



Zoning Bylaw No. 2/87

CODIFIED TO BYLAW NO. 20-2018

JANUARY 16, 2019

Town of Wadena
Zoning Bylaw No. 2/87

Amendments to Zoning Bylaw No. 8770

- Bylaw No. 3/88** Map Amendment – May 24, 1988
To rezone lands from C2 District to R1 District
- Bylaw No. 14/88** Text Amendment – March 7, 1989
To amend the regulations in the C1 District to revise the rear yard requirement
- Bylaw No. 14/91** Map and Text Amendments – July 29, 1991
To rezone lands from C1 District to R1 District
To add a definition of “Group Home” and amend the discretionary uses in the R1 District and R2 District to add “Group Homes”
- Bylaw No. 3/92** Text Amendment – February 17, 1992
To amend the regulations in the C1 District regarding fuel pumps
- Bylaw No. 9/93** Text Amendment – July 5, 1993
To amend the regulations to add a C-Contract Zoning District
- Bylaw No. 10/95** Map Amendment – June 5, 1995
To rezone lands from R1 District to C-Contract District
- Bylaw No. 9/96** Map Amendment – June 17, 1996
To rezone lands from R1 District to C1 District
- Bylaw No. 8-99** Map Amendment – October 4, 1999
To rezone lands from C1H-Commercial Holding District to R1 District
To rezone lands from C1H-Commercial Holding District to C1 District
- Bylaw No. 01-00** Text Amendment – January 28, 2000
To amend the regulations in the C1 District to remove the rear yard requirement
- Bylaw No. 11-00** Text Amendment – January 8, 2001
To add a definition of “Dwelling, Four-plex”, amend the discretionary uses in the R2 District to add “Four-plex dwelling”, and amend the regulations in the R2 District to include site regulations for “Four-plex Dwellings”

- Bylaw No. 08-02** Map Amendment – June 3, 2002
To rezone lands from C1 District to R1 District
- Bylaw No. 01-03** Text Amendment – February 17, 2003
To amend the regulations regarding signs in Commercial, Industrial and Urban Reserve Districts
- Bylaw No. 09-03** Text Amendment – August 18, 2003
To amend the regulations regarding accessory buildings
- Bylaw No. 03-08** Map Amendment – March 17, 2008
To rezone lands from RMH District to R1 District
To rezone lands from R2 District to RMH District
- Bylaw No. 06-08** Text Amendment – October 6, 2008
To amend the regulations regarding accessory buildings
- Bylaw No. 7-2010** Map Amendment – October 17, 2017
To rezone lands from R1 District to C1 District
- Bylaw No. 11-10** Text Amendment – September 7, 2001
To add a definition of “Modular Home”, amend the discretionary uses in the R1 District and R2 District to add “Modular Home”, and amend the regulations in the R1 District and R2 District to include development standards for “Modular Homes”
- Bylaw No. 08-11** Text Amendment – June 4, 2012
To add a definition for “Mobile Storage Containers” and “Sea Cans”, and amend the general regulations for Accessory Buildings and Structures
- Bylaw No. 6-12** Map Amendment – July 16, 2012
To rezone lands from R2 District to RMH District
- Bylaw No. 7-12** Map Amendment – August 7, 2012
To rezone lands from R1 District to C1 District
- Bylaw No. 2-13** Map Amendment – February 11, 2013
To rezone lands from R2 District to RMH District
- Bylaw No. 5-13** Map and Text Amendment – October 7, 2013
To rezone lands from C1 District to R1 District
To amend the general regulations for to add standards for “Bed-and-Breakfast Homes”, and amend the discretionary uses in the R1 District and R2 District to add “Bed-and-breakfast facility”.

- Bylaw No. 6-13** Text Amendment – November 18, 2013
To add a definition for “Public Utility Parcel”, and amend the permitted uses in the R1 District and R2 District to include “Public Utility Parcel”
To amend the discretionary uses in the R1 District and R2 District to add “Garage”.
- Bylaw No. 7-14** Text Amendment – October 7, 2014
To amend the discretionary uses in the UR District to add “Commercial Storage of Farm Equipment for Resale”
- Bylaw No. 7-17** Text Amendment – October 17, 2017
To amend the permitted uses in the C1 District to add “Food banks” as a permitted use.
- Bylaw No. 8-17** Map Amendment – October 17, 2017
To rezone lands from R1 District to C1 District
- Bylaw No. 12-18** Text Amendment – October 1, 2018
To amend definitions for “Institution” and “Shipping Container”, and amend the Accessory Building regulations for shipping containers. Repeals Bylaw No. 08-11.
- Bylaw No. 20-18** Text Amendment – January 7, 2019
To add a definition for “Boarding” and to amend the permitted uses in the R1 District to include “Boarding”.

