian walkways between the sidewalk and building entrances.
- (2) It must be demonstrated to the satisfaction of the Development Officer that mitigation of vehicular traffic impacts has been addressed.
- (3) Service areas and refuse containers shall be appropriately screened from view of the street.
- (4) Primary access to shopping centres and industrial complexes shall preferably be from a thoroughfare street system.
- (5) The number and location of vehicle entrances to a commercial or industrial 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.

4.12.13 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 hard surface 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 which, complies with the requirements contained in Section 4.25, shall be provided.

4.12.14 Wind Energy Facilities (one turbine)

- (1) Wind energy facilities shall only be accommodated in those districts that list them as permitted or discretionary, subject to the following regulations:
 - (a) Wind turbines are limited to a maximum height of 50 metres.
 - (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
 - (c) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
 - (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
 - (g) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.

- (2) Council will evaluate Discretionary Use application for single wind turbines with the following criteria:

Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:

- (a) Wind turbines with a rotor diameter between 0.1 m and 5.0 m: 100 metre separation distance;
- (b) Wind turbines with a rotor diameter between 5.01 m and 12.5 m: 250 metre separation distance; and
- (c) Wind turbines with a rotor diameter greater than 12.5 m: 350 metre separation distance.

4.13 SERVICING

- 4.13.1 Holding tanks, septic tanks and wells are not permitted in the areas of the City which can be serviceable from existing municipal 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*.
- 4.13.3 When servicing becomes available, holding and septic tanks are to be disconnected and connection must be made to municipal services as per *The Public Health Act, 1994*.

4.14 STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE VEHICLES

- 4.14.1 In any **Residential** zoning district:

- (1) No front yard shall be used for the storage of unlicensed or uninsured motor vehicles or of materials or goods of any type.
- (2) No yard shall be used for storage or collection of hazardous material.
- (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) Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- (5) Only one unlicensed or uninsured motor vehicle may be stored outdoors on a residential site outside of a fully enclosed building if it is shielded or screened from view. The unlicensed motor vehicle shall not be visible by someone standing at ground level from outside the property on which the vehicle is stored. Covering inoperable motor vehicles with tarps or car covers are also acceptable methods.
- (6) Licensed and unlicensed recreational vehicles are not required to be screened or covered.

4.15 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

- 4.15.1 Where permitted in association with any approved industrial, commercial or residential land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:
- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
 - (2) 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. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right of way.

- (3) 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.

4.16 DEVELOPMENT ON HAZARD LANDS

- 4.16.1 Prior to a proposed development or subdivision that is to be located on what Council 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.
- 4.16.2 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. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the conditions present on the hazard land or will result in excessive municipal costs.

4.17 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

- 4.17.1 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.

4.18 FRONTAGE ON ROAD

- 4.18.1 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 and access to an existing public road.

4.19 BUILDING TO BE MOVED

- 4.19.1 No building shall be moved within or into the City of Martinsville without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw.
- 4.19.2 Building relocations shall be subject to requirements contained within the Martinsville Building Bylaw No. 37-2004.

4.20 DEMOLITION OF BUILDINGS

- 4.20.1 No building shall be demolished within the City of Martinsville without the issuance of a demolition permit, unless it is exempt under Section 3.2.2.
- 4.20.2 Building demolitions shall be subject to the requirements contained within the City of Martinsville Building Bylaw No. 37-2004.

4.21 GRADING AND LEVELLING OF SITES

- 4.21.1 Any site for which a development permit has been issued shall be graded and levelled in accordance with the elevations provided within the approved development permit at the applicant's expense to provide for surface drainage which does not adversely affect adjacent properties. Any interim earth work must be done in a manner to contain erosion, runoff and debris from negatively impacting

any adjacent properties.

4.22 GARAGE AND YARD SALES

- 4.22.1 Garage or yard sales may be undertaken on any site in a **Residential, Mixed Use 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.
- 4.22.2 No more than four 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

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

4.24 LANDSCAPING

4.24.1 *General Regulations for Landscaping*

- (1) Required landscaping shall be installed and maintained in accordance with the following standards and policies:
 - (a) All plant materials shall be a species capable of healthy growth in Saskatchewan and shall conform to the standards of the Canadian Nursery Landscape Association.
 - (b) Landscaped areas required to be provided within any front or side yard shall not be used for any purpose except for signs or structures otherwise permitted or driveways leading to a parking or loading facility.
 - (c) The landscaping area shall be developed within the next growing season after occupancy or partial occupancy of the building or the site. The landscaping shall be maintained in a neat and tidy condition at all times.
 - (d) The quality and extent of the landscaping established on a site shall be minimum standard maintained on the site for the life of the development.
 - (e) A maximum of 15% of a required landscaped area may be hard landscaped.
 - (f) City of Martensville *Policy 79-2011 – Commercial and Dedicated Lands Landscaping Policy* shall be consulted when selecting trees and shrub species and site planting.
 - (g) All areas set aside for plant materials and turf shall be provided with an underground sprinkler irrigation system or other adequate means of irrigation, with at least one outside spigot for each principal building.
 - (h) Existing soft landscaping retained on a site may be considered in fulfilment of a

portion of the total landscaping area requirement on the condition of compliance with clause (g).

- (i) All trees provided for planting shall be a minimum 45 mm caliper for deciduous trees and 1800 mm in height for coniferous trees.
 - (j) All shrubs provided for planting shall be a minimum height and spread of 450 mm.
 - (k) Trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area or fraction thereof provided. Spacing between trees should not obstruct traffic sight lines, signs, or essential services at full maturity.
 - (l) Total shrubs shall be planted in the overall minimum ratio of one shrub per 20 square metres of required site landscape area or fraction thereof.
 - (m) Continuous raised or precast curbing of not less than 150 mm in height shall be placed along the perimeter of any landscaped area abutting a driveway or off-street parking or loading facility.
- (2) The provision of landscaping shall be a condition of the issuance of a development permit wherever the existing use of a building or structure is significantly enlarged, undergoes a significant increase in capacity, or is changed to a new use. In these cases, the development permit will not be issued until the landscaping plan is approved by the Development Officer.

4.24.2 Required Landscaping in Residential, Mixed Use and Community Service Districts

- (1) A landscaped strip of not less than 4.5 metres in depth or the depth of the required front yard, whichever is less, throughout lying parallel to and abutting the front site line shall be provided on every site.
 - (2) On corner sites, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
 - (3) Where any Mixed-Use or Community Service site abuts a side zoned to a Residential district without an intervening registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping.
- (Bylaw #10-2016)
- (4) The entire site shall be landscaped, except those portions used for buildings, driveways, parking areas, and gardens.
 - (9) Sections 4.24 (1) (g-m) shall not apply to single detached dwellings provided they are not located within a dwelling group.
 - (10) Sections 4.24 (1) (i-m) shall not apply to street townhouse dwellings provided they are not located within a dwelling group.
- (Bylaw #2-2017)
- (11) The minimum number of trees to be established on street townhouse sites shall be based on a rate of 1 tree & 2 shrubs per unit and 1 tree per 9 metres of street flankage or fraction thereof.”

(Bylaw #2-2017)

4.24.3 Required Landscaping in Commercial Districts

- (1) In the C1 district, any front yard or side yard which is not covered by a building or required driveway access, shall be landscaped. Notwithstanding Section 4.24(1)(l), hard landscaping may be used throughout this landscaped area.
- (2) In the C2 and C2A districts a landscaped strip of not less than 3.0 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site. Sites may provide a maximum of 2.0 metres of the adjacent boulevard area toward the fulfilment of the front yard landscaping requirement. Where any portion of the boulevard area has been used in fulfilment of this landscaping requirement, the whole width of the boulevard shall be landscaped and maintained in accordance with the requirements of this subsection.
- (3) In the C2 and C2A districts, on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.
- (4) A minimum of 10% of the site area shall be landscaped.
(Bylaw #10-2016)
- (5) In the C1, C2 and C2A districts, where a site abuts any site zoned to a Residential district without intervening dedicated lands or registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping.

4.24.4 Required Landscaping in the Industrial and Business Industrial Districts

- (1) In the MB and M districts a landscaped strip of not less than 4.5 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site. Sites may provide a maximum of 2.0 metres of the adjacent boulevard area toward the fulfilment of the front yard landscaping requirement. Where any portion of the boulevard area has been used in fulfilment of this landscaping requirement, the whole width of the boulevard shall be landscaped and maintained in accordance with the requirements of this subsection.
- (2) In the MB and M districts, on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.
- (3) In the MB and M districts, where a site abuts any site zoned to an R, MU, CS or C district without intervening dedicated lands or a registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres which shall not be used for any purpose except landscaping.
- (4) A minimum of 5% of the site area shall be landscaped.
(Bylaw #10-2016)

4.24.5 Landscaping Security Deposit

- (1) To ensure that landscaping is completed to the standards specified in this Bylaw and in the approved landscaping plan, a security deposit shall be required for all developments which require the provision of landscaping.
- (2) Prior to the issuance of a development permit, an itemized cost estimate of the landscape construction, hard and soft landscape materials, protective curbing, irrigation systems, and labour prepared by a professional landscape architect or landscape contractor, shall be submitted.

