

# The Village of Edam

## Zoning Bylaw

BYLAW No. 02-17

# VILLAGE OF EDAM ZONING BYLAW

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## A BYLAW TO ADOPT A ZONING BYLAW

### BYLAW NO. 02-17

The Council of the Village of Edam, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- 1) Pursuant to sections 46 and 75 of the Planning and Development Act, 2007 the Council of the Village of Edam, hereby adopts a Zoning Bylaw, identified as Schedule "A" to this bylaw.
- 2) The Mayor and Municipal Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
- 3) Bylaw No. 2-86, the Zoning Bylaw, and all amendments thereto are hereby repealed.
- 4) This bylaw shall come into force and take effect upon final approval of the Minister of Government Relations.

Read a first time the 10 day of Feb, 2017.

Read a second time the 13 day of April, 2017.

Read a third time the 21 day of June, 2018.

Adoption of this Bylaw this 21 day of June, 2018.

(SEAL)

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Mayor

\_\_\_\_\_  
Administrator

**VILLAGE OF EDAM ZONING BYLAW**

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**VILLAGE OF EDAM**

**ZONING BYLAW**

**SCHEDULE 'A' to**

**BYLAW NO. 02-17**

VILLAGE OF EDAM ZONING BYLAW

**Table of Contents**

**Table of Contents .....4**

**List of Exhibits.....8**

**1. Introduction ..... 10**

1.1 Title..... 10  
1.2 Purpose .....10  
1.3 Scope ..... 10  
1.4 Severability..... 10  
1.5 Other Legislative and Bylaw Requirements.....10

**2. Interpretation..... 11**

**3. Administration ..... 29**

3.1 Development Officer .....29  
3.2 Application for a Development Permit.....29  
    3.2.1 Developments Not Requiring a Development Permit.....31  
    3.2.2 Effective Time Period for Development Permit Applications.....32  
    3.2.3 Buildings to be Moved .....32  
    3.2.4 Demolition of Buildings .....32  
3.3 Review of Applications .....32  
3.4 Discretionary Uses.....32  
    3.4.1 Discretionary Use Evaluation Criteria .....34  
3.5 Notice of Decision .....35  
    3.5.1 Revocation of Decision.....36  
3.6 Limitation on Discretionary Use Approvals.....36  
    3.6.1 Validity of Discretionary Use Approvals.....36  
    3.6.2 Time Limited Discretionary Uses .....36  
3.7 Development Appeals .....36

# VILLAGE OF EDAM ZONING BYLAW

---

3.7.1	Appointment of Board.....	36
3.7.2	Notice.....	37
3.7.3	Filing an Appeal.....	37
3.7.4	Powers of the Development Appeal Board.....	37
3.8	Fees and Advertising .....	37
3.8.1	Amending Planning Bylaws.....	37
3.8.2	Advertising Discretionary Use Applications .....	38
3.9	Minor Variances to the Zoning Bylaw.....	38
3.10	Enforcement, Offences and Penalties .....	40
3.11	Bylaw Compliance.....	40
3.12	Expired Approval .....	41

## **4. General Regulations..... 42**

4.1	Accessory Uses, Buildings, and Structures .....	42
4.1.1	Portable Garage and Shelter .....	42
4.1.2	Shipping Containers (Sea Cans) .....	42
4.1.3	Fences.....	43
4.1.4	Decks and Balconies .....	44
4.2	One Principal Building Permitted on a Site.....	44
4.3	Established Building Lines .....	44
4.3.1	Permitted Yard Encroachments .....	45
4.3.2	Sight Triangles .....	46
4.3.3	Multi-Parcel Sites.....	46
4.3.4	Metric Conversion .....	46
4.3.5	Geotechnical Analysis Required.....	47
4.4	Licences, Permits, and Compliance with Other Bylaws .....	47
4.4.1	Referral to Regional Health Authorities.....	47
4.5	Lawful Non-conforming Development.....	47
4.5.1	Buildings and Sites.....	47
4.5.2	Uses .....	47
4.6	Hazard Lands .....	48

# VILLAGE OF EDAM ZONING BYLAW

4.7	Bed and Breakfast Operations .....	49
4.8	Home Based Business.....	49
4.9	Campgrounds.....	50
4.10	Grading and Levelling of a Site .....	51
4.11	Landscaping.....	52
4.12	Transportation .....	53
4.12.1	Vehicle, Recreational Vehicles (RV's) and Boat Storage.....	53
4.12.1	Parking and Loading Regulations .....	53
4.12.2	Payment of Cash-in-Lieu of Required Parking .....	56
4.13	Public Utilities, Public Works and Facilities.....	56
4.13.1	Satellite Dish, Radio Tower or Television Antenna for Personal Use .....	56
4.13.2	Water Supply and Waste Disposal.....	57
4.13.3	Solid or Liquid Waste Facilities .....	57
4.13.4	Oil and Gas Development .....	57
4.14	Signs.....	57

## **5. Zoning Districts and Zoning District Map ..... 59**

5.1	Classification of Zoning Districts .....	59
5.2	The Zoning District Map.....	59
5.3	Boundaries of Zoning Districts.....	59
5.4	Zoning District Schedules .....	59

## **6. R1 – Residential 1 District ..... 61**

6.1	Purpose .....	61
6.2	Permitted Uses .....	61
6.3	Discretionary Uses.....	61
6.3.1	Discretionary Use Evaluation Criteria .....	62
6.4	Prohibited Uses.....	63
6.5	Regulations.....	65
6.6	Specific Development Standards Discretionary Uses .....	71

VILLAGE OF EDAM ZONING BYLAW

**7. R2 – Residential 2 District ..... 76**

7.1 Purpose .....76

7.2 Permitted Uses .....76

7.3 Discretionary Uses.....76

    7.3.1 Discretionary Use Evaluation Criteria .....77

7.4 Prohibited Uses.....79

7.5 Regulations .....79

7.6 Specific Development Standards for Discretionary Uses .....85

**8. MH – Mobile Home District..... 91**

8.1 Purpose .....91

8.2 Permitted Uses .....91

8.3 Discretionary Uses.....91

    8.3.1 Discretionary Use Evaluation Criteria .....91

8.4 Prohibited Uses.....92

8.5 Regulations .....92

8.6 Specific Development Standards for Discretionary Uses .....98

**9. C1 – Commercial Core District..... 101**

9.1 Purpose ..... 101

9.2 Permitted Uses ..... 101

9.3 Discretionary Uses..... 102

    9.3.1 Discretionary Use Evaluation Criteria ..... 102

9.4 Prohibited Uses..... 103

9.5 Regulations ..... 103

9.6 Specific Development Standards for Discretionary Uses ..... 108

**10. C2 – Highway Commercial District ..... 112**

10.1 Purpose ..... 112

10.2 Permitted Uses ..... 112

# VILLAGE OF EDAM ZONING BYLAW

---

10.3	Discretionary Uses.....	112
10.3.1	Discretionary Use Evaluation Criteria .....	113
10.4	Prohibited Uses.....	114
10.5	Regulations .....	114
10.6	Specific Development Standards for Discretionary Uses .....	118

## **11. M – Industrial District.....122**

11.1	Purpose .....	122
11.2	Permitted Uses .....	122
11.3	Discretionary Uses.....	122
11.3.1	Discretionary Use Evaluation Criteria .....	123
11.4	Prohibited Uses.....	123
11.5	Regulations .....	124
11.6	Specific Development Standards for Discretionary Uses .....	127

## **12. UH – Urban Holdings District .....129**

12.1	Purpose .....	129
12.2	Permitted Uses .....	129
12.3	Discretionary Uses.....	129
12.3.1	Discretionary Use Evaluation Criteria .....	129
12.4	Prohibited Uses.....	130
12.5	Regulations .....	130
12.6	Specific Development for Discretionary Uses .....	133

## **13. Edam Zoning District Map.....134**

---

### **List of Exhibits**

Exhibit 1: 1:500 Flood Hazard Elevation.....	11
--	----



# VILLAGE OF EDAM ZONING BYLAW

---

Exhibit 2: Discretionary Use Evaluation Criteria .....	34
Exhibit 3: Portable Garage and Shelter Size .....	42
Exhibit 4: Parking Schedule .....	54
Exhibit 5: Loading Space Schedule.....	55
Exhibit 6: Zoning Districts .....	59
Exhibit 7: Minimum R1 – Residential Site Location and Dimensions.....	65
Exhibit 8: Minimum R1 – Residential Required Yard Dimensions .....	65
Exhibit 9: Garden and Garden Suite Requirements in a R1 - Residential District.....	71
Exhibit 10: Minimum R2 – Residential Site Location and Dimensions .....	79
Exhibit 11: Minimum R2 – Residential Required Yard Dimensions.....	79
Exhibit 12: Garage and Garden Suite Requirements in a R2 - Residential District.....	86
Exhibit 13: MH – Mobile Home District Site Requirements.....	92
Exhibit 14: MH – Mobile Home District Minimum Yard Requirements.....	93
Exhibit 15: C1 – Commercial Core Site Location and Dimensions .....	103
Exhibit 16: C1 - Commercial Core Required Yard Dimensions .....	104
Exhibit 17: Mixed-Use or Garage and Garden Suite Requirements in a C1 - Commercial Core District .....	109
Exhibit 18: C2 - Highway Commercial Site Location and Dimensions .....	114
Exhibit 19: C2 - Highway Commercial Required Yard Dimensions.....	114
Exhibit 20: Mixed-Use Suite Requirements in a C2 – Highway Commercial District.....	120
Exhibit 21: M - Industrial Site Location and Dimensions.....	124
Exhibit 22: M - Industrial Required Yard Dimensions .....	124
Exhibit 23: UH - Urban Holdings Site Location and Dimensions .....	130
Exhibit 24: UH - Urban Holdings Required Yard Dimensions.....	131

# VILLAGE OF EDAM ZONING BYLAW

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## **1. Introduction**

Under the authority provided by the Planning and Development Act (the Act), 2007, the Council of the Village of Edam, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

### **1.1 Title**

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Village of Edam.

### **1.2 Purpose**

This bylaw has been created to regulate development in the Village of Edam in order to provide for the amenity of the area as well as for the health, safety and welfare of the inhabitants of the Village.

### **1.3 Scope**

All development hereafter shall be permitted within the limits of the Village of Edam only when in conformity with the provisions of this bylaw.

### **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, the same shall not affect the validity of the Bylaw in whole or in part, other than the section, clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

### **1.5 Other Legislative and Bylaw Requirements**

Nothing in this bylaw affects the duty or obligation of a person to obtain a Development Permit, or to obtain any other permit, licence or other authorization required by any bylaw, or Act, or any regulation pursuant to those Acts.

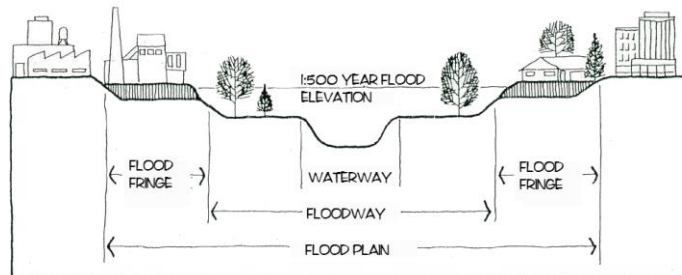
# VILLAGE OF EDAM ZONING BYLAW

## 2. Interpretation

Wherever the following words or terms are used in this Bylaw, they shall, unless the context provides otherwise, have the following meaning:

**1:500 Flood Hazard Elevation** – an overflowing of a large amount of water beyond its normal confines, with a probability of a 1/500, or 0.2% chance of happening in any given year.

**Exhibit 1: 1:500 Flood Hazard Elevation**



**Abattoir (Slaughterhouse)** – a building used for butchering. The abattoir houses facilities to slaughter animals; dress, cut and inspect meats; and refrigerate, cure, and manufacture by-products.

**Above Ground Fuel Storage Tanks** – a storage tank, any portion of which is above grade and containing fuel including but not limited to: gasoline, diesel fuel, propane or other fuel for retail sale.

**Accessory Building or Use** – a use or building that:

- a) Is subordinate to and is exclusively devoted to 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.
- d) Is located on the same site as the principal building or principal use served.
- e) May include additional sleeping accommodations and washroom facilities, however it shall not include kitchen facilities.

**Act, The** -The Planning and Development Act, 2007, as amended.

**Adjacent** – contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

**Administrator** – the Administrator of the Village of Edam.

**Agricultural** – a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing,

## VILLAGE OF EDAM ZONING BYLAW

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treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural activity.

### **Agriculturally related commercial and industrial uses:**

- a) Grain and seed storage.
- b) Fertilizing mixing sales.
- c) Livestock and poultry breeding services.
- d) Abattoirs.
- e) Other agriculturally related services.

**Alteration** – any structural change or addition made to any building or structure. This includes any structural change including but not limited to an addition to the area or height of a building, any changes to the structure or supports of a building, or the addition or expansion of a deck raised more than 16 inches above grade.

**Animal Shelter** – a building that may include indoor facilities used for the temporary accommodation of impoundment animals.

**Apartment** – a building divided into three (3) or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel, motel, townhouse or rooming house.

**Apartment House** – a building divided into three (3) or more dwelling units, as herein defined, with shared main entrances and other essential facilities and services.

**Applicant** – a developer or person applying for a development permit under this bylaw.

**Approved** – the approval of the Council of the Village of Edam or the Development Officer of the Village depending on the nature of the application in question.

**Aquifer** – a subterranean body of water; which may be naturally confined or unconfined.

**Assisted Living Care Facility** – any facility meant to house people for any variety of reasons who may need some level of appropriate assistance in their day to day lives. This facility may be run privately, by the Village, by some government or municipal body or through a non-profit corporation.

**Auction Mart** – a building, structure and/or lands used for the storage of goods, materials and any other items, including produce and livestock, which are to be sold on the premises by public auction and for the sale of said goods, materials and livestock by public auction on an occasional basis.

**Auto Wrecker** – an area where motor vehicles are disassembled, dismantled or junked, or where un-operable vehicles are stored for future servicing, scrap metal, parts or any other reason.

**Awning** – a canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

## VILLAGE OF EDAM ZONING BYLAW

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**Balcony** – a platform projecting from the face of a wall, cantilevered or supported by columns or brackets, typically at least 2.4 metres (8.0 feet) above ground level.

**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 in The Condominium Property Act, 1993.

**Basement** – a portion of a building that is partly or wholly underground and which has more than one (1) half of its height, from finished floor to finished ceiling, below grade level.

**Basement Suite** – a suite within the basement of a single-detached dwelling that has a legal bedroom with the appropriate windows as well as cooking and toilet facilities.

**Bed-and-Breakfast Operation** – a bed-and-breakfast facility in a single detached dwelling, licensed as an itinerant use accommodation under The Public Accommodation Regulations, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

**Beverage Room** – an establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is accessory to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.

**Billboard** – a private free standing sign advertising for, or referring to, a site or service not located on the same site as the sign itself.

**Buffer** – a strip of land, vegetation or land use that physically separates.

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

**Building Bylaw** – a bylaw of the Village of Edam regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to The Uniform Building and Accessibility Standards Act.

**Building Floor Area** – the sum of the gross horizontal area of all floors of a building excluding the floor area used for mechanical equipment, laundry, storage (not including closets for clothes, linen closets, broom cupboards or kitchen and bathroom cupboards which shall count towards the Building Floor Area) or enclosed underground parking facilities. All dimensions shall be measured between exterior faces of walls or supporting columns separating two buildings. Floor area is calculated by excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

**Building Height** – the vertical distance of a building measured from grade level to the highest point of the roof.

## VILLAGE OF EDAM ZONING BYLAW

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**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 Line, Front** – 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 Line, Rear** – 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 Line, Side** – 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.

**Building Permit** - a permit, issued under the Building Bylaw of the Village of Edam, authorizing the construction of all or part of a building or structure.

**Building, Principal** - a building within which the principal use of the site is housed or conducted.

**Bulk Fuel Sales and Storage** – lands, buildings and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

**Bunkhouses** – buildings and structures that are secondary to the principal or discretionary use and which will permit overnight accommodations, but such structures shall not contain kitchen facilities. Shall not be construed, in any way, as consent or approval for a future subdivision for the use.

**Campground** – an area meant to be used for a variety of overnight camping activities including tenting and trailer sites that will include accessory facilities which will support these use, such as bathrooms, administration offices and a range of services that, in Council's opinion, are necessary for the Campground. This will not include the use of mobile homes on a permanent year-round basis.

**Campsite** – a designated and delineated area within a campground that is intended to accommodate a single tent, tent party or trailer coach.

**Canopy** – a non-retractable, permanent roof-like structure constructed of durable material extending from part or all of a building.

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

**Car Wash** – a building or part of a building which is used for the commercial washing and cleaning of motor vehicles, including full-service, automatic and hand operated facilities.

**Cemetery** – land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried. "Cemetery" may include a structure and/or facilities for the purpose of the cremation of human remains and their storage.

# VILLAGE OF EDAM ZONING BYLAW

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**Club** - a service club or private club which involves recreational, social, cultural or athletic activities.

**Commercial Entertainment Establishment** – a recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alley, theatre, billiard parlour, and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).

**Common Wall** – a vertical wall without an opening separating two dwelling units between the top of the footings and 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 facility operated by the Municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

**Compatible** – with respect to land use, that land uses are able to coexist near each other without conflict or are consistent and capable of being used in combination with each other.

**Condominium** – a multiple unit dwelling that is registered by a condominium plan.

**Convenience Center** – a building of less than 1000 meters in ground floor area where multiple sales, service and retail businesses may be located.

**Convenience Store** – a store selling primarily food products, beverages, tobacco, personal care items, hardware and printed matter meant to provide convenient day-to-day service for those from the community.

**Corner lot** – a lot at the intersection or junction of two (2) or more streets.

**Council** – the Council of the Village of Edam.

**Cultural Resource** – a resource such as a building, monument, space, site or other feature that helps to provide a connection between culture and the community.

**Day Care Centre** – a facility which provides for the non-parental care of pre-school age children or school aged children outside of normal school hours, and includes, but is not limited to:

- a) A child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to The Child Care Act.
- b) A nursery school for pre-school children.

**Deck/Porch** – a raised open platform, with or without railings, which is at least 40 centimetres (16 inches) above grade and attached to the principal building.

**Dedicated Lands** – lands dedicated pursuant to the Act, 2007 and the Dedicated Lands Regulations, 2009, as buffer strips, environmental reserve, municipal reserve, public reserve, and walkways.

**Development** – the carrying out of any building, engineering, mining or other operations, in, on, or over

# VILLAGE OF EDAM ZONING BYLAW

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land, or the making of any material change in the use of any building or land.

**Development Appeals Board** – a board established pursuant to section 49 of the Act, which may be a Zoning District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3) of the Act.

**Development Officer** – the officer of the Village of Edam appointed pursuant to section 3.1 – Development Officer to administer this Bylaw.

**Development Permit** – a permit, issued by the Council of the Village of Edam or its designate that authorizes development but does not include a building permit.

**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.

**Driveway** – a private right-of-way that provides access for vehicles and pedestrians from a boulevard, curb, or sidewalk to a lot or a carport, garage, parking pad, loading berth, or structure located on the lot.

**Dwelling Unit** – one (1) or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

**Dwelling Unit Group** – two (2) or more single detached or semi-detached or multiple unit dwellings located on a single site.

**Dwelling, Duplex** – a building that is divided into two (2) dwelling units with separate entrances and separated by a party wall.

**Dwelling, High Density** – any building containing four (4) or more dwelling units with separate entrances.

**Dwelling, Multiple Unit** – a building divided into three (3) or more dwelling units as defined here and shall include, amongst others, town or row houses and apartments as distinct from a rooming house, hotel or motel.

**Dwelling, Row House** – a building with three (3) or more dwelling units side by side with common party walls which separate, without opening, each dwelling unit throughout the entire structure, with each dwelling having frontage onto the front street. Where permitted in the Zoning Bylaw, a row house may be subdivided into the separate dwelling units along the party walls.

**Dwelling, Semi-Detached** – a two (2) dwelling units side by side in one (1) building unit with a common party wall which separates, without opening the two (2) dwelling units throughout the entire structure.

**Dwelling, Single Detached** – a detached building consisting of one (1) dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including an RTM when



## VILLAGE OF EDAM ZONING BYLAW

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attached to its foundation on the site, but not including a mobile or modular home as defined. It may include a basement suite.

**Dwelling, Townhouse** – a dwelling unit on its own site, attached to two (2) or more other dwelling units, each on their own sites, with a common wall dividing the dwelling units through at least 40% of the depth of the entire structure.

**Elevation** – the height of a point on the Earth's surface above sea level.

**Environmental Reserve** – lands that have been dedicated to the Municipality by developers through the subdivision approval process. Environmental Reserve land is land considered to be undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, lands subject to flooding, lands considered to be unstable or unsafe to develop for any other reason. Environmental reserve may also be a strip of land, not less than 6 metres (19.69 feet) in width, abutting the bed and shore of any lake, river, stream or any other body of water for the purpose of preventing pollution or providing access to the bed and shore of the water body.

**Existing** – anything in place, or taking place, on the date of adoption of this bylaw.

**Farm Animals** – Shall be considered cattle, horses, native ungulates, cervids, pigs, sheep, goats, chickens, and similar types of animals.

**Fence** – a constructed barrier erected to separate, enclose, screen or divide areas of land.

**Flood plain** – the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

**Flood proofed** – a measure, or combination of structural and non-structural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

**Flood way** – the portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

**Flood fringe** – the portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.

**Frontage** – the length of the site line front, the site line abutting the street providing access. In the case of a corner lot the shorter side shall be considered the front. Where a pie shaped or non-rectangular lot is involved, the average width of the lot may be considered as the value for calculating the minimum frontage requirement of the lot as long as one (1) additional off-street parking spot has been provided.

**Garden Suite** – a dwelling unit attached to an accessory building, which is located on the same site as a principal residential use building meant to provide accommodation for personal use or rent, and may include kitchen facilities. This accessory structure is located at grade.

## VILLAGE OF EDAM ZONING BYLAW

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**Garage, Private** – a building or part of a building or a carport used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory.

**Garage Suite** – a dwelling unit attached to an accessory building that is located on the same site as an existing principal dwelling unit to provide additional accommodations for personal use or rent, and may include kitchen facilities. This accessory structure is not located at grade.

**Garage, Public** – a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where vehicles are kept for remuneration, hire, sale or display.

**Gas Bar** – a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

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

**Greenhouse** – a building or structure with glass or transparent walls (plastic or other materials) for exhibition or cultivation of plants in a controlled environment. Can be used for residential and commercial purposes.

**Gross Floor Area** – the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

**Hazard Lands or Undevelopable Lands** – land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

**Hazardous Material** – any material, product, substance, organism, gas, liquid or anything else which because of its quantity, concentration, location risk of spill, chemical or infectious characteristics, carcinogenic or mutagenic properties, is a potential or current threat to the physical environment, human health, living organisms, water supplies or other resources, 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.

## VILLAGE OF EDAM ZONING BYLAW

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- f) Oxidizing substances; organic peroxides.
- g) Poisonous (toxic) and infectious substances.
- h) Radioactive materials.
- i) Waste dangerous materials.
- j) Any other environmentally hazardous substance.

**Health Care Clinic** – a facility or institution for the provision of health care services, maintenance, diagnosis or treatment of human pain, injury or other physical conditions on an out-patient basis.

**Heritage Property or Site** – any property or site that is designated by the Village, the Provincial Government or the Federal Government as being a site that should be protected and preserved to protect heritage resources of the Village.

**Heritage Resources:**

- a) Archaeological and paleontological objects.
- b) Any property or site of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value.

Heritage resources include built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

**Home Based Business** – a business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly accessory and secondary to the residential use and does not change the character of the dwelling.

**Home, Assisted Living** – a residential facility for adults over the age of 65 that can live independently, but may require regular visits from health professionals or additional assistance.

**Home, Community Residential** - a residential facility, licensed under The Corrections and Conditional Release Act or The Correctional Services Act for offenders who are reintegrating into the community after having been sentenced to a term of incarceration, and are now serving a portion of their sentence while reintegrating under supervision into the community. It may also include rehabilitation facilities for the accommodation and supervision or treatment of persons who are receiving supervision or treatment for alcohol or other drug addictions. It may also include homes approved under The Mental Health Services Act. This typically includes:

- a) Halfway house.
- b) Community training residence.
- c) Adult custodial care facility.
- d) Mental health center, psychiatric ward, treatment of mental disorders.

**Home, Child Care** – a child care facility located in a building where the principal use is a dwelling unit, and

# VILLAGE OF EDAM ZONING BYLAW

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which is licensed by the Province of Saskatchewan pursuant to The Child Care Act.

**Home, Group** – a supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.

**Home, Personal Care** - a care home outside of the publicly funded system, licensed under The Personal Care Home Act that provides adults with an assessed need accommodation, meals, and guidance or assistance with personal care. This may include: eating, bathing, dressing, grooming, taking oral medications, using the washroom, mobility and participating in social and recreational activities.