Table of Contents

PART I – INTRODUCTION.....	5
PART II – DEFINITIONS	5
PART III – ADMINISTRATION	9
1. Development Officer	9
2. Development Permit	9
3. Development Permit Procedure.....	9
4. Referral to Department of Health.....	9
5. Development Not Requiring a Permit	10
6. Development Appeals Board	10
7. Fee for Zoning Amendment Application.....	10
8. Offences and Penalties.....	10
PART IV – GENERAL REGULATIONS	11
1. Licences, Permits and Compliance with Other Bylaws and Legislation	11
2. Permitted Yard Encroachments	11
3. Number of Principal Buildings Permitted on a Lot	11
4. Non-Conforming Buildings and Uses.....	11
5. Grading and Levelling of Lots	11
6. Signs.....	11
7. Accessory Buildings or Structures (Bylaw #06-08).....	12
8. Home Occupations	13
9. Outdoor Storage	14
10. Side Yard Exception	14
11. General Development Standards Applicable to Discretionary Uses	14
12. Off-Street Parking	14
13. Bed-and-Breakfasts Homes (Bylaw #5-13).....	14
PART V – ZONING DISTRICTS AND ZONING MAPS	16
1. Zoning Districts	16
2. Zoning District Map.....	16
3. Holding Provision.....	16
4. R1 – Residential District	17
5. R2 – Residential District	19
6. RMH – Residential Mobile Home District.....	21
7. C1 – Downtown Commercial District	22
8. C2 – Highway Commercial District	24
9. M1 – Light Industrial District	25
10. M2 – Heavy Industrial District	26
11. UR – Urban Reserve District	27
12. C – Contract Zone (Bylaw #9/93)	28
PART VI – REPEAL AND EFFECTIVE DATE OF THE BYLAW	29

**Zoning Bylaw
for the
Town of Wadena
Bylaw No. 2/87**

PART I – INTRODUCTION

Under the authority granted by The Planning and Development Act, 1983, the Council of the Town of Wadena, in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

<u>Title</u>	This Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Town of Wadena.
<u>Purpose</u>	The purpose of this Bylaw is to control the use of land in the Town of Wadena so as to provide for the amenity of the area and for the health, safety, and general welfare of the inhabitants of the municipality.
<u>Scope</u>	No development shall hereafter be permitted within the limits of the Town of Wadena except in the conformity with the provisions of this Bylaw and the Act.
<u>Severability</u>	A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this Bylaw.

PART II – DEFINITIONS

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

<u>Accessory</u>	A use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building, or structure.
<u>Act</u>	The Planning and Development Act, 1983.
<u>Boarding</u>	A use accessory to a residential use for the sleeping accommodation of persons, other than members of the household occupying the principal dwelling unit, which have no individual cooking facilities and who may be furnished with meals or other services as part of the consideration that is contained entirely within the dwelling unit, limited to not more than 4 boarders.
<u>Building</u>	Any structure constructed or placed on, in, or over land but does not include a public highway.

<u>Building Principal</u>	A building in which the main or primary use of the lot is conducted.
<u>Council</u>	The Council of the Town of Wadena.
<u>Development</u>	The carrying out of any building, engineering, mining, or other operations in, on, or over land or the making of any material change in the use or intensity of the use of any building or land.
<u>Development Permit</u>	A document, authorizing a development, issued pursuant to this Bylaw, but does not include a building permit.
<u>Discretionary Use</u>	A use of land or a building that may be permitted in a district only at the discretion of the Council and which may be subject to specific development standards.
<u>Dwelling</u>	A building or part of a building that may be used as a permanent residence excluding a mobile home, but including a prefabricated home.
<u>Dwelling Unit</u>	One or more rooms that may be used as a residence, each unit having sleeping, cooking, and toilet facilities.
<u>Dwelling, Multiple</u>	A building containing three or more dwelling units.
<u>Dwelling, Duplex</u>	A building divided horizontally into two dwelling units.
<u>Dwelling, Four-Plex</u>	A building containing four dwelling units. (Revised - Bylaw No. 11-00 – January 8, 2001)
<u>Dwelling, Semi-detached</u>	A building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof line.
<u>Dwelling, Single Detached</u>	A building containing only one dwelling unit.
<u>Group Home</u>	An agency or government operated home for up to ten adults or children with physical, mental, or emotional handicaps. These homes provide stable, long-term accommodation, normally for more than six months. (Revised - Bylaw No. 14-91 – July 29, 1991)
<u>Home Occupation</u>	An occupation, trade, profession, or craft conducted for gain in a dwelling unit by the resident or residents and which is incidental and secondary to the residence.
<u>Hotel</u>	A building or structure or part of a building or structure in which sleeping accommodation, with or without meals, is provided for tourists or travellers, and where a guest register or record is kept.
<u>Institution</u>	The use of land, buildings, or structures for religious, charitable educational, health, or welfare purposed and includes churches, public or private schools, hospitals, and special care facilities. (Revised - Bylaw No. 12-18 – October 1, 2018)