- (3) The security deposit shall be in the form of cash, certified cheque, or an irrevocable letter of credit in a form satisfactory to the City. The security deposit shall be provided to the City prior to the issuance of a development permit. The amount of the security deposit shall be 100% of the estimated cost of the work to a maximum of \$100,000. This amount may serve as security for concurrent projects by the same applicant.
- (4) All required landscaping features shall be completed in accordance with the approved landscaping plan by the end of the growing season in which occupancy or partial occupancy of the building or site has taken place. When occupancy or partial occupancy or use of the building or site has taken place after the end of the growing season, all required and approved landscaping features shall be completed by June 1st of the following growing season. For the purposes of this section, "growing season" means from May 1st to September 15th of the same calendar year.
- (5) When landscaping is partially completed at the end of a growing season, the City, at its sole discretion, may provide a partial refund of the security deposit which has been provided. The amount of security retained by the City shall be 120% of the cost of the work remaining to be completed.
- (6) If the required landscaping is not completed by the date specified in subsection (4), the City may cash the security deposit, enter upon the subject property, and complete the landscape construction and planting.
- (7) Nothing in this Section shall preclude the City from pursuing any other method of bylaw enforcement to ensure that the required landscaping is completed.

4.25 PROHIBITED USES

4.25.1 The following uses are prohibited in all districts:

- (1) The breeding of any animals which are prohibited within the Animal Control Bylaw 6-2013.

5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

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

Districts	Symbols
Low Density Residential	R1
Core Area Residential	R1A
Medium Density Residential	R2
High Density Residential	R3
Manufactured Home Residential	RMH
Community Service	CS
Neighbourhood Centre Commercial	C1
Highway Commercial	C2
Arterial Commercial	C2A
Mixed Use	MU

Industrial
Future Urban Development

M
FUD

5.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. _____ adopted by the Council and signed by the Mayor and City Clerk, and under the seal of the City shall be known as the "Zoning District Map" and such map is declared to be an integral part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

- 5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".
- 5.3.2 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.
- 5.3.3 Streets, lanes, and road allowances which are shown on the Zoning District Map and which have been permanently closed pursuant to Section 13 of The Municipalities Act, 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, lane 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.
- 5.3.4 On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the Zoning District Map.

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 TRANSITIONAL ZONING PROVISIONS

Buildings lawfully existing at the time of the approval of this Bylaw shall be limited in terms of site width, front and rear yard setback, site coverage and off-street parking and loading requirements to the regulations of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

5.6 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.

6 DISTRICT SCHEDULES

6.1 R1 - LOW DENSITY RESIDENTIAL DISTRICT

6.1.1 *Purpose*

The purpose of the **R1** - Low Density Residential district is to provide for residential development in the form of single detached, two-unit and semi-detached dwellings as well as other compatible uses.

6.1.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-1.

6.1.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.1.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-1.

6.1.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R1** 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.

6.1.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

6.1.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

6.1.8 *Landscaping*

Landscaping is subject to Section 4.24.

6.1.9 *Corner Sites*

Where, on a corner site, a side yard of at least 6 metres is provided adjacent to the flanking street for a single detached dwelling, the minimum rear yard requirement shall be reduced to 3 metres.

**Table 6-1: R1 – Low Density Residential District Development Standards
for the City of Martensville**

Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)	
Residential Uses												
(1)	Residential care homes - type I	D	6	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70	12	50
(2)	Secondary suites	P	1	4.12.8	Development standards as laid out in Section 4.12.8							
(3)	Single detached dwellings	P	1		360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70 ⁽²⁾	12	50
(4)	Semi-detached dwellings	D	1		225 ⁽³⁾ per unit	7.5 per unit	6	4.5	1.2 ⁽⁴⁾	46	12	50
(5)	Two-unit dwellings	D	1		450 ⁽⁵⁾	15	6	4.5	1.2	92	12	50
Commercial Uses												
(1)	Adult day care – type I	P	6	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70	12	50
(2)	Adult day care – type II	D	6	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70	12	50
(3)	Bed and breakfast homes	D	3	4.12.2	360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70	12	50
(4)	Daycare centres and preschools	D	14	4.12.4	360 ⁽¹⁾	12 ⁽⁶⁾	6	4.5	1.2	70	12	50
(5)	Home based business – type I	P	0	4.12.6	Same as home							
(6)	Home based business – type II	D	0	4.12.6	Same as home							
Other Uses												
(1)	Community centres	D	4	3.10.4(2)	450	15	6	4.5	3	--	--	50
(2)	Municipal facilities	P	0		--	--	--	--	--	--	--	--
(3)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	10
(4)	Places of worship	D	15	3.10.4(2)	450	15	6	4.5	3	--	--	50
(5)	Public elementary, and secondary schools	D	17,18	4.12.5	--	--	--	4.5	3	--	--	--
(6)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.1.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-1 and the R1 district:

- (1) where the site is serviced by a rear lane; otherwise 396
- (2) except for two storey dwellings, where it shall be 88
- (3) where the site is serviced by a rear lane; otherwise 247.5
- (4) except that no side yard is required where a common wall divides two dwelling units
- (5) where the site is serviced by a rear lane, otherwise 495
- (6) where the site is serviced by a rear lane, otherwise 15

6.2 R1A – CORE AREA RESIDENTIAL DISTRICT

6.2.1 Purpose

The purpose of the **R1A** – Core Area Residential district is to provide for a range of low to medium density residential uses as well as other compatible uses in the core area of the City.

6.2.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-1.

6.2.3 Accessory Uses

(1) 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 6-1.

6.2.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R1A** 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.

6.2.6 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.2.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.2.8 Corner Sites

Where, on a corner site, a side yard of at least 6 metres is provided adjacent to the flanking street for a single detached dwelling, the minimum rear yard requirement shall be reduced to 3 metres.

6.2.9 Development Standards for Semi-detached and Two-unit dwellings

- (1) Each dwelling unit shall have primary access directly to the outside. Primary access for at least one of the dwelling units shall directly face a front or flanking street.
- (2) Additional parking shall be provided in the rear yard accessed from the rear lane, within an attached or detached garage, or a maximum of one front yard parking space per dwelling unit may be provided on the condition that no more than 50% of the front yard may be hard surfaced.
- (3) A lot grading plan shall be submitted as part of the discretionary use application. Lot grades shall be designed to ensure that existing drainage patterns are maintained or enhanced where necessary.

6.2.10 Development Standards for Multiple-unit Dwellings

- (1) On interior sites, multiple-unit dwellings with a maximum of four dwelling units may be permitted, at the discretion of Council. Each dwelling unit shall have access directly to both the front and rear yard. Primary access for all of the dwelling units within a multiple-unit dwelling shall directly face a front street.
- (2) On corner sites, multiple-unit dwellings with a maximum of six dwelling units may be permitted, at the discretion of Council. Each dwelling unit shall have primary access directly to the outside. Primary access for a minimum of 50% of the dwelling units within a multiple-unit dwelling shall directly face a front or flanking street.
- (3) The gross floor space ratio shall not exceed 0.75:1.
- (4) Required parking shall be located in attached or detached garages or side and rear yards only.
- (5) Additional parking shall be provided in the rear yard accessed from the rear lane, within an attached or detached garage, or a maximum of one front yard parking space per dwelling unit may be provided on the condition that no more than 50% of the front yard may be hard surfaced.
- (6) A lot grading plan shall be submitted as part of the discretionary use application. Lot grades shall be designed to ensure that existing drainage patterns are maintained or enhanced where necessary.

6.2.11 Accessible Dwelling Units

In order to encourage the construction of dwellings that are accessible to individuals with mobility issues and which have amenities to facilitate aging in place, a density bonus is provided for multiple-unit dwellings where at least 25% of the dwelling units are accessible.