**Home, Residential Service** - a facility which provides lodging, supervision, personal care or individual programming in family-like setting, licensed under The Residential Services Act, who:

- a) By reason of need, age or disability or for any other reason are unable to fully care for themselves.
- b) Require safe shelter and counseling appropriate to their circumstances.
- c) It may include:
  - i. Maternity home, which provides lodging and pre-natal and post -natal care to women;
  - ii. Transition house, which provides safe shelter and counseling to families in crisis; and
  - iii. Custodial residence of young offender.

**Home, Special-Care** - a home or facility, licensed under The Housing and Special-care Homes Act, used for the purpose of providing supervisory, personal or constant nursing care for persons who:

- a) Are unable to fully care for themselves and who require prolonged care.
- b) Are not related by blood or marriage to the person conducting or operating the home or facility.

Residents include the elderly and younger adults with physical or mental disabilities and individuals with advanced age or low mobility. Residents may also receive physical, occupational, and other rehabilitative therapies following an accident or illness. Special-care homes may also provide support to family care providers through respite care and adult day programs.

**Hotel** – buildings or structures used or advertised as a place where sleeping accommodations are provided in whole or part, and may include accessory uses.

**Integrated Resource Management** – the process of taking into account numerous resources when managing an area as they are inter-related to ensure that changes in the management of a single resource will not have an unintended negative effect on another.

**Intersection** – any place where two or more streets meet or cross at grade.

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

## VILLAGE OF EDAM ZONING BYLAW

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**Landfill** – a sight designed specifically to store and/or process solid waste on land in a way that protects and respects the health of residents and the environment in the surrounding area.

**Lane** – a secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

**Legal Access** – a lot or parcel that is adjacent to a municipally maintained all-weather road, and meets the frontage requirements of the appropriate zoning district where it is located.

**Lot** – a parcel or contiguous parcels of land in one ownership as defined in the Lands Titles Act, 2000.

**Lot Coverage** – the percentage of the lot covered by building, such as principal and accessory use buildings as outlined in this bylaw.

**Lot Line, Front** – the property line that divides the lot from the street, in the case of a corner lot the line separating the narrowest street frontage on the lot from the street.

**Lot Line, Rear** – the line at the rear of the lot opposite the front lot line.

**Lot Line, Side** – a lot line which is neither the front or rear lot line.

**Mayor** – the Mayor of the Village of Edam.

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

**Mini Mall** – a structure, including a strip mall, in which a minimum of two of the permitted and discretionary uses of the zoning District are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,000 sq. m.

**Minimum Separation Distance** – the minimum distance certain developments must be set back from other uses due to their nature to disqualify future development or injuriously affect the existing development.

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

**Mobile Home** – a trailer coach:

- a) That is used as a dwelling for permanent or year round living.
- b) That has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system.
- c) Certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-

# VILLAGE OF EDAM ZONING BYLAW

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Z240 series standards.

d) That is properly skirted and attached to a permanent foundation.

**Mobile Home Site** – a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

**Mobile Home Court** – any site on which two or more occupied mobile homes are located but does not include an industrial or construction camp or campsite.

**Modular Home** – a factory built home that is manufactured as a whole or modular unit and is designed to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

**Modular Home, Single Wide** – a modular home that is less than 5 metres (16.40 feet) in width.

**Modular Home, Double Wide** – a modular home that is greater than 8 metres (26.25 feet) in width.

**Modular Unit** – a factory built frame or shell which is comprised of supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a section of a dwelling and has neither chassis, running-gear or its own wheels.

**Motel** – a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

**Move-in Residential Building** – a single detached dwelling constructed off site which is being relocated to a new site in the municipality. A move-in residential building has been used previously as a residential building.

**Municipal Facility** – any structures or land owned and/or maintained by the municipality that are used for:

- a) Office and meeting space.
- b) Storage of municipal equipment and supplies.
- c) Recreation.
- d) Other institutional purposes.

**Municipality** – the Village of Edam unless explicitly stated otherwise.

**Non-Conforming Building** – a building:

# VILLAGE OF EDAM ZONING BYLAW

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

**Non-Conforming Site** – a site, consisting of one or more contiguous parcels that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

**Non-Conforming Use** – a lawful specific use:

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

**Official Community Plan (OCP)** – the Official Community Plan for the Village of Edam.

**Overhang, Roof** – the distance past the base of the wall of a building, over which the roof extends.

**Parking Lot** – an area other than a street or alleyway, used for the temporary parking of more than four (4) vehicles and is available for public use and the use of employees working on, or from the site.

**Parking, Off-street** – a building, structure or space for the storage of motor vehicles off of public streets or lanes but completely contained within the boundaries of the lot.

**Parking Space** – a space within a building or parking lot used for the parking of a single (1) vehicle.

**Permanent Foundation** – a foundation built up to the Canadian Standards Association Code CSA-Z240 series standards. The lower portion of a building, usually concrete, masonry or an engineered wood basement which renders the structure fixed, secure and immobile.

**Permitted Use** – a use permitted by the Village in a certain zoning district as long as all other bylaw and regulation requirements are met.

**Personal Service Establishment** – a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, Laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

**Planning document** – any Official Community Plan, a plan prepared for a planning district pursuant to

# VILLAGE OF EDAM ZONING BYLAW

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section 102 of the Act, a Zoning Bylaw, a Subdivision Bylaw and any appendices forming part of the plan or bylaw.

**Planning decisions** – any decision of a municipal council, district planning commission, district planning authority, development appeals board or the Saskatchewan Municipal Board made pursuant to an authority under the Act.

**Porch/Deck** – see Deck/Porch.

**Principal Building, Structure or Use** – the main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**Public Works** – a system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality:

- 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.
- d) Facilities for the collection, treatment, movement or disposal of sewage and garbage.
- e) Telephone or light distribution lines;
- f) Microwave and cell phone tower communication facilities.
- g) Facilities for optical cable, or cable television services.

**Radio and Television Communication Structure** – a structure or structures used for receiving and broadcasting radio or television signals.

**Ready-to-Move (RTM) Dwelling** – a new single detached dwelling constructed off site to National Building Code or CSA A277 standards to be moved onto a new permanent residential site building foundation.

**Recreational Facility, Public** – a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public.

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

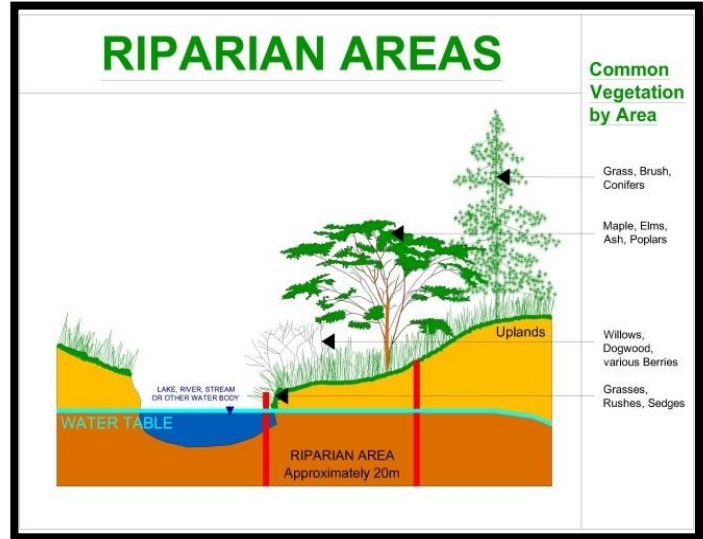
**Restaurant** – a commercial establishment where the primary products sold are food and beverages prepared and served to customers on site at tables or chairs or off-site, as in the case of take out and drive-thru's.



# VILLAGE OF EDAM ZONING BYLAW

**Retail Store** – an establishment or establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

**Riparian Area** – the areas along the edges of water bodies and waterways such as streams, rivers and lakes that act as important natural bio-filters that protect water bodies and water resources such as groundwater from excessive sedimentation, pollutants in surface water runoff and erosion. These areas and the vegetation within them are instrumental in water quality management and protection and need to be protected. The area that they cover can vary depending on the area where they are located but it will be assumed to be the first 20 metres (65.61 feet) unless evidence to the contrary is provided by what Council determines to be a qualified professional.



**Rooming House** – a building containing more than one rooming unit.

**Rooming Unit** – a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw with sleeping facilities but without private toilet facilities.

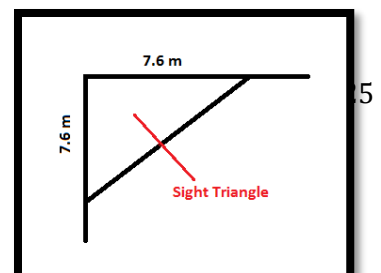
**Rural Municipality** – a rural municipality within the meaning of The Municipalities Act, 2006.

**Service Station** – a building which is a principal use on a site or a structure which is an accessory use in a clearly defined space on a site where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle. Where the service station is a principal use on the site, it may also include the servicing and repairing of motor vehicles.

**Servicing Agreement** – the legal agreement between the Municipality and a person, persons or group which specifies all the obligations, terms and conditions for the approval of a development pursuant to section 172 of The Planning and Development Act, 2007.

**Shipping Container** – a durable metal container typically used for shipping goods long distances. It is commonly used as a storage structure. Also known as a Sea Can.

**Sight Triangle, Driveway** – the area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the



## VILLAGE OF EDAM ZONING BYLAW

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driveway within the property to a similar point along the property line 3 m away from the driveway.

**Sight Triangle** – the triangular area formed, on a corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distanced along said site lines.

**Sign** – any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

**Sign, A-Board** – an A-shaped portable sign that is used for temporary placement and has no external supporting structure.

**Sign, Awning** – a non-illuminated sign painted or affixed to the surface of an awning which does not extend beyond the perimeter of the awning.

**Sign, Billboard** – a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the site on which the sign is located.

**Sign, Canopy** – a sign attached to, or painted on an awning, canopy or free-standing canopy.

**Sign, Construction** – a temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.

**Sign, Converted Vehicle and Trailer** – a vehicle or trailer not originally designed as a sign, but which has been converted or used for that purposes.

**Sign, Directional** – any sign:

- a) Displaying safety or warning messages.
- b) Directing traffic or providing parking directions.
- c) Giving instructions, directions or orders to persons making use of premises.

**Sign, Face** – the entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area.

**Sign, Facial Area** – the entire surface area of a sign or in the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.

**Sign, Free-Standing** – a sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.

**Sign, Identification** – a sign which is limited to the name, address and number of a building, institution or

## VILLAGE OF EDAM ZONING BYLAW

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person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

**Sign, Portable** – a free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purposes.

**Sign, Real Estate** – a temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.

**Sign, Temporary** – a sign advertising a message applicable for a defined period of time and not exceeding six (6) months.

**Sign, Wall** – a sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 ft.) from such building or structure.

**Site** – one (1) or more contiguous surface parcels as defined under The Land Titles Act, 2000, and used as a unit for the purpose of regulation under this Zoning Bylaw.

**Site Line, Front** – the boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

**Site Line, Rear** – the boundary at the rear of the site and opposite the front site line.

**Site Line, Side** – a site boundary other than a front or rear site line.

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

**Structural Alteration** – the construction or reconstruction of supporting elements of a building.

**Structure** – anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.

**Structure, Temporary** – anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be related or moved and is not of a permanent nature.

**Structure, Temporary Storage** – any development without a permanent foundation that is used for storage of products and is not considered part of the principal building. A few examples are canvas garages without a permanent foundation and oil sheds.

**Sustainable** – meeting present needs without compromising the ability of future generations to meet their needs.

**Townhouse** – a multiple unit dwelling under one roof in which each unit has its own entrance to the

## VILLAGE OF EDAM ZONING BYLAW

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outside and each unit is separated from other units by a common wall which has no openings.

**Units of measure** – units of measure in this Bylaw are metric abbreviated as follows:

ft. - feet  
ft<sup>2</sup> - square feet  
m - metre(s)  
m<sup>2</sup> - square metre(s)  
km - kilometres  
ha - hectare(s).

**Village** – the Village of Edam unless clearly stated otherwise. Any issue of interpretation of whether Village refers to the Village of Edam shall be decided by the Development Officer.

**Yard** – any part of a site unoccupied and unobstructed by any principal building or structure.

**Yard, Front** – a yard extending across the full width of a site between the front site line and the nearest main wall of the principal building.

**Yard, Rear** – a yard extending across the full width of the site between the rear site line and the nearest main wall of the principal building or structure on the site.

**Yard, Side** – a yard extending from the front yard to the rear yard between the side site line and nearest main wall of the principal building or structure on the site.

**Zoning District** – a specifically marked area of the municipality that is subject to a corresponding set of development rules and policies contained within the Zoning Bylaw and Official Community Plan.

# VILLAGE OF EDAM ZONING BYLAW

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## **3. Administration**

### **3.1 Development Officer**

- 1) The Administrator of the Village of Edam, including any person acting under the authority, direction, and with the consent of the Administrator, shall be the Development Officer responsible for the administration of this Zoning Bylaw.

### **3.2 Application for a Development Permit**

- 1) No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in section 3.2.1- Developments Not Requiring a Development Permit.
- 2) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- 3) A building permit shall not be issued unless a development permit, where required, has also been issued.
- 4) If the development or use authorized by a development permit is not commenced within six (6) months from the date of issue of a permit, and completed within twelve (12) months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.
- 5) The application for a development permit shall be made to the Development Officer in "Form A" as adopted or amended by resolution of Council. The application shall be accompanied by a site plan and two (2) copies of a building plan showing dimensions and locations of existing and proposed buildings and structures as well as site lines.
  - a) Where no new construction is proposed, such as a change of intensity of use, the applicant shall supply a written description of the proposed development in place of such plans.
  - b) Site and building plans shall show the location and elevation of water and sewer hookup into individual structures.
- 6) Where the application is for a discretionary use the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.
- 7) In the case of any Ready-to-Move (RTM) homes, buildings constructed off-site, Mobile Homes or any building moved into the municipality the applicant will be required to provide the Village Administration and Council with current photos of all four (4) sides of the building (four (4) photos minimum providing what could reasonably be considered the North, South, East and West elevations) as it will sit on the site.

## VILLAGE OF EDAM ZONING BYLAW

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- 8) Council may require the submission of a letter of credit, performance bond, servicing agreement, or any other form of assurance to ensure that the development is constructed and completed in accordance with the development standards and regulations set forth within this Bylaw.
- a) All agreements for letter of credits, performance bonds, and servicing agreements shall individually stipulate procedures for the release or completion of the agreement that will be mutually agreed upon between the municipality and the developer(s).
- 9) Any Development Permit Application will be required to contain:
- a) All the requirements listed within this section.
- b) Two (2) sets of building plans.
- i. Plans shall include location and elevation of water and sewer hookup within structures.
- ii. Existing structures shall include photos of all exterior sides of the building with application.
- c) Site Plans as mentioned in section 3.3(1) which shall contain:
- i. The proposed use of land and any buildings or parts of buildings on the site;
- ii. A north arrow;
- iii. The property lines and setbacks from the proposed development to the property lines;
- iv. The area of the parcel;
- v. The street frontage of the lot; and,
- vi. The off-street parking provided on the lot.
- 10) The Development Officer retains the right to ask for any studies or research they believe is necessary for making a decision on a development permit, at the cost of the applicant, before rendering a decision. Such inclusion may contain:
- a) Major drainage paths for water travelling over the lot.
- b) Easements on the site.
- c) Fencing, screening and garbage storage areas.
- d) The proposed location, size and elevation of the sewer and water connections.
- e) A site plan done by a Saskatchewan Land Surveyor (SLS).
- f) Any and all photos or pictures required by this Zoning Bylaw as listed in section 3.2 – Application for a Development Permit.

## VILLAGE OF EDAM ZONING BYLAW

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### 3.2.1 Developments Not Requiring a Development Permit

- 1) A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed for:
  - a) The maintenance of a public work by the Village or a public utility.
  - b) The construction of a public work by the Village.
  - c) The installation of public work on any street or other public right-of-way by the Village.
  - d) A village facility installed and operated by the Village.
  - e) Maintenance and repairs that do not include structural alterations.
  - f) Accessory buildings under 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) subject to all height restrictions of the zoning district.
  - g) In a Residential Zoning District only:
    - i. The erection of any fence, wall, gate, television antennae, or radio antennae (height restrictions still apply).
    - ii. Temporary signs.
  - h) In a Commercial or Industrial District only:
    - i. The erection of any fence or gate not adjacent to a provincial highway, residence or community service building.
    - ii. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.
    - iii. Temporary signs.
- 2) Official temporary uses includes the use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.
- 3) Internal Alterations:
  - a) Residential buildings providing that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site.
  - b) All other buildings and maintenance, including mechanical or electrical work, provided that the use, or intensity of use of the building does not change.
- 4) Landscaping typically includes landscaped areas, driveways and parking lots, providing the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted or changed in any

# VILLAGE OF EDAM ZONING BYLAW

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way.

- 5) Road projects of the Saskatchewan Department of Highways.

## **3.2.2 Effective Time Period for Development Permit Applications**

- 1) A development permit shall be valid for six months from the date of its issuance by may be re-issued for additional six-month periods.

## **3.2.3 Buildings to be Moved**

- 1) No building shall be moved within or into the Village of Edam without the issuance of a development permit, unless it is exempt under section 3.2.1 – Developments Not Requiring a Development Permit.

## **3.2.4 Demolition of Buildings**

- 1) No building shall be demolished within the Village of Edam without the issuance of a Demolition Permit, unless it is exempt from requiring any permit as listed within section 3.2.1 – Developments Not Requiring a Development Permit.

## **3.3 Review of Applications**

- 1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this Bylaw and the policies contained in the OCP.
- 2) The Development Officer may submit any application to Council for a decision on the interpretation of the Bylaw, the need for a Real Surveyor’s Report, or on special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide what Council or the Administrator considers to be necessary information before they render a decision.

## **3.4 Discretionary Uses**

- 1) This section addresses special provisions and specific development standards that apply to discretionary developments outlined within this Zoning Bylaw.
- 2) In approving any discretionary use and 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 properties.
  - c) Access to, number, and location of parking and loading facilities.



## VILLAGE OF EDAM ZONING BYLAW

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- d) Appropriate space for vehicle line ups for drive-thru commercial facilities to mitigate disruption of traffic flows on adjacent roadways.
  - e) Control of noise, glare, dust and odour.
  - f) Landscaping, screening and fencing to buffer or adequately screen for the public and adjacent properties.
  - g) Additional information or studies completed by any qualified professionals to make an informed decision.
- 3) No discretionary use application may disqualify areas for future zoning district uses that are marked on the Future Land Use Maps in the OCP of the Village of Edam.
  - 4) No discretionary use shall change the character of the neighbourhood in an unreasonably negative way.
  - 5) Developers may be required to provide additional parking if Council believes they will cause traffic congestion or lack of on-street parking in the neighbourhood.
  - 6) Developers may be required to agree to restrictions regarding hours of operation as a condition of approval.
  - 7) Developers may only be permitted a temporary 1-year development permit to allow Council to assess whether the development is appropriate for a residential area.
  - 8) The subdivision, development, or implementation of any plan within the Village of Edam is subject to the policies contained in the OCP, Zoning Bylaw, and all development review criteria.
  - 9) Council may designate discretionary uses in any zoning district where, in Council's opinion, the type of development may have one (1) or more features or potential effects that warrant proposal-specific review in terms of the considerations listed in subsection 3.4.1 – Discretionary Use Evaluation Criteria below.
  - 10) Discretionary uses typically have features or effects that warrant Council's consideration to determine if:
    - a) The proposed development is suitable as proposed.
    - b) Specific development standards by means of a development agreement should be applied.
    - c) The proposed development should not be approved.
  - 11) Discretionary uses, forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the zoning district in which they are located.

# VILLAGE OF EDAM ZONING BYLAW

- 12) The Development Officer shall prepare a report for Council concerning the application which may contain recommendations, including recommended conditions of approval to be applied in accordance with the Act, the OCP, or this Bylaw.
- 13) Where, in Council's opinion, there is a need to consider the effects of a development further in the future with the benefit of direct observation of its features and effects in the approved location and setting, or where Council believes there is potential for changes in the vicinity of the development that may alter its fit, Council may approve the development for a specified length of time.
- 14) Where, in Council's opinion, the proposed development has one (1) or more features or effects that warrant the application of specific development standards to achieve the fit Council desires, these standards shall be identified as conditions of approval, and may include a development agreement.

## 3.4.1 Discretionary Use Evaluation Criteria

- 1) Council may approve the application, reject the application, or approve the application with conditions, including a condition limiting the length of time that the use may be conducted on the site in order to secure the objectives of the OCP or Zoning Bylaw, with respect to:
- a) The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings.
  - b) The accessibility and traffic patterns for persons and vehicles, the type and volume of that traffic and the adequacy of proposed off-street parking and loading.
  - c) The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust, and odour.
  - d) Any treatment given, as determined by the Council, to aspects including landscaping, screening, open spaces, parking and loading areas, lighting and signs, but not including the colour, texture or type of materials, and any architectural detail.

## Exhibit 2: Discretionary Use Evaluation Criteria

EVALUATION CRITERIA	SUMMARY STATEMENT
<b>i. Roadways</b>	Council will assess and consider the capacity of existing roadway and parking infrastructure to accommodate the proposed use.
<b>ii. Air Resources</b>	Council will assess and consider the potential effects of the proposed discretionary use on air resources.
<b>iii. Soil Resources</b>	Council will assess and consider the potential effects of the proposed discretionary use on soil resources.
<b>iv. Water Resources</b>	Council will assess and consider the potential effects of the proposed discretionary use on water resources.
<b>v. Waste Management</b>	Council will assess and consider the generation of waste resulting from

# VILLAGE OF EDAM ZONING BYLAW

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	the proposed use and the capacity of existing waste management services to accommodate the proposed use.
<b>vi. Natural and Heritage Resources</b>	Council will assess and consider the potential effects of the proposed discretionary use on natural and heritage resources.
<b>vii. Sustainability</b>	Council will assess and consider the potential effects of the proposed discretionary use as it contributes to social, economic and physical sustainability for the Municipality.

- 2) In exercising its discretion Council will consider the evaluation criteria identified in Exhibit 2 above. Council will determine the extent and nature of the information and analysis required to render a decision and may, upon initial review of an application, request specific additional information and analysis from the applicant.
  - a) Applications shall also be evaluated based on additional criteria for specific discretionary uses listed within individual zoning districts.
- 3) Council shall make a decision on a discretionary use, by resolution that approves or refuses the discretionary use on that site.

## 3.5 Notice of Decision

- 1) Upon completion of the review of an application for development, the Development Officer shall:
  - a) For a permitted use:
    - i. Issue a notice of decision where the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw.
    - ii. Issue a refusal:
      - a) where the application does not comply with a provision or regulation of this Bylaw, stating the reasons for the refusal, and advising the applicant of any right of appeal that they may have, or
      - b) where the application is for a use that is not provided for in the zoning district in which the property is located.
- 2) For a discretionary use:
  - a) Issue a decision incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that development will comply with the standards of this Zoning Bylaw, subject to the limitations of the Act that may include conditions on what must be included in any servicing agreement necessary for the development approval to remain valid.
  - b) Issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that they may have.

# VILLAGE OF EDAM ZONING BYLAW

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- 3) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.
- 4) Form A and Form B are forms created by the Development Officer and adopted by Council to administer this section. Their contents are not defined in this bylaw.
- 5) The Development Officer or Council retains the right to ask for any studies or research considered necessary prior to making a decision on a development permit at the cost of the applicant.

## **3.5.1 Revocation of Decision**

- 1) Where an approved development is not being developed in accordance with the provisions of this Zoning Bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

## **3.6 Limitation on Discretionary Use Approvals**

### **3.6.1 Validity of Discretionary Use Approvals**

- 1) A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use, and
  - a) The use ceased and was replaced by another use.
  - b) The use ceases for a twelve (12) month period.
  - c) A building required for the approved use is not started within six (6) months or completed within twelve (12) months.
  - d) The use is not started within six (6) months of completion of the building.
  - e) A use not requiring construction of a building is not started within six (6) months.
  - f) The applicant applies to increase the specifically approved intensity of use.

### **3.6.2 Time Limited Discretionary Uses**

- 1) Where Council has approved a discretionary use for a limited time as provided in the Zoning Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

## **3.7 Development Appeals**

### **3.7.1 Appointment of Board**

- 1) Council shall appoint a Development Appeal Board in accordance with sections 49 and 214 to 218 of the Act.

# VILLAGE OF EDAM ZONING BYLAW

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- 2) Council may, by resolution, adopt a policy specifying the terms of office; the manner of filling vacancies to the Board; the remuneration and expenses for Board members; the provision for appointment of a secretary to the Board; the duties of the Secretary; and the remuneration and expenses to be paid for the Secretary.
- 3) Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.

## **3.7.2 Notice**

- 1) On "Form B", the Development Officer shall advise the applicant of the rights of appeal granted by the Act, with respect to that application.

## **3.7.3 Filing an Appeal**

- 1) A person who wishes to appeal to the Development Appeal Board shall, within 30 days of receiving the permit or notice, file a written notice to appeal and the appeal fee with the Secretary of the Board.

## **3.7.4 Powers of the Development Appeal Board**

- 1) The Development Appeal Board has the powers given by section 219 of the Act to allow variances to the standards of this Zoning Bylaw, including standards and conditions specified for a permitted use or a discretionary use.
- 2) Nothing in this section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a Zoning District.
- 3) Nothing in this section allows a Development Appeal Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Zoning Bylaw for a zoning district.