<u>Lot</u>	An area of land with fixed boundaries which is or record in the Land Titles Office by Certificate of Title.
<u>Lot Line, Front</u>	The line separating the lot from the street; for a corner lot, the lot line on the same street as the front lot lines on the same block.
<u>Lot Line, Rear</u>	The lot line at the rear of the lot and opposite the front lot line.
<u>Lot Line, Side</u>	A lot line other than a front or rear lot line.
<u>Minister</u>	The member of the Executive Council to whom is assigned the administration of the Act.
<u>Mobile Home</u>	A trailer coach that may be used as a dwelling all the year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and water closet or other similar facility that may be connected to a sewage system.
<u>Mobile Home Park</u>	A lot under single management for the placement of two or more mobile homes.
<u>Mobile Home Site</u>	An area within a mobile home park intended for the placement of a mobile home.
<u>Modular Home</u>	A residential dwelling that is constructed off-site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on-site in the Town and conforming to Canadian Standards Association (CSA) Standard A277. (Revised - Bylaw No. 11-10 – September 7, 2010)
<u>Motel</u>	A hotel for temporary use by automobile tourists or travellers.
<u>Parking Lot</u>	Open space, other than a street, used for temporary parking of more than four automobiles and available for public use, or as accommodation for clients, employees, or customers.
<u>Parking Space</u>	A space exclusive of a driveway, ramps, or columns but including convenient access to a public lane or street, for the parking of one automobile, which shall be no less than 2.5 metres in width.
<u>Public Utility Parcel</u>	A parcel of land, with no minimum or maximum frontage/size requirement, on which a Public Work is located. (Revised - Bylaw No. 6-13 – November 18, 2013)
<u>Public Work</u>	<ul style="list-style-type: none"> i) systems for the production or distribution of electricity; ii) systems for the distribution of natural gas or oil; iii) facilities for the storage, transmission, treatment, distribution or supply of water; iv) facilities for the collection, treatment, movement, or disposal of sanitary sewage; v) telephone or light distribution lines that are owned or operated by the Crown or a municipality.

<u>Rooming House</u>	A building containing more than one rooming unit.
<u>Rooming Unit</u>	A room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw with sleeping facilities and not less than 13.9 square metres of gross floor area but without private toilet facilities.
<u>Service Station</u>	A building or part of a building used for the retail sale of lubricating oils and gasolines, automobile accessories, and the servicing and minor repairing of motor vehicles, which may include a restaurant, car wash, or car sales lot as accessory uses.
<u>Shipping Container</u>	A prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck and used for storage. (Revised - Bylaw No. 12-18 – October 1, 2018)
<u>Shopping Centre</u>	A group of retail, business, or office establishments located in a single building and providing, for their mutual benefit, off-street parking and other joint facilities.
<u>Sign</u>	Any figures, numbers, emblems, pictures, devices, marks, or designs intended to be visible from other than inside a building, for the purpose of making known any individual, association, business, industry or service, or for advertisement or for directing or obtaining attention.
<u>Structural Alteration</u>	The construction or reconstruction of the supporting elements of a building.
<u>Town</u>	The Town of Wadena.
<u>Townhouse or Row House</u>	A building divided into three or more dwelling units located side by side under one roof and sharing common walls.
<u>Yard</u>	Open, uncovered space unoccupied by buildings or structures on a lot except as specifically permitted elsewhere in this Bylaw.
<u>Yard, Front</u>	That part of a lot extending across the full width of a lot between the front lot line and the nearest wall or supporting member of a building or structure.
<u>Yard, Rear</u>	That part of a lot extending across the full width of the lot between the rear lot line and the nearest wall or supporting member of a principal building or structure.
<u>Yard, Side</u>	That part of a lot extending from the front yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure except where the wall or supporting member is supporting an uncovered patio or uncovered sun deck.

PART III – ADMINISTRATION

1. Development Officer

The Town Administrator shall be the Development Officer who is responsible for the administration of this Bylaw.

2. Development Permit

- A. Except where a particular development is specifically exempted by Part III, Section 5, no person shall undertake a development or commence a use without a Development Permit first being obtained.
- B. A Development Permit cannot be issued in contravention of any provisions of this Bylaw.

3. Development Permit Procedure

- A. An application for a Development Permit shall be made in writing to the Development Officer in any form prescribed by Council.
- B. Where an application for a Development Permit is made for a permitted use, the Development Officer shall issue a permit where the development is in conformity with this Bylaw.
- C. Where an application for a Development Permit is made for a discretionary use, the development officer shall advise the Council as soon as practicable.
- D. As soon as practicable after Council is advised that an application has been made for a Development Permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to whichever government agencies or interested groups as Council may consider appropriate.
- E. Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit subject to any development standards prescribed by Council.
- F. Where an application for a Development Permit is made for a use subject to special regulations or standards, the Development Officer shall issue a permit including those special regulations or standards.
- G. Every decision shall be in writing and a copy sent to the applicant.
- H. A Development Permit is valid for a period of twelve months.
- I. Where it is determined that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend the Development Permit and notify the permit holder that the permit is no longer in force.
- J. Where the Council is satisfied that a development, the permit for which has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

4. Referral to Department of Health

The Development Officer shall forward a copy of all approved Development Permit applications involving the installation of water and sanitary services to the local office of the Department of Health.