Each accessible dwelling unit will be required to meet the following development standards:

- (1) Qualifying dwelling units must be constructed concurrently with the other units in a multiple-unit dwelling;
- (2) Qualifying units must be integrated into the overall design of the development;

- (3) Qualifying units must have barrier free access, including:
 - (a) All pathways and walkways to the building must:
 - a. be a minimum of 1.1 metres wide;
 - b. have a slope of not more than 1:20;
 - c. have ramps at curbs with a slope not more than 1:12
 - (b) All landings at the top and bottom of stairs or ramps must be at least 1.5 metres by 1.5 metres;
 - (c) All exterior doorways must be a minimum of 810mm wide, with lever handles located no more than 1.2 metres above floor level; and
 - (d) All qualifying units must be located at grade level and shall include appropriate ramps or similar structures, as required, to accommodate direct access.
- (4) Qualifying units must meet the following accessibility standards within dwelling units:
 - (a) All interior doorways must be a minimum of 810mm wide, with lever handles located no more than 1.2 metres above floor level.
 - (b) 1.5 metre minimum turning radius must be provided in entranceways, kitchens, and in at least one bathroom;
 - (c) Window opening mechanisms must be a lever type crank located no higher than 1.2 metres above floor level;
 - (d) Light switches, thermostats, security intercoms, and towel racks must be no more than 1.2 metres above floor level; and
 - (e) Bathroom and bedroom walls must be provided with structural support for the installation of grab bars and other mobility aids.

**Table 6-2: R1A – Core Area Residential District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Residential care homes - type I	D	6	4.12.2	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(2)	Residential care homes type II	D	6	4.12.3	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(3)	Secondary suites	P	1	4.12.8								
(4)	Single detached dwellings	P	1		360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70 ⁽²⁾	12	50
(5)	Semi-detached dwellings	D	1	6.2.8	225 ⁽³⁾	7.5	6 ⁽⁶⁾	4.5	1.2 ⁽⁴⁾	46	12	50
(6)	Two-unit dwellings	D	1	6.1.8	450 ⁽⁵⁾	15	6 ⁽⁶⁾	4.5	1.2	92	12	50
(7)	Multiple-unit dwellings – Maximum four units on interior sites	D	2	6.2.10	225 per unit ⁽¹⁰⁾	7.5 per unit ⁽¹¹⁾⁽¹²⁾	6 ⁽⁶⁾	6	⁽⁷⁾	40 per unit	12 ⁽⁸⁾	40 ⁽⁹⁾
(8)	Multiple-unit dwellings – Maximum six units on corner sites	D	2	6.2.10	225 per unit ⁽¹⁰⁾	7.5per unit ⁽¹¹⁾⁽¹²⁾	6 ⁽⁶⁾	6	⁽⁷⁾	40 per unit	12 ⁽⁸⁾	40 ⁽⁹⁾
Commercial Uses												
(1)	Adult day care – type I	P	6	4.12.3	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(2)	Adult day care – type II	D	6	4.12.3	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(3)	Bed and breakfast homes	D	3	4.12.2	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(4)	Daycare centres and preschools	D	14	4.12.4	360 ⁽¹⁾	12	6 ⁽⁶⁾	4.5	1.2	70	12	50
(5)	Home based business – type I	P	0	4.12.6								
(6)	Home based business – type II	D	0	4.12.6								
Other Uses												
(1)	Community centres	D	4	3.10.4(4)	450	15	6	4.5	3	--	--	50
(2)	Municipal facilities	P	0		--	--	--	--	--	--	--	--
(3)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	10
(4)	Places of worship	D	15	3.10.4(3)	450	15	6	4.5	3	--	--	50
(5)	Public elementary and secondary schools	D	17, 18	4.12.5	--	--	--	4.5	3	--	--	--
(6)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.1.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-1 and the R1A district:

- (1) where the site is serviced by a rear lane; otherwise 396
- (2) except for two storey dwellings, where it shall be 88
- (3) where the site is serviced by a rear lane; otherwise 247.5
- (4) except that no side yard is required where a common wall divides two dwelling units
- (5) where the site is serviced by a rear lane, otherwise 495
- (6) The front yard setback shall not be more than 2.0 metres from the average front yard setback of the principal buildings on adjacent, flanking sites provided that in no case shall the setback be less than 6.0 metres.
- (7) The side yard shall be 1.5 metres or 25% of the height of the side wall of the building, whichever is greater.
- (8) The maximum building height shall be 12m and two storeys.
- (9) Site coverage may be increased to 50% where more than 50% of the required parking is enclosed as part of the principal building or an accessory building on the same site.
- (10) Can be reduced to 180.0m² when a minimum of 25% of the units are designed for accessible or aging-in-place living.
- (11) Can be reduced to 6.0m when a minimum of 25% of the units are designed for accessible or aging-in-place living.
- (12) To a maximum requirement of 22.5m.

DISCRETIONARY USE EVALUATION CRITERIA

TWO UNIT DWELLINGS, SEMI DETACHED DWELLINGS, and MULTIPLE UNIT DWELLINGS

- (1) The application must comply with all relevant requirements contained in the Zoning Bylaw.
- (2) The proposed development should be capable of being adequately serviced by existing infrastructure. If infrastructure upgrades are required, the developer shall be responsible for the cost of such upgrades.
- (3) Dwellings shall be oriented to the fronting street or flanking street on corner lots. A main door and windows shall be provided on the front elevations of all buildings. Abundant glazing at street level is encouraged. Blank walls should not be permitted on facades adjacent to or visible from public streets or other public spaces.
- (4) Buildings should be well proportioned and incorporate design elements that break down the perceived scale and massing of building elements to create human scaled pedestrian environments and aesthetically pleasing streetscapes. Buildings should be designed to visually integrate with the existing neighbourhood.
- (5) Two-unit and semi-detached dwellings should be designed with an asymmetric balance in the building form, proportion, and massing such that the units do not mirror each other. Alternatively, architectural features such as bay windows and bump-outs, varied rooflines, and doors and windows, should be used to distinguish one unit from the other.
- (6) Multiple-unit dwellings should be designed to enhance visual appeal and to decrease visual monotony. Large building faces should incorporate intermittent variances in plan and elevation to encourage shadow lines on the building and to assist in breaking down the apparent mass and scale into well-proportioned volumes. Windows and doors should complement and enhance the architectural design and satisfy functional and climatic issues.
- (7) To maintain the privacy of neighbouring properties, the location of doors and windows within the side yard should not be aligned with doors and windows on neighbouring dwellings. In addition, doors which provide access to a side yard should be designed to be at or near grade level.
- (8) Windows, balconies, patios and decks should be arranged so as not to unduly impact the privacy of adjacent dwellings.
- (9) Care should be taken in designing dwellings with respect to building height, roof pitch and roof orientation. New dwellings should be designed and located on a site so as not to be substantially out of scale with or unduly restrict sunlight access to adjacent properties.
- (10) Accessible units, oriented to senior citizens and individuals with mobility challenges, are strongly encouraged.
- (11) Existing trees should be protected wherever possible. Any trees which are removed should be replaced at the rate of at least two new trees for every existing tree removed.
- (12) Whenever possible, the applicant should work with affected neighbours to address concerns related to the likely and foreseeable impacts of the proposed development.

6.3 R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT

6.3.1 Purpose

The purpose of the **R2** - Medium Density Residential district is to provide for residential development in the form of single detached, semi-detached and two-unit dwellings, multiple-unit dwellings and dwelling groups, and other compatible uses in a medium density form.

6.3.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-3.

6.3.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.3.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-3.

6.3.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R2** 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.

6.3.6 Gross Floor Space Ratio

The gross floor space ratio shall not exceed 1.0:1.

6.3.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.3.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.3.9 Landscaping

Landscaping is subject to Section 4.24.

6.3.10 Corner Sites

Where, on a corner site, a side yard of at least 6 metres is provided adjacent to the flanking street for a single detached dwelling, the minimum rear yard requirement shall be reduced to 3 metres.