## **3.8 Fees and Advertising**

- 1) Council shall adopt a separate fee schedule bylaw prescribing the fees associated with this Bylaw, as well as a description that sets out the rationale for the fees.

### **3.8.1 Amending Planning Bylaws**

- 1) Where a person requests Council to amend the OCP, Zoning Bylaw, or other planning bylaw, that person shall pay to the Village a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.
  - a) This fee may be included as part of the development permit fees or in addition to them at Council's discretion.
  - b) The fee for amending planning documents shall be included within the separate fee schedule bylaw.
- 2) Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to a planning bylaw, at its own cost.

## VILLAGE OF EDAM ZONING BYLAW

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- 3) Any proposed changes to the Future Land Use Map within the OCP within 150 metres of the Village limits shall be sent to the R. M. of Turtle River No. 469 for comment.
- 4) Any proposed changes to the text of the Zoning Bylaw or the OCP may be sent to the R. M. of Turtle River No. 469, and, in the opinion of council, any stakeholders that may be affected for comment.

### **3.8.2 Advertising Discretionary Use Applications**

- 1) The Development Officer shall advise the applicant for a discretionary use that advertisement for the proposed use will be required by mailing a copy of the notice to the assessed owner of each property within 75 metres (246 feet) of the subject property for the following:
  - a) Any discretionary residence or any discretionary accessory use to a residence.
  - b) A home based business.
- 2) In addition to the requirements specified in clause (1), for an application for any discretionary use not listed in clause (1), the Development Officer shall publish a notice in a newspaper that is circulated in the Municipality at the cost of the applicant.
- 3) The notice shall:
  - a) Describe the use applied for.
  - b) Describe the location of the use.
  - c) Specify the date, time, and location of the Council meeting at which the application will be considered.
- 4) The notice shall be posted, delivered, and published at least seven days, and mailed at least twelve days, prior to the date of the meeting.
- 5) The applicant shall pay a fee equal to the costs to the Municipality associated with the public advertisement.

### **3.9 Minor Variances to the Zoning Bylaw**

- 1) An application for a minor variance to the Zoning Bylaw shall be made to the Development Officer in a form as prescribed by the Development Officer.
- 2) The Development Officer shall maintain a register of all minor variance applications as an appendix to the Zoning Bylaw.
- 3) The Development Officer may vary the requirements of the Zoning Bylaw subject to the following conditions:
  - a) A minor variance may be granted for variation only of:

## VILLAGE OF EDAM ZONING BYLAW

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- i. The minimum required distance of a building from the site line.
    - ii. The minimum required distance of a building to any other building on the site.
  - b) The maximum amount of minor variance shall not exceed a 10% variation of the requirements of the zoning district where the development permit is applied.
  - c) The development shall conform to the Zoning Bylaw with respect to the use of land.
  - d) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.
- 4) No minor variance is allowed in connection with an agreement on rezoning and/or on the cost of any fees as listed in any part of section 3.8 – Fees and Advertising.
- 5) A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to the Act.
- 6) On receipt of an application for a minor variance, the Development Officer may:
- a) Approve the minor variance.
  - b) Approve the minor variance and impose terms and conditions on the approval.
  - c) Refuse the minor variance.
- 7) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the land that is the subject of the application.
- 8) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection 3.9 – Minor Variances to the Zoning Bylaw, the terms and conditions shall be consistent with:
- a) Minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements, or the obstruction of sight lines.
  - b) Providing adequate separation between buildings for safety reasons.
  - c) Avoiding encroachment into adjoining property, by reduction of allowable projects or other potential encroachments.
- 9) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal. This refusal shall:
- a) Contain a summary of the application for minor variance.
  - b) Provide a reason for and an effective date of the decision.

## VILLAGE OF EDAM ZONING BYLAW

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- c) Indicate that the adjoining assessed owner may within 30 days submit a written objection with the Development Officer to appeal the refusal to the Development Appeal Board.
  - d) Where there is an objection described in clause (c), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.
- 10) Where the applicant appeals the Council's decision regarding the minor variance Development Officer shall follow sections 219 to 227 of the Act.

### **3.10 Enforcement, Offences and Penalties**

- 1) Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, s/he may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purposes of inspection.
- 2) Order by the Development Officer:
  - a) Where the Development Officer has determined that a violation of this Zoning Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to section 242 to 245 of the Act.
  - b) The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following: discontinue the development, alter the development so as to remove the contravention, restore the land, building or premises to its condition immediately prior to the development or form of development, and complete the work necessary to comply fully with the Zoning Bylaw.
  - c) The order shall specify the time when the actions required by clause (2) are to be complete and shall advise of the rights of appeal.
  - d) The Development Officer may register an interest against the title to the property, based on the order, and shall discharge the interest once the order is complied with.
  - e) The Development Officer may apply to the Court of Queen's Bench to enforce the order, or the order as amended by the Development Appeal Board or the Saskatchewan Municipal Board on an appeal.
- 3) Any person who violates this Zoning Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

### **3.11 Bylaw Compliance**

- 1) Errors and/or admissions by the Development Officer or someone acting under their direction administering this bylaw while processing applications for development, does not clear any party of responsibility for complying with the provisions of this bylaw or any other bylaw of the Village of Edam, or relieve any applicant from liability for failure to comply with this bylaw.



# VILLAGE OF EDAM ZONING BYLAW

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## **3.12 Expired Approval**

- 1) Where Council has approved a discretionary use for a limited time, as provided in this Bylaw, and that time period has expired, that use of land and/or use of buildings on that land shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

# VILLAGE OF EDAM ZONING BYLAW

## **4. General Regulations**

### **4.1 Accessory Uses, Buildings, and Structures**

- 1) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- 2) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- 3) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- 4) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- 5) The movement of any accessory building shall require a development permit.

#### **4.1.1 Portable Garage and Shelter**

- 1) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- 2) Portable garages shall not be located in the front yards.
- 3) Portable garages shall not exceed a height of 4.5 metres (14.8 feet).
- 4) Portable garages shall not exceed an area of 27 m<sup>2</sup> (290.6 ft<sup>2</sup>) in the Residential Districts.
- 5) The approval will not negatively impact surrounding uses.
- 6) Portable garages and shelters shall be adequately anchored.
- 7) The portable garage and shelter will not be electrically wired or heated.

**Exhibit 3: Portable Garage and Shelter Size**

DISTRICTS	MAXIMUM HEIGHT	MAXIMUM SIZE
R1 - Residential	4.5 m (14.8 feet)	27 m <sup>2</sup> (290.6 ft <sup>2</sup> )
M - Industrial	6.4 m (21 feet)	66.9 m <sup>2</sup> (720.1 ft <sup>2</sup> )

#### **4.1.2 Shipping Containers (Sea Cans)**

- 1) Shipping containers or sea cans are prohibited in all zoning districts with the exception of the C2 – Highway Commercial District and the M – Industrial District provided the containers not be visible from the No. 26 Highway or any Residential District.

## VILLAGE OF EDAM ZONING BYLAW

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- 2) Those looking to use shipping containers on a lot will be required to place the shipping containers in the rear of the lot behind the principal building.
- 3) Shipping containers shall not block any alleyway or rear access to the lot.
- 4) Shipping containers shall be required to meet all setback requirements of an accessory structures such as a detached garage.
- 5) Shall be of one (1) uniform colour.

### 4.1.3 Fences

- 1) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- 2) Electrical wire and other forms of electrified fences are prohibited in every district.
- 3) **Residential Districts:**
  - a) The maximum height along any lot line, except a lot line in a required front yard, shall be no greater than 2.4 metres (8.0 feet).
  - b) No wall or fence shall be erected in a required front yard to a height of more than one (1) metre (3.3 feet).
  - c) Walls or fences may be erected in the required front yard to a maximum height of 1.0 metre (3.3 feet), provided that the wall or fence is located at least 6.1 metres (20.0 feet) from the front property line.
  - d) Barbed wire fences are prohibited.
  - e) In the case of a corner lot, no wall, fence, hedge or shrub shall be placed as to create a visual obstruction in a sight triangle.
- 4) **Commercial and Industrial Districts:**
  - a) In the case of a corner lot, no wall or fence shall be placed as to create a visual obstruction in a sight triangle.
  - b) Where the development abuts a Residential District, approval conditions may require a fence to be designed to attenuate noise.
  - c) Height restrictions shall be designated within the Zoning District Schedules included in this document.
  - d) Barbed wire shall be permitted to line the top 25% of the fence in an Industrial District.

## VILLAGE OF EDAM ZONING BYLAW

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- e) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 metre (2.29 feet) and 2.5 metres (8.20 feet) above grade.
- 5) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- 6) No height limitations apply to the following:
  - a) Temporary construction fences.
  - b) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - c) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### 4.1.4 Decks and Balconies

- 1) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.
- 2) Open decks shall not be covered by a roof structure that is attached to any building or structure.
- 3) Decks under 9.3 sq. metres (100 sq. feet) shall not require the submission of a Development Permit Application.
- 4) **Residential Districts:**
  - a) Shall be permitted to:
    - i. 1.5 metre (5.0 feet) front yard encroachment into the minimum front yard setback requirement.
    - ii. 1.5 metre (5.0 feet) of the rear property line.
    - iii. 0.6 metres (2.0 feet) of any side property line.

### 4.2 One Principal Building Permitted on a Site

- 1) Not more than one principal use shall be established or placed on any one site, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres (i.e., mini-malls), special care homes, and approved dwelling groups.

### 4.3 Established Building Lines

- 1) Where a front building line in a Residential District has been established by existing buildings in a block and is less than the specified front yard requirement, the required front yard is reduced for new construction according to the following principles:

## VILLAGE OF EDAM ZONING BYLAW

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- a) Where the new building is to be constructed on a corner site it shall not be located further into the required front yard than a legal principal building on the abutting interior site.
- b) Where the building is to be constructed on an interior site it shall not be constructed further into the required front yard than the average of the encroachments of principal buildings into the required front yard on the two abutting sites.
- c) Where the abutting site is vacant, or the building has more than the required front yard the encroachment into the required front yard shall be considered to be zero.
- d) Existing buildings where legally built are considered to be legal non-conforming.

### 4.3.1 Permitted Yard Encroachments

- 1) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- 2) **Residential Districts:**
  - a) In front yards:
    - i. Maximum of 0.6 metre (2.0 feet) projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes;
    - ii. Maximum of 1.8 metres (5.0 feet) projection of open decks or open steps;
    - iii. Wheelchair ramps to main floor level;
    - iv. Light standards, flag poles, and permitted signs.
  - b) In Rear Yards:
    - i. Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (5.0 feet);
    - ii. Balconies, porches, and steps to a maximum projection of 3.0 metres (10.0 feet);
    - iii. A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 metres (2.0 feet);
    - iv. Wheelchair ramps to main floor level; and,
  - c) Side Yards:
    - i. Fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 metre (2.0 feet) or ½ the required yard whichever is the less;
    - ii. Walkways and steps less than 0.6 metre (2.0 feet) in height;
    - iii. Wheelchair ramps to main floor level;
  - d) Handrails are permitted in all yards, uncovered driveways, and walkways.

# VILLAGE OF EDAM ZONING BYLAW

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## 3) In Commercial or Industrial Districts:

- a) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 metre (2.0 feet) or less projection into a required yard, or chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.
  - b) Signs, as allowed pursuant to section 4.14 – Signs are permitted in yards.
- 4) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.

### 4.3.2 Sight Triangles

- 1) Subject to section 4.2 – One Principal Building Permitted on a Site above, the following uses are prohibited in a sight triangle:
  - a) A building, structure, wall, fence, sign, hedge or shrub, or use which would obstruct the vision of drivers of motor vehicles.
  - b) Parking.
  - c) A fence or tree, hedge, bush or other vegetation, the top of which exceeds one (1) metre (3.3 feet) in height above the elevation of the centre lines of abutting streets.
- 2) The following are allowed in any sight triangle:
  - a) Government signage and government sign posts.
  - b) Fire hydrants, benches and traffic control devices.
  - c) Utility poles, and one utility transmission or control device.

### 4.3.3 Multi-Parcel Sites

- 1) Where a site is used for one (1) development, a proposal to separate or subdivide the parcels into two (2) or more sites requires a development permit for each of the developments.
- 2) No development permit may be issued creating more than one site as described in clause (1) above, unless each of the sites will comply with the Zoning Bylaw with respect to the requirements of the zoning district in which it is located.

### 4.3.4 Metric Conversion

- 1) Where a building was constructed or a site created under a bylaw in any zoning district using the Imperial System of Measurement, a standard under that bylaw that was converted and rounded to an approximate metric measure in a subsequent bylaw, shall be deemed equivalent for the purpose of regulation of that site or building.

# VILLAGE OF EDAM ZONING BYLAW

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## **4.3.5 Geotechnical Analysis Required**

- 1) If a proposed development is to be located on a site in any zoning district that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, Council may require that a geotechnical report be completed by a certified Professional Engineer in the Province of Saskatchewan, as a condition of the issuance of the development permit. The report shall indicate the suitability of the site, or sites, for development and any remedial measures required to ensure suitability or to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions in the development permit.

## **4.4 Licences, Permits, and Compliance with Other Bylaws**

- 1) All development in all zoning districts must comply with the provisions of this Zoning Bylaw, whether or not a permit has been issued for the development.
- 2) Nothing in this Zoning Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Village of Edam, or from obtaining any licence, permission, permit, authority or approval required by this or any other bylaw of the Village of Edam. Where provisions in this Zoning Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

### **4.4.1 Referral to Regional Health Authorities**

- 1) It is the responsibility of the applicant to secure permits for installation of approved water and sanitary sewer services.

## **4.5 Lawful Non-conforming Development**

- 1) The adoption or amendment of this bylaw does not affect lawful non-conforming buildings and uses.
- 2) The provisions of the Act, sections 88 to 93 inclusive, shall apply to all lawful non-conforming buildings and uses.

### **4.5.1 Buildings and Sites**

- 1) In any zoning district where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Zoning Bylaw, the use may be continued and the buildings maintained, repaired or renovated pursuant to clause (2) above.

### **4.5.2 Uses**

- 1) In any zoning district, the continuation or changes to a non-conforming use shall be subject to sections 89 to 90 of the Act.

## VILLAGE OF EDAM ZONING BYLAW

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### 4.6 Hazard Lands

- 1) Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, the land shall be deemed “hazard lands”. Council shall require the applicant to submit sufficient topographic and other relevant information to determine if the development will be within:
  - a) The 1: 500 flood hazard elevation.
  - b) Within 50.0 metres (164.0 feet) of any slope that may be unstable.
- 2) Council may require that before a Development Permit is issued on hazard lands as identified in section 4.6(1)(b), the applicant submit a report prepared by a professional competent to assess the suitability of the site for development, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:
  - a) The potential for slope instability.
  - b) The required mitigation measures for construction in slopes.
- 3) Council shall require that before a permit is issued on hazard lands, in flood risk areas, as identified in section 4.6(1)(a), the applicant must supply the following:
  - a) All development, redevelopment or major alterations and additions shall be adequately flood proofed to at least 0.5 metre (1.6 feet) above the registered Safe Building Elevation (SBE) level.
  - b) The bottom of the joists on the first floor, or the bottom surface of the slab on grade, of the building or structure shall be at least 0.5 metre (1.6 feet) above the registered SBE level.
  - c) Basements are prohibited, except where flood proofing is undertaken. The basement shall be designed to withstand any forces generated by flood water up to and including 0.5 metre (1.6 feet) above the registered SBE level.
  - d) Plumbing outlets may be permitted in basements below the registered SBE provided they contain an automatic shut-off valve approved by a certified Inspector.
  - e) Electrical outlets may be permitted in basements below the registered SBE provided they contain an independent switch for each outlet. The main switch box, heating and air conditioning units shall be located above the registered SBE level plus freeboard of 0.5 metres (1.6 feet).
  - f) Foundations and walls of any building or structure shall be adequately flood proofed to at least 0.5 metre (1.6 feet) above the registered SBE level. All plans for development shall be certified by a Professional Engineer or Architect.



# VILLAGE OF EDAM ZONING BYLAW

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## 4.7 Bed and Breakfast Operations

- 1) Shall abide by the regulations within this section and specific regulations within the zoning district if applicable.
- 2) Shall be located in a single detached dwelling used as the operator's principal residence.
- 3) Shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast operation.
- 4) One sign identifying the operation is allowed in accordance with sign regulations.
- 5) One off-street parking space shall be provided for each guest bedroom for use by the guest, in addition to any off-street parking used for the operator of the facility.

## 4.8 Home Based Business

- 1) Where allowed in specific zoning districts, are subject to the regulations within this section and the regulations within the zoning district that it is located.
- 2) Shall clearly be secondary and accessory to the use of a dwelling unit as a private residence.
- 3) Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property, except for permitted signs.
- 4) Shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the building where the home based business is located.
- 5) Shall not require the parking of more than two client vehicles at any time. Off-street parking shall be provided on site for any resident vehicles.
- 6) Shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- 7) Persons employed within the dwelling shall be full time residents of the dwelling. Council may, in its approval, provide for up to two (2) other persons employed by the business where such persons are employed to work off-site.
- 8) No more than 25% of the gross floor area of the principal building shall be used for the home based business.
- 9) The discretionary use approval for the business shall cease to be valid when the operation ceases in accordance with section 3.6.1 – Validity of Discretionary Use Approvals, or where the operator relocates to another site. A new discretionary use approval is required before the home based business may restart as an operation.
- 10) No home based business in this district shall operate any business that could negatively affect the

## VILLAGE OF EDAM ZONING BYLAW

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environment or the recreational nature of the community.

- 11) The following uses shall not be allowed 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 or tea rooms.
  - c) Health or fitness clubs.
  - d) Headquarters of base of operations of a trucking, delivery, or towing operation.
  - e) Hotels and hospitals.
  - f) Laundry services.
  - g) Motion picture or recording studios.
  - h) The painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery.
  - i) Rental services.
  - j) Upholstery services.
  - k) Veterinary services, boarding, grooming or care of animals.
  - l) Welding or metal works.
- 12) A home based business shall not create any conflict in terms of emission of noise, glare, dust, odour, radio interference, traffic congestion (vehicular or pedestrian) or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.
- 13) Council may apply special standards in the issuing of a development permit limiting the size of the operation, and buildings used for the operation, as well as any other size, height or safety restrictions necessary to protect the area from the possible risks posed by a home based business. Any increase in the operation or major change to the operation will require a new development permit.
- 14) Council may apply special standards in the issuing of a development permit such as screening storage areas, fencing in yards, landscaping to hide certain features, or regarding the placement of signs in order to ensure the aesthetic quality of residential areas.
- 15) Evaluation criteria shall include whether the development has the potential to become too large or too intrusive for a residential neighbourhood.
- 16) No home based business may create a lack of on-street parking in a residential area.

### **4.9 Campgrounds**

- 1) Upon application for a Development Permit, the applicant shall provide the Administrator with a site plan completed by a Saskatchewan Land Surveyor, indicating location and dimensions of campsites, all roadways and buildings, with street names where applicable, and campsite numbers clearly identified.
- 2) A Development Permit shall be required for the:

## VILLAGE OF EDAM ZONING BYLAW

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- a) Addition or rearrangement of sites.
  - b) Construction or moving of buildings (i.e., toilet or showering facilities).
  - c) Change in use of portions of land.
  - d) Filling or clearing of land.
- 3) A campground shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metre (14.8 feet) in width, which shall contain no buildings.
  - 4) A site for each recreation vehicle (RV) and campsite permitted in the campground shall be designated and clearly marked on the ground.
  - 5) Each RV site shall have a minimum area of 150 m<sup>2</sup> (1,614.6 ft<sup>2</sup>).
  - 6) No portion of any campsite shall be located within an internal roadway or required buffer area.
  - 7) Each campsite shall have a direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
  - 8) Each RV shall be located at least 4.5 metre (14.8 feet) from any other RV and each campsite shall have dimensions, location and orientation sufficient to allow for such location of RVs.
  - 9) The space provided for roadways within a campground shall be at least 7.5 metre (24.6 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
  - 10) A campground may include, as an accessory use, laundry facilities or convenience store designed to meet the needs of occupants of the sites and a single caretaker's unit.
  - 11) No recreation vehicle shall be stored on any campsite when the campground is not open.
  - 12) The *Public Health Act, 1994* and regulations passed there under shall be complied with in respect of all operations and development of campgrounds.
  - 13) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained.
  - 14) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site, included on the site plan drafted by the Saskatchewan Land Surveyor, and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development.

### **4.10 Grading and Levelling of a Site**

- 1) The finished grade of any lot, measured at the front wall of the principal building shall not be more than 0.6 metres (1.97 feet), or less than 0.4 metres (1.31 feet) above the finished grade of the abutting street, directly in the front of the lot.

## VILLAGE OF EDAM ZONING BYLAW

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- 2) Any site proposed for development shall be graded and levelled at the developers or owner's expense as is necessary to provide for adequate surface drainage.
- 3) Grading, leveling or placement of fill shall be located entirely within the boundaries of the site.
- 4) Fill must be placed so that natural drainage courses, ditches, and culverts are not blocked or diverted, and does not cause off-site adverse effects to neighbouring properties.
- 5) Fill placed on a site must be compacted sufficiently to ensure that the finished grade level does not sink below specified safe building elevations.
- 6) Failure to perform reasonable measures to prevent erosion of fill material into water bodies or water courses is in violation of this bylaw and is subject to section 3.10 – Enforcement, Offences and Penalties. Persons found in violation will be subject to a penalty that reflects the recovery cost of the municipality to perform site remediation and treatment.

### 4.11 Landscaping

- 1) Council may include approval conditions for development permits that require additional landscaping, xeriscaping, or visual screening within any district to maintain Edam's visual aesthetics.
- 2) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in health, vigorous conditions at all times.
- 3) **Residential Districts:**
  - a) No person shall cut or remove any tree located in this district that is not on their own property, without first having obtained the written consent of the Village Administrator or Council.
  - b) Council may issue a development permit which provides for the cutting or removal of trees where:
    - i. The removal is, in their opinion, necessary to provide access to the site, required off-street parking, or access thereto in conjunction with a permitted use on the site.
    - ii. The trees are located within two (2) metres (6.56 feet) of an existing building.
    - iii. The trees are, in their opinion, dead, dying, severely diseased, or damaged and pose a safety hazard.
    - iv. The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees located on the property and regulated under clause (a).
    - v. The tree removal is part of a fire-safe fuel reduction plan approved by Council.
  - c) Council or the Development Officer may allow the removal of dead trees, the cutting of trees severely damaged by weather, the normal pruning and maintenance of trees, or the maintenance of trees interfering with public utilities within any area of the municipality.

# VILLAGE OF EDAM ZONING BYLAW

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## 4.12 Transportation

- 1) The Municipality may adopt a bylaw to establish a Heavy Haul and Dangerous Goods Route Traffic Bylaw of the Municipality to govern the areas marked in the OCP.

### 4.12.1 Vehicle, Recreational Vehicles (RV's) and Boat Storage

- 1) No commercial vehicle shall be parked or stored on a site other than the following:
  - a) A maximum of one (1) commercial vehicle, excluding septic haul trucks, and hazardous material transport trucks not exceeding 20 tonne gross vehicle weight.
  - b) Commercial vehicles required for construction, repair, servicing or maintenance on the site.
- 2) **Industrial Districts:**
  - a) Access to sites meant to house trucks will be adjacent to designated routes for trucks and heavy vehicles.
- 3) **Residential Districts:**
  - a) Outdoor storage of any partially dismantled, or inoperative motor vehicles are prohibited.
  - b) No septic haul trucks, or hazardous material transport trucks shall be parked or stored on site, or in the driveway.
  - c) A maximum of one (1) recreation vehicle may be stored on a site in the driveway with an existing, permanent dwelling. The recreation vehicle may be occupied subject to:
    - i. It being for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site.
    - ii. It only being occupied when the principal dwelling is occupied.
    - iii. The period of occupation not exceeding 30 days; once the 30 day period has expired, a recreational vehicle cannot be occupied again on the site for a period of seven (7) days.
    - iv. If the recreation vehicle has a sink, shower, or water closet, it must have a self-contained septic holding tank or be connected to the septic system on the residential site.

### 4.12.1 Parking and Loading Regulations

The control of parking and loading space becomes more important as the Village of Edam grows. The following parking and loading provisions should be reviewed for applicability.

- 1) No person within any zoning district shall erect, enlarge, substantially alter, or extend any building permitted under this Zoning Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the development.
- 2) When the intensity of use of any building or use is increased by the addition of dwelling units, floor

## VILLAGE OF EDAM ZONING BYLAW

area, seating capacity or other unit of measurement that specifically affects the requirements for parking and loading facilities, the number of parking and loading spaces shall be increased by the additional number of spaces required by this Bylaw.