5. Development Not Requiring a Permit

A Development Permit is not required for the following:

- A. Maintenance, construction, or installation of any Public Work.
- B. Fences.
- C. Maintenance or repair of any building or structure not including structural alterations.
- D. Signs in residential districts which conform to Part IV, Section 7.

6. Development Appeals Board

- A. A Development Appeals Board is hereby established.
- B. The Development Appeals Board shall be appointed in accordance with Sections 92 and 93 of the Act.
- C. An appeal to the Development Appeals Board and therefrom to the Provincial Planning Appeals Board may be taken in accordance with Section 96 of the Act.

7. Fee for Zoning Amendment Application

When an application is made to the Council for an amendment to this Bylaw, such application shall be accompanied by an application fee of \$50.00.

8. Offences and Penalties

Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties of the Act.

PART IV – GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw:

1. Licences, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation bylaw or any other bylaw in force within the Town or from obtaining any licence, permission, permit, authority or approval required by this or any other bylaw of the Town. Where requirements in this Bylaw conflict with those of any other municipal requirements, the more stringent requirements shall prevail.

2. Permitted Yard Encroachments

The following yard encroachments shall be permitted:

- A. Uncovered balconies, porches, verandahs, and decks may project 1.8 metres (5' 11") into any required front or rear yard.
- B. Window sills, eaves, gutters, bay windows, chimneys and similar non-structural elements may project a distance of 0.6 metres (2') into any required yard but not closer to a lot line than 0.15 metres (6").

3. Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, recreation centres, nursing homes, senior citizen homes, and multiple unit dwellings. The Development Officer shall advise the applicant in writing that adherence to the Bylaw Regulations and Provincial Subdivision Regulations, where applicable, will be necessary if any future application for subdivision is made.

4. Non-Conforming Buildings and Uses

- A. Any lawful use of land, an existing building or of any building lawfully under construction at the date of approval of this Bylaw, although such use or building does not conform to the regulations of this Bylaw, may be carried on in accordance with the provisions of Sections 113 to 118, inclusive, of the Act.
- B. No existing use or building shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Imperial System of Measurement to the Metric System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

5. Grading and Levelling of Lots

Any lot proposed for development shall be graded and leveled at the owner's expense to provide for adequate surface drainage which does not adversely affect adjacent property.

6. Signs

- A. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

- B. Temporary signs, not exceeding 1 square metre (10.76 f2), advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- C. In Commercial, Industrial, and Urban Reserve Districts:
 - i) no more than two permanent signs are permitted per principal use
 - ii) the facial area of a sign may not exceed 24 square metres (258.24 f2) (Revised - Bylaw No. 01-03 – February 17, 2003)
 - iii) a sign may be double faced
 - iv) no sign shall exceed 14 metres (45' 11") in total height above the ground (Revised - Bylaw No. 01-03 – February 17, 2003)
 - v) signs advertising the principal use or the principal products offered for sale on the premises are permitted
- D. In Residential Districts
 - i) one permanent sign is permitted per lot
 - ii) in the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling
 - iii) the facial area of a sign may not exceed 0.5 square metres (5.38 f2)

7. Accessory Buildings or Structures

(Revised - Bylaw No. 06-08 – October 6, 2008, Revised – Bylaw No. 12-18 – October 1, 2018)

- A. i) Accessory buildings, where the building's exit/entrance faces the lane, shall not be located less than 1.5 metres (4' 11") from the lane.
 - ii) Accessory buildings, where the building's exit/entrance does not face the lane, shall not be located less than .60 metres (2') from the lane.
- B. Accessory buildings shall not be located in a required front or side yard.
- C. Accessory buildings in a rear yard shall not be located less than 0.75 metres (2' 6") from the side lot line.
- D. Accessory buildings' height of walls shall not exceed 3.66 metres (12') from grade level to the underside of the eaves.
- E. In a residential district, a carport or garage shall be permitted provided it meets all the requirements set out in Part IV, Section 7 of this Bylaw.
- F. An accessory building located less than 1 metre (3' 3") from a principal building shall comply with all the minimum yard requirements of the principal building.
- G. a) Shipping containers shall be permitted in the following districts:
 - i) C2 – Highway Commercial
 - ii) M – Industrial
- b) Shipping containers may be permitted in R1 and R2 Residential districts for permitted institutional uses at the discretion of Council.