**Table 6-3: R2 – Medium Density Residential District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Boarding houses	D	6		550	15	6	4.5	(1)		12	40 ⁽²⁾
(2)	Dwelling groups	D	2	3.10.4(3) 4.12.7	550	15	6	4.5	(1)	40 / unit	13 ⁽¹⁰⁾	40 ⁽²⁾
(3)	Multiple-unit dwellings	D	2	3.10.4(4)	550	15	6	4.5	(1)	40 / unit	13 ⁽¹⁰⁾	40 ⁽²⁾
(4)	Residential care homes - type I	P	6	4.12.3	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(5)	Residential care homes - type II	D	6	4.12.3	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(6)	Secondary suites	P	1	4.12.8	Development standards as laid out in Section 4.12.8							
(7)	Semi-detached dwellings	P	1		225 ⁽⁶⁾ per unit	7.5 per unit	6 ⁽⁴⁾	4.5	1.2 ⁽⁷⁾	46	12	50
(8)	Single detached dwellings	P	1		360*	12*	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(9)	Street townhouse dwellings	D	1		225 ⁽⁶⁾ per unit	7.5 per unit	6 ⁽⁴⁾	4.5	1.2 ⁽⁷⁾	46 / unit	12	40 ⁽²⁾
(10)	Two-unit dwellings	P	1		450 ⁽⁸⁾	15	6 ⁽⁴⁾	4.5	1.2	92	12	50
Commercial Uses												
(1)	Adult day care – type I	P	6	4.12.3	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(2)	Adult day care – type II	D	6	4.12.3	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(3)	Bed and breakfast homes	D	3	4.12.2	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70 ⁽⁵⁾	12	50
(4)	Clubs	D	5	3.10.4(2)	450	15	6	4.5	3	--	12	50
(5)	Daycare centres and preschools	D	14	4.12.4	360 ⁽³⁾	12 ⁽⁹⁾	6	4.5	1.2	70 ⁽⁵⁾	12	50
(6)	Health care clinics	D	5		360 ⁽³⁾	12	6	4.5	3	--	12	50
(7)	Home based business – type I	P	0	4.12.6	Same as home							
(8)	Home based business – type II	D	0	4.12.6	Same as home							
Other Uses												
(1)	Ambulance stations	D	21	3.10.4(7)	450	15	6	4.5	3	--	12	50
(2)	Community centres	D	4	3.10.4(2)	450	15	6	4.5	3	--	12	50
(3)	Cultural institutions	D	4		450	15	6	4.5	3	--	12	50
(4)	Custodial care facilities	D	6	4.12.3	360 ⁽³⁾	12 ⁽⁹⁾	6 ⁽⁴⁾	4.5	1.2	70	12	50
(5)	Municipal facilities	P	0		--	--	--	--	--	--	--	--
(6)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	10

(7)	Places of worship	D	15	3.10.4(3)	450	15	6	4.5	3	--	12	50
(8)	Private schools	D	18		--	--	--	4.5	3	--	12	--
(9)	Public elementary and secondary schools	D	17, 18	4.12.5	--	--	--	4.5	3	--	12	--
(10)	Public recreational facilities	D	22	3.10.4(2)	--	--	--	4.5	3	--	12	--
(11)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.3.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-3 and the R2 district:

- (1) the side yard shall be 1.2 m or 25% of the height of the side wall of the building, whichever is greater
- (2) site coverage may be increased to 50% where more than 50% of the required parking is provided underground or is enclosed as part of the principal or accessory building
- (3) where the site is serviced by a rear lane; otherwise 396
- (4) the minimum front yard may be reduced to 3.0 metres where the dwelling unit does not have a street facing attached garage
- (5) except for two storey dwellings, where it shall be 88
- (6) where the site is serviced by a rear lane; otherwise 247.5
- (7) except that no side yard is required where a common wall divides the dwelling units
- (8) where the site is serviced by a rear lane; otherwise 495
- (9) where the site is serviced by a rear lane, otherwise 15
- (10) maximum building height shall be 13 metres and not more than 3 storeys. building height for a multiple unit dwelling with a hip, gable or gambrel roof, shall be measured from grade to the mean height level between the eaves and the ridge.

*(Bylaw 16-2021 amendment)

6.4 R3 – HIGH DENSITY RESIDENTIAL DISTRICT

6.4.1 Purpose

The purpose of the **R3** – High Density Residential district is to provide for residential development in the form of single detached, semi-detached and two-unit dwellings, multiple-unit dwellings and dwelling groups, and other compatible uses in a medium to high density form.

6.4.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-4.

6.4.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.4.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-4.

6.4.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R3** 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.

6.4.6 Gross Floor Space Ratio

The gross floor space ratio shall not exceed 1.5:1.

6.4.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.4.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.4.9 Landscaping

Landscaping is subject to Section 4.24.

6.4.10 Corner Sites

Where, on a corner site, a side yard of at least 6 metres is provided adjacent to the flanking street for a single detached dwelling, the minimum rear yard requirement shall be reduced to 3 metres.

**Table 6-4: R3 – High Density Residential District Development Standards
for the City of Martensville**

Principal Use	Designation	Parking Category		Subject to Section(s)	Development Standards							
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Boarding houses	D	6	4.12.9	550	15	6 ⁽¹⁾	4.5	(2)		15	40 ⁽³⁾
(2)	Dwelling groups	D	2	3.10.4(3) 4.12.7	550	15	6 ⁽¹⁾	4.5	(2)	40 / unit	16 ⁽¹²⁾	40 ⁽³⁾
(3)	Multiple-unit dwellings	D	2	3.10.4(4)	550	15	6 ⁽¹⁾	4.5	(2)	40 / unit	16 ⁽¹²⁾	40 ⁽³⁾
(4)	Residential care homes - type I	P	6	4.12.3	(4)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70 ⁽⁶⁾	12	50
(5)	Residential care homes - type II	D	6	4.12.3	(4)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70 ⁽⁶⁾	12	50
(6)	Secondary suites	P	1	4.12.8	Development standards as laid out in Section 4.12.8							
(7)	Semi-detached dwellings	P	1		225 ⁽⁷⁾ per unit	7.5 per unit	6 ⁽⁵⁾	4.5	1.2 ⁽⁸⁾	46	12	50
(8)	Single detached dwellings	P	1		(4)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70 ⁽⁶⁾	12	50
(9)	Street townhouse dwellings	D	1		225 ⁽⁷⁾ per unit	6 per unit	6 ⁽⁵⁾	4.5	1.2 ⁽⁸⁾	46 / unit	12	50 ⁽¹⁰⁾
(10)	Two-unit dwellings	P	1		450 ⁽¹¹⁾	15	6 ⁽⁵⁾	4.5	1.2	92	12	50
Commercial Uses												
(1)	Adult day care – type I & type II	P	6	4.12.3	(1)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70 ⁽⁶⁾	12	50
(2)	Bed and breakfast homes	D	3	4.12.2	(1)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70 ⁽⁶⁾	12	50
(3)	Clubs	D	5	3.10.4(2)	450	15	6	4.5	3	--	12	50
(4)	Daycare centres and preschools	D	14	4.12.4	(1)	8.5 ⁽⁹⁾⁽¹³⁾	6	4.5	1.2	70 ⁽⁶⁾	12	50
(5)	Health care clinics	D	5		450	15	6	4.5	3	--	12	50
(6)	Home based business – type I	P	0	4.12.6	Same as home							
(7)	Home based business – type II	D	0	4.12.6	Same as home							
Other Uses												
(1)	Ambulance stations	D	21	3.10.4(7)	450	15	6	4.5	3	--	12	50
(2)	Community centres	D	4	3.10.4(2)	450	15	6	4.5	3	--	12	50
(3)	Cultural institutions	D	4		450	15	6	4.5	3	--	12	50
(4)	Custodial care facilities	D	6	4.12.3	(4)	8.5 ⁽⁹⁾⁽¹³⁾	6 ⁽⁵⁾	4.5	1.2	70	12	50
(5)	Municipal facilities	P	0		--	--	--	--	--	--	--	--

(6)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	10
(7)	Places of worship	D	15	3.10.4(2)	450	15	6	4.5	3	--	12	50
(8)	Private schools	D	18		--	--	--	4.5	3	--	12	--
(9)	Public elementary and secondary schools	D	17,18	4.12.5	--	--	--	4.5	3	--	12	--
(10)	Public recreational facilities	D	22	3.10.4(2)	--	--	--	4.5	3	--	12	--
(11)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.4.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-4 and the R3 district:

- (1) the front yard shall be 6 metres or 50% of the height of the front wall of the building, whichever is greater
- (2) the side yard shall be 1.2 m or 25% of the height of the side wall of the building, whichever is greater
- (3) site coverage may be increased to 50% where more than 50% of the required parking is provided underground or is enclosed as part of the principal or accessory building
- (4) the minimum site area shall be 30 times the site width where the site is serviced by a rear lane or 33 times the site width where the site is not serviced by a rear lane
- (5) the front yard may be reduced to a minimum of 3.0m where it has been determined all dwellings on an entire block face will not have garages in front of the dwellings or front yard driveways
- (6) except for two storey dwellings, where it shall be 88
- (7) where the site is serviced by a lane; otherwise 247.5
- (8) except that no side yard is required where a common wall divides the dwelling units
- (9) to a maximum site width of 12 m
- (10) site coverage may be increased to 60% where more than 50% of the required parking is enclosed as part of the principal building or an accessory building on the same site
- (11) where the site is serviced by a lane; otherwise 495
- (12) maximum building height shall be 16 metres and not more than 4 storeys. building height for a multiple unit dwelling with a hip, gable or gambrel roof, shall be measured from grade level to the mean height level between the eaves and the ridge. This height may be increased to 18m and not more than 5 storeys at Council's discretion.
- (13) Where serviced by a lane, otherwise 10.5

(Bylaw 9-2019)

6.5 RMH – MANUFACTURED HOME RESIDENTIAL DISTRICT

6.5.1 *Purpose*

The purpose of the **RMH** – Manufactured Home Residential district is to provide for residential development in the form of manufactured homes, single detached dwellings and other compatible uses.