- 3) Whenever the use of a building is changed, the parking and loading spaces shall be provided as required for the new use. However, if the building was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required to meet the requirements for the use.
- 4) Any conforming or legal non-conforming building or use in existence on the effective date of this Zoning Bylaw, that is damaged by, fire, collapse, explosion, or other causes, affecting 75% or more of its original value above its foundation, that is reconstructed, repaired or re-established, shall provide off-street parking and loading facilities in accordance with this Bylaw.
- 5) Any development application for a Garden Suite or Bunkhouse will be required to show that an additional off-street parking spot has been provided for the site in addition to the current requirements for the site.
- 6) Parking shall be provided in accordance with the Exhibit 3: Parking Schedule, and associated regulations. Except where specifically noted, all floor areas represent gross floor areas. One space is required for each rate unit or part of a unit. For shopping centres the rate required applies to the entire shopping centre including restaurants or offices.

### Exhibit 4: Parking Schedule

LAND USE	PARKING SPACES REQUIRED (minimum)	ADDITIONAL PARKING REQUIRED
<b>Residential uses</b>		
single detached dwelling .....	1 space	
semi-detached dwelling, attached dwelling, duplex dwelling, mobile or modular home .....	1 per dwelling unit	
multiple unit dwelling .....	1 per dwelling unit	
multiple unit dwelling for senior citizens.....	1 per 4 dwelling units	
bed-and-breakfast facility.....	1 space.....	<b>1 per guest room</b>
<b>Institutional uses</b>		
personal care home .....	1 space.....	
special care home.....	1 per 4 client beds.....	
hospital .....	1 per 2 beds.....	
elementary school.....	1 per classroom.....	
high school and collegiate.....	4 per classroom.....	
community centre, auditorium, theatre, private club, places of worship .....	1 per 10 fixed seats, OR..... 1 per 25 m <sup>2</sup> (269.1 ft <sup>2</sup> ) of space for movable seating .....	<b>1 per 5 client residents, and, 1 per employee</b>
library, cultural institution.....	1 per 20 fixed seating, OR .....	
	1 per 50 m <sup>2</sup> (538.2 ft <sup>2</sup> ) for movable seating.....	
day care centre.....	1 per 30 m <sup>2</sup> (322.92 ft <sup>2</sup> ).....	

## VILLAGE OF EDAM ZONING BYLAW

Commercial uses		
retail stores .....	1 per 40 m <sup>2</sup> (430.56 ft <sup>2</sup> )	
shopping centers .....	1 per 30 m <sup>2</sup> (322.92 ft <sup>2</sup> )	
offices.....	1 per 50 m <sup>2</sup> (538.2 ft <sup>2</sup> )	
cafe, restaurant .....	1 per 4 patron seats, OR 1 per 10 m <sup>2</sup> (430.56 ft <sup>2</sup> ) patron space if seating not fixed.	
lounge, beverage room, night club.....	1 per 4 patron seats, OR 1 per 10 m <sup>2</sup> (107.64 ft <sup>2</sup> ) patron space if seating not fixed.	
hotel or motel .....	1 per guest room or motel unit.	
bingo hall or auction house .....	1 per 4 patron seats	
bowling alley .....	2 per lane	
billiard hall .....	1 per table.....	<b>1 per 4 patron seats</b>
lumber yard, home improvement centre .....	1 per 50 m <sup>2</sup> (538.2 ft <sup>2</sup> )	
Industrial uses		
manufacturing and processing plants .....	1 per 60 m <sup>2</sup> (645.84 ft <sup>2</sup> )	
warehouse (restricted access) .....	1 per 100 m <sup>2</sup> (1076.39 ft <sup>2</sup> )	
dairy depots.....	1 per 50 m <sup>2</sup> (538.2 ft <sup>2</sup> )	
Recreational uses		
ice rink, curling rink, arena .....	2 per sheet of ice, or playing field...	<b>1 per 10 fixed seats</b>
	2 per court plus.....	<b>1 per 10 fixed seats</b>
gymnasium, tennis court, fitness centre.....	1 per 30 m <sup>2</sup> (322.92 ft <sup>2</sup> )	
All others .....		
	1 per 30 m <sup>2</sup> (322.92 ft <sup>2</sup> )	

- 7) Required parking spaces in any Commercial or Industrial District may be located on a separate site that is within a convenient walking distance to a maximum of 150 metre (492 feet) of the principal building or use, provided such spaces are located within a Commercial or Industrial District.
- 8) In Residential Districts, parking spaces and the principal use shall be provided on the same site.
- 9) In any Industrial or Commercial District, where the use of a building or site involves the receipt, distribution or dispatch of materials, goods or merchandise from vehicles, adequate space for such vehicles to stand during loading or unloading shall be provided on the site in conformity with the following schedule:

### Exhibit 5: Loading Space Schedule

Gross Floor Area	Loading Spaces Required (minimum)
100 m <sup>2</sup> (1,076.4 ft. <sup>2</sup> ) to 1,500 m <sup>2</sup> (16,145.9 ft <sup>2</sup> )	<b>1 space</b>
1,501 m <sup>2</sup> (16,156.6 ft. <sup>2</sup> ) to 3,000 m <sup>2</sup> (32,291.7 ft <sup>2</sup> )	<b>2 space</b>
Over 3000 m <sup>2</sup> (32,291.7 ft <sup>2</sup> )	<b>2 spaces, plus 1 space for each 6,000 m<sup>2</sup> (64,583.5 ft<sup>2</sup>) over 3000 m<sup>2</sup>.</b>

- 10) All loading spaces shall be located on the site and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a

# VILLAGE OF EDAM ZONING BYLAW

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public roadway.

- 11) Any and all loading requirements may be waived for a development in a **C1** – Commercial Core District.
- 12) Where necessary parking space is provided on a parcel that is separate from the principal use, an agreement between the Municipality and the owner of the site of the parking location shall be recorded in the Village Office. The agreement shall bind the owner and his/her heirs and successors to restricting the use of the agreed site for the purposes of parking so long as the main use or building for which the parking is provided exists, and an interest based on the agreement shall be registered against the titles on behalf of the Municipality.

## **4.12.2 Payment of Cash-in-Lieu of Required Parking**

- 1) Pursuant to the Act the Development Officer may exempt any person who is required to provide parking in a Commercial District from providing those spaces, where, instead, he pays or contracts to pay the Municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required, by the average current market value of 25 m<sup>2</sup> (269.10 ft<sup>2</sup>) of land in the area and zone of the development, as calculated by the Development Officer, or by an independent land appraiser if requested and paid for by the applicant.
- 2) The Development Officer shall record the number of spaces paid for with the parcel records and shall consider those spaces as provided with respect to that parcel. Where a development on that parcel requires a greater number of spaces than provided on the site either by cash-in lieu or by actual spaces on the site, only the additional spaces will be required.
- 3) Cash-in-lieu received for off-street parking spaces will not be refunded where the intensity is decreased or the use is changed, requiring less off-street parking spaces. The spaces will continue to be considered as provided with respect to the parcel.
- 4) A person who pays, or contacts in writing to pay the required cash-in-lieu of providing parking facilities associated with a development shall be deemed to have met the parking regulations required.
- 5) All such sums of monies shall be paid to the Municipality prior to the issuance of a development permit and any building permit.
- 6) All such sums shall be placed in an account of the Municipality used to provide public parking spaces.

## **4.13 Public Utilities, Public Works and Facilities**

- 1) Public works and municipal facilities, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.

### **4.13.1 Satellite Dish, Radio Tower or Television Antenna for Personal Use**

- 1) The installation and operation of a free standing satellite dish, radio tower or television antenna and its



## VILLAGE OF EDAM ZONING BYLAW

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supporting structure intended for personal use is permitted in all zoning districts provided that such structures are not located in any front yard or in the case of a corner site, in any portion of the side or rear yard which is within 3 metres (9.85 feet) of the side site line adjacent to a street.

### 4.13.2 Water Supply and Waste Disposal

- 1) Subject to the Provincial Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.
- 2) Where available, every residence and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.
- 3) Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary (i.e., designation of Municipal or Environmental Reserve) to protect the municipal interest in the existing and future improvements to the road.

### 4.13.3 Solid or Liquid Waste Facilities

- 1) Final locations shall be chosen in consultation with the Water Security Agency.

### 4.13.4 Oil and Gas Development

- 1) All active and future oil and gas development shall conform to the *Oil and Gas Conservation Regulations, 2012*, as amended.
- 2) Where municipal approval is required for a proposed development, consideration shall be given to identify conditions, to address mitigation of impacts and to assess the ability of natural landscapes to support reclamation efforts on a sustainable basis.
- 3) Council may consider the following types of development within 25 metres (82.02 feet) of an abandoned oil well:
  - a) Parks, recreation and open areas shall be designated within **R1** – Residential Districts, and **MH** – Mobile Home Districts.
  - b) Parking lots within **C1** – Commercial Core Districts, **C2** – Highway Commercial Districts, and **M** – Industrial Districts.
  - c) Either parks, recreation and open areas, or parking lots within **UH** – Urban Holdings Districts.

## 4.14 Signs

- 1) No sign can be built in a way that it contravenes this bylaw or any part of the OCP of the Village of Edam.

## VILLAGE OF EDAM ZONING BYLAW

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- 2) In approving a billboard sign for a vacant parcel of land Council may limit the validity of the approval to a maximum of five years where the site may affect future development.
- 3) In Commercial and Industrial Districts:
  - a) No more than two (2) signs (excluding directional and informational signs) are permitted on a lot.
  - b) No sign shall have a facial area in excess of 3.5 m<sup>2</sup> (37.67 ft<sup>2</sup>). Each sign may be double faced.
  - c) The maximum height of any surface sign shall be 6 metres (19.7 feet) above ground surface.
- 4) All other zoning districts:
  - a) No more than one (1) permanent sign is permitted on any lot except one (1) additional sign is permitted for a home based business.
  - b) Additional temporary signs bearing notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the lot are permitted.
  - c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
  - d) No sign shall be located within a sight triangle as defined in this bylaw.
  - e) Council may waive any and all sign requirements for:
    - i. Signs of the Village or maintained by the Village; and,
    - ii. Signs of any non-profit community group of the Village of Edam or surrounding area.

# VILLAGE OF EDAM ZONING BYLAW

## **5. Zoning Districts and Zoning District Map**

### **5.1 Classification of Zoning Districts**

For the purpose of this Zoning Bylaw, the Village of Edam is divided into the following zoning districts, the boundaries of which are shown on the "Edam Zoning District Map." Such zoning districts may be referred to by the appropriate symbol, as shown in Exhibit 6.

**Exhibit 6: Zoning Districts**

<b>DISTRICT</b>	<b>SYMBOL</b>
<b>Residential 1</b>	<b>R1</b>
<b>Residential 2</b>	<b>R2</b>
<b>Mobile Home</b>	<b>MH</b>
<b>Commercial Core</b>	<b>C1</b>
<b>Highway Commercial</b>	<b>C2</b>
<b>Industrial</b>	<b>M</b>
<b>Urban Holdings</b>	<b>UH</b>

### **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 Administrator, and under the seal of the Village 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**

- 1) The boundaries of the zoning districts referred to in this Zoning Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Edam Zoning District Map".
- 2) Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.
- 3) Where a boundary of a zoning district crosses a parcel, the boundaries of the zoning districts shall be determined by the use of the scale shown on the map.
- 4) Where the boundary of a zoning district is also a parcel boundary and the parcel boundary moves by the process of subdivision, the zoning district boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Zoning Bylaw.

### **5.4 Zoning District Schedules**

- 1) The uses or forms of development allowed within a zoning district, along with regulations or standards which apply are contained in the exhibit above.

# VILLAGE OF EDAM ZONING BYLAW

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## **6. R1 – Residential 1 District**

### **6.1 Purpose**

This district will provide sites for low-density residential development and additional uses compatible with residential development. This district will also allow for denser residential development in situations where it is needed to serve the community and will be open to different housing types in order to support a variety of residents. Different options may be entertained, including but not limited to, bare land condominiums, apartment buildings, group homes, and other residential options.

### **6.2 Permitted Uses**

- 1) Residential
  - a) Single detached dwelling
- 2) Municipal facilities
- 3) Parks and playgrounds
- 4) Public utilities (excluding offices, warehouses, sewage lagoons and storage yards)
- 5) Institutional
  - a) Schools and educational buildings
- 6) Accessory Uses
  - a) Carport
  - b) Deck
  - c) Family Care Home
  - d) Fences
  - e) Porch
  - f) Private garage
  - g) Storage shed

### **6.3 Discretionary Uses**

- 1) Residential
  - a) Semi-detached or duplex dwelling
  - b) Ready to Move (RTM) housing, constructed off-site, move-in buildings
  - c) Garage and garden suites
  - d) Townhouses, multi-unit dwellings
  - e) Residential care homes
  - f) Condominiums

# VILLAGE OF EDAM ZONING BYLAW

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- 2) Commercial
  - a) Confectionaries
  - b) Drug stores
  - c) Home based business where accessory to a dwelling
  - d) Hotels, motels, and Bed and Breakfast Operations
  - e) Personal service shops
  - f) Social clubs

- 3) Institutions
  - a) Assisted living facilities, nursing homes
  - b) Day care
  - c) Hospitals or health care facilities
  - d) Libraries
  - e) Places of worship, religious institutions

4) Public or private daycare centres

5) Telecommunications Towers

### **6.3.1 Discretionary Use Evaluation Criteria**

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Appropriate site locations (i.e., corner lots) shall be determined by Council.
- 5) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.
- 7) Home Based Businesses:
  - a) Applications shall be evaluated on whether the development has the potential to become too large or too intrusive for a residential neighbourhood.

## VILLAGE OF EDAM ZONING BYLAW

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- b) Evaluations shall include whether the business that could negatively affect the environment or the recreational nature of the neighbourhood.
  - c) Council may apply special standards in the issuing of a development permit limiting the size of the operation, and buildings used for the operation, as well as any other size, height or safety restrictions necessary to protect the area from the possible risks posed by a home based business. Any increase in the operation or major change to the operation will require a new development permit.
  - d) Council may apply special standards in the issuing of a development permit such as screening storage areas, fencing in yards, landscaping to hide certain features, or regarding the placement of signs in order to ensure the aesthetic quality of residential areas.
- 8) Residential care homes:
- a) There is adequate space on the parcel for the proposed home. Required parking spaces shall not be located in the required front yard.
  - b) There are appropriate levels of off-street parking for the residents of the facility and the operator.
  - c) Council shall consider the concentration of residential care homes per residential block.
  - d) Shall be located a walkable distance from health care facilities, public amenities and the Village centre when possible.
- 9) Townhouses, multi-unit dwellings, condominiums and similar residential density development:
- a) The services available to the sites and adjacent areas will have sufficient capacity to handle the higher density.
  - b) Isolated single detached dwelling sites will not be allowed on a block undergoing conversion to higher density.
  - c) Appropriate access from major streets to the development will exist and the development will not cause excessive traffic through existing low-density residential areas.
  - d) Proximity to C1 – Commercial Core District.
  - e) Applications shall be evaluated if they offer a variety of rental or purchase costs that promote a variety of family types and income levels within the community.
  - f) Any other clause relevant within this section.
  - g) The application shall not negatively affect:
    - i. The surrounding community.
    - ii. The safety of vehicle and pedestrian traffic in the area.
    - iii. Drainage patterns or pathways.
    - iv. Any public property or park.

### 6.4 Prohibited Uses

- 1) Keeping of farm animals

## VILLAGE OF EDAM ZONING BYLAW

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- 2) Shipping containers or sea cans.
- 3) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.



# VILLAGE OF EDAM ZONING BYLAW

## 6.5 Regulations

### 1) Site requirements:

**Exhibit 7: Minimum R1 – Residential Site Location and Dimensions**

USE	FRONTAGE	DEPTH	MINIMUM PARCEL AREA	MAXIMUM PARCEL AREA
<b>Residential Without Lane</b>				
Single detached dwellings, RTM housing	15 m (49.2 ft.)	30 m (98.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	<b>1,335.5 m<sup>2</sup> (0.33 ac)</b>
Semi-detached, duplexes (per dwelling)	6.1 m (20.0 ft.)	30 m (98.4 ft.)	315 m <sup>2</sup> (3,229.2 ft <sup>2</sup> )	
Residential care home	12 m (39.3 ft.)	30 m (98.4 ft.)	550 m <sup>2</sup> (5,920.2 ft <sup>2</sup> )	
<b>Residential With Lane</b>				
Single detached dwellings, RTM housing	12 m (39.3 ft.)	30 m (93.4 ft.)	360 m <sup>2</sup> (3,875.0 ft <sup>2</sup> )	<b>1,335.5 m<sup>2</sup> (0.33 ac)</b>
Semi-detached or duplexes (per dwelling)	6.1 m (20.0 ft.)	30 m (93.4 ft.)	225 m <sup>2</sup> (2,421.9 ft <sup>2</sup> )	
Residential care home	12 m (39.3 ft.)	30 m (93.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	
<b>Institutional</b>				
Places of worship, religious institutions.	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft <sup>2</sup> )	<b>None</b>
<b>Commercial</b>				
All uses, except home based business	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft <sup>2</sup> )	<b>None</b>
<b>Other uses (excluding accessory uses)</b>	15 m (49.2 ft.)	30 m (93.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	<b>None</b>
<b>Recreational and public uses</b>	<b>No requirements</b>			

### 2) Required Yards:

**Exhibit 8: Minimum R1 – Residential Required Yard Dimensions**

USE	FRONT YARD	SIDE YARD (street)	SIDE YARD (other)	REAR YARD	SITE COVERAGE	BUILDING FLOOR AREA
<b>Residential uses (including home based business)</b>	7.5 m (24.9 ft.)	1.2 m (4.0 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	40%	<b>Min: 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>)</b>
<b>Institutional uses</b>	-	2.25 m (7.4 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	-	-
<b>Commercial uses</b>	6 m (19.7 ft.)	6 m (19.7 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	-	<b>Max: 300 m<sup>2</sup> (3,229.2 ft<sup>2</sup>)</b>
<b>Recreational and public uses</b>	<b>No requirements</b>					
<b>Any other use</b>	7.5 m (24.9 ft.)	1.2 m (4.0 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	30%	<b>Min: 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>)</b>
<b>Accessory buildings</b>	Not Allowed	1.5 m (5.0 ft.)	1.2 m (4.0 ft.)	0.9m no door 1.5m door	30%*	N/A

\*Note: The accessory building lot coverage percentage is independent of the principal use lot coverage percentage.

## VILLAGE OF EDAM ZONING BYLAW

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### 3) Outdoor Storage, and Parking subject to section 4.12 - Transportation:

- a) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- b) Site size shall be appropriate for on-site designated parking area.
- c) No front yards shall be used for outdoor storage of anything other than one (1) motor vehicle, boat, recreational vehicle or trailer unless located in a designated driveway.
- d) Outdoor storage of any partially dismantled, or inoperative motor vehicles are prohibited.
- e) No septic haul trucks, or hazardous material transport trucks shall be parked or stored on site, or in the driveway.
- f) A maximum of one (1) recreation vehicle may be stored on a site in the driveway with an existing, permanent dwelling. The recreation vehicle may be occupied subject to:
  - i. It being for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site.
  - ii. It only being occupied when the principal dwelling is occupied.
  - iii. The period of occupation not exceeding 30 days; once the 30 day period has expired, a recreational vehicle cannot be occupied again on the site for a period of seven (7) days.
  - iv. If the recreation vehicle has a sink, shower, or water closet, it must have a self-contained septic holding tank or be connected to the septic system on the residential site.

### 4) Basements:

- a) The height of a basement, measured between floor and ceiling surfaces, shall not be less than 2.3 metres (7.5 feet).
- b) The height of the basement shall not exceed 1.2 metres (4.0 feet) above the grade level of the front property line abutting a roadway.
- c) For the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and cellar, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not:
  - i. Exceed an area of 14.0 sq. metres (150.7 sq. feet).
  - ii. Extend more than 3.0 metres (9.8 feet) from the building.

## VILLAGE OF EDAM ZONING BYLAW

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- iii. Exceed a width of 4.5 metres (14.8 feet) along the wall.
  - iv. Extend more than 0.75 metres (2.5 feet) into the required side yard.
- d) For the purpose of providing light to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination of a basement, if the window wells do not:
- i. Extend more than 0.9 metres (3.0 feet) from the building.
  - ii. Extend more than 0.75 metres (2.5 feet) into the required side yards.
  - iii. Exceed in length 25 percent (25%) of the length of the wall.

### **5) Keeping of farm animals:**

- a) The raising or keeping of farm animals within this district is strictly prohibited.

### **6) Accessory uses, buildings and structures:**

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) Private garages and accessory buildings if 9.3 sq. metres (100 sq. feet) or larger, subject to clause (3), shall have a minimum side or rear yard of 1.5 metres (5.0 feet) and a maximum projection of 0.5 metres (1.64 feet) into the required yard for any eaves gutters or drain spouts into that yard.
- g) Private garages, carports, and accessory buildings attached to a principal building by a roof structure shall be considered as part of the principal building and subject to the regulations and setbacks of the principal building.
- h) In any Residential District accessory buildings are not to exceed the height of the principal building, except for approved garage suites.
  - i. Specific regulations and heights for garage suites shall be provided within the District Schedules included within this document.

## VILLAGE OF EDAM ZONING BYLAW

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- i) In rear yards:
  - i. Laundry drying equipment and garbage stands are permitted.
  - ii. Rear yard minimum shall be 0.9 metres (3.0 feet), except where the main door faces the rear site line, the minimum setback shall be 1.5 metres (5.0 feet).
- j) An accessory building shall not be located in a front yard.
- k) Except when conforming with established building lines, no door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 7.6 metres (25.0 feet) from a street to which it gives direct access, or less than 1.5 metres (4.92 feet) to a lane to which it gives direct access.
- l) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 metres (2.46 feet).
- m) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- n) Only one carport or detached private garage is permitted on a lot, unless one building is a carport or detached garage then another accessory building may be allowed as long as the three (3) buildings do not consist of more than 70% of the total lot coverage.
- o) There shall be no more than three (3) accessory buildings permitted on any individual site, including accessory buildings under the 9.3 sq. metres (100.0 sq. feet).
- p) Portable Garage and Shelters:
  - i. Portable garages shall not be located in the front yards.
  - ii. Portable garages shall not exceed a height of 4.5 metres (14.8 feet).
  - iii. Portable garages shall not exceed an area of 27 m<sup>2</sup> (290.6 ft<sup>2</sup>).
  - iv. The approval will not negatively impact surrounding uses.
  - v. Portable garages and shelters shall be adequately anchored.
  - vi. The portable garage and shelter will not be electrically wired or heated.

### 7) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) The maximum height along any lot line, except a lot line in a required front yard, shall be no greater than 2.4 metres (8.0 feet).
- d) No wall or fence shall be erected in a required front yard to a height of more than one (1) metre (3.3

## VILLAGE OF EDAM ZONING BYLAW

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feet).

- e) Walls or fences may be erected in the required front yard to a maximum height of 1.0 metre (3.3 feet), provided that the wall or fence is located at least 6.1 metres (20.0 feet) from the front property line.
- f) Barbed wire fences are prohibited.
- g) In the case of a corner lot, no wall, fence, hedge or shrub shall be placed as to create a visual obstruction in a sight triangle.
- h) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- i) No height limitations apply to the following:
  - i. Temporary construction fences.
  - ii. Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii. Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### **8) Decks and Balconies:**

- a) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.
- b) Open decks shall not be covered by a roof structure that is attached to any building or structure.
- c) Decks under 9.3 sq. metres (100 sq. feet) shall not require the submission of a Development Permit Application.
- d) Shall be permitted to:
  - i. 1.5 metre (5.0 feet) front yard encroachment into the minimum front yard setback requirement.
  - ii. 1.5 metre (5.0 feet) of the rear property line.
  - iii. 0.6 metres (2.0 feet) of any side property line.

### **9) Permitted Yard Encroachments:**

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.

## VILLAGE OF EDAM ZONING BYLAW

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c) In front yards:

- i. Maximum of 0.6 metre (2.0 feet) projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes;
- ii. Maximum of 1.8 metres (5.0 feet) projection of open decks or open steps;
- iii. Wheelchair ramps to main floor level;
- iv. Light standards, flag poles, and permitted signs.

d) In Rear Yards:

- i. Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (5.0 feet);
- ii. Balconies, porches, and steps to a maximum projection of 3.0 metres (10.0 feet);
- iii. A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 metres (2.0 feet);
- iv. Wheelchair ramps to main floor level;

e) Side Yards:

- i. Fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 metre (2.0 feet) or ½ the required yard whichever is the less;
- ii. Walkways and steps less than 0.6 metre (2.0 feet) in height;
- iii. Wheelchair ramps to main floor level;

f) Handrails are permitted in all yards, uncovered driveways, and walkways.

### **10) Institutional Development:**

- a) The development will be accessible from major streets and will not cause excessive traffic through existing residential areas.
- b) On corner parcels, and at the periphery of the neighbourhood. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and the degree to which it serves the local neighbourhood.
- c) The development will be of a size and operation intended to serve the neighbourhood where it is located.
- d) The developer of the institution may be required to provide a fence or other buffer to an abutting residential use.
- e) The Developer may be required to provide additional parking if Council believes the development will cause traffic congestion or a lack of on-street parking in the neighbourhood.
- f) May not be permitted:
  - i. If the institution creates unsafe conditions for surrounding land uses.
  - ii. Creates traffic congestion.

# VILLAGE OF EDAM ZONING BYLAW

- iii. Inadequate on-site parking.