- c) Shipping containers shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- d) Shipping containers shall:
 - i) be properly anchored and maintained in good repair;
 - ii) be sandblasted and repainted to a neutral colour or complement the colours of the principal building prior to their placement, above grade, on a site;
 - iii) be located a minimum of 1.0 metre from, and behind the rear wall of, the principal building; and
 - iv) meet the requirements of the *National Building Code of Canada* as applicable.
- e) A maximum of one shipping container per property is permitted in the C2 – Highway Commercial District, and approved R1 and R2 Districts. Additional shipping containers may be permitted at the discretion of Council.
- f) Shipping containers shall be located in the side or rear yard only. They shall not project beyond the building front line of the primary building.
- g) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner. Application for a development permit for shipping containers must occur prior to relocation to the site.
- h) Shipping containers shall not block, obstruct, or reduce exits, windows, parking spaces, or driveways.
- i) Shipping containers are prohibited from being plumbed in any manner.
- j) Shipping containers shall not be stacked on top of one another.
- k) Notwithstanding subsection G. a), shipping containers may be temporarily placed on a site in any district:
 - i) during active construction on a site where the shipping container is used solely for the storage of supplies and equipment that are used for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the shipping container is removed from the site upon completion of construction; or,
 - ii) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.
- l) When placed on a site pursuant to subsection G. k), the shipping containers shall:
 - i) be located so as not to create a safety hazard;
 - ii) not be placed on a public right-of-way or dedicated lands; and
 - iii) not be located within 1.2 metres of the interior edge of a sidewalk.

8. Home Occupations

- A. Home occupations shall be located in single-detached, semi-detached, duplex dwellings or mobile homes or in a building accessory to the dwelling.
- B. Home occupations shall be conducted entirely within the dwelling or accessory building.

- C. Other than the one permitted business sign, there shall be no exterior display, no exterior storage of material, and no other variation from the residential character of the building.

9. Outdoor Storage

- A. In any residential district, only outdoor storage incidental to the principal use shall be permitted.
- B. No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.

10. Side Yard Exception

For semi-detached dwellings, townhouses, rowhouses, or multiple unit dwellings, no side yard shall be required where dwelling units share a common party wall.

11. General Development Standards Applicable to Discretionary Uses

- A. Sites shall be landscaped to maintain the character and amenity of the neighbourhood.
- B. Adequate on-site parking shall be provided and maintained.
- C. Parking, storage, and other non-landscaped areas shall be suitably screened from adjacent properties and streets.
- D. Adequate receptacles for refuse and litter shall be supplied.
- E. No sound, light, glare, heat, dust, or other emission shall be transmitted beyond the lot lines.
- F. Vehicle access and egress points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards.

12. Off-Street Parking

Off-street parking shall be provided as follows:

<u>Use</u>	<u>Parking Spaces Required</u>
i) Multiple-unit dwellings	1.25 for each dwelling unit
ii) Other dwellings	1 for each dwelling
iii) Mobile homes	1 for each mobile home
iv) Hotels	1 for every 2 guest rooms
v) Motels	1 for every unit
vi) Restaurants, theatres, assembly halls, places of worship	1 for every 10 seats
vii) Schools, educational institutions	1 for each classroom
viii) Other uses	1 for each 70 m ² (753.2 f ²)

13. Bed-and-Breakfasts Homes

(Revised - Bylaw No. 5-13 – February 11, 2013)

- (1) Bed-and-breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.
- (2) Bed-and-breakfast homes shall be licensed by the provincial Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed-and-breakfast home.

- (3) In issuing discretionary use approval for a bed-and-breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms. Any increase in the number of guest rooms shall require a new discretionary use approval.
- (4) One off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed-and-breakfast home, in addition to any off-street parking used for the operator of the facility.
- (5) Council will consider applications for bed-and-breakfast facilities with respect to the following criteria:
 - a. the proposed structures are suitable and comfortable for the proposed facility;
 - 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 and for the operator of the facility;
 - d. the development will complement adjacent residential uses.

PART V – ZONING DISTRICTS AND ZONING MAPS

1. Zoning Districts

- A. For the purpose of this Bylaw, the Town of Wadena is divided into the following Zoning Districts which may be referred to by the appropriate symbols:

<u>Districts</u>		<u>Symbols</u>
R1	- Residential District	R1
R2	- Residential District	R2
RMH	- Residential Mobile Home	RMH
C1	- Downtown Commercial	C1
C2	- Highway Commercial	C2
M1	- Light Industrial	M1
M2	- Heavy Industrial	M2
UR	- Urban Reserve	UR

- B. The locations and boundaries of the Zoning Districts are shown on the Zoning District Map.

2. Zoning District Map

The map, bearing the statement, “This is the Zoning District Map referred to in Bylaw No. 2/87”, adopted by the Town of Wadena, signed by the Mayor and the Town Administrator under the Seal of the Town, shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this Bylaw.

3. Holding Provision

- A. Where, on the Zoning District Map, the symbol for a Zoning District has suffixed to it the holding symbol “H”, any lands so designated on the map shall be subject to a holding provision.
- B. Any lands subject to a holding provision shall only be used for the following permitted uses:
- i. agricultural cropping
 - ii. public works
- C. Any single detached dwellings existing on lands subject to a holding provision may continue to be used and structural alterations and additions which conform to the regulations of the R1-Residential District may be made.