6.5.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-5.

6.5.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.5.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-5.

6.5.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RMH** 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.

6.5.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

6.5.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

6.5.8 *Landscaping*

Landscaping is subject to Section 4.24.

Table 6-5: RMH – Manufactured Home Residential District Development Standards for the City of Martinsville

Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards								
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)	
Residential Uses												
(1)	Single detached manufactured dwellings	P	1		360 ⁽¹⁾	12	6	4.5	1.2	65	8.5	50
(2)	Residential care homes - type I	P	6	4.12.3	360 ⁽¹⁾	12	6	4.5	1.2	65	12	50
(3)	Residential care homes - type II	D	6	4.12.3	360 ⁽¹⁾	12	6	4.5	1.2	65	12	50
(4)	Secondary suites	D	1	4.12.8	Development standards as laid out in Section 4.12.8							
(5)	Single detached dwellings	P	1		360 ⁽¹⁾	12	6	4.5	1.2	70 ⁽²⁾	12	50
Commercial Uses												
(1)	Adult day care – type I	D	3	4.12.3	360 ⁽¹⁾	12	6	4.5	1.2	65	12	50
(2)	Daycare centres and preschools	D	14	4.12.4	360 ⁽¹⁾	12	6	4.5	1.2	70 ⁽²⁾	12	50
(3)	Home based businesses – type I	P	0	4.12.6	Same as home							
(4)	Home based businesses – type II	D	0	4.12.6	Same as home							
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Community centres	D	4	3.10.4(2)	450	15	6	4.5	3	--	12	50
(2)	Cultural institutions	D	4		450	15	6	4.5	3	--	12	50
(3)	Municipal facilities	P	0		--	--	--	--	--	--	--	--
(4)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	10
(5)	Places of worship	D	15	3.10.4(2)	450	15	6	4.5	3	--	--	50
(6)	Public recreation facilities	D	22	3.10.4(2)	--	--	--	4.5	3	--	--	--
(7)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.5.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-5 and the RMH district:

- (1) where the site is serviced by a lane; otherwise 396
- (2) except for two storey dwellings, where it shall be 88

6.6 CS – COMMUNITY SERVICE DISTRICT

6.6.1 *Purpose*

The objective of the **CS** – Community Service District is to provide for 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*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.6.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-6.

6.6.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **CS** 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 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

6.6.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

6.6.8 *Landscaping*

Landscaping is subject to Section 4.24.

**Table 6-6: CS – Community Service District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Community Service Uses												
(1)	Ambulance stations	P	21		235	6	6	4.5	3 ⁽¹⁾	--	12	--
(2)	Cemeteries	P	0		--	--	6	4.5	3 ⁽¹⁾	--	--	--
(3)	Community centres	P	4		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(4)	Cultural institutions	P	4		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(5)	Custodial care facilities	D	6	4.12.3	360 ⁽²⁾	12 ⁽³⁾	6	4.5	3 ⁽¹⁾	70	12	50
(6)	Educational institutions	P	17		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(7)	Offices accessory to another permitted or discretionary use	P	4		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(8)	Municipal facilities	P	0		--	--	--	--	--	--	--	--
(9)	Parks and playgrounds	P	0		--	--	--	--	--	--	--	--
(10)	Places of worship	P	15		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(11)	Public elementary and high schools	P	17, 18		--	--	--	4.5	3 ⁽¹⁾	--	12	--
(12)	Public works, excluding warehouses, storage yards, and sewage lagoons	P	0		--	--	--	--	--	--	12	--
(13)	Public hospitals	P	6		--	--	6	4.5	3 ⁽¹⁾	--	12	--
(14)	Public recreational facilities	P	22		--	--	--	4.5	3 ⁽¹⁾	--	12	--
(15)	Special care homes	P	6		--	--	6	4.5	3 ⁽¹⁾	--	12	--
(16)	Telecommunication towers	D	0		--	--	6	4.5	3 ⁽¹⁾	--	--	--
Commercial Uses												
(1)	Adult day cares – type I and II	P	14	4.12.3	360 ⁽²⁾	12 ⁽³⁾	6	4.5	3 ⁽¹⁾	70	12	50
(2)	Clubs	P	5		450	12	6	4.5	3 ⁽¹⁾	--	12	--
(3)	Commercial recreation facilities	P	22		235	6	6	4.5	3 ⁽¹⁾	--	12	--
(4)	Day care centres and preschools	P	14	4.12.4	360 ⁽²⁾	12 ⁽³⁾	6	4.5	3 ⁽¹⁾	70	12	50
(5)	Farmers' Markets	D	28		235	6	6	4.5	3 ⁽¹⁾	--	12	--
(6)	Health care clinics	P	28		235	6	6	4.5	3 ⁽¹⁾	--	12	--
(7)	Medical, dental and optical laboratories	P	5		235							
(8)	Parking lots	D			--	--	3	3	3	--	12	--
(9)	Private schools	P	18		--	--	--	4.5	3 ⁽¹⁾	--	12	--
(12)	Race tracks	D			235	6	6	4.5	3 ⁽¹⁾	--	12	--

(13)	Restaurants and lounges accessory to a public or commercial recreation facility	D	28	3.10.4(8)	235	6	6	4.5	3 ⁽¹⁾	--	12	--
(14)	Retail stores accessory to a public or commercial recreation facility	D	28		235	6	6	4.5	3 ⁽¹⁾	--	12	--
(15)	Tourist campground	D	0		235	6	6	4.5	3 ⁽¹⁾	--	12	--

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 Council; and which complies with the development standards laid out in Section 6.6.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-6 and the CS district:

- (1) or ½ the height of the side wall, whichever is greater
- (2) where the site is serviced by a lane, otherwise, 450
- (3) where the site is serviced by a lane, otherwise, 15

6.7 C1 – NEIGHBOURHOOD CENTRE COMMERCIAL DISTRICT

6.7.1 Purpose

The objective of the **C1** – Neighbourhood Centre Commercial district is to facilitate mixed use commercial and residential developments which are pedestrian oriented.

6.7.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-7.

6.7.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.7.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-7.
- (2) A description of proposed land use shall be provided as part of an application for a Development Permit. (Bylaw 25-2015)

6.7.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **C1** 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.

6.7.6 Building Orientation

Buildings shall incorporate grade level direct entrances and clear glazing into the design of new buildings.

6.7.7 Gross Floor Space Ratio

The gross floor space ratio shall not exceed 2.5:1.

6.7.8 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.7.9 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.7.10 Landscaping

Landscaping is subject to Section 4.24.

**Table 6-7: C1 – Neighbourhood Centre Commercial District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)
Commercial Uses										
(1)	Bakeries with retail sales	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(2)	Financial institutions	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(3)	Commercial Recreation Facility	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(4)	Health care clinics	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(5)	Medical, dental and optical labs	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(6)	Offices and office buildings	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(7)	Personal service shops	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(8)	Photography studios	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(9)	Restaurants, with or without associated lounges	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(10)	Retail stores	P			300	7.5	(1)	0	7.5	12 ⁽²⁾
(11)	Shopping centres	P		4.12.12	300	7.5	(1)	0	7.5	12 ⁽²⁾
Residential Uses										
(1)	Multiple unit dwellings ⁽³⁾	P	2	4.12.9	300	7.5	(1)	0	7.5	13 ⁽²⁾

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 Council; and which complies with the development standards laid out in Section 6.7.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-7 and the C1 district:

- (1) not less than 75% of the building width shall be within 1.0 metre of the front property line
- (2) the maximum building height shall be 12 metres and not more than three storeys. building height for a multiple unit dwelling with a hip, gable or gambrel roof, shall be measured from grade to the mean height level between the eaves and the ridge.
- (3) multiple unit dwellings shall not be located at grade.

6.8 C2 – HIGHWAY COMMERCIAL DISTRICT

6.8.1 *Purpose*

The purpose of the **C2** – Highway Commercial district is to provide for a range of highway commercial uses that serve motor vehicle oriented consumers.

6.8.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-8.

6.8.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.8.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-8.
- (2) A description of proposed land use shall be provided as part of an application for a Development Permit. (Bylaw 25-2015)

6.8.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C2** 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.

6.8.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

6.8.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

6.8.8 *Landscaping*

Landscaping is subject to Section 4.24.