## 11) Landscaping:

- a) No person shall cut or remove any tree located in this district that is not on their own property, without first having obtained the written consent of the Village Administrator or Council.
- b) Council may approve a development permit which provides for the cutting or removal of trees where:
  - i. The removal is, in their opinion, necessary to provide access to the site, required off-street parking, or access thereto in conjunction with a permitted use on the site.
  - ii. The trees are located within two (2) metres (6.56 feet) of an existing building.
  - iii. The trees are, in their opinion, dead, dying, severely diseased, or damaged and pose a safety hazard.
  - iv. The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees located on the property and regulated under clause (a).
  - v. The tree removal is part of a fire-safe fuel reduction plan approved by Council.
- c) Council or the Development Officer may allow the removal of dead trees, the cutting of trees severely damaged by weather, the normal pruning and maintenance of trees, or the maintenance of trees interfering with public utilities within any area of the municipality.

## 6.6 Specific Development Standards Discretionary Uses

### 1) Residential uses:

#### a) Garage and garden suites:

- i. Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- ii. Suites must meet all the requirements as shown in the exhibit below.

**Exhibit 9: Garden and Garden Suite Requirements in a R1 - Residential District**

RESTRICTION	REGULATION
<b>Maximum height</b> .....	4.5 m (14.8 ft.) and one storey
<b>Permitted location</b> .....	In the rear yard only
<b>Minimum setbacks:</b>	
<b>From a Side Lot Line</b> .....	Same as principal building
<b>From a Rear Lot Line</b> .....	Same as accessory buildings in the district
<b>Maximum lot coverage</b> .....	30% of the area of the total yard
<b>Minimum distance between buildings</b> .....	1.5 m (4.9 ft.)
<b>Driveways</b> .....	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
<b>Minimum floor area</b> .....	46 m <sup>2</sup> (495.1 ft <sup>2</sup> )

# VILLAGE OF EDAM ZONING BYLAW

<b>Maximum floor area</b> .....	65% of the gross floor area of the principal building on the lot.
<b>Windows</b> .....	Facing another residential property is prohibited.

- vi. Only one (1) is permitted per lot.
- vii. The building must be on the same lot as a site with an approved principal use building.
- viii. The principal use building must be a single detached dwelling or a commercial use in a commercial district, where the commercial use remains at grade.
- ix. The building must be a secondary use on the site. If there is a second residential building already on any site a garden suite will be prohibited until there is only one residential building on the site.
- x. Cannot exceed the maximum square footage of the attached accessory building.
- xi. Shall contain all components of a dwelling unit.
- xii. The granting of a development permit to accommodate overnight accommodation shall not be construed, in any way, as consent or approval for future subdivision.
- xiii. Units shall not have windows directly facing onto another residential property.
- xiv. Any development application will be required to show in the development permit that an additional off-street parking spot has been provided for the site on top of the current site requirements.

## **b) Townhouses, semi-detached dwellings or duplexes:**

- i. Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- ii. Where compliant with the site standards, sites may be subdivided along the party walls to create a separate lot for each dwelling, subject to compliance with building bylaw requirements.
- iii. The dwelling unit shall be designed as one cohesive building in terms of architectural design, which contains two (2) or more similar attached dwelling units, each of which fronts on a street, has direct access to the outside at grade, and is not wholly or partly above another dwelling.
- iv. No side yard shall be required for an attached townhouse dwelling where there is a shared common wall; however, on a corner site where the side yard adjoins a street, the side yard shall be a minimum of 3.0 m (9.84 ft.).
- v. The dividing property line shall be located beneath the shared common wall.
- vi. There is no limit to the number of consecutive conjoined units, provided each unit is located on an individual site as defined in the Land Titles Act, 2000.
- vii. Individual building masses should be arranged to ensure adequate light, view and privacy for each unit.
- viii. Each dwelling shall have a minimum of one (1) on-site parking spot.

## **c) Multi-unit dwellings:**

- i. Development permit applications shall include current photographs and building plans of the structure as is at the time of application.
- ii. Proposed new buildings shall complement the existing development.



## VILLAGE OF EDAM ZONING BYLAW

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- iii. Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- iv. Bare land condominium proposals shall be required to demonstrate conformance to The Condominium Property Act, 1993, and The Condominium Property Regulations, 2001.
- v. Maintenance of a multiple-unit dwelling and the connected yards shall be the responsibility of the owner or owners of the units or a body created to act on their behalf.
- vi. Each dwelling shall have a minimum of one (1) on-site parking spot.

### **d) Modular homes, mobile homes, and manufactured homes and move-in buildings:**

- i. Development permit applications shall include current photographs of the structure as is at the time of application.
- ii. Only one (1) modular home will be permitted on any single lot or parcel at any time.
- iii. Site plans shall demonstrate the placement of the modular home aligns with the existing streetscape of existing houses.

### **e) Ready-to-move (RTM) housing constructed off-site:**

- i. Development permit applications shall include current photographs or building plans of the structure.

### **f) Residential care homes, assisted living facilities, nursing homes:**

- i. Site size shall include a minimum of one (1) on-site parking stall per care home employee.
- ii. Shall not be located within 15.2 metres (50.0 feet) from any provincial highway.
- iii. Applicant shall be required to provide a provincial licence, pursuant to the particular act under which the home is proposed to operate as a condition of approval.
- iv. Shall maintain the single detached residential character of the property consistent with the neighbourhood.
- v. Shall meet all of the regulations for a single detached dwelling as prescribed for the zoning district in which it is located.
- vi. The operator shall be a permanent resident of the dwelling licensed as a residential care home.
- vii. The operator shall ensure that adequate supervision and care is available at all times.

## **2) Commercial uses:**

### **a) Confectionaries, drug stores, personal service shops:**

- i. Development shall not cause excessive traffic through existing residential areas.
- ii. Outdoor storage and garbage areas shall be adequately screened from public view.
- iii. Shall be adequately screened from abutting residential sites with fencing or shrubs.

### **b) Home based business, where accessory to a dwelling:**

- i. Subject to regulations stipulated in subsection 4.8 – Home Based Businesses.

## VILLAGE OF EDAM ZONING BYLAW

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- ii. Proposed new buildings may be required to complement the existing development.
- iii. Shall clearly be secondary and accessory to the use of a dwelling unit as a private residence.
- iv. Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property, except for permitted signs.
- v. Shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the building where the home based business has been applied for.
- vi. No more than 25% of the gross floor area of the principal building shall be used for the home based business.
- vii. Shall not require the parking of more than two (2) client vehicles at any time. Off-street parking shall be provided on site for any resident vehicles, and the application shall not create a lack of on-street parking in residential areas.
- viii. Shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- ix. Persons employed within the dwelling shall be full time residents of the dwelling. Council may, in its approval, provide for up to two (2) other persons employed by the business where such persons are employed to work off-site.
- x. A home based business shall not create any conflict in terms of emission of noise, glare, dust, odour, radio interference, traffic congestion (vehicular or pedestrian) or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.

### **c) Hotels, motels and bed and breakfast operations:**

- i. Development shall not cause excessive traffic through existing residential areas.
- ii. Proposed new buildings may be required to be designed to complement the existing development.
- iii. Shall be located in a single detached dwelling used as the operator's principal residence.
- iv. Shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast operation.
- v. One sign identifying the operation is allowed in accordance with sign regulations.
- vi. One off-street parking space shall be provided for each guest bedroom for use by the guest, in addition to any off-street parking used for the operator of the facility.

### **d) Social clubs:**

- i. Outdoor storage and garbage areas shall be adequately screened from public view.
- ii. Shall be located on corner lots abutting arterial or collector streets.

## **3) Institutions uses:**

- a) Institutional developments are subject to regulations stipulated within the general regulations of this zoning district.

# VILLAGE OF EDAM ZONING BYLAW

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## **b) Day cares:**

- i. Must be located in areas not adjacent to any provincial highway for the purpose of safety.
- ii. Be within a walkable distance of 400 metres (1,312.34 feet) through safe pedestrian routes to a public park or municipal reserve so that children may access these amenities.
- iii. Shall be sufficiently set back from busy vehicle and highway traffic.
- iv. Shall not be in an area where industrial or commercial pollution will be a risk to children.
- v. Located in close proximity to recreational facilities, parks, walking trails, or open spaces.
- vi. Shall not be located within 15 metres (50 feet) from Highway 26.
- vii. Development shall not cause excessive traffic through existing residential areas.
- viii. Outdoor storage and garbage areas shall be adequately screened from public view.

## **c) Hospitals or health care facilities:**

- i. Encouraged to be in close proximity to recreational facilities, parks, walking trails, or open spaces.
- ii. Development shall not cause excessive traffic through existing residential areas.
- iii. Site size shall include an on-site designated parking area that provides a minimum of one (1) on-site parking stall per employee, and at minimum one (1) parking stall for every two (2) hospital beds.
- iv. Site size shall provide multiple vehicular access points in suitable locations to minimize traffic congestion and possible hazards. Proposed locations shall be included on the application site plan.

## **d) Libraries, places of worship, religious institutions:**

- i. Should be located adjacent to commercial districts or in areas adjacent to, or within close proximity to an existing church or religious institution.
- ii. Outdoor storage and garbage areas shall be adequately screened from public view.
- iii. Shall be located on corner lots abutting arterial or collector streets.

## **e) Assisted living facilities, nursing homes:**

- i. Site size shall include a minimum of one (1) parking stall per care home employee.
- ii. Encouraged to be in close proximity to an existing recreational facility, park, playground, walking trail, or municipal reserve.
- iii. Shall not be located within 15.2 metres (50.0 feet) from any provincial highway.

## **7. R2 – Residential 2 District**

### **7.1 Purpose**

This district will provide sites for low-density residential development and additional uses compatible with residential development. This district will also allow for more dense residential development in situations where it is needed to serve the community and will be open to different housing types in order to support a variety of residents. Different options may be entertained, including but not limited to, bare land condominiums, apartment buildings, group homes, mobile homes, manufactured homes, and modular homes and other residential options.

### **7.2 Permitted Uses**

- 1) Residential
  - a) Single detached dwelling
- 2) Municipal facilities
- 3) Parks and playgrounds
- 4) Public utilities (excluding offices, warehouses, sewage lagoons and storage yards)
- 5) Institutional
  - a) Schools and educational buildings
- 6) Accessory Uses
  - a) Carport
  - b) Deck
  - c) Family Care Home
  - d) Fences
  - e) Porch
  - f) Private garage
  - g) Storage shed

### **7.3 Discretionary Uses**

- 1) Residential
  - a) Garage and garden suites
  - b) Semi-detached or duplexes,
  - c) Multi-unit dwellings, townhouses
  - d) Semi-detached or duplex dwelling

# VILLAGE OF EDAM ZONING BYLAW

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- e) Ready-to-move (RTM) housing constructed off-site, move-in buildings
- f) Mobile, modular and manufactured homes
- g) Residential care homes, group homes, family care homes
- h) Condominiums

## 2) Commercial

- a) Confectionaries
- b) Drug stores
- c) Home based business where accessory to a dwelling
- d) Hotels, motels, and Bed and Breakfast Operations
- e) Personal service shops
- f) Social clubs

## 3) Institutions

- a) Assisted living facilities, nursing homes
- b) Day care
- c) Hospitals or health care facilities
- d) Libraries
- e) Places of worship, religious institutions

## 4) Public or private daycare centres

## 5) Telecommunications Towers

### 7.3.1 Discretionary Use Evaluation Criteria

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Appropriate site locations (i.e., corner lots) shall be determined by Council.
- 5) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may

## VILLAGE OF EDAM ZONING BYLAW

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attach approval conditions to mitigate potential concerns.

7) Home Based Businesses:

- a) Applications shall be evaluated on whether the development has the potential to become too large or too intrusive for a residential neighbourhood.
- b) Evaluations shall include whether the business that could negatively affect the environment or the recreational nature of the neighbourhood.
- c) Council may apply special standards in the issuing of a development permit limiting the size of the operation, and buildings used for the operation, as well as any other size, height or safety restrictions necessary to protect the area from the possible risks posed by a home based business. Any increase in the operation or major change to the operation will require a new development permit.
- d) Council may apply special standards in the issuing of a development permit such as screening storage areas, fencing in yards, landscaping to hide certain features, or regarding the placement of signs in order to ensure the aesthetic quality of residential areas.

8) Residential care homes, group homes:

- a) The location should be a walkable distance from health care facilities, public amenities and the Village centre when possible.
- b) The applicant may be required to prove, in a manner acceptable to Council, that there will not be a risk posed to residents of the care facility by highway or general road traffic in the area.
- c) There is adequate space on the parcel for the proposed home. Required parking spaces shall not be located in the required front yard.
- d) There are appropriate levels of off-street parking for the residents of the facility and the operator.
- e) Council shall consider the concentration of care homes per residential block.

9) Townhouses, multi-unit dwellings, condominiums and similar residential density development:

- a) The services available to the sites and adjacent areas will have sufficient capacity to handle the higher density.
- b) Isolated single detached dwelling sites will not be allowed on a block undergoing conversion to higher density.
- c) Appropriate access from major streets to the development will exist and the development will not cause excessive traffic through existing low-density residential areas.
- d) Proximity to C1 – Commercial Core District.
- e) Applications shall be evaluated if they offer a variety of rental or purchase costs that promote a variety of family types and income levels within the community.
- f) Any other clause relevant within this section.
- g) The application shall not negatively affect:
  - i. The surrounding community.
  - ii. The safety of vehicle and pedestrian traffic in the area.

# VILLAGE OF EDAM ZONING BYLAW

- iii. Drainage patterns or pathways.
- iv. Any public property or park.

## 7.4 Prohibited Uses

- 1) Keeping of farm animals
- 2) Shipping containers or sea cans.
- 3) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

## 7.5 Regulations

### 1) Site requirements:

**Exhibit 10: Minimum R2 – Residential Site Location and Dimensions**

USE	FRONTAGE	DEPTH	MINIMUM PARCEL AREA	MAXIMUM PARCEL AREA
<b>Residential Without Lane</b>				
Single detached dwellings, RTM housing	15 m (49.2 ft.)	30 m (98.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	<b>1,335.5 m<sup>2</sup> (0.33 ac)</b>
Semi-detached, duplexes (per dwelling)	6.1 m (20.0 ft.)	30 m (98.4 ft.)	315 m <sup>2</sup> (3,229.2 ft <sup>2</sup> )	
Residential care home, mobile homes, modular homes, manufactured home	12 m (39.3 ft.)	30 m (98.4 ft.)	550 m <sup>2</sup> (5,920.2 ft <sup>2</sup> )	
<b>Residential With Lane</b>				
Single detached dwellings, RTM housing	12 m (39.3 ft.)	30 m (93.4 ft.)	360 m <sup>2</sup> (3,875.0 ft <sup>2</sup> )	<b>1,335.5 m<sup>2</sup> (0.33 ac)</b>
Semi-detached or duplexes (per dwelling)	6.1 m (20.0 ft.)	30 m (93.4 ft.)	225 m <sup>2</sup> (2,421.9 ft <sup>2</sup> )	
Residential care home mobile homes, modular homes, manufactured home	12 m (39.3 ft.)	30 m (93.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	
<b>Institutional</b>				
Places of worship, religious institutions.	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft <sup>2</sup> )	<b>None</b>
<b>Commercial</b>				
All uses, except home based business	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft <sup>2</sup> )	<b>None</b>
<b>Other uses (excluding accessory uses)</b>	15 m (49.2 ft.)	30 m (93.4 ft.)	450 m <sup>2</sup> (4,843.8 ft <sup>2</sup> )	<b>None</b>
<b>Recreational and public uses</b>	<b>No requirements</b>			

### 2) Required Yards:

**Exhibit 11: Minimum R2 – Residential Required Yard Dimensions**

USE	FRONT YARD	SIDE YARD (street)	SIDE YARD (other)	REAR YARD	SITE COVERAGE	BUILDING FLOOR AREA
<b>Residential uses (including home based business)</b>	7.5 m (24.9 ft.)	1.2 m (4.0 ft.)	1.2 m (4.0 ft.)	4.57 m (15.0 ft.)	40%	<b>Min: 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>)</b>

## VILLAGE OF EDAM ZONING BYLAW

<b>Institutional uses</b>	-	2.25 m (7.4 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	-	-
<b>Commercial uses</b>	6 m (19.7 ft.)	6 m (19.7 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	-	<b>Max: 300 m<sup>2</sup> (3,229.2 ft<sup>2</sup>)</b>
<b>Recreational and public uses</b>	<b>No requirements</b>					
<b>Any other use</b>	7.5 m (24.9 ft.)	1.2 m (4.0 ft.)	1.2 m (4.0 ft.)	6 m (19.7 ft.)	30%	<b>Min: 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>)</b>
<b>Accessory buildings</b>	Not Allowed	1.5 m (5.0 ft.)	1.2 m (4.0 ft.)	0.9m no door 1.5m door	30%*	N/A

\*Note: The accessory building lot coverage percentage is independent of the principal use lot coverage percentage.

### 3) Outdoor Storage, and Parking subject to section 4.12 - Transportation:

- a) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- b) Site size shall be appropriate for on-site designated parking area.
- c) No front yards shall be used for outdoor storage of anything other than one (1) motor vehicle, boat, recreational vehicle or trailer unless located in a designated driveway.
- d) Outdoor storage of any partially dismantled, or inoperative motor vehicles are prohibited.
- e) No septic haul trucks, or hazardous material transport trucks shall be parked or stored on site, or in the driveway.
- f) A maximum of one (1) recreation vehicle may be stored on a site in the driveway with an existing, permanent dwelling. The recreation vehicle may be occupied subject to:
  - i. It being for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site.
  - ii. It only being occupied when the principal dwelling is occupied.
  - iii. The period of occupation not exceeding 30 days; once the 30 day period has expired, a recreational vehicle cannot be occupied again on the site for a period of seven (7) days.
  - iv. If the recreation vehicle has a sink, shower, or water closet, it must have a self-contained septic holding tank or be connected to the septic system on the residential site.

### 4) Basements:

- a) The height of a basement, measured between floor and ceiling surfaces, shall not be less than 2.3 metres (7.5 feet).
- b) The height of the basement shall not exceed 1.2 metres (4.0 feet) above the grade level of the front property line abutting a roadway.
- c) For the purpose of providing pedestrian access to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination between a basement and



## VILLAGE OF EDAM ZONING BYLAW

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cellar, if the lowered surface is not on the same side of the building as a depressed vehicular access and does not:

- i. Exceed an area of 14.0 sq. metres (150.7 sq. feet).
  - ii. Extend more than 3.0 metres (9.8 feet) from the building.
  - iii. Exceed a width of 4.5 metres (14.8 feet) along the wall.
  - iv. Extend more than 0.75 metres (2.5 feet) into the required side yard.
- d) For the purpose of providing light to a basement or cellar, the surface of the ground adjoining a building may be lowered without affecting the determination of a basement, if the window wells do not:
- i. Extend more than 0.9 metres (3.0 feet) from the building.
  - ii. Extend more than 0.75 metres (2.5 feet) into the required side yards.
  - iii. Exceed in length 25 percent (25%) of the length of the wall.

### **5) Keeping of farm animals:**

- a) The raising or keeping of farm animals within this district is strictly prohibited.

### **6) Accessory uses, buildings and structures:**

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) Private garages and accessory buildings if 9.3 sq. metres (100 sq. feet) or larger, subject to clause (3), shall have a minimum side or rear yard of 1.5 metres (5.0 feet) and a maximum projection of 0.5 metres (1.64 feet) into the required yard for any eaves gutters or drain spouts into that yard.
- g) Private garages, carports, and accessory buildings attached to a principal building by a roof structure shall be considered as part of the principal building and subject to the regulations and setbacks of the principal building.
- h) In any Residential District accessory buildings are not to exceed the height of the principal building, except for approved garage suites.

## VILLAGE OF EDAM ZONING BYLAW

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- i. Specific regulations and heights for garage suites shall be provided within the District Schedules included within this document.
- i) In rear yards:
  - i. Laundry drying equipment and garbage stands are permitted.
  - ii. Rear yard minimum shall be 0.9 metres (3.0 feet), except where the main door faces the rear site line, the minimum setback shall be 1.5 metres (5.0 feet).
- j) An accessory building shall not be located in a front yard.
- k) Except when conforming with established building lines, no door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 7.6 metres (25.0 feet) from a street to which it gives direct access, or less than 1.5 metres (4.92 feet) to a lane to which it gives direct access.
- l) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 metres (2.46 feet).
- m) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- n) Only one carport or detached private garage is permitted on a lot, unless one building is a carport or detached garage then another accessory building may be allowed as long as the three (3) buildings do not consist of more than 70% of the total lot coverage.
- o) There shall be no more than three (3) accessory buildings permitted on any individual site, including accessory buildings under the 9.3 sq. metres (100.0 sq. feet).
- p) Portable Garage and Shelters:
  - i. Portable garages shall not be located in the front yards.
  - ii. Portable garages shall not exceed a height of 4.5 metres (14.8 feet).
  - iii. Portable garages shall not exceed an area of 27 m<sup>2</sup> (290.6 ft<sup>2</sup>).
  - iv. The approval will not negatively impact surrounding uses.
  - v. Portable garages and shelters shall be adequately anchored.
  - vi. The portable garage and shelter will not be electrically wired or heated.

### 7) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) The maximum height along any lot line, except a lot line in a required front yard, shall be no greater

## VILLAGE OF EDAM ZONING BYLAW

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than 2.4 metres (8.0 feet).

- d) No wall or fence shall be erected in a required front yard to a height of more than one (1) metre (3.3 feet).
- e) Walls or fences may be erected in the required front yard to a maximum height of 1.0 metre (3.3 feet), provided that the wall or fence is located at least 6.1 metres (20.0 feet) from the front property line.
- f) Barbed wire fences are prohibited.
- g) In the case of a corner lot, no wall, fence, hedge or shrub shall be placed as to create a visual obstruction in a sight triangle.
- h) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- i) No height limitations apply to the following:
  - i. Temporary construction fences.
  - ii. Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii. Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### **8) Decks and Balconies:**

- a) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.
- b) Open decks shall not be covered by a roof structure that is attached to any building or structure.
- c) Decks under 9.3 sq. metres (100 sq. feet) shall not require the submission of a Development Permit Application.
- d) Shall be permitted to:
  - i. 1.5 metre (5.0 feet) front yard encroachment into the minimum front yard setback requirement.
  - ii. 1.5 metre (5.0 feet) of the rear property line.
  - iii. 0.6 metres (2.0 feet) of any side property line.

### **9) Permitted Yard Encroachments:**

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.

## VILLAGE OF EDAM ZONING BYLAW

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- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.
- c) In front yards:
  - i. Maximum of 0.6 metre (2.0 feet) projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes;
  - ii. Maximum of 1.8 metres (5.0 feet) projection of open decks or open steps;
  - iii. Wheelchair ramps to main floor level;
  - iv. Light standards, flag poles, and permitted signs.
- d) In Rear Yards:
  - i. Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (5.0 feet);
  - ii. Balconies, porches, and steps to a maximum projection of 3.0 metres (10.0 feet);
  - iii. A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 metres (2.0 feet);
  - iv. Wheelchair ramps to main floor level; and,
- e) Side Yards:
  - i. Fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 metre (2.0 feet) or ½ the required yard whichever is the less;
  - ii. Walkways and steps less than 0.6 metre (2.0 feet) in height;
  - iii. Wheelchair ramps to main floor level;
- f) Handrails are permitted in all yards, uncovered driveways, and walkways.

### **10) Institutional Development:**

- a) The development will be accessible from major streets and will not cause excessive traffic through existing residential areas.
- b) On corner parcels, and at the periphery of the neighbourhood. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and the degree to which it serves the local neighbourhood.
- c) The development will be of a size and operation intended to serve the neighbourhood where it is located.
- d) The developer of the institution may be required to provide a fence or other buffer to an abutting residential use.
- e) The Developer may be required to provide additional parking if Council believes the development will cause traffic congestion or a lack of on-street parking in the neighbourhood.
- f) May not be permitted:
  - i. If the institution creates unsafe conditions for surrounding land uses.

# VILLAGE OF EDAM ZONING BYLAW

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- ii. Creates traffic congestion.
- iii. Inadequate on-site parking.

## **11) Landscaping:**

- a) No person shall cut or remove any tree located in this district that is not on their own property, without first having obtained the written consent of the Village Administrator or Council.
- b) Council may approve a development permit which provides for the cutting or removal of trees where:
  - i. The removal is, in their opinion, necessary to provide access to the site, required off-street parking, or access thereto in conjunction with a permitted use on the site.
  - ii. The trees are located within two (2) metres (6.56 feet) of an existing building.
  - iii. The trees are, in their opinion, dead, dying, severely diseased, or damaged and pose a safety hazard.
  - iv. The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees located on the property and regulated under clause (a).
  - v. The tree removal is part of a fire-safe fuel reduction plan approved by Council.
- c) Council or the Development Officer may allow the removal of dead trees, the cutting of trees severely damaged by weather, the normal pruning and maintenance of trees, or the maintenance of trees interfering with public utilities within any area of the municipality.

## **7.6 Specific Development Standards for Discretionary Uses**

### **1) Residential uses:**

#### **a) Garage and garden suites:**

- i. Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- ii. Suites must meet all the requirements as shown in the exhibit below.