4. R1 – Residential District

1. Intent

The purpose of this district is to provide for low-density residential development and related recreational and institutional uses.

2. Permitted Uses

The following are permitted uses in the R1-District:

- i) Single detached dwellings
- ii) Schools, educational institutions
- iii) Cultural institutions
- iv) Hospitals, medical clinics
- v) Places of worship, religious institutions
- vi) Public works
- vii) Parks and playgrounds
- viii) Public utility parcels (Revised - Bylaw No. 6-13 – November 19, 2013)
- ix) Boarding (Revised – Bylaw No. 20-18 – January 7, 2019)

3. Discretionary Uses

The following are discretionary uses in the R1-District:

- i) Home occupations
- ii) Day-care centres, subject to Department of Social Services regulations
- iii) Group homes (Revised - Bylaw No. 14/91 – July 29, 1991)
- iv) Modular homes (Revised - Bylaw No. 11-10 – September 7, 2010)
- v) Bed-and-breakfast facility (Revised - Bylaw No. 5-13 – October 7, 2013)
- vi) Garage (Bylaw #6-13)

4. Regulations

<u>Requirement</u>	<u>Single Detached Dwellings</u>	<u>Other Uses</u>
i) Lot area, minimum	360 m ² (3,873.6 f ²) with a lane, (4,842 f ²) otherwise, 450 m ² (4,842 f ²)	450 m ² *
ii) Lot frontage, minimum for rectangular lots	12 m (39'4") with a lane, otherwise, 15 m (49'2")	15 m (49'2") *
iii) Front yard, minimum	7.5 m (24'7")	7.5 m (24'7") *
iv) Rear yard, minimum	6.0 m (19'8")	7.5 m (24'7") *
v) Side yard, minimum	1.2 m. (3'11")	3.0 m (9'10") *

* No minimum requirement for parks, playgrounds, and public works.

5. Development Standards for Modular Homes

(Revised - Bylaw No. 11-10 – September 7, 2010)

- A. All modular homes, and their placement, must be approved by Town Council and their Building Inspector.

- B. All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling.
- C. All modular homes shall be multi-modular with the width approximately equivalent to the length.
- D. All modular homes shall have architectural features similar or complementary to adjacent and nearby homes.
- E. All modular homes of CSA approved construction and conforming to National Building Code requirements will be permitted to locate on a site with the same site requirements as a one-family dwelling.
- F. All applicable permits, fees, and inspections are required as per Town of Wadena Building Bylaw No. 2-07 and Zoning Bylaw No. 2-87.
- G. Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.

5. R2 – Residential District

1. Intent

The purpose of this district is to provide for higher density residential development and related recreational and institutional uses.

2. Permitted Uses

The following are permitted uses in the R2-District:

- i) All those uses listed as Permitted Uses in the R1-Residential
- ii) Semi-detached and duplex dwellings
- iii) Townhouses or row houses
- iv) Multiple unit dwellings
- v) Public utility parcels (Revised - Bylaw No. 6-13 – November 19, 2013)

3. Discretionary Uses

The following are discretionary uses in the R1-District:

- i) Home occupations
- ii) Day-care centres, subject to Department of Social Services regulations
- iii) Group homes (Revised - Bylaw No. 14-91 – July 29, 1991)
- iv) Four-plex dwellings (Revised - Bylaw No. 11-10 – September 7, 2010)
- v) Modular homes (Revised - Bylaw No. 11-10 – September 7, 2010)
- vi) Bed-and-breakfast facility (Revised - Bylaw No. 5-13 – October 7, 2013)
- vii) Garage (Revised - Bylaw No. 6-13 – November 19, 2013)

4. Regulations

(Revised - Bylaw No. 11-10 – September 7, 2010)

<u>Requirement</u>	<u>Semi-Detached & Duplex Dwellings</u>	<u>Multiple-Unit Dwellings</u>	<u>Townhouses Rowhouses</u>	<u>Four-Plex Dwellings</u>
i) Lot area, minimum	232 m ² (2,496.32 f ²) per unit with a lane, otherwise 270 m ² (2,905.2 f ²) per unit	550 m ² (5,918 f ²)	200 m ² per unit (2,152 f ²)	550 m ² (5,918 f ²)
ii) Lot frontage, minimum	7.5 m. (24'7") per unit with a lane, otherwise 9 m (29'6") per unit per unit	21 m (49'2")	7.5 m (24'7")	15 m (49'2")
iii) Front yard, minimum	7.5 m (24'7")	7.5 m (24'7")	7.5 m (24'7")	7.5 m (24'7")
iv) Rear yard, minimum	6 m (19'8")	7.5 m (24'7")	7.5 m (24'7")	7.5 m (24'7")
v) Side yard, minimum	1.2 m (3'11")	3.5 m (11'6") or ½ the average wall height, whichever is greater	2 m (6'7")	1.2 m (3'11")

6. RMH – Residential Mobile Home District

1. Intent

The purpose of this district is to provide for the development of mobile home subdivisions and related uses.

2. Permitted Uses

The following are permitted uses in the RMH-District:

- i) Mobile homes
- ii) Public works
- iii) Parks and playgrounds

3. Discretionary Uses

The following are discretionary uses in the RMH-District:

- i) Day-care centres, subject to Department of Social Services regulations
- ii) Home occupations

4. Regulations

- i) Lot area, minimum
360 m² (3,873.6 f²) with a lane
450 m² (4,842 f²) without a lane
- ii) Lot width, minimum for rectangular lots
12 m (39'4") with a lane
15 m (49'2") without a lane
- iii) Front yard, minimum
5 m (16'5")
- iv) Rear yard, minimum
5 m (16'5")
- v) Side yard, minimum
1.2 m (3'11")

7. C1 – Downtown Commercial District

1. Intent

The purpose of this district is to regulate and encourage commercial development in the downtown core.

2. Permitted Uses

The following are permitted uses in the C1-District:

- i) Offices
- ii) Bakeries with retail sales
- iii) Personal service establishments
- iv) Banks and financial institutions
- v) Medical and dental offices and clinics
- vi) Printing plants, newspaper offices
- vii) Restaurants
- viii) Retail stores
- ix) Theatres, assembly halls
- x) Undertaking establishments, funeral homes
- xi) Hotels, motels
- xii) Service or repair shops
- xiii) Libraries, cultural institutions
- xiv) Places of worship, religious institutions
- xv) Service stations
- xvi) Shops of tradesmen, including plumbers, pipefitters, electricians, and welders
- xvii) Parking lots
- xviii) Public works
- xix) Dwelling units attached to commercial establishments

3. Discretionary Uses

The following are discretionary uses in the C1-District:

- i) Commercial recreation establishments
- ii) Automobile sales and service
- iii) Lumber yards and building supply establishments
- iv) Car washes

4. Regulations

- i) Minimum lot area 278 m² (2,991.28 f²), except 929 m² (9,996 f²) for service stations
- ii) Minimum lot frontage 7.5 m (24'7"), except 30 m (98'5") for service stations
- iii) Minimum front yard Nil, except 7.5 m (24'7") for service stations
- iv) Minimum rear yard Nil (Revised - Bylaw No. 01-00 – January 28, 2000)
- v) Minimum side yard Nil, except 1.5 m (4'11") abutting a residential district without an intervening lane or street
- vi) All dwelling units shall have an entrance separate from that of the commercial establishment. Dwelling units must be provided with a fire exit secondary to the required entrance.

- vii) Fuel pumps and other accessory equipment shall be located at least 6 metres (20 ft.) from any lot line. Where the distance between the outer edge curb of the travelled portion of any road on which the lot has frontage and such equipment or pumps is at least 7.3 metres (24 ft.), Council may by resolution permit a lower setback. (Revised - Bylaw No. 3/92 – April 6, 1992)
- viii) All machinery, building supplies, automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened so as not to be visible from the street or adjacent lots.
- ix) Council may exempt from the requirement to provide off-street parking facilities, any person who constructs a new building and pays or agrees to pay to the Council \$500.00 for each parking space that would otherwise be required.
- x) Off-street parking spaces may be located on a lot in the C1-District, separate from the main building or use, provided the parking spaces will be within 100 metres (328 ft.) of the main building or use and the owner of the land agrees in writing to make the required number of parking spaces available for use by the public for as long as the main building or use continues.

8. C2 – Highway Commercial District

1. Intent

The purpose of this district is to accommodate the orderly development of commercial establishments requiring medium to large lots.

2. Permitted Uses

The following are permitted uses in the C2-District:

- i) Motels
- ii) Service stations
- iii) Establishments for the sale, storage, and servicing of motor vehicles, trailers, machinery, or equipment
- iv) Car washes
- v) Restaurants
- vi) Veterinary hospitals and clinics
- vii) Public works
- viii) Furniture and appliance sales and service
- ix) Lumber yards and building supply establishments

3. Discretionary Uses

The following are discretionary uses in the C2-District:

- i) Auto body shops

4. Regulations

- i) Lot area, minimum 1,115 m² (11,997.4 *ℓ*), except no minimum for public works
- ii) Lot frontage, minimum 30 m (98'5"), except no minimum for public works
- iii) Front yard, minimum 7.5 m (24'7")
- iv) Rear yard, minimum 6 m (19'8")
- v) Side yard, minimum 3 m (9'10")
- vi) Fuel pumps and other accessory equipment shall be located at least 6 metres (19'8") from any street or lot line.
- vii) All machinery, building supplies, automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened so as not to be visible from the street or adjacent lots.

9. M1 – Light Industrial District

1. Intent

The purpose of this district is to accommodate the development of industrial and service establishments, including a reasonable level of outdoor storage, but which are not of an obnoxious, hazardous, or offensive nature.

2. Permitted Uses

The following are permitted uses in the M1-District:

- i) Service stations
- ii) Grain elevators
- iii) Lumber and building supply establishments
- iv) Establishments for the sale, storage, rental, or servicing of motor vehicles, trailers, farm machinery, equipment, and recreational vehicles
- v) Machine shops, welding shops
- vi) Warehouses and wholesale establishments
- vii) Autobody shops
- viii) Car washes
- ix) Shops of plumbers, pipefitters, metal workers, and other industrial tradespeople
- x) Public works
- xi) Manufacturing establishments

3. Discretionary Uses

The following are discretionary uses in the M1-District:

- i) Truck and freight terminals
- ii) Cold storage and locker plants

4. Regulations

- i) Lot area, minimum 929 m² (9,996 *ft*²), except no minimum for public works
- ii) Lot frontage, minimum 30 m (98'5"), except no minimum for public works
- iii) Front yard, minimum 7.5 m (24'7")
- iv) Rear yard, minimum 6 m (19'8"), except nil abutting a railway
- v) Side yard, minimum 3 m (9'10")
- vi) Fuel pumps and other accessory equipment shall be located at least 6 metres (19'8") from any street or lot line.
- vii) All automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened.

10. M2 – Heavy Industrial District

1. Intent

The purpose of this district is to regulate the development of industrial establishments which may be obnoxious, hazardous, or offensive in nature.

2. Permitted Uses

The following are permitted uses in the M2-District:

- i) Railway and ancillary railway functions
- ii) Grain elevators
- iii) Seed cleaning plants, subject to the Department of the Environment regulations
- iv) Bulk fertilizer sales, subject to the Department of Labour and Environment regulations
- v) Public works
- vi) Machine shops
- vii) Food processing plants
- viii) Warehouses and wholesale establishments
- ix) Cold storage or locker plants
- x) Fabrication and assembly plants
- xi) Trucking and freight terminals
- xii) Feed mills
- xiii) Lumber and building supply establishments

3. Discretionary Uses

The following are discretionary uses in the M2-District:

- i) Bulk fuel storage and sales, subject to the Department of Labour regulations
- ii) Concrete mixing plants

4. Regulations

- i) Lot area, minimum 1,115 m² (11,997.4 f²)
- ii) Lot frontage, minimum 30 m (98'5")
- iii) Front yard, minimum 7.5 m (24'7")
- iv) Rear yard, minimum 6 m (19'8"), except nil abutting a railway
- v) Side yard, minimum 3 m (9'10")

11. UR – Urban Reserve District

1. Intent

The purpose of this district is to reserve unsubdivided and/or undeveloped lands within the municipality for future urban development.

2. Permitted Uses

The following are permitted uses in the UR-District:

- i) Agricultural cropping
- ii) Recreational uses, including sports fields, campgrounds, parks, golf courses, and rinks
- iii) Public works

3. Discretionary Uses

The following are discretionary uses in the UR-District:

- i) Veterinary hospitals and clinics
- ii) Cemeteries
- iii) Commercial Storage of Farm Equipment for Resale (Revised - Bylaw No. 7-14 – October 7, 2014)

4. Regulations

- i) Minimum lot area 1 ha (2.47 acres), except no minimum for public works

5. Rezoning of Land

Proposed rezoning of land from UR-Urban Reserve District to another land use shall be considered only where the rezoning would be in conformity with the Basic Planning Statement. The proposed development shall constitute orderly and economic development with regard to adjacent land uses and future service requirement such as roads, schools, and utilities.

12. C – Contract Zone

(Revised - Bylaw No. 9/93 – July 5, 1993)

1. Intent

This zone is intended to permit development of parcels of land or buildings which, because of their shape, size, or some other unusual condition, may not be usable under the regulations affecting the specific zones in which they are situated

The use of the symbol C on the Town of Wadena Zoning District Map shall indicate a property which has been rezoned through a contractual agreement between an individual or individuals and the Town of Wadena.

Contract zoning shall not replace, but shall be additional to, the zoning already in place on the land.

2. Application

The application and approval of contract zoning shall be regulated by the Act and by the Policy on contract zoning outlined in the Development Plan.

3. Permitted Uses

The uses which shall be allowed on a property having an approved zoning contract shall be those specified in the contract.

4. General Provisions

The regulations pertaining to a property having an approved zoning contract shall be those specified in the contract. Where regulations are not specified in the zoning contract, the most stringent regulations established for the district in which the property is located shall apply.

PART VI – REPEAL AND EFFECTIVE DATE OF THE BYLAW

Bylaw No. 15/83, as amended, is hereby repealed.

This Bylaw shall come into force on the date of final approval by the Minister of Urban Affairs.

Mayor

Administrator

Bylaw No. 2/87, adopted March 16, 1987.