**Table 6-8: C2 – Highway Commercial District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Commercial Uses									
(1)	Ambulance stations	P	21		550	15	6	0 ⁽¹⁾	1.5
(2)	Auto body shops	D	5	3.10.4(10)	550	15	6	0 ⁽¹⁾	1.5
(3)	Automobile, marine, recreational vehicle, agricultural equipment, and mobile home sales and service establishments	P	5		550	15	6	0 ⁽¹⁾	1.5
(4)	Automotive and industrial supply stores	P	5		550	15	6	0 ⁽¹⁾	1.5
(5)	Bakeries with retail sales	P	5		550	15	6	0 ⁽¹⁾	1.5
(6)	Bingo halls	P	8		1100	30	6	0 ⁽¹⁾	1.5
(7)	Boarding kennels	D	5	4.9.9	550	15	6	0 ⁽¹⁾	1.5
(8)	Distilleries, wineries, and breweries	P	8		550	15	4.5	3	3
(9)	Bus terminals	P	5		1100	30	6	0 ⁽¹⁾	1.5
(10)	Car washes	P	19		1100	30	6	0 ⁽¹⁾	1.5
(11)	Clubs	P	5		550	15	6	0 ⁽¹⁾	1.5
(12)	Commercial recreation facilities	P	5		550	15	6	0 ⁽¹⁾	1.5
(13)	Consignment centres	D	5		550	15	6	0 ⁽¹⁾	1.5
(14)	Construction trades	P	5		550	15	6	0 ⁽¹⁾	1.5
(15)	Day care centres and preschools	D	12	4.12.4	550	15	6	0 ⁽¹⁾	1.5
(16)	Dry cleaning establishments	P	5		550	15	6	0 ⁽¹⁾	1.5
(17)	Financial institutions	P	5		550	15	6	0 ⁽¹⁾	1.5
(18)	Freight handling facilities	D	4	3.10.4(10)	1100	30	6	0 ⁽¹⁾	1.5
(19)	Funeral homes and crematoriums	P	15		550	15	6	0 ⁽¹⁾	1.5
(20)	Gas bars	P	5	4.12.10	550	15	6	0 ⁽¹⁾	1.5
(21)	Health care clinics	P	5		550	15	6	0 ⁽¹⁾	1.5
(22)	Hotels and motels	P	9		1675	30	15	0 ⁽¹⁾	1.5
(23)	Indoor storage rental facilities	D	4	3.10.4(11)	1100	30	6	0 ⁽¹⁾	1.5
(24)	Lumber yards, home improvement centres, and building supply establishments	P	4		1100	30	6	0 ⁽¹⁾	1.5

<u>(25)</u>	Medical, dental and optical laboratories	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(26)</u>	Nightclubs and taverns	D	8	3.10.4(5)	550	15	6	0 ⁽¹⁾	1.5
<u>(27)</u>	Nurseries, greenhouses, and garden centres	P	4		550	15	6	0 ⁽¹⁾	1.5
<u>(28)</u>	Offices and office buildings	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(29)</u>	Parking lots	P	0	4.12.13	550	15	6	0 ⁽¹⁾	1.5
<u>(30)</u>	Personal service shops	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(31)</u>	Pet grooming establishments	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(32)</u>	Photography studios	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(33)</u>	Places of worship	P	15		550	15	6	0 ⁽¹⁾	1.5
<u>(34)</u>	Printing plants and newspaper offices	P	4		550	15	6	0 ⁽¹⁾	1.5
<u>(35)</u>	Public recreational facilities	P	22		550	15	6	0 ⁽¹⁾	1.5
<u>(36)</u>	Radio and television stations	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(37)</u>	Recycling collection depots	D	4	3.10.4(11)	550	15	6	0 ⁽¹⁾	1.5
<u>(38)</u>	Repair services restricted to household goods and appliances	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(39)</u>	Restaurants, with or without associated lounges	P	8		550	15	6	0 ⁽¹⁾	1.5
<u>(40)</u>	Retail stores	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(41)</u>	Service stations and public garages	P	5	4.12.1 4.12.11	1100	30	6	0 ⁽¹⁾	1.5
<u>(42)</u>	Shopping centres	P	5		1100	30	6	0 ⁽¹⁾	1.5
<u>(43)</u>	Taxidermy and accessory tanning of hides	D	5	3.10.4(10)	550	15	6	0 ⁽¹⁾	1.5
<u>(44)</u>	Telecommunication towers	D	0		550	15	6	0 ⁽¹⁾	1.5
<u>(45)</u>	Theatres	P	8		550	15	6	0 ⁽¹⁾	1.5
<u>(46)</u>	Trucking operations	D	4		1100	30	6	0 ⁽¹⁾	1.5
<u>(47)</u>	Veterinary clinics and animal hospitals	P	5		550	15	6	0 ⁽¹⁾	1.5
<u>(48)</u>	Warehouses	D	4	3.10.4(10)	1100	30	6	0 ⁽¹⁾	1.5
<u>(49)</u>	Welding and machine shops	D	4	3.10.4(10)	550	15	6	0 ⁽¹⁾	1.5
<u>(50)</u>	Wholesale establishments	P	4		1100	30	6	0 ⁽¹⁾	1.5
Residential Uses									
(1)	Dwelling units accessory to permitted uses and integrated as part of a principal building	P	1		(2)	(2)	(2)	0 ⁽¹⁾	1.5
Other Uses									
(1)	Municipal facilities	P	0		--	--	--	--	--
(2)	Parks and playgrounds	P	0		--	--	--	0 ⁽¹⁾	1.5
(3)	Public works excluding warehouses, storage yards and sewage lagoons	P	0		--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.8.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-8 and the C2 district:

- (1) minimum 4.5 m where the rear line of any site abuts any Residential district without an intervening street or lane or where a water or sewer easement is registered on the title, the width of the easement, whichever is greater.

6.9 C2A – ARTERIAL COMMERCIAL DISTRICT

6.9.1 *Purpose*

The purpose of the **C2A** – Arterial Commercial district is to provide for development in the form of a range of commercial uses with a primary focus on retail activity 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*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.9.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-9.
- (2) A description of proposed land use shall be provided as part of an application for a Development Permit. (Bylaw 25-2015)

6.9.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C2A** 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.

6.9.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

6.9.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

6.9.8 *Landscaping*

Landscaping is subject to Section 4.24.

**Table 6-9: C2A – Arterial Commercial District Development Standards
for the City of Martinsville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Bldg Height (m)
Commercial Uses										
(1)	Auto parts sales (automotive, marine and recreational equipment)	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(2)	Bakeries with retail sales	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(3)	Car washes	D	19		1100	30	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(4)	Clubs	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(5)	Commercial recreation facilities	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(6)	Consignment centres	D	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(7)	Construction trades (retail and office only no outside storage)	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(8)	Day care centres	D	12	4.12.4	550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(9)	Dry cleaning establishments	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(10)	Financial institutions	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(11)	Commercial Recreation Facility	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(12)	Funeral homes	P	15		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(13)	Gas bars	P	5	4.12.10	550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(14)	Greenhouse and garden centres	P								12 ⁽²⁾
(15)	Health care clinics	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(16)	Hotels and motels	P	9		1675	30	15	0 ⁽¹⁾	1.5	12 ⁽²⁾
(17)	Lumber yards, home improvement centres, and building supply establishments	P	4		1100	30	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(18)	Medical, dental and optical laboratories	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(19)	Nightclubs and taverns	P	8		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(20)	Offices and office buildings	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(21)	Parking lots	P		4.12.13						12 ⁽²⁾
(22)	Personal service shops	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(23)	Photography studios	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(24)	Repair services restricted to household goods and appliances	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾

(25)	Restaurants, with or without associated lounges	P	8		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(26)	Retail stores	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(27)	Shopping centres	P	5		1100	30	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(28)	Theatres	P	8		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(29)	Veterinary clinics and animal hospitals	P	5		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
Other Uses										
(1)	Community centres	P	4		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(2)	Cultural institutions	P	4		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(3)	Municipal facilities	P	0		--	--	--	--	--	--
(4)	Multiple unit dwellings ⁽³⁾	P	2	4.12.9	550	15	6	0 ⁽¹⁾	1.5	13 ⁽²⁾
(5)	Parks and playgrounds	P	0		--	--	--	0 ⁽¹⁾	1.5	12 ⁽²⁾
(6)	Places of worship	P	15		550	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(7)	Public recreational facilities	P	22		450	15	6	0 ⁽¹⁾	1.5	12 ⁽²⁾
(8)	Public works excluding warehouses, storage yards, and sewage lagoons	P	0		--	--	--	--	--	--

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 Council; and which complies with the development standards laid out in Section 6.9.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-9 and the C2A district:

- (1) minimum 4.5 m where the rear line of any site abuts any Residential district without an intervening street or lane.
- (2) the maximum building height shall be 12 metres and not more than three storeys. building height for a multiple unit dwelling with a hip, gable or gambrel roof, shall be measured from grade to the mean height level between the eaves and the ridge.
- (3) multiple dwellings shall not be located at grade

6.10 MU – MIXED USE DISTRICT

6.10.1 Purpose

The purpose of the **MU** – Mixed Use District is to facilitate a mix of land uses, which may include a limited range of commercial and institutional uses, as well as higher density residential uses, that are generally compatible with residential land uses, in proximity to the downtown area or other community centres.