# VILLAGE OF EDAM ZONING BYLAW

## Exhibit 12: Garage and Garden Suite Requirements in a R2 - Residential District

RESTRICTION	REGULATION
<b>Maximum height</b> .....	4.5 m (14.8 ft.) and one storey
<b>Permitted location</b> .....	In the rear yard only
<b>Minimum setbacks:</b>	
<b>From a Side Lot Line</b> .....	Same as principal building
<b>From a Rear Lot Line</b> .....	Same as accessory buildings in the district
<b>Maximum lot coverage</b> .....	30% of the area of the total yard
<b>Minimum distance between buildings</b> .....	1.5 m (4.9 ft.)
<b>Driveways</b> .....	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
<b>Minimum floor area</b> .....	46 m <sup>2</sup> (495.1 ft <sup>2</sup> )
<b>Maximum floor area</b> .....	65% of the gross floor area of the principal building on the lot.
<b>Windows</b> .....	Facing another residential property is prohibited.

- iii. Only one (1) is permitted per lot.
- iv. The building must be on the same lot as a site with an approved principal use building.
- v. The principal use building must be a single detached dwelling or a commercial use in a commercial district, where the commercial use remains at grade.
- vi. The building must be a secondary use on the site. If there is a second residential building already on any site a garden suite will be prohibited until there is only one residential building on the site.
- vii. Cannot exceed the maximum square footage of the attached accessory building.
- viii. Shall contain all components of a dwelling unit.
- ix. The granting of a development permit to accommodate overnight accommodation shall not be construed, in any way, as consent or approval for future subdivision.
- x. Units shall not have windows directly facing onto another residential property.
- xi. Any development application will be required to show in the development permit that an additional off-street parking spot has been provided for the site on top of the current site requirements.

**b) Townhouses, semi-detached or duplexes:**

- i. Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- ii. Where compliant with the site standards, sites may be subdivided along the party walls to create a separate lot for each dwelling, subject to compliance with building bylaw requirements.
- iii. The dwelling unit shall be designed as one cohesive building in terms of architectural design, which contains two (2) or more similar attached dwelling units, each of which fronts on a street, has direct access to the outside at grade, and is not wholly or partly above another dwelling.
- iv. No side yard shall be required for an attached townhouse dwelling where there is a shared

## VILLAGE OF EDAM ZONING BYLAW

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common wall; however, on a corner site where the side yard adjoins a street, the side yard shall be a minimum of 3.0 m (9.84 ft.).

- v. The dividing property line shall be located beneath the shared common wall.
- vi. There is no limit to the number of consecutive conjoined units, provided each unit is located on an individual site as defined in the Land Titles Act, 2000.
- vii. Individual building masses should be arranged to ensure adequate light, view and privacy for each unit.
- viii. Each dwelling shall have a minimum of one (1) on-site parking spot.

### **c) Multi-unit dwellings:**

- i) Development permit applications shall include current photographs and building plans of the structure as is at the time of application.
- ii) Proposed new buildings shall complement the existing development.
- iii) Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- iv) Bare land condominium proposals shall be required to demonstrate conformance to *The Condominium Property Act, 1993*, and *The Condominium Property Regulations, 2001*.
- v) Maintenance of a multiple-unit dwelling and the connected yards shall be the responsibility of the owner or owners of the units or a body created to act on their behalf.
- vi) Each dwelling shall have a minimum of one (1) on-site parking spot.

### **d) Modular homes, mobile homes, and manufactured homes and move-in buildings:**

- i) Development permit applications shall include current photographs of the structure as is at the time of application.
- ii) Only one (1) modular home will be permitted on any single lot or parcel at any time.
- iii) Site plans shall demonstrate the placement of the modular home aligns with the existing streetscape of existing houses.
- iv) Model date of manufacture cannot exceed six (6) years from the Development Permit Application date.
- v) Either be attached to a permanent foundation or be anchored to the ground and skirted, prior to occupancy.
- vi) Ensure that structural additions to a modular home have a permanent foundation and shall have exterior siding and skirting installed that matches that of the modular home.

### **e) Ready-to-move (RTM) housing constructed off-site:**

- i) Development permit applications shall include current photographs and building plans of the structure.

# VILLAGE OF EDAM ZONING BYLAW

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## **f) Residential care homes, group homes, family care homes, assisted living facilities, nursing homes:**

- i) Site size shall include a minimum of one (1) on-site parking stall per care home employee.
- ii) Shall not be located within 15.2 metres (50.0 feet) from any provincial highway.
- iii) Residential care homes, group homes, and family care homes must be accessory to the principal dwelling unit.
- iv) Shall not be located adjacent to any Provincial Highway, or what Council considers a major roadway.
- v) May be limited to five (5) spaces or rooms depending on the available space of the total floor area of the principal building, and the number of operators providing care.
- vi)

## **2) Commercial uses:**

### **a) Confectionaries, drug stores, personal service shops:**

- i) Development shall not cause excessive traffic through existing residential areas.
- ii) Outdoor storage and garbage areas shall be adequately screened from public view.
- iii) Shall be adequately screened from abutting residential sites with fencing or shrubs.

### **b) Home based business, where accessory to a dwelling:**

- i) Subject to regulations stipulated in section 4.8 – Home Based Businesses.
- ii) Proposed new buildings may be required to complement the existing development.
- iii) Shall clearly be secondary and accessory to the use of a dwelling unit as a private residence.
- iv) Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property, except for permitted signs.
- v) Shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the building where the home based business has been applied for.

(1) No more than 25% of the gross floor area of the principal building shall be used for the home based business.

- vi) Shall not require the parking of more than two (2) client vehicles at any time. Off-street parking shall be provided on site for any resident vehicles, and the application shall not create a lack of on-street parking in residential areas.
- vii) Shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- viii) Persons employed within the dwelling shall be full time residents of the dwelling. Council may, in its approval, provide for up to two (2) other persons employed by the business where such persons are employed to work off-site.
- ix) A home based business shall not create any conflict in terms of emission of noise, glare, dust,



## VILLAGE OF EDAM ZONING BYLAW

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odour, radio interference, traffic congestion (vehicular or pedestrian) or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.

### **c) Hotels, motels and bed and breakfast operations:**

- i) Development shall not cause excessive traffic through existing residential areas.
- ii) Proposed new buildings may be required to be designed to complement the existing development.
- iii) Shall be located in a single detached dwelling used as the operator's principal residence.
- iv) Shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast operation.
- v) One sign identifying the operation is allowed in accordance with sign regulations.
- vi) One off-street parking space shall be provided for each guest bedroom for use by the guest, in addition to any off-street parking used for the operator of the facility.

### **d) Social clubs:**

- i) Outdoor storage and garbage areas shall be adequately screened from public view.
- ii) Shall be located on corner lots abutting arterial or collector streets.

## **3) Institutions uses:**

- a) Institutional developments are subject to regulations stipulated within the general regulations of this zoning district.

### **b) Day cares:**

- i) Must be located in areas not adjacent to any provincial highway for the purpose of safety.
- ii) Be within a walkable distance of 400 metres (1,312.34 feet) through safe pedestrian routes to a public park or municipal reserve so that children may access these amenities.
- iii) Shall be sufficiently set back from busy vehicle and highway traffic.
- iv) Shall not be in an area where industrial or commercial pollution will be a risk to children.
- v) Located in close proximity to recreational facilities, parks, walking trails, or open spaces.
- vi) Shall not be located within 15 metres (50 feet) from Highway 26.
- vii) Development shall not cause excessive traffic through existing residential areas.
- viii) Outdoor storage and garbage areas shall be adequately screened from public view.

### **c) Hospitals or health care facilities:**

- i) Encouraged to be in close proximity to recreational facilities, parks, walking trails, or open spaces.
- ii) Development shall not cause excessive traffic through existing residential areas.
- iii) Site size shall include an on-site designated parking area that provides a minimum of one (1) on-site parking stall per employee, and at minimum one (1) parking stall for every two (2)

## VILLAGE OF EDAM ZONING BYLAW

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hospital beds.

- iv) Site size shall provide multiple vehicular access points in suitable locations to minimize traffic congestion and possible hazards. Proposed locations shall be included on the application site plan.

**d) Libraries, places of worship, religious institutions:**

- i) Should be located adjacent to commercial districts or in areas adjacent to, or within close proximity to an existing church or religious institution.
- ii) Outdoor storage and garbage areas shall be adequately screened from public view.
- iii) Shall be located on corner lots abutting arterial or collector streets.

**e) Assisted living facilities, nursing homes:**

- i) Site size shall include a minimum of one (1) parking stall per care home employee.
- ii) Encouraged to be in close proximity to an existing recreational facility, park, playground, walking trail, or municipal reserve.
- iii) Shall not be located within 15.2 metres (50.0 feet) from any provincial highway.

## **8. MH – Mobile Home District**

### **8.1 Purpose**

This district will provide sites for Mobile Homes in a way that allows them to be developed harmoniously with other uses.

### **8.2 Permitted Uses**

- 1) Residential
  - a) Mobile Homes, modular homes, and manufactured homes
- 2) Public works, excluding offices, shops, warehouses and storage yards
- 3) Accessory
  - a) Fences
  - b) Porches and decks
  - c) Sheds, private garages

### **8.3 Discretionary Uses**

- 1) Commercial
  - a) Day care centres
  - b) Home based business
- 2) Residential
  - a) Ready-to-move (RTM) Buildings, Move-in buildings
  - b) Semi-detached dwellings or duplex dwelling
  - c) Single detached dwelling

#### **8.3.1 Discretionary Use Evaluation Criteria**

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to council, that they will not unreasonably negatively affect the surrounding residential properties in the area.

# VILLAGE OF EDAM ZONING BYLAW

- 4) Appropriate site locations (i.e., corner lots) shall be determined by Council.
- 5) Site design should, in Council’s opinion, mitigate adverse effects (i.e., noise).
- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.
- 7) Proposals for single-detached dwellings, semi-detached, and duplex dwellings shall be evaluated against the existing housing stock within the zoning district to ensure retention of a variety of housing stock, and affordable housing within the Village of Edam.
- 8) Home Based Businesses:
  - a) Applications shall be evaluated on whether the development has the potential to become too large or too intrusive for a residential neighbourhood.
  - b) Evaluations shall include whether the business that could negatively affect the environment or the recreational nature of the neighbourhood.
  - c) Council may apply special standards in the issuing of a development permit limiting the size of the operation, and buildings used for the operation, as well as any other size, height or safety restrictions necessary to protect the area from the possible risks posed by a home based business. Any increase in the operation or major change to the operation will require a new development permit.
  - d) Council may apply special standards in the issuing of a development permit such as screening storage areas, fencing in yards, landscaping to hide certain features, or regarding the placement of signs in order to ensure the aesthetic quality of residential areas.

## 8.4 Prohibited Uses

- 1) Keeping of farm animals
- 2) Shipping containers or sea cans.
- 3) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

## 8.5 Regulations

### 1) Site requirements:

**Exhibit 13: MH – Mobile Home District Site Requirements**

Use	MINIMUM			MAXIMUM
	Frontage	Depth	Parcel Area	Parcel Area
<b>Permitted Uses</b>				
mobile homes, modular homes	12 m	20 m	360 m <sup>2</sup>	607 m <sup>2</sup>

## VILLAGE OF EDAM ZONING BYLAW

	(39.37 feet)	(65.62 feet)	<b>(0.09 ac)</b>	<b>(0.15 ac)</b>
<b>Discretionary Uses</b>				
daycare centres	15 m (49.21 feet)	20 m (65.62 feet)	<b>465 m<sup>2</sup></b> <b>(0.12 ac)</b>	<b>607 m<sup>2</sup></b> <b>(0.15 ac)</b>
home based businesses	15 m (49.21 feet)	20 m (65.62 feet)	<b>465 m<sup>2</sup></b> <b>(0.12 ac)</b>	<b>607 m<sup>2</sup></b> <b>(0.15 ac)</b>
ready-to-move (RTM) buildings, single-detached dwellings, duplexes, semi-detached dwellings	15 m (49.21 feet))	20 m (65.62 feet)	<b>465 m<sup>2</sup></b> <b>(0.12 ac)</b>	<b>607 m<sup>2</sup></b> <b>(0.15 ac)</b>
<b>Institutional Uses</b>			No Requirements	

### 2) Yard Requirements:

#### Exhibit 14: MH – Mobile Home District Minimum Yard Requirements

Use	Front Yard	Side Yard Abutting Street	Side Yard Other	Rear Yard	Coverage	Minimum Building Floor Area
<b>Residential Uses</b>						
mobile home, modular homes, manufactured home	7.5 m (24.61 ft.)	1.5 m (4.92 ft.)	1.5 m (4.92 ft.)	4.5 m (14.76 ft.)	40%	<b>105 m<sup>2</sup></b> <b>(1,130.21 ft<sup>2</sup>)</b>
single detached dwelling						
<b>Discretionary Uses</b>						
ready-to-move (RTM) buildings, single-detached dwellings, duplexes, semi-detached dwellings	7.5 m (24.61 ft.)	1.5 m (4.92 ft.)	1.5 m (4.92 ft.)	4.5 m (14.76 ft.)	40%	<b>105 m<sup>2</sup></b> <b>(1,130.21 ft<sup>2</sup>)</b>
<b>Recreational and public uses</b>						
<b>No Requirements</b>						
<b>Accessory Buildings</b>	Not Allowed	1.5 m (5.0 ft.)	1.2 m (4.0 ft.)	0.9 m no door 1.5m door	30%*	N/A

Note: Where dwelling in a row house or semi-detached house abuts the other dwelling at the party wall, the side yard requirement not applicable.

### 3) Modular homes, mobile homes, and manufactured homes:

- a) Development permit applications shall include current photographs of the structure as is at the time of application.
- b) Only one (1) modular home will be permitted on any single lot or parcel at any time.
- c) Site plans shall demonstrate the placement of the modular home aligns with the existing streetscape of existing houses.
- d) Model date of manufacture cannot exceed six (6) years from the Development Permit Application date.
- e) Either be attached to a permanent foundation or be anchored to the ground and skirted, prior to occupancy.
- f) Ensure that structural additions to a modular home have a permanent foundation and shall have exterior siding and skirting installed that matches that of the modular home.

### 4) Outdoor Storage, and Parking subject to section 4.12 - Transportation:

- a) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.

## VILLAGE OF EDAM ZONING BYLAW

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- b) Site size shall be appropriate for on-site designated parking area.
- c) No front yards shall be used for outdoor storage of anything other than one (1) motor vehicle, boat, recreational vehicle or trailer unless located in a designated driveway.
- d) Outdoor storage of any partially dismantled, or inoperative motor vehicles are prohibited.
- e) No septic haul trucks, or hazardous material transport trucks shall be parked or stored on site, or in the driveway.
- f) A maximum of one (1) recreation vehicle may be stored on a site in the driveway with an existing, permanent dwelling. The recreation vehicle may be occupied subject to:
  - i) It being for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site.
  - ii) It only being occupied when the principal dwelling is occupied.
  - iii) The period of occupation not exceeding 30 days; once the 30 day period has expired, a recreational vehicle cannot be occupied again on the site for a period of seven (7) days.
  - iv) If the recreation vehicle has a sink, shower, or water closet, it must have a self-contained septic holding tank or be connected to the septic system on the residential site.

### **5) Keeping of farm animals:**

- a) The raising or keeping of farm animals within this district is strictly prohibited.

### **6) Accessory uses, buildings and structures:**

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) Private garages and accessory buildings if 9.3 sq. metres (100 sq. feet) or larger, subject to clause (3), shall have a minimum side or rear yard of 1.5 metres (5.0 feet) and a maximum projection of 0.5 metres (1.64 feet) into the required yard for any eaves gutters or drain spouts into that yard.

## VILLAGE OF EDAM ZONING BYLAW

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- g) Private garages, carports, and accessory buildings attached to a principal building by a roof structure shall be considered as part of the principal building and subject to the regulations and setbacks of the principal building.
- h) In any Residential District accessory buildings are not to exceed the height of the principal building, except for approved garage suites.
  - i. Specific regulations and heights for garage suites shall be provided within the District Schedules included within this document.
- i) In rear yards:
  - i. Laundry drying equipment and garbage stands are permitted.
  - ii. Rear yard minimum shall be 0.9 metres (3.0 feet), except where the main door faces the rear site line, the minimum setback shall be 1.5 metres (5.0 feet).
- j) An accessory building shall not be located in a front yard.
- k) Except when conforming with established building lines, no door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 7.6 metres (25.0 feet) from a street to which it gives direct access, or less than 1.5 metres (4.92 feet) to a lane to which it gives direct access.
- l) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 metres (2.46 feet).
- m) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- n) Only one carport or detached private garage is permitted on a lot, unless one building is a carport or detached garage then another accessory building may be allowed as long as the three (3) buildings do not consist of more than 70% of the total lot coverage.
- o) There shall be no more than three (3) accessory buildings permitted on any individual site, including accessory buildings under the 9.3 sq. metres (100.0 sq. feet).
- p) Portable Garage and Shelters:
  - i) Portable garages shall not be located in the front yards.
  - ii) Portable garages shall not exceed a height of 4.5 metres (14.8 feet).
  - iii) Portable garages shall not exceed an area of 27 m<sup>2</sup> (290.6 ft<sup>2</sup>).
  - iv) The approval will not negatively impact surrounding uses.
  - v) Portable garages and shelters shall be adequately anchored.
  - vi) The portable garage and shelter will not be electrically wired or heated.

## VILLAGE OF EDAM ZONING BYLAW

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### 7) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) The maximum height along any lot line, except a lot line in a required front yard, shall be no greater than 2.4 metres (8.0 feet).
- d) No wall or fence shall be erected in a required front yard to a height of more than one (1) metre (3.3 feet).
- e) Walls or fences may be erected in the required front yard to a maximum height of 1.0 metre (3.3 feet), provided that the wall or fence is located at least 6.1 metres (20.0 feet) from the front property line.
- f) Barbed wire fences are prohibited.
- g) In the case of a corner lot, no wall, fence, hedge or shrub shall be placed as to create a visual obstruction in a sight triangle.
- h) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- i) No height limitations apply to the following:
  - i) Temporary construction fences.
  - ii) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### 8) Decks and Balconies:

- a) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.
- b) Open decks shall not be covered by a roof structure that is attached to any building or structure.
- c) Decks under 9.3 sq. metres (100 sq. feet) shall not require the submission of a Development Permit Application.
- d) Shall be permitted to:



## VILLAGE OF EDAM ZONING BYLAW

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- i) 1.5 metre (5.0 feet) front yard encroachment into the minimum front yard setback requirement.
- ii) 1.5 metre (5.0 feet) of the rear property line.
- iii) 0.6 metres (2.0 feet) of any side property line.

### 9) Permitted Yard Encroachments:

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.
- c) In front yards:
  - i) Maximum of 0.6 metre (2.0 feet) projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes;
  - ii) Maximum of 1.8 metres (5.0 feet) projection of open decks or open steps;
  - iii) Wheelchair ramps to main floor level;
  - iv) Light standards, flag poles, and permitted signs.
- d) In Rear Yards:
  - i) Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (5.0 feet);
  - ii) Balconies, porches, and steps to a maximum projection of 3.0 metres (10.0 feet);
  - iii) A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 metres (2.0 feet);
  - iv) Wheelchair ramps to main floor level; and,
- e) Side Yards:
  - i) Fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 metre (2.0 feet) or ½ the required yard whichever is the less;
  - ii) Walkways and steps less than 0.6 metre (2.0 feet) in height;
  - iii) Wheelchair ramps to main floor level;
- f) Handrails are permitted in all yards, uncovered driveways, and walkways.

### 10) Institutional Development:

- a) The development will be accessible from major streets and will not cause excessive traffic through existing residential areas.
- b) On corner parcels, and at the periphery of the neighbourhood. The degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and the degree to which it serves the local neighbourhood.

# VILLAGE OF EDAM ZONING BYLAW

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- c) The development will be of a size and operation intended to serve the neighbourhood where it is located.
- d) The developer of the institution may be required to provide a fence or other buffer to an abutting residential use.
- e) The Developer may be required to provide additional parking if Council believes the development will cause traffic congestion or a lack of on-street parking in the neighbourhood.
- f) May not be permitted:
  - i) If the institution creates unsafe conditions for surrounding land uses.
  - ii) Creates traffic congestion.
  - iii) Inadequate on-site parking.

## **11) Landscaping:**

- d) No person shall cut or remove any tree located in this district that is not on their own property, without first having obtained the written consent of the Village Administrator or Council.
- e) Council may approve a development permit which provides for the cutting or removal of trees where:
  - i) The removal is, in their opinion, necessary to provide access to the site, required off-street parking, or access thereto in conjunction with a permitted use on the site.
  - ii) The trees are located within two (2) metres (6.56 feet) of an existing building.
  - iii) The trees are, in their opinion, dead, dying, severely diseased, or damaged and pose a safety hazard.
  - iv) The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees located on the property and regulated under clause (a).
  - v) The tree removal is part of a fire-safe fuel reduction plan approved by Council.
- f) Council or the Development Officer may allow the removal of dead trees, the cutting of trees severely damaged by weather, the normal pruning and maintenance of trees, or the maintenance of trees interfering with public utilities within any area of the municipality.

## **8.6 Specific Development Standards for Discretionary Uses**

### **1) Residential:**

#### **a) Ready-to-move (RTM) housing constructed off-site, Move-in Buildings:**

- i) Development permit applications shall include current photographs and building plans of the structure.
- ii) Development permit applications shall include current photographs of the structure as is at the time of application.

# VILLAGE OF EDAM ZONING BYLAW

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## **b) Single detached dwellings, semi-detached dwellings, and duplexes:**

- i) Shall abide by the existing streetscape of the district.
- ii) Where compliant with the site standards, a semi-detached site may be subdivided along the party walls to create a separate lot for each dwelling, subject to compliance with building bylaw requirements.
- iii) Where compliant with the site standards, sites may be subdivided along the party walls to create a separate lot for each dwelling, subject to compliance with building bylaw requirements.
- iv) The dwelling unit shall be designed as one cohesive building in terms of architectural design, which contains two (2) or more similar attached dwelling units, each of which fronts on a street, has direct access to the outside at grade, and is not wholly or partly above another dwelling.
- v) No side yard shall be required for an attached townhouse dwelling where there is a shared common wall; however, on a corner site where the side yard adjoins a street, the side yard shall be a minimum of 3.0 m (9.84 ft.).
- vi) The dividing property line shall be located beneath the shared common wall.
- vii) There is no limit to the number of consecutive conjoined units, provided each unit is located on an individual site as defined in the Land Titles Act, 2000.
- viii) Individual building masses should be arranged to ensure adequate light, view and privacy for each unit.
- ix) Each dwelling shall have a minimum of one (1) on-site parking spot.

## **2) Commercial:**

### **a) Home based business, where accessory to a dwelling:**

- i) Subject to regulations stipulated in section 4.8 – Home Based Businesses.
- ii) Proposed new buildings may be required to complement the existing development.
- iii) Shall clearly be secondary and accessory to the use of a dwelling unit as a private residence.
- iv) Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property, except for permitted signs.
- v) Shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the building where the home based business has been applied for.

(1) No more than 25% of the gross floor area of the principal building shall be used for the home based business.

- vi) Shall not require the parking of more than two (2) client vehicles at any time. Off-street parking shall be provided on site for any resident vehicles, and the application shall not create a lack of on-street parking in residential areas.
- vii) Shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- viii) Persons employed within the dwelling shall be full time residents of the dwelling. Council

## VILLAGE OF EDAM ZONING BYLAW

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may, in its approval, provide for up to two (2) other persons employed by the business where such persons are employed to work off-site.

- ix) A home based business shall not create any conflict in terms of emission of noise, glare, dust, odour, radio interference, traffic congestion (vehicular or pedestrian) or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.

**b) Public or private daycare centres:**

- i) Located in close proximity to recreational facilities, parks, walking trails, or open spaces.
- ii) Development shall not cause excessive traffic through existing residential areas.
- iii) Outdoor storage and garbage areas shall be adequately screened from public view.

## **9. C1 – Commercial Core District**

### **9.1 Purpose**

This district will provide sites for stores, offices and facilities which sell retail merchandise and services. Options that allow for housing, while retaining a main floor for a commercial use, may be entertained in this district. High-density residential options may also be entertained if it is believed that they would benefit the Village as a whole.

### **9.2 Permitted Uses**

- 1) Art galleries and museums
- 2) Bakeries with retail sales
- 3) Banks, financial services, and business offices
- 4) Bed and Breakfast Operations
- 5) Bowling alleys, billiard halls and theatres
- 6) Broadcasting media and commercial communications studios and offices
- 7) Bus terminals
- 8) Cafes, restaurants, and lounges
- 9) Commercial entertainment establishments and theaters
- 10) Community centres
- 11) Construction trades, artisans, and craft. shops offices and workshops
- 12) Day care centres
- 13) Gas bars with or without confectionaries, and similar uses
- 14) Government and professional service offices
- 15) Grocery stores and food item sales
- 16) Hotels, motels
- 17) Libraries, cultural institutions, museums
- 18) Licensed beverage rooms, restaurants and lounges
- 19) Lodges, fraternal organizations, clubs
- 20) Medical, dental, and other health services offices and clinics
- 21) Municipal facilities
- 22) Personal service establishments
- 23) Places of worship, religious institutions
- 24) Printing and publishing offices, including related printing presses and equipment
- 25) Public utilities and public works
- 26) Rental stores
- 27) Retail stores, convenience stores
- 28) Service stations with or without car washes
- 29) Travel agents
- 30) Undertaking establishments, funeral homes

# VILLAGE OF EDAM ZONING BYLAW

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## 9.3 Discretionary Uses

- 1) Commercial uses:
  - a) Construction trades, artisans, craft shops, offices and workshops
  - b) Drive thru restaurants
  - c) Establishments for the sale, and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery
  - d) Mini-malls, strip malls
- 2) Industrial uses:
  - a) Lumber yards
  - b) Wholesale trade stores and office
- 3) Residential uses:
  - a) Garage and garden suites
  - b) Mixed-use developments
  - c) Multiple unit dwellings
  - d) Single detached dwellings
- 4) Telecommunication Towers

### 9.3.1 Discretionary Use Evaluation Criteria

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Appropriate site locations (i.e., corner lots) shall be determined by Council.
- 5) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.
- 7) Mixed use development:

# VILLAGE OF EDAM ZONING BYLAW

- a) Appropriate access from major streets to the development and the development will not cause excessive traffic through existing residential areas.
  - b) Locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred.
  - c) The developer of the business may be required to provide a fence or other buffer to an abutting use.
- 8) Residential uses, in Council’s opinion:
- a) Appropriate on-site residential parking for the proposal;
  - b) The residential proposal leaves the front of the building at grade level as a commercial use;
  - c) Convenience of parking for proposed resident;
  - d) Appropriate size and quality of proposed dwelling units; and
  - e) Location of residential development in comparison to surrounding commercial development.
  - f) The services available to the sites and adjacent areas will have sufficient capacity to handle the higher density.
  - g) Isolated single detached dwelling sites will not be allowed on a block undergoing conversion to higher density.
  - h) Appropriate access from major streets to the development will exist and the development will not cause excessive traffic through existing low-density residential areas.
  - i) Proximity to C1 – Commercial Core District.
  - j) Applications shall be evaluated if they offer a variety of rental or purchase costs that promote a variety of family types and income levels within the community.
  - k) Any other clause relevant within this section.
  - l) The application shall not negatively affect:
    - i) The surrounding community.
    - ii) The safety of vehicle and pedestrian traffic in the area.
    - iii) Drainage patterns or pathways.
    - iv) Any public property or park.

## 9.4 Prohibited Uses

- 1) Keeping of farm animals
- 2) Shipping containers or sea cans.
- 3) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

## 9.5 Regulations

- 1) Site requirements:

### Exhibit 15: C1 – Commercial Core Site Location and Dimensions

USE	FRONTAGE	DEPTH	PARCEL AREA
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## VILLAGE OF EDAM ZONING BYLAW

<b>Retail, commercial service, and office uses</b>			
Undertaking establishments	30 m (93.4 ft.)	30 m (93.4 ft.)	900 m <sup>2</sup> (9,687.5 ft. <sup>2</sup> )
Other permitted uses	7.5 m (24.6 ft.)	30 m (93.4 ft.)	230 m <sup>2</sup> (2,475.7 ft. <sup>2</sup> )
Multiple permitted uses in one single building	15 m (42.2 ft.)	30 m (93.4 ft.)	560 m <sup>2</sup> (6,027.8 ft. <sup>2</sup> )
Mini malls, lumber yards, wholesale establishments	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft. <sup>2</sup> )
Transportation and vehicle sales and services	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft. <sup>2</sup> )
<b>Tourism, recreational, and cultural uses</b>			
Hotels and motels	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft. <sup>2</sup> )
Galleries, bed and breakfasts, theatres, cultural institutions	15 m (42.2 ft.)	30 m (93.4 ft.)	560 m <sup>2</sup> (6,027.8 ft. <sup>2</sup> )
<b>Residential uses</b>			
Multiple unit dwellings	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft. <sup>2</sup> )
Single detached dwellings	7.5 m (24.6 ft.)	30 m (93.4 ft.)	560 m <sup>2</sup> (6,027.8 ft. <sup>2</sup> )
<b>Institutional and public uses</b>			
Day care centres, lodges, fraternal organizations, clubs	7.5 m (24.6 ft.)	30 m (93.4 ft.)	2,295 m <sup>2</sup> (24,703.2 ft. <sup>2</sup> )
<b>Community centres, places of worship, religious</b>	30 m (93.4 ft.)	30 m (93.4 ft.)	930 m <sup>2</sup> (10,010.4 ft. <sup>2</sup> )
<b>Utilities and public works</b>	<b>No Requirements</b>		

### 2) Required Yards:

#### Exhibit 16: C1 - Commercial Core Required Yard Dimensions

USE	FRONT YARD	SIDE YARD (R-District)	SIDE YARD (other)	REAR YARD (R-District)	REAR YARD (other)
Service stations, gas bars, car washes	6.1 m (20.0 ft.)	1.52 m (5.0 ft.)	None	6.1 m (20.0 ft.)	None
All other uses	None	1.52 m (5.0 ft.)	None	6.1 m (20.0 ft.)	None

### 3) Outdoor storage and Parking, subject to section 4.12 - Transportation:

- a) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- b) Site size shall be appropriate for on-site designated parking area.
- c) Storage shall not be allowed in the yards of any commercial or industrial site unless it is screened and not visible from any of the following:
  - i) The number 26 Highway;
  - ii) Any adjacent residential lot;
  - iii) Any part of the C1 – Commercial District;
  - iv) Any park or area frequented by children where, in Council's opinion, the items being stored could pose a potential threat to children either directly or indirectly.



## VILLAGE OF EDAM ZONING BYLAW

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- d) Outside storage may be limited as outlined in these districts for a specific use, or it may be regulated if Council believes it will have a negative effect on the aesthetics of the Village.
- e) No commercial vehicle shall be parked or stored on a site other than the following:
  - i) A maximum of one (1) commercial vehicle, excluding septic haul trucks, and hazardous material transport trucks not exceeding 20 tonne gross vehicle weight.
  - ii) Commercial vehicles required for construction, repair, servicing or maintenance on the site.
  - iii) Access to sites meant to house trucks will be adjacent to designated routes for trucks and heavy vehicles.

### **4) Keeping of farm animals:**

- a) The raising or keeping of farm animals within this district is strictly prohibited.

### **5) Accessory uses, buildings and structures:**

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) Accessory dwelling units accessory to a retail or commercial use listed may be considered by Council where the units are used by the operator or employees of the business to which the dwelling unit is an accessory as long as the front of the lot at grade remains a building with a commercial use; and,
- g) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- h) For gas bars and service stations, an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 metres (1.97 feet) from any property line.
- i) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.

## VILLAGE OF EDAM ZONING BYLAW

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- j) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.
- k) All accessory uses may include dwellings but only if the residential dwelling is on a lot where the commercial use is at the front of the lot at grade. Residential suites shall not be at the front of the lot at grade and shall comply with the residential regulations required within the zoning district where it is located.
- l) Portable Garage and Shelters:
  - i) Portable garages shall not be located in the front yards.
  - ii) Portable garages shall not exceed a height of 6.4 metres (21.0 feet).
  - iii) Portable garages shall not exceed an area of 67 m<sup>2</sup> (720 ft<sup>2</sup>).
  - iv) The approval will not negatively impact surrounding uses.
  - v) Portable garages and shelters shall be adequately anchored.
  - vi) The portable garage and shelter will not be electrically wired or heated.

### 6) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) In the case of a corner lot, no wall or fence shall be placed as to create a visual obstruction in a sight triangle.
  - i) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 metre (2.29 feet) and 2.5 metres (8.20 feet) above grade.
- d) Where the development abuts a Residential District, approval conditions may require a fence to be designed to attenuate noise.
- e) Height restrictions shall be designated within the Zoning District Schedules included in this document.
- f) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- g) No height limitations apply to the following:
  - i) Temporary construction fences.
  - ii) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.

## VILLAGE OF EDAM ZONING BYLAW

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iii) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### **7) Permitted Yard Encroachments:**

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.
- c) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 metre (2.0 feet) or less projection into a required yard, or chimney chases, fire escapes, or steps.
- d) Signs, as allowed pursuant to section 4.14 – Signs are permitted in yards.

### **8) Day cares:**

- a) Must be located in areas not adjacent to any provincial highway for the purpose of safety.
- b) Be within a walkable distance of 400 metres (1,312.34 feet) through safe pedestrian routes to a public park or municipal reserve so that children may access these amenities.
- c) Shall be sufficiently set back from busy vehicle and highway traffic.
- d) Shall not be in an area where industrial or commercial pollution will be a risk to children.

### **9) Service station, gas bars and similar uses:**

- a) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres (19.68 feet) from any street or other property boundary.
- b) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- c) All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- d) The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.
- e) Above-ground fuel storage tanks shall be:
  - i) Above ground fuel storage tanks associated with a gas bar or service station shall be:

## VILLAGE OF EDAM ZONING BYLAW

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- (1) Located at least 6.0 metres (19.7 feet) from any property line or building;
- (2) At least 15.0 metres (49.2 feet) from the boundary of any site within a Residential District.
- ii) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least three (3) metres (9.8 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
- iii) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- iv) Applicants must demonstrate to Council fuel containment measures through a written emergency measures plan.

### 9.6 Specific Development Standards for Discretionary Uses

#### 1) Commercial uses:

##### a) Construction trades, artisans, craft shops, offices and workshops:

- i) All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building;
- ii) No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

##### b) Drive thru restaurants:

- i) Restaurants with drive through sales shall have room on site for at least five (5) cars in the ordering line. This line of cars shall not block access to parking stalls. Site plans shall include dimensions of drive-thru laneways and parking areas.
- ii) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

##### c) Establishments for the sale and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery:

- i) Encouraged to establish on sites in the **C2** – Highway Commercial District or **M** – Industrial District. Council will consider development of **C1** – Core Commercial District sites for these uses when replacing an existing use of a similar type.
- ii) Establishments shall not store goods in areas visible from the street on the front of the lot unless they are screened in a way Council approves.

##### d) Mini-malls, strip malls:

- i) Mini-malls should work to incorporate office space, studio space, rental dwellings or other uses that will foster a mixed-use increase in density to serve existing businesses and new businesses

# VILLAGE OF EDAM ZONING BYLAW

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contained within the mini-mall itself;

- ii) Council may consider a mini mall development where a major portion of an entire block is being proposed for redevelopment;

## 2) **Industrial uses:**

### a) **Lumber yards:**

- i) Lumber yards shall not store their goods in any place that is visible to the public from what Council defines as a major road.
- ii) Lumber yards are encouraged store lumber in nearby **C2** – Highway Commercial, or **M** – Industrial Districts.
- iii) Lumber yards may be asked to screen their stored products while still meeting the conditions listed in subclause (i) above.

### b) **Wholesale trade stores and office:**

- i) Shall not store their goods in a place visible from the street on the front of their lot unless the storage is screened in a way that council believes makes the stored items not visible from the street.
- ii) Wholesale trade stores and lumber yard offices are included to recognize existing development. Development of these uses on other than the existing sites will be encouraged to locate on vacant land in the **C2** – Highway Commercial District or on **M** - Industrial District lands.
- iii) Proposed new buildings may be required to complement the existing development.

## 3) **Residential uses:**

- a) Current residential properties will be allowed to remain residential however no commercial property shall be transferred to a residential use unless:

- i) The development is for a multiple unit dwelling of a sufficient size that Council believes will provide a benefit for the commercial core of the Village.

- b) Certain residential uses such as garden suites and carriage houses may be allowed in the **C1** – Commercial Core District but will be subject to the requirements of this section and all other applicable bylaw sections.

### c) **Garage and garden suites, and mixed-use development:**

- i) Shall only be permitted on a site with an existing single-detached dwelling unit.
- ii) Suites must meet all the requirements of the exhibit shown below.

## **Exhibit 17: Mixed-Use or Garage and Garden Suite Requirements in a C1 - Commercial Core District**

**Restriction**

**Regulation**

## VILLAGE OF EDAM ZONING BYLAW

<b>Maximum height</b> .....	4.5 m (14.8 ft.) and one storey
<b>Permitted location</b> .....	In the rear yard only
<b>Minimum setbacks:</b>	
<b>From a Side Lot Line</b> .....	Same as principal building
<b>From a Rear Lot Line</b> .....	Same as accessory buildings in the district
<b>Maximum lot coverage</b> .....	30% of the area of the total yard
<b>Minimum distance between buildings</b> .....	1.5 m (4.9 ft.)
<b>Driveways</b> .....	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
<b>Minimum floor area</b> .....	46 m <sup>2</sup> (495.1 ft <sup>2</sup> )
<b>Maximum floor area</b> .....	65% of the gross floor area of the principal building on the lot
<b>Windows</b> .....	Garden Suites will not be allowed to have windows directly facing onto another residential property.

- iii) Only one (1) is permitted per lot.
- iv) The building must be on the same lot as a site with an approved principal use building.
- v) The principal use building must be a single detached dwelling or a commercial use in a commercial district, where the commercial use remains at grade.
- vi) The building must be a secondary use on the site. If there is a second residential building already on any site a garden suite will be prohibited until there is only one residential building on the site.
- vii) Shall contain all components of a dwelling unit.
- viii) The granting of a development permit to accommodate overnight accommodation shall not be construed, in any way, as consent or approval for future subdivision.
- ix) Units shall not have windows directly facing onto another residential property.
- x) Any development application will be required to show in the development permit that an additional off-street parking spot has been provided for the site on top of the current site requirements.
- xi) Mixed-use dwelling units located above the ground level shall have an entrance separate from that of the commercial use.
- xii) When submitting a mixed-use application, the following shall be included:
  - (1) Site alteration plan to ensure livable dwelling units.
  - (2) Mitigation of odor, noise, vibrations, and heavy traffic from the primary commercial operation on the residential dwelling unit.

**e) Multiple unit dwellings:**

- i) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal services on the main floor.
- ii) The site shall be located on a street which is contiguous to a collector or arterial roadway.
- iii) Proposed new buildings shall complement the existing development.

## VILLAGE OF EDAM ZONING BYLAW

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- iv) Density of a dwelling group shall not be significantly different from development with single detached dwelling units on existing sites.
- v) Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.
- vi) Site size shall be appropriate to ensure building separation meets the standards for similar residential structures on existing parcels.
- vii) Bare land condominium proposals shall be required to demonstrate conformance to *The Condominium Property Act, 1993*, and *The Condominium Property Regulations, 2001*.
- viii) Maintenance of a multiple-unit dwelling and the connected yards shall be the responsibility of the owner or owners of the units or a body created to act on their behalf.
- ix) Where compliant with the site standards, sites may be subdivided along the party walls to create a separate lot for each dwelling, subject to compliance with building bylaw requirements.
- x) The dwelling unit shall be designed as one cohesive building in terms of architectural design, which contains two (2) or more similar attached dwelling units, each of which fronts on a street, has direct access to the outside at grade, and is not wholly or partly above another dwelling.
- xi) No side yard shall be required for an attached townhouse dwelling where there is a shared common wall; however, on a corner site where the side yard adjoins a street, the side yard shall be a minimum of 3.0 m (9.84 ft.).
- xii) The dividing property line shall be located beneath the shared common wall.
- xiii) There is no limit to the number of consecutive conjoined units, provided each unit is located on an individual site as defined in the Land Titles Act, 2000.
- xiv) Individual building masses should be arranged to ensure adequate light, view and privacy for each unit.
- xv) Each dwelling shall have a minimum of one (1) on-site parking spot.

### **f) Single detached dwellings:**

- i) To recognize existing use, Council will only consider expansion of single detached dwellings in a **C1** – Commercial Core District on a site that holds an existing single detached dwelling.
- ii) Site size shall include a minimum of one (1) on-site parking stall per dwelling unit.

## **10. C2 – Highway Commercial District**

### **10.1 Purpose**

This district will provide sites for commercial services and facilities of a type which requires location adjacent to a provincial highway or depend on convenient vehicular access for their operation. This district may allow for some advertising in order to promote businesses in the Village and contribute to the economic health of the region.

### **10.2 Permitted Uses**

- 1) Bus terminals
- 2) Cafes and restaurants
- 3) Car and truck washes;
- 4) Commercial entertainment and recreation establishments
- 5) Community centres
- 6) Convenience stores
- 7) Construction trades
- 8) Equipment and tool rental establishments
- 9) Farm service supply establishments
- 10) Grain elevators and related grain handling facilities
- 11) Greenhouses, tree and plant nurseries
- 12) Gas bars with or without confectionaries, and similar uses
- 13) Government offices
- 14) Heavy equipment storage and maintenance yards
- 15) Hotels, motels
- 16) Licensed beverage rooms, restaurants and lounges
- 17) Lumber yards, building supply and home improvement stores
- 18) Mini malls
- 19) Public utilities, public works, and municipal facilities
- 20) Tourist information centres
- 21) Transportation vehicle sales and servicing and storage, or farm machinery sales, storage and servicing
- 22) Service stations with or without car washes, gas bars, transportation and vehicle sales and services
- 23) Undertaking establishments, funeral homes
- 24) Veterinary clinics
- 25) Veterinary hospitals and supply establishments

### **10.3 Discretionary Uses**

- 1) Industrial uses:
  - a) Auto body shops, excluding works related to auto wrecking and salvage
  - b) Bulk fuel depot dealers and chemical supply establishments



## VILLAGE OF EDAM ZONING BYLAW

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- c) Wholesale trade stores, offices and warehouses
  - d) Manufacturing and processing shops and associated storage facilities
  - e) Welding shops
  - f) Seed cleaning plants
  - g) Gravel and cement operations
- 2) Commercial uses:
- a) Drive Through Restaurants:
  - b) Mini Malls:
- 3) Residential uses:
- a) Existing single detached dwellings, where accessory to an existing commercial principal use
  - b) Mixed-use development

### 10.3.1 Discretionary Use Evaluation Criteria

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to Council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Appropriate separation in Council's opinion, or adequate buffering to residences, tourist facilities, restaurants, and mini malls will be required for approval, and shall not be located adjacent to any residential district or commercial use with an accessory residential use.
- 5) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments.
- 6) Appropriate site locations (i.e., corner lots) shall be determined by Council.
- 7) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 8) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.
- 9) Residential uses, in Council's opinion:

## VILLAGE OF EDAM ZONING BYLAW

- a) Appropriate on-site residential parking for the proposal;
- b) The residential proposal leaves the front of the building at grade level as a commercial use;
- c) Convenience of parking for proposed resident;
- d) Appropriate size and quality of proposed dwelling units; and
- e) Location of residential development in comparison to surrounding commercial development.

### 10.4 Prohibited Uses

- 1) Keeping of farm animals.
- 2) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

### 10.5 Regulations

#### 1) Site requirements:

**Exhibit 18: C2 - Highway Commercial Site Location and Dimensions**

USE	FRONTAGE	DEPTH	PARCEL AREA
<b>Residential uses:</b>			
Single detached dwellings	15 m (42.2 ft.)	30 m (93.4 ft.)	<b>550 m<sup>2</sup> (5,920.2 ft.<sup>2</sup>)</b>
<b>Commercial uses:</b>			
Auto body shop, bus terminals, restaurants and lounges, commercial entertainment establishments, construction trades and tool rentals, greenhouses, veterinary clinics	20 m (65.6 ft.)	30 m (93.4 ft.)	<b>730 m<sup>2</sup> (7,857.7 ft.<sup>2</sup>)</b>
Government offices, and municipal facilities	20 m (65.6 ft.)	30 m (93.4 ft.)	<b>730 m<sup>2</sup> (7,857.7 ft.<sup>2</sup>)</b>
Gas bars, hotels, motels, lumber yards	20 m (65.6 ft.)	30 m (93.4 ft.)	<b>930 m<sup>2</sup> (10,010.4 ft.<sup>2</sup>)</b>
Community centres, tourist centres, bulk oil dealers, manufacturing shops, and seed cleaning plants	20 m (65.6 ft.)	30 m (93.4 ft.)	<b>930 m<sup>2</sup> (10,010.4 ft.<sup>2</sup>)</b>
Vehicle sale and storage, and heavy equipment and maintenance yards	30 m (93.4 ft.)	30 m (93.4 ft.)	<b>1,100 m<sup>2</sup> (11,840.3 ft.<sup>2</sup>)</b>
Mini malls	20 m (65.6 ft.)	30 m (93.4 ft.)	<b>730 m<sup>2</sup> (7,857.6 ft.<sup>2</sup>) plus 350 m<sup>2</sup> (3,767.4 ft.<sup>2</sup>) for each additional use</b>
Service stations, and undertaking establishments	30 m (93.4 ft.)	30 m (93.4 ft.)	<b>930 m<sup>2</sup> (10,010.4 ft.<sup>2</sup>)</b>
<b>All other uses</b>	30 m (93.4 ft.)	30 m (93.4 ft.)	<b>930 m<sup>2</sup> (10,010.4 ft.<sup>2</sup>)</b>

#### 2) Required Yards:

**Exhibit 19: C2 - Highway Commercial Required Yard Dimensions**

USE	FRONT YARD	SIDE YARD (R-District)	SIDE YARD (other)	REAR YARD
<b>Public uses:</b>				
Tourist information centres, public utilities, municipal facilities	<b>No requirements</b>			

## VILLAGE OF EDAM ZONING BYLAW

<b>Residential uses:</b>				
Single detached dwellings	7.5 m (24.9 ft.)	3.2 m (10.0 ft.)	3.2 m (10.0 ft.)	1.52 m (5.0 ft.)
<b>Commercial uses:</b>				
Hotels and motels	15 m (49.2 ft.)	3.2 m (10.0 ft.)	3.2 m (10.0 ft.)	1.52 m (5.0 ft.)
<b>All other uses</b>	7.5 m (24.9 ft.)	3.2 m (10.0 ft.)	3.2 m (10.0 ft.)	1.52 m (5.0 ft.)

### 3) Outdoor storage and Parking, subject to section 4.12 - Transportation:

- f) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- g) Site size shall be appropriate for on-site designated parking area.
- h) Storage shall not be allowed in the yards of any commercial or industrial site unless it is screened and not visible from any of the following:
  - i) The number 26 Highway;
  - ii) Any adjacent residential lot;
  - iii) Any part of the C1 – Commercial District;
  - iv) Any park or area frequented by children where, in Council's opinion, the items being stored could pose a potential threat to children either directly or indirectly.
- i) Outside storage may be limited as outlined in these districts for a specific use, or it may be regulated if Council believes it will have a negative effect on the aesthetics of the Village.

### 4) Wholesale trade stores, offices and warehouses:

- a) Shall not store their goods in a place visible from the street on the front of their lot unless the storage is screened in a way that council believes makes the stored items not visible from the street.
- b) Proposed new buildings may be required to be designed to complement the existing development.
- c) Council may attach approval conditions to mitigate emissions from the use in terms of noise, dust, odour, air resources, or light to ensure no adverse effects to the environment, adjoining and surrounding land uses.
- d) The site shall be located on a corner lot and on a street that is contiguous to a collector or arterial roadway.

### 5) Service stations, gas bars, transportation and vehicle sales and services:

- a) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, or farm machinery may include service stations and gas bars.
- b) Required parking and access aisles to fuel dispensing equipment may not be used for the display of

## VILLAGE OF EDAM ZONING BYLAW

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vehicles and goods for sale.

- c) Only corner sites may be developed for service stations or gas bars.
- d) Establishments shall not store goods in areas visible from the street on the front of the lot unless they are screened in a way Council approves.
- e) The site shall be located on a corner lot and on a street that is contiguous to a collector or arterial roadway.

### **6) Keeping of farm animals:**

- a) The raising or keeping of farm animals within this district is strictly prohibited.

### **7) Accessory uses, buildings and structures:**

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) For gas bars and service stations, an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 metres (1.97 feet) from any property line.
- g) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- h) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.
- i) All accessory uses may include dwellings but only if the residential dwelling is on a lot where the commercial use is at the front of the lot at grade. Residential suites shall not be at the front of the lot at grade and shall comply with the residential regulations required within the zoning district where it is located.
- j) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.

## VILLAGE OF EDAM ZONING BYLAW

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### k) Portable Garage and Shelters:

- i) Portable garages shall not be located in the front yards.
- ii) Portable garages shall not exceed a height of 6.4 metres (21.0 feet).
- iii) Portable garages shall not exceed an area of 67 m<sup>2</sup> (720 ft<sup>2</sup>).
- iv) The approval will not negatively impact surrounding uses.
- v) Portable garages and shelters shall be adequately anchored.
- vi) The portable garage and shelter will not be electrically wired or heated.

### 8) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) In the case of a corner lot, no wall or fence shall be placed as to create a visual obstruction in a sight triangle.
  - i) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 metre (2.29 feet) and 2.5 metres (8.20 feet) above grade.
- d) Where the development abuts a Residential District, approval conditions may require a fence to be designed to attenuate noise.
- e) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- f) No height limitations apply to the following:
  - i) Temporary construction fences.
  - ii) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### 9) Permitted Yard Encroachments:

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.
- c) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following:

## VILLAGE OF EDAM ZONING BYLAW

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eaves and gutters of 0.6 metre (2.0 feet) or less projection into a required yard, or chimney chases, fire escapes, or steps.

- d) Signs, as allowed pursuant to section 4.14 – Signs are permitted in yards.

### **10) Service stations, gas bars and similar uses:**

- f) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres (19.68 feet) from any street or other property boundary.
- g) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- h) All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- i) The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.
- j) Above-ground fuel storage tanks shall be:
  - i) Above ground fuel storage tanks associated with a gas bar or service station shall be:
    - (1) Located at least 6.0 metres (19.7 feet) from any property line or building;
    - (2) At least 15.0 metres (49.2 feet) from the boundary of any site within a Residential District.
  - ii) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least three (3) metres (9.8 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
  - iii) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
  - iv) Applicants must demonstrate to Council fuel containment measures through a written emergency measures plan.

### **10.6 Specific Development Standards for Discretionary Uses**

#### **1) Industrial uses:**

##### **a) Bulk oil depots and chemical supply establishments:**

- i) Shall will be required to demonstrate that oil and chemical storage does not produce any

## VILLAGE OF EDAM ZONING BYLAW

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reasonable amount of risk to the surrounding area.

- ii) Locations with direct access to a highway or highway frontage road are preferred.
- iii) Dealers shall not store their goods in a place visible from the street on the front of their lot unless the storage is screened in a way that council believes makes the stored items not visible from the street.
- iv) Proposed new buildings may be required to complement the existing development.

### **b) Manufacturing and processing shops and associated storage facilities:**

- i) All operations with respect to processing and manufacturing shall be conducted within an enclosed building.
- ii) No exterior storage of materials, goods, or waste products is permitted except within an approved waste disposal bin for collection.
- iii) Shall not be located adjacent to a residential district unless they can prove that the neighbourhood aesthetics will not be adversely affected.

### **c) Welding shops:**

- i) Shall not store any metal or materials outdoor storage and garbage areas where visible to the public unless they are screened in a way that is acceptable in the opinion of council.
- ii) Welding shops may be required to set back flammable, explosive or otherwise dangerous substances or materials from other buildings at a distance that council believes to be safe.
- iii) Development shall not cause excessive traffic through existing residential areas.

### **d) Seed cleaning plants:**

- i) Shall provide assurance to Council that access to the site will not disrupt traffic patterns or cause land use conflicts from large vehicles delivering seed.
- ii) No exterior storage of materials, goods, or waste products is permitted except within an approved waste disposal bin for collection.

### **e) Heavy equipment storage and maintenance yards:**

- i) Should be located in areas where large vehicles and machinery will not need to travel past highway commercial uses in order to reach the heavy equipment storage and maintenance yards, preferably adjacent to industrial districts.
- ii) Shall not be located adjacent to any residential district or commercial district that has a residential accessory use.
- iii) Council may require that any storage yards for heavy equipment storage and maintenance yards be screened from view of the street in a manner that Council believes to be adequate.

# VILLAGE OF EDAM ZONING BYLAW

## 2) Commercial uses:

### a) Drive Through Restaurants:

- i) Restaurants with drive through sales shall have room on site for at least five (5) cars in the ordering line and this line shall not block access to parking stalls.
- ii) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

### b) Mini Malls:

- i) Council may consider a mini mall development where a major portion of an entire block is being proposed for redevelopment.

## 3) Residential uses, where accessory to an existing commercial principal use:

a) To recognize existing use, Council will only consider expansion of single detached dwellings in a **C2** – Highway Commercial District on a site that holds an existing single detached dwelling.

b) Council may consider rezoning a **C2** – Highway Commercial District property abutting a Residential District to a **R1** - Residential District to accommodate new single detached dwelling subdivisions considering the following:

- i) The development is for a multiple-lot or multiple-unit dwelling of a sufficient size that Council believes will provide a benefit the Village.

### c) Mixed-use development:

- i) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor.
- ii) Proposed new buildings shall be designed to complement the existing development.
- iii) Suites must meet all the requirements of the exhibit shown below.

### Exhibit 20: Mixed-Use Suite Requirements in a C2 – Highway Commercial District

Restriction	Regulation
<b>Permitted location</b> .....	In the rear yard only
<b>Minimum setbacks:</b>	
<b>From a Side Lot Line</b> .....	Same as principal building
<b>From a Rear Lot Line</b> .....	Same as accessory buildings in the district
<b>Maximum lot coverage</b> .....	30% of the area of the total yard
<b>Minimum distance between buildings</b> .....	1.5 m (4.9 ft.)
<b>Driveways</b> .....	no driveway, other than the one already on the lot prior to the installation of the garden suite is permitted
<b>Minimum floor area</b> .....	46 m <sup>2</sup> (495.1 ft <sup>2</sup> )
<b>Maximum floor area</b> .....	65% of the gross floor area of the principal building on the lot



## VILLAGE OF EDAM ZONING BYLAW

<b>Windows</b> .....	Garden Suites will not be allowed to have windows directly facing onto another residential property.
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- iv) Only one (1) is permitted per lot.
- v) The building must be on the same lot as a site with an approved principal use building.
- vi) The principal use building must be commercial use, where the commercial use remains at grade.
- vii) Cannot exceed the maximum square footage of the attached accessory building.
- viii) Shall contain all components of a dwelling unit.
- ix) The granting of a development permit to accommodate overnight accommodation shall not be construed, in any way, as consent or approval for future subdivision.
- x) Units shall not have windows directly facing onto another residential property.
- xi) Any development application will be required to show in the development permit that an additional off-street parking spot has been provided for the site on top of the current site requirements.
- xii) Dwelling units located above the ground level shall have an entrance separate from that of the commercial use.
- xiii) When submitting an application, the following shall be included:
  - (1) Site alteration plan to ensure livable dwelling units.
  - (2) Mitigation of odor, noise, vibrations, and heavy traffic from the primary commercial operation on the residential dwelling unit.

## **11. M – Industrial District**

### **11.1 Purpose**

This district will provide sites for industrial use, which do not create serious problems such as excessive noise or odours for adjoining land uses. The Industrial District also provides an area where Industries that need to be separated from other uses can be developed in ways that will work harmoniously with the long term plans of the Village.

### **11.2 Permitted Uses**

- 1) Auto body shops
- 2) Custom meat cutting and packaging (excluding slaughtering)
- 3) Car and truck washes
- 4) Construction trades
- 5) Equipment and tool rental establishments
- 6) Gas bars and similar uses
- 7) Lumber yards, building supply and home improvement stores
- 8) Machine shops
- 9) Manufacturing and processing plants and associated storage facilities
- 10) Public utilities, including municipal facilities, workshops, warehouses and storage yards
- 11) Industrial services
- 12) Motor vehicles, recreational vehicles, trailers, or farm machinery, sale, storage and servicing
- 13) Parking lots
- 14) Printers and publishers
- 15) Railway operations
- 16) Service stations with or without car washes
- 17) Truck, bus and other transport terminals and yards
- 18) Veterinary hospitals and clinics
- 19) Wholesale trade
- 20) Warehouses
- 21) Oilfield service establishments
- 22) Heavy machinery and trucking sales and servicing and storage facilities
- 23) Welding shops
- 24) Veterinary supply establishments
- 25) Farm service supply establishments

### **11.3 Discretionary Uses**

- 1) Industrial uses:
  - a) Abattoirs and stock yards
  - b) Bulk fuel depot dealers and chemical supply establishments

# VILLAGE OF EDAM ZONING BYLAW

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- a) Mining and petroleum industry services
  - b) Auto wrecking yards
  - c) Concrete manufacturing plants, and gravel yards
  - d) Equipment maintenance and storage yards
  - e) Feed mills, and seed cleaning plants
  - f) Manufacturing or processing operations
  - g) Seed cleaning plants, grain elevators
  - h) Tanneries and hide storage establishments
- 2) Commercial uses:
- a) Accessory cafe
- 3) Billboard signs

## **11.3.1 Discretionary Use Evaluation Criteria**

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to Council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 5) Appropriate separation in Council's opinion, or adequate buffering to residences, tourist facilities, restaurants, and mini malls will be required for approval, and shall not be located adjacent to any residential district or commercial use with an accessory residential use.
- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.

## **11.4 Prohibited Uses**

- 1) Keeping of farm animals
- 2) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

# VILLAGE OF EDAM ZONING BYLAW

## 11.5 Regulations

### 1) Site requirements:

**Exhibit 21: M - Industrial Site Location and Dimensions**

USE	FRONTAGE	DEPTH	PARCEL AREA
<b>Public uses:</b>			
Public utilities, municipal facilities		<b>No requirements</b>	
<b>All other uses:</b>	24.9 m (82.0 ft.)	30.0 m (93.4 ft.)	<b>1,000 m<sup>2</sup></b> <b>(10,763.9 ft.<sup>2</sup>)</b>

### 2) Required Yards:

**Exhibit 22: M - Industrial Required Yard Dimensions**

USE	FRONT YARD	SIDE YARD (R-District)	SIDE YARD (other)	REAR YARD
<b>Commercial uses:</b>				
Service Stations	6.2 m (20.0 ft.)	3.2 m (10.0 ft.)	1.52 m (5.0 ft.)	3.2 m (10.0 ft.)
<b>Public uses:</b>				
Tourist information centres, public utilities, municipal facilities	<b>No requirements</b>			
<b>All other uses</b>	7.6 m (25.0 ft.)	3.2 m (10.0 ft.)	1.52 m (5.0 ft.)	3.2 m (10.0 ft.)

### 3) Outdoor storage and Parking, subject to section 4.12 - Transportation:

- a) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- b) Site size shall be appropriate for on-site designated parking area.
- c) Storage shall not be allowed in the yards of any commercial or industrial site unless it is screened and not visible from any of the following:
  - i) The number 26 Highway;
  - ii) Any adjacent residential lot;
  - iii) Any part of the C1 – Commercial District;
  - iv) Any park or area frequented by children where, in Council's opinion, the items being stored could pose a potential threat to children either directly or indirectly.
- d) Outside storage may be limited as outlined in these districts for a specific use, or it may be regulated if Council believes it will have a negative effect on the aesthetics of the Village.

### 4) Keeping of farm animals:

## VILLAGE OF EDAM ZONING BYLAW

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- a) The raising or keeping of farm animals within this district is strictly prohibited.

### 5) Accessory uses, buildings and structures:

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) For gas bars and service stations, an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 metres (1.97 feet) from any property line.
- g) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- h) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.
- i) Accessory buildings shall not exceed the height of the principal building.
- j) Membrane covered sheds or garages of any size or any accessory building with a membrane roof are prohibited.
- k) Portable Garage and Shelters:
  - i) Portable garages shall not be located in the front yards.
  - ii) Portable garages shall not exceed a height of 6.4 metres (21.0 feet).
  - iii) Portable garages shall not exceed an area of 67 m<sup>2</sup> (720 ft<sup>2</sup>).
  - iv) The approval will not negatively impact surrounding uses.
  - v) Portable garages and shelters shall be adequately anchored.
  - vi) The portable garage and shelter will not be electrically wired or heated.

### 6) Fences:

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.

## VILLAGE OF EDAM ZONING BYLAW

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- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) In the case of a corner lot, no wall or fence shall be placed as to create a visual obstruction in a sight triangle.
  - i) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 metre (2.29 feet) and 2.5 metres (8.20 feet) above grade.
- d) Where the development abuts a Residential District, approval conditions may require a fence to be designed to attenuate noise.
- e) Barbed wire shall be permitted to line the top 25% of the fence in an Industrial District.
- f) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- g) No height limitations apply to the following:
  - i) Temporary construction fences.
  - ii) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

### **7) Permitted Yard Encroachments:**

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.
- c) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 metre (2.0 feet) or less projection into a required yard, or chimney chases, fire escapes, or steps.
- d) Signs, as allowed pursuant to section 4.14 – Signs are permitted in yards.

### **8) Service Station and Gas Bars:**

- a) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres (19.68 feet) from any street or other property boundary.
- b) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.

## VILLAGE OF EDAM ZONING BYLAW

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- c) All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- d) The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.
- e) Above-ground fuel storage tanks shall be:
  - i) Above ground fuel storage tanks associated with a gas bar or service station shall be:
    - (1) Located at least 6.0 metres (19.7 feet) from any property line or building;
    - (2) At least 15.0 metres (49.2 feet) from the boundary of any site within a Residential District.
  - ii) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least three (3) metres (9.8 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
  - iii) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
  - iv) Applicants must demonstrate to Council fuel containment measures through a written emergency measures plan.

### 11.6 Specific Development Standards for Discretionary Uses

#### 1) Industrial uses:

##### a) Abattoirs and stock yards:

- i) Abattoirs shall not be located in close proximity from any residential area, school, hospital, motel or restaurant (unless that restaurant is a café in the industrial district).
- ii) Stock yards shall be screened from the view of any provincial highway or residential property.
- iii) Shall be located in areas where large vehicles and machinery will not need to travel past highway commercial uses in order to reach the heavy equipment storage and maintenance yards.

##### b) Mining and petroleum industry services:

- i) No external storage of materials, goods, or waste shall be permitted on site.
- ii) The operation shall not emit levels of noise, odour, or dust not common to the other uses in the zoning district.

# VILLAGE OF EDAM ZONING BYLAW

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- iii) May be required to set flammable, explosive or otherwise dangerous substances or materials back from other buildings at a distance that council believes to be safe.
- iv) Shall not be located adjacent to any residential district.
- v) Mineral extraction will require an agreement between the developer and the municipality that provides for continuous site reclamation. The agreement will be protected by registration of an interest on the title that runs with the land.

**c) Auto wrecking yards, concrete manufacturing plants, gravel yards, equipment maintenance and storage yards:**

- i) All processing and manufacturing shall be conducted within an enclosed building.
- ii) Any operations shall not emit levels of noise, odour, or dust not common to the other uses in the zoning district.
- iii) Shall not be located adjacent to any residential district or commercial use with an accessory residential use.
- iv) Shall not store their goods in a place visible from the street on the front of their lot unless the storage is screened in a way that council believes makes the stored items not visible from the street or highway.

**d) Feed mills, seed cleaning plants and granaries:**

- i) Shall not store their goods in any place that is visible to the public in a **C1** – Commercial Core District from what Council defines as a major road.
- ii) May be asked to screen their stored products in order to locate in the **C1** – Commercial Core District while still meeting the conditions listed in clause (i) above.

**e) Tanneries and hide storage establishments:**

- i) Shall demonstrate within appropriate reports and assessments that they will not create air or other pollution such as toxic or noxious fumes that will be noticeable from neighbouring properties.
- ii) Development shall not cause excessive traffic through existing residential areas.
- iii) Proposed new buildings may be required to complement the existing development.

**2) Commercial uses:**

**a) Accessory café:**

- i) A cafe may be developed within a principal building and operated as an accessory use.

**3) Billboard signs:**

- a) Billboard signs are subject to regulations stipulated in section 4.14 – Signs.
- b) Shall not cause adverse effect to adjacent residential neighbourhoods.



## **12. UH – Urban Holdings District**

### **12.1 Purpose**

The Urban Reserve District provides lots for uses which will not restrict future residential development. The uses in these areas will be those which will not negatively affect the natural environment in the area or other public uses such as sports fields and cemeteries that will not cause conflicts with neighbouring land uses.

### **12.2 Permitted Uses**

- 1) Crop farming on an existing parcel without any buildings
- 2) Crop farming including a dwelling and farm buildings
- 3) Public utilities, including municipal facilities, workshops, warehouses and storage yards
- 4) Sewage lagoons and sanitary landfills operated by a public authority
- 5) Parks, golf courses, sports fields and arenas
- 6) Cemeteries

### **12.3 Discretionary Uses**

- 1) Dog kennels
- 2) Green houses, market gardens, horticultural supply, tree and plant nurseries
- 3) Private airports
- 4) Campgrounds
- 5) Veterinary clinics

#### **12.3.1 Discretionary Use Evaluation Criteria**

- 1) The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs will be compatible, as Council deems appropriate, with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the district.
- 2) Road standards shall be appropriate for increased frequency and weights associated with the development, and the developer may be required to enter into a servicing agreement to upgrade the road and/or enter into a heavy haul agreement.
- 3) Shall be required to prove, in a manner acceptable to Council, that they will not unreasonably negatively affect the surrounding residential properties in the area.
- 4) Site design should, in Council's opinion, mitigate adverse effects (i.e., noise).
- 5) Appropriate separation in Council's opinion, or adequate buffering to residences, tourist facilities, restaurants, and mini malls will be required for approval, and shall not be located adjacent to any residential district or commercial use with an accessory residential use.

## VILLAGE OF EDAM ZONING BYLAW

- 6) The proposal shall provide what, in the opinion of Council, is sufficient evidence that the operation will not cause noise, dust, air or other pollution for surrounding commercial developments. Council may attach approval conditions to mitigate potential concerns.
- 7) Applications shall be required to demonstrate that the operation will not cause adverse effects in regards to:
  - a) Safety;
  - b) Surrounding residential development.
- 8) Campgrounds:
  - a) The proposed structures are suitable and comfortable for the proposed development.
  - b) There is adequate space on the site for the proposed facility.
  - c) There are appropriate levels of access to the site and off-street parking is available for the users of the facility and for the operator. Required parking spaces shall not be located in the required front yard.
  - d) The development will complement adjacent residential uses.
  - e) Use as a bed and breakfast operations, will be considered an asset in the preservation of heritage buildings.

### 12.4 Prohibited Uses

- 1) Membrane covered sheds or garages of any size or any accessory building with a membrane roof.

### 12.5 Regulations

- 1) Site requirements:

**Exhibit 23: UH - Urban Holdings Site Location and Dimensions**

USE	FRONTAGE	DEPTH	PARCEL AREA
<b>Public uses</b>			
Public utilities, municipal facilities	<b>No requirements</b>		
<b>Agricultural uses</b>			
Including dwellings or farmstead	30 m (93.4 ft.)	-	<b>16 ha (39.5 ac)</b>
<b>Discretionary uses</b>			
Golf courses	30 m (93.4 ft.)	-	<b>16 ha (39.5 ac)</b>
All others uses	30 m (93.4 ft.)	-	<b>1 ha (2.47 ac)</b>

# VILLAGE OF EDAM ZONING BYLAW

## 2) Required Yards:

**Exhibit 24: UH - Urban Holdings Required Yard Dimensions**

USE	FRONT YARD	SIDE YARD (R-District)	SIDE YARD (other)	REAR YARD
<b>Public uses</b>				
Public utilities, municipal facilities, cemeteries	<b>No requirements</b>			
<b>All other uses</b>	15 m (42.2 ft.)	3.2 m (10.0 ft.)	3.2 m (10.0 ft.)	-

## 3) Outdoor storage and Parking, subject to section 4.12 – Transportation:

- e) All uses shall provide adequate parking on site as well as any additional parking requirements for a specific use specified in this zoning district.
- f) Site size shall be appropriate for on-site designated parking area.
- g) Storage shall not be allowed in the yards of any commercial or industrial site unless it is screened and not visible from any of the following:
  - i) The number 26 Highway;
  - ii) Any adjacent residential lot;
  - iii) Any part of the C1 – Commercial District;
  - iv) Any park or area frequented by children where, in Council's opinion, the items being stored could pose a potential threat to children either directly or indirectly.
- h) Outside storage may be limited as outlined in these districts for a specific use, or it may be regulated if Council believes it will have a negative effect on the aesthetics of the Village.

## 4) Accessory uses, buildings and structures:

- a) Accessory uses are an integral part of the principal use, and are secondary, subordinate and lesser in extent to the principal building.
- b) The combined total lot coverage of the principal use building and the accessory use building may not exceed 70% of the total horizontal area of the lot.
- c) The accessory building may not by itself have a lot coverage exceeding 30% of the total horizontal area of the lot.
- d) Accessory buildings will be required to use a similar siding and material as the principal building on the site.
- e) The movement of any accessory building shall require a development permit.
- f) Membrane covered sheds or garages of any size or any accessory building with a membrane roof

## VILLAGE OF EDAM ZONING BYLAW

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are prohibited.

g) **Portable Garage and Shelters:**

- i) Portable garages shall not be located in the front yards.
- ii) Portable garages shall not exceed a height of 6.4 metres (21.0 feet).
- iii) Portable garages shall not exceed an area of 67 m<sup>2</sup> (720 ft<sup>2</sup>).
- iv) The approval will not negatively impact surrounding uses.
- v) Portable garages and shelters shall be adequately anchored.
- vi) The portable garage and shelter will not be electrically wired or heated.

**5) Fences:**

- a) In this section “height” means the vertical distance of the wall or fence measured from the ground level immediately adjacent to the structure or plant to the highest point of the structure.
- b) Electrical wire and other forms of electrified fences are prohibited in every district.
- c) In the case of a corner lot, no wall or fence shall be placed as to create a visual obstruction in a sight triangle.
  - i) No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 metre (2.29 feet) and 2.5 metres (8.20 feet) above grade.
- d) Where the development abuts a Residential District, approval conditions may require a fence to be designed to attenuate noise.
- e) Fences for public utilities, public works and municipal facilities shall be permitted in every District, with no limitations.
- f) No height limitations apply to the following:
  - i) Temporary construction fences.
  - ii) Fences associated with essential public services and utilities, public parks, playgrounds, or public buildings.
  - iii) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

**6) Permitted Yard Encroachments:**

- a) The following projections in required yards are permitted subject to the setback or construction requirements of the National Canadian Building Code.
- b) No projection shall be any closer than 0.2 metre (0.5 feet) to any lot line.

## VILLAGE OF EDAM ZONING BYLAW

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- c) Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 metre (2.0 feet) or less projection into a required yard, or chimney chases, fire escapes, or steps.
- d) Signs, as allowed pursuant to section 4.14 – Signs are permitted in yards.

### 12.6 Specific Development for Discretionary Uses

#### 1) Dog kennels:

- a) Shall be permitted in areas that are not adjacent to residential districts.
- b) Any kennel or lands used for the purpose of a kennel as defined in this bylaw may be required to acquire the written permission of landowners adjacent to the property or within 61 metres (200 feet) of the property before construction.
- c) Council may approve the expansion of any existing kennel of lands used for the purpose of a kennel.
- d) Council may require any approval of a kennel to be temporary and stipulating the effective time period through Form B: Notice of Decision.
- e) Council shall require all animals to be fenced or housed in a way that Council believes will be sufficient to ensure animals do not leave the site or cause any other adverse effects to adjacent landowners or land uses.

#### 2) Green houses, market gardens, horticultural supply, tree and plant nurseries:

- a) Shall be permitted in areas that is suitable access and parking to protect customers and employees from the heavy traffic of industrial activities and equipment.

#### 3) Private airports:

- a) The applicant shall provide a person with a valid pilot's license and any and all accreditation and documentation that Council and the Development Officer believe is necessary in order to make a decision on whether or not there will be a qualified operator on hand to run the airstrip or private airport.
- b) Any and all engineering reports, building plans, site surveys, geographic studies of the area and noise pollution studies that Council or the Development Officer believe are necessary to make a decision will be at the sole cost of the applicant and provided with the development application.

#### 4) Campgrounds:

- a) Shall not be located in areas where they will experience air pollution or constant road noise from highway or other traffic or noise pollution.
- b) Shall not be located adjacent to residential districts.
- c) Upon application for a Development Permit, the applicant shall provide the Administrator with a site plan completed by a Saskatchewan Land Surveyor, indicating location and dimensions of campsites, all roadways and buildings, with street names where applicable, and campsite numbers

## VILLAGE OF EDAM ZONING BYLAW

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clearly identified.

- d) A Development Permit shall be required for the:
  - i) Addition or rearrangement of sites.
  - ii) Construction or moving of buildings (i.e., toilet or showering facilities).
  - iii) Change in use of portions of land.
  - iv) Filling or clearing of land.
- e) A campground shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metre (14.8 feet) in width, which shall contain no buildings.
- f) A site for each recreation vehicle (RV) and campsite permitted in the campground shall be designated and clearly marked on the ground.
- g) Each RV site shall have a minimum area of 150 m<sup>2</sup> (1,614.6 ft<sup>2</sup>).
- h) No portion of any campsite shall be located within an internal roadway or required buffer area.
- i) Each campsite shall have a direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- j) Each RV shall be located at least 4.5 metre (14.8 feet) from any other RV and each campsite shall have dimensions, location and orientation sufficient to allow for such location of RVs.
- k) The space provided for roadways within a campground shall be at least 7.5 metre (24.6 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- l) A campground may include, as an accessory use, laundry facilities or convenience store designed to meet the needs of occupants of the sites and a single caretaker's unit.
- m) No recreation vehicle shall be stored on any campsite when the campground is not open.
- n) The Public Health Act, 1994 and regulations passed there under shall be complied with in respect of all operations and development of campgrounds.
- o) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained.
- p) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site, included on the site plan drafted by the Saskatchewan Land Surveyor, and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development.

### 5) Veterinary clinics:

- a) This use shall be permitted that have suitable access and parking to protect customers and employees from heavy traffic of industrial activities and equipment.
- b) Development of these uses on other than the existing sites will be encouraged to locate on vacant land in the **C2** – Highway Commercial District or on **M** - Industrial District lands.

## **13. Edam Zoning District Map**