6.10.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-10.

6.10.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.10.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-10.
- (2) A description of proposed land use shall be provided as part of an application for a Development Permit. (Bylaw 25-2015)

6.10.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **MU** district with respect to Section 3.10.3 – General Discretionary Use Evaluation Criteria and to Section 3.10.4 – Use Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.10.6 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.10.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.10.8 Landscaping

Landscaping is subject to Section 4.24.

**Table 6-10: MU – Mixed Use District Development Standards
for the City of Martinsville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards						
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Cvg (%)
Residential Uses											
(1)	Boarding houses	D	6	4.12.9	550	15	6	4.5	1.2 ⁽¹⁾		50 ⁽²⁾
(2)	Dwelling groups	D	2	3.10.4(3) 4.12.7	550	15	6	4.5	1.2 ⁽¹⁾	40 / unit	50 ⁽²⁾
(3)	Dwelling units in conjunction with and attached to any other permitted use	P	2	4.12.9	(3)	(3)	(3)	(3)	(3)	(3)	(3)
(4)	Multiple unit dwellings	P	2	4.12.9	550	15	6	4.5	1.2 ⁽¹⁾	40 / unit	50 ⁽²⁾
(5)	Residential care homes – type I and II	D	6	4.12.3	225 ⁽⁴⁾	7.5	6	4.5	1.2 ⁽⁵⁾	70	50
(6)	Semi-detached dwellings	D	1		225 ⁽⁴⁾ per unit	7.5 per unit	6	4.5	1.2 ⁽⁵⁾	46 / unit	50
(7)	Single detached dwellings	D	1		360 ⁽⁶⁾	12 ⁽¹¹⁾	6	4.5	1.2	70 ⁽⁷⁾	50
(8)	Special care homes	P	6		550	15	6	4.5	1.2 ⁽¹⁾	--	50
(9)	Two-unit dwellings	D	1		450 ⁽⁸⁾	15	6	4.5	1.2	46 / unit	50
Commercial Uses											
(1)	Adult day cares – type I and II	P	14	4.12.3	235	7.5	6	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	50
(2)	Bakeries with retail sales	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(3)	Bed and breakfast homes	D	3	4.12.2	360 ⁽⁶⁾	12 ⁽¹¹⁾	6	4.5	1.2	70 ⁽⁷⁾	50
(4)	Clubs	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(5)	Commercial recreation facilities	D	22	3.10.4(2)	235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(6)	Day care centres and preschools	P	12	4.12.4	235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(7)	Health care clinics	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(8)	Home based businesses – type I	P	0	4.12.6	Same as home						
(9)	Home based businesses – type II	D	0	4.12.6	Same as home						
(10)	Medical, dental and optical laboratories	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(11)	Offices and office buildings	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(12)	Parking lots	D	0	4.12.13	235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(13)	Photography studios	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--

(14)	Restaurants, without associated lounges	D	8	3.10.4(8)	235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(15)	Retail stores	P	5		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
Community Service and Other Uses											
(1)	Ambulance stations	D	21	3.10.4(7)	235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(2)	Community centres	P	4		550	15	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(3)	Cultural institutions	P	4		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(4)	Custodial care facilities	D	6	4.12.3	550	15	6	4.5	1.2 ⁽¹⁾	--	50
(5)	Educational institutions	D	17		235	6	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(6)	Municipal facilities	P	0		--	--	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(7)	Parks and playgrounds	P	0		--	--	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(8)	Places of worship	P	15		550	15	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(9)	Private schools	D	17		550	15	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(10)	Public elementary and secondary schools	D	17, 18	4.12.5	550	15	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(11)	Public recreation facilities	D	22	3.10.4(2)	550	15	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--
(12)	Public works excluding warehouses, storage yards and sewage lagoons	P	0		--	--	0	0 ⁽⁹⁾	0 ⁽¹⁰⁾	--	--

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 Council; and which complies with the development standards laid out in Section 6.9.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-10 and the MU district:

- (1) except for corner sites, where it shall be 2.0 adjacent to a flanking street with a road right of way measuring less than 18 m in width
- (2) site coverage may be increased to 60% where more than 50% of the required parking is provided underground or is enclosed as part of the principal building.
- (3) for dwelling units attached to and in conjunction with any other permitted use, the minimum site area, minimum site width, minimum front yard, minimum side yard, and minimum rear yard shall be the same as the standards for the relevant principal use.
- (4) where the site is serviced by a lane; otherwise 315
- (5) except that no side yard is required where a common wall divides two dwelling units
- (6) where the site is serviced by a lane; otherwise 450
- (7) except for two storey dwellings, where it shall be 58
- (8) where the site is serviced by a lane, otherwise 630
- (9) where the rear yard abuts any Residential district or any site where the principal use is residential, without an intervening street or lane, the minimum shall be 4.5
- (10) where the side yard abuts any Residential district or any site where the principal use is residential, without an intervening street or lane, the minimum shall be 1.5
- (11) where the site is serviced by a lane, otherwise 15

6.11 M – INDUSTRIAL DISTRICT

6.11.1 Purpose

The purpose of the **M** – Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

6.11.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-11.

6.11.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.11.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-11.
- (2) A description of proposed industrial processes, methods, equipment and/or techniques to occur on-site shall be provided as part of an application for a Development Permit. (Bylaw 25-2015)

6.11.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **M** 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.

6.11.6 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.11.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.11.8 Landscaping

Landscaping is subject to Section 4.24.

**Table 6-11: M – Industrial District Development Standards
for the City of Martensville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Industrial / Commercial Uses									
(1)	Airports	D	4		1115	25	4.5	3	3 ⁽¹⁾
(2)	Ambulance Stations	P	21		465	15	4.5	3	3 ⁽¹⁾
(3)	Auction markets, excluding livestock auction facilities	P	4		1115	25	4.5	3	3 ⁽¹⁾
(4)	Auto body shops	D	11	3.10.4(10)	465	15	4.5	3	3 ⁽¹⁾
(5)	Automobile, marine, recreational vehicle and equipment, agricultural equipment, and mobile home sales and service establishments	P	4		465	15	4.5	3	3 ⁽¹⁾
(6)	Boarding kennels	D	11	4.9.9	465	15	4.5	3	3 ⁽¹⁾
(7)	Bulk fertilizer operations	D	11	3.10.4(18)	1115	25	4.5	3	3 ⁽¹⁾
(8)	Bulk fuel storage depot	D	11	3.10.4(18)	1115	25	4.5	3	3 ⁽¹⁾
(9)	Bus and other transportation terminals and yards	P	4		465	15	4.5	3	3 ⁽¹⁾
(10)	Car washes	P	11		465	15	4.5	3	3 ⁽¹⁾
(11)	Commercial recreation facilities	D	11	3.10.4(2)	465	15	4.5	3	3 ⁽¹⁾
(12)	Construction yards	P	11		465	15	4.5	3	3 ⁽¹⁾
(13)	Distilleries, wineries and breweries	P	11		465	15	4.5	3	3 ⁽¹⁾
(14)	Dwelling units accessory to a principal use and integrated as part of the principal building, for the use of caretakers, owners or managers	D	1	4.12.9 3.10.4(15)	(2)	(2)	(2)	(2)	(2)
(15)	Foundry works and boiler works	D	11		1115	25	4.5	3	3 ⁽¹⁾
(16)	Freight handling	D	11	3.10.4(10)	465	15	4.5	3	3 ⁽¹⁾
(17)	Gas bars	P	5		465	15	4.5	3	3 ⁽¹⁾
(18)	General industrial uses	P	4		465	15	4.5	3	3 ⁽¹⁾
(19)	Indoor storage rental facilities	D	11	3.10.4(11)	465	15	4.5	3	3 ⁽¹⁾
(20)	Industrial complexes	P	4	4.12.12	465	15	4.5	3	3 ⁽¹⁾
(21)	Junk yards and auto wreckers	D	11	3.10.4(16)	1115	25	4.5	3	3 ⁽¹⁾
(22)	Lumber yards and building supply establishments	D	4	3.10.4(9)	465	15	4.5	3	3 ⁽¹⁾
(23)	Nurseries, greenhouses and garden centres	P	4		1115	25	4.5	3	3 ⁽¹⁾
(24)	Parking lots	P	0	4.12.13	465	15	4.5	3	3 ⁽¹⁾

(25)	Processing of hazardous materials and waste	D	11		1115	25	4.5	3	3 ⁽¹⁾
(26)	Recycling depots	P	11		465	15	4.5	3	3 ⁽¹⁾
(27)	Sand and gravel operations and gravel yards	D	11		1115	25	4.5	3	3 ⁽¹⁾
(28)	Service stations and public garages	P	4		465	15	4.5	3	3 ⁽¹⁾
(29)	Telecommunication towers	D	0		--	--	4.5	3	3 ⁽¹⁾
(30)	Trucking operations	D	4		1100	30	4.5	3	3 ⁽¹⁾
(31)	Warehouses	P	11		465	15	4.5	3	3 ⁽¹⁾
(32)	Welding and machine shops	D	11	3.10.4(10)	465	15	4.5	3	3 ⁽¹⁾
(33)	Wholesale establishments	P	11		465	15	4.5	3	3 ⁽¹⁾
Other Uses									
(1)	Municipal facilities	P	0		--	--	--	--	--
(2)	Parks and playgrounds	P	0		--	--	--	--	--
(3)	Public works excluding sewage lagoons	P	0		--	--	--	--	--

(16-2021)

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 Council; and which complies with the development standards contained in Section 6.10.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-11 and the M district:

- (1) except for corner sites, where the minimum side yard shall be 4.5 metres adjacent to the flanking street
- (2) For dwelling units attached to and in conjunction with any other permitted use, the minimum site area, minimum site width, minimum front yard, minimum side yard, and minimum rear yard shall be the same as the standards for the relevant principal use.

6.12 MB – BUSINESS INDUSTRIAL DISTRICT

6.12.1 Purpose

The purpose of the **MB** – Business Industrial District is to provide for a limited range of light industrial and service commercial businesses that may have outdoor storage and carry out their operations such that no nuisance is created or apparent outside an enclosed building. In addition, this District will provide for businesses which may be incompatible in commercial districts.

6.12.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-12.

6.12.3 Prohibited Uses

All land and buildings or industrial processes that may be noxious, injurious or which constitute a nuisance by reason of the inherent production or emission of dust, smoke, refuse, odor, gas, fumes, noise, vibration or other similar substances or conditions are prohibited.

6.12.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.
- (2) Indoor display, office, technical or administrative support areas or any sales operation accessory to an approved use.

6.12.5 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-12.
- (2) A description of proposed industrial processes, methods, equipment and/or techniques to occur on-site shall be provided as part of an application for a Development Permit.

6.12.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the MB 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.

6.12.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.12.8 Outside Storage

All outdoor storage areas shall be located to the rear or sides of the principle building and screened from view from public roadways and any **Residential** district. Further regulations regarding outside storage, including waste material storage, is subject to Section 4.15.

6.12.9 Landscaping

Landscaping is subject to Section 4.24

6.12.10 Fencing

In addition to section 4.8, a perimeter fence at least 1.8 metres in height and providing sufficient visual screening shall be provided along the perimeter of the lot excluding the front yard.

6.12.11 Lighting

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. A lighting plan shall be provided as part of an application for a Development Permit.

**Table 6-12: MB – Business Industrial District Development Standards
for the City of Martinsville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Industrial / Commercial Uses									
(1)	Automobile, marine, recreational vehicle, agricultural equipment, and mobile home sales and service establishments	P	4		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(2)	Boarding Kennels	D	11	4.9.9	465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(3)	Bus terminals	D	5	3.10.4(1)	1100	30	4.5	3 ⁽¹⁾	3 ⁽²⁾
(4)	Car Washes	P	11		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(5)	Clubs	P	5		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(6)	Commercial recreation facilities	D	5	3.10.4(2)	550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(7)	Construction trades	P	4		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(8)	Distilleries, wineries, and breweries	P	8		550	15	4.5	3	3
(9)	Indoor storage rental facilities	P	11		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(10)	Industrial complexes	P	4	4.12.12	465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(11)	Lumber yards, home improvement centres, and building supply establishments	P	4		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(12)	Medical, dental and optical laboratories	P	5		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(13)	Nurseries, greenhouses, and garden centres	P	4		1115	25	4.5	3 ⁽¹⁾	3 ⁽²⁾
(14)	Offices and office buildings	P	5		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(15)	Gas Bars	P	5	4.12.10	465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(16)	Recycling collection depots	P	11		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(17)	Repair services restricted to household goods and appliances	P	4		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(18)	Service stations and public garages	P	4	4.12.11 4.12.1	465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(19)	Veterinary clinics and animal hospitals	P	4		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(20)	Wholesale establishments	P	4		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(21)	Telecommunication towers	D	0		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(22)	Restaurants, with or without associated lounges	P	8		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(23)	General Industrial (conducted wholly within a building)	P	4		550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(24)	Trucking operations	D	4		1100	30	4.5	3 ⁽¹⁾	3 ⁽²⁾

(25)	Warehouses	P	11		465	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(26)	Welding and machine shops	D	11	3.10.4(10)	550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
Residential Uses									
(1)	Dwelling units accessory to a principal use and integrated as part of the principal building, for the use of caretakers, owners or managers	D	1	4.12.9 3.10.4(15)	(3)	(3)	(3)	(3)	(3)
Community Service & Other Uses									
(1)	Ambulance stations	D	21	3.10.4(7)	235	6	4.5	3 ⁽¹⁾	3 ⁽²⁾
(2)	Municipal facilities	P	0		--	--	--	--	--
(3)	Public recreational facilities	D	22	3.10.4(2)	550	15	4.5	3 ⁽¹⁾	3 ⁽²⁾
(4)	Public works excluding warehouses, storage yards and sewage lagoons	P	0		--	--	0	0 ⁽¹⁾	3 ⁽²⁾

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 Council; and which complies with the development standards contained in Section 6.12.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-12 and the MB district:

- (1) minimum 4.5 m where the rear line of any site abuts any Residential district without an intervening street, lane or buffer or where a water or sewer easement is registered on the title, the width of the easement, whichever is greater.
- (2) except for corner sites, where the minimum side yard shall be 4.5 metres adjacent to the flanking street
- (3) for dwelling units attached to and in conjunction with any other permitted use, the minimum site area, minimum site width, minimum front yard, minimum side yard, and minimum rear yard shall be the same as the standards for the relevant principal use.

6.13 FUD – FUTURE URBAN DEVELOPMENT DISTRICT

6.13.1 Purpose

The purpose 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.

6.13.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-12.

6.13.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.9.

6.13.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-12.

6.13.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.10.3 – General Discretionary Use Evaluation Criteria and to Section 3.10.4 – Use Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.13.6 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.10.

6.13.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.15.

6.13.8 Landscaping

Landscaping is subject to Section 4.24.

**Table 6-13: FUD – Future Urban Development District Development Standards
for the City of Martinsville**

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards						
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses											
(1)	Home based businesses – type I	P	0	4.12.6	Same as home						
(2)	Home based businesses – type II	D	0	4.12.6	Same as home						
(3)	Single detached dwellings	D	0		360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	12	50
Other Uses											
(1)	Agricultural uses including crop farming, grazing and pasturage, and cultivation of land, but not including intensive livestock or poultry operations	P	0		5000	--	6	3	6	12	--
(2)	Cemeteries	D	0		--	--	6	3	6	12	--
(3)	Intensive agricultural uses, nurseries, greenhouses and garden centres	D	0	3.10.4(14)	5000	--	6	3	6	12	25
(4)	Municipal facilities	P	0		--	--	6	3	6	--	--
(5)	Public works excluding sewage lagoons	P	0		--	--	6	3	6	--	--
(6)	Sand and gravel operations	D	0		5000	--	6	3	6	12	--
(7)	Sports fields, parks and golf courses	D	0	3.10.4(14)	5000	--	6	3	6	12	--
(8)	Telecommunication towers	D	0		--	--	6	3	6	15	--
(9)	Wind energy facilities (one turbine)	D	0	4.12.14	5000	--	6	3	6	12	--

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 Council; ; and which complies with the development standards contained in Section 6.11.5 and which complies with the development standards as required by Council and contained in this Bylaw.

Special limitations and standards regarding Table 6-12 and the FUD district:

- (1) where the site is serviced by a lane; otherwise 450
- (2) where the site is serviced by a lane; otherwise 15
- (3) except for corner sites, where it shall be 2.0 adjacent to a flanking street with a road right of way measuring less than 18 metres in width

7 MAPS

ZONING MAP:

