

VILLAGE OF PRUD'HOMME

BYLAW # 1-08

A BYLAW FOR THE VILLAGE OF PRUD'HOMME IN THE PROVINCE OF  
SASKATCHEWAN KNOWN AS THE ZONING BYLAW.

Now, therefore, the council of the Village of Prud'homme in the Province of Saskatchewan enact as follows:

Section 60 of the Planning and Developments Act, provides that the Council of a municipality may pass a Zoning Bylaw. Therefore, the Mayor and Council of the Village of Prud'homme in the Province of Saskatchewan, in open meeting hereby enact as follows:

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PART ONE

INTRODUCTION

1. SHORT TITLE

This bylaw shall be known as the Village of Prud'homme Zoning Bylaw.

2. PURPOSE OF THE ZONING BYLAW

This is a bylaw to control the use and development of land in the municipality.

3. SCOPE

Development shall hereafter be permitted within the limits of the municipality, only when in conformity with the provisions of this bylaw.

4. DEFINITIONS

The list of definitions of words and terms used in the bylaw, are included in Part five.

5. BYLAW ADMINISTRATOR RESPONSIBLE

The Administrator of the Village of Prud'homme shall be responsible for the administration of the bylaw.

6. DEVELOPMENT PERMIT REQUIRED

- A. Every person, before commencing any development within the municipality, shall apply to the Bylaw administrator for a development permit.
- B. A building permit shall not be issued unless a development permit has also been issued.
- C. No building or structure shall be erected, reconstructed, moved off or moved on a site, nor shall any building structure or land be used for any other use than is permitted in the zoning district concerned, and then any after applying for and securing all development permits, building permits or other permits and licenses required by all bylaws in effect within the municipality. Non-conforming uses and buildings shall be subject to Sections 76-81 of the Planning and Development Act.
- D. Development permission is not required for any of the following:
  - 1. The installation, maintenance and improvement of a public utility.
  - 2. The carrying out by the municipality of any operation for the installation, maintenance or improvement of public work.

- 3 The carrying out of maintenance or repair to any building provided such work does not include structural alterations.
- 4 The completion of a building, which was lawfully under construction at the date of this bylaw coming into effect.
- 5 The erection or construction of gates, fences, walls or other means of enclosure.
- 6 The erection, construction or placement of temporary buildings, or structures used in connection with construction or maintenance operations.
- 7 Accessory buildings but not including garages or workshops.

7. NOTICE OF RIGHT TO APPEAL

A If the application for development permission is refused, the applicant will be notified on the "Notice decision" form the reasons for the refusal, The applicant shall also be advised that they are entitled to appeal the refusal to the Zoning Appeals Board subject to the provisions of Section 83 of the Planning and Development Act.

B ZONING APPEALS BOARD

Council shall appoint a Zoning Appeals Board in conformity with section 61 (1) of the Planning and Development Act

C RIGHT OF APPEAL

Section 83 of the Planning and Development act shall apply.

D NOT ENTITLED TO HAVE APPEAL ALLOWED

Section 83 of the Planning and Development Act shall apply.

E PROCEDURE FOR APPEAL

Section 84 of the Planning and development Act shall apply.

8. AMENDMENT OF THE ZONING BYLAW

A Subject to Section 66-70 of the Planning and Development Act this bylaw may be amended whenever the public necessity, convenience, general welfare or good planning practice required.

B When an application is made to the Council of The Village of Prud'homme for an amendment to this bylaw, such application shall be accompanied by an application fee as set by council but not to exceed fifty dollars (\$50.00)

C The owners of property so caused to become non-conforming under any proposed zoning amendment, shall be notified by Council through being mailed a copy of the public notice prepared for advertisement. Such notice shall be sent at least two weeks before the date of the meeting held to consider submission on the proposed bylaw.

9. NON-CONFORMING USES AND BUILDINGS

Non-conforming uses and buildings shall be permitted and regulated subject to Section 76-81 of the Planning and Development Act.

10. OFFENSES AND PENALTIES

Prosecution for breach of this bylaw comes under section 203 of the Planning

and Development Act. A person who is guilty of an offence is liable on summary conviction to a fine of not more than \$ 1 000.00, and in the case of a continuing offence to a further fine not exceeding \$ 250.00 for each day during which the offence continues. In addition a person convicted under this section of the Act may be ordered to remove such development.

PART THREE

ZONING RESTRICTIONS

11. CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purposes and regulations of this bylaw the municipality is hereby divided into zoning districts as named and described in Section 14.

12. BOUNDARIES OF ZONING DISTRICTS

The boundaries of such districts referred to above together with explanatory legend, notification, notation and reference, are shown on the map entitled "Zoning District Map". Unless otherwise shown, the boundaries of the districts are lot lines, centre lines of streets, lanes, roads or such lines extended and the boundaries of the Municipality. In subdivided land, the boundaries of the district shall be determined by the use of the scale shown on the map.

13. THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning district Map referred to in Bylaw No 31/96" adopted by the Village of Prud'homme and under the seal of the Village of Prud'homme shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this bylaw.

14. DISTRICT SCHEDULES

The following are schedules of uses and regulations pertaining to the various zoning districts in this Bylaw:

R - Residential

CI - Commercial District

M - Industrial

UR - Urban Reserve District

14.1 R RESIDENTIAL DISTRICT

A INTENT

The purpose of this district is to provide sites for low-density residential development, and additional uses compatible with a residential area.

B LAND USES

Subject to all other provisions of this bylaw, on any site in any district defined, designated or described in this bylaw as R Residential District only the following uses shall be permitted:

1 PRINCIPAL PERMITTED USES

(a) RESIDENTIAL

- (i) Single detached dwellings
- (ii) Semi detached duplex
- (iii) Senior citizen's housing up to two storeys in height

(b) HOME OCCUPANTS

or Shall not include any use or operation that will cause or permit to create a nuisance by way of dust, noise, smoke, increased traffic.

(c) INSTITUTIONAL

(a) Churches and Cemeteries

(b) Schools

(c) Libraries

(d) Nursing homes and Health Clinics

(e) Community buildings, private clubs, and lodges

2 SECONDARY AND ACCESSORY USES

Buildings, structures or, uses secondary and accessory to, but located on the same site with the main use.

3 USES PERMITTED AT COUNCIL'S DISCRETION

The following uses may be permitted but only through a resolution of council and only in locations specified in such a resolution and



subject to conditions specified by council and other provisions as may be set out in this bylaw.

- 1 Mobile Homes
- 2 Public Utilities, but not including yards for storage and repair of machinery or materials.

## C REGULATIONS

### 1 MINIMUM SITE AND YARD AREAS

- |     |                      |  |
|-----|----------------------|--|
| (a) | Minimum site width - | Single detached dwelling<br>15 m (50 feet)                             |
|     | -                    | Semi detached and duplex<br>dwelling 9 m (30 feet)                     |
| (b) | Minimum site area -  | Single detached family<br>465 m <sup>2</sup> (5000 sq. feet)           |
|     | -                    | Semi detached and duplex<br>dwelling 278 m <sup>2</sup> (3000 sq feet) |
| (c) | Minimum front yard - | 6 m (20 feet or existing building<br>line)                             |

feet)

- (d) Minimum side yard - 1.2 (4 feet)
- (e) Minimum rear yard - Main building 6 m (20 feet)
  - Accessory building 1.5 m (5 feet)
  - from lane
- (f) Minimum floor area - Single detached dwelling (74 m<sup>2</sup>) (8000sq feet)
  - Semi detached and duplex dwellings 42 m<sup>2</sup> (4500 sq feet)

## 2 HOME OCCUPANTS

- (a) A business or professional sign on the premises is permitted, not to exceed .09 m<sup>2</sup> (1 sq foot) in area.
- (b) No outside storage of materials or outside display shall be permitted.
- (c) Home occupations shall be conducted in the principal building, not in accessory building.

## 3 STORAGE OF UNLICENSED MOTOR VEHICLES IN YARDS

- (a) No unlicensed vehicles may be stored in any side or front yard.

## 4 ACCESSORY BUILDINGS

- (a) No accessory building shall be placed in front yard
- (b) Garages shall adhere to the minimum side yard and rear requirement, shall be on a cement foundation and poured concrete or asphalt floor.

5 PUBLIC RESERVE DEDICATION

Every plan of proposed subdivision for residential use shall make provision for dedication to the public use, in addition to streets, lanes and buffer strips, a minimum of 10 percent of the land to be subdivided, subject to:

- (a) Sections 114 and 202 of the Planning and Development Act.
- (b) Section 17 of the Subdivision Regulations
- (c) The Public Reserves Regulations, 1978

6 SIGNS

- (a) Signs under the provisions for home occupations, those showing the names and addresses of the occupants, signs bearing notice of sale or lease and information signs relating to a temporary condition affecting the premises are permitted.

14.2 C1 COMMERCIAL

A INTENT

The purpose of this district is to provide sites for stores, offices, and facilities that sell retail merchandise and services.

## B LAND USES

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as C1 Commercial District only the following uses shall be permitted:

### 1 PRINCIPAL PERMITTED USES

#### (a) COMMERCIAL

- (i) Banks and other financial institutions
- (ii) Personal service shops
- (iii) Bowling alleys, billiard halls and theatres
- (iv) Grocery stores and food item sales
- (v) Hotels
- (vi) Offices - business and professional
- (vii) Public utility buildings and structures
- (viii) Restaurants and cafes
- (ix) Retail merchandise shops

(x) Service stations and car washes

(b) INSTITUTIONAL

(i) Churches and church halls

(ii) Lodges and private clubs

(iii) Community halls and facilities

(iv) Municipal, Provincial and Federal buildings

2 SECONDARY AND ACCESSORY USES

(a) Dwelling units above stores or commercial establishments

(b) Single-detached dwellings secondary and accessory to a principal commercial use.

(c) Buildings, structures or uses secondary and accessory to but located on the same site with the main use.

C REGULATIONS

1 MINIMUM SITE AND YARD AREAS

(a) Minimum site width - 7.5 m (25 feet)

(b) Minimum site area - 235 m<sup>2</sup> (2 500 sq feet)

- |     |                    |   |
|-----|--------------------|---|
| (c) | Minimum front yard | - N/A   |
| (d) | Minimum side yard  | - Not required, unless the side abuts a residential district and streets, in which case the side yard shall be minimum of 1.5 m (5 feet)                |
| (e) | Minimum rear yard  | - 1.5 m (5 feet) where a lane is present, unless the site abuts a residential district, in which case the rear yard shall be a minimum of 6 m (20 feet) |

2 LANDSCAPING

Where a site abuts a residential district and streets the side and rear yards shall be landscaped to the satisfaction of council.

3. STORAGE OF GOODS IN YARDS

Goods or materials shall not be stored in any yard, unless within an enclosed building or as required by service stations.

4. PUBLIC RESERVE DEDICATION

Every plan of proposed subdivision for commercial use shall make provision for the dedication to the public use other than streets, lands and buffer strips, a minimum of 5 percent of the land area to be subdivided, subject to:

- a) Section 114 and 202 of the Planning and Development Act.

- b) Section 17 of the Subdivision Regulations
- c) The Public Reserve Regulations, 1978

5. OFF STREET PARKING AND LOADING FACILITIES

Depending on the nature, type and location of the proposed use, suitable space for parking and loading shall be provided and in a location to the satisfaction of the council

14.4 M INDUSTRIAL DISTRICT

A. INTENT

The purpose of this district is to provide sites for industrial use, which do not create serious problems such as excessive noise or odours for adjoining land uses

B. LAND USES

M Subject to all other provisions of the Bylaw, on any site, in this bylaw as Industrial District, only the following uses shall be permitted.

1. PRINCIPAL PERMITTED USES

a) INDUSTRIAL

- Cartage and trucking operations
- Sales, storage and servicing of motor vehicles and farm machinery and equipment
- Repair services, (Electrical, glass, machine, sheet metal,

- small engines, welding, auto body)
- Service stations and car washes
- Warehouses and wholesale operations
- Bulk oil, fertilizer and building supply sales
- Municipal yards and storage
- Public utility buildings and structures
- Grain elevators, feed mills, seed cleaning
- Railway lines and railway station grounds

2. SECONDARY AND ACCESSORY USES

Buildings, structures or uses secondary and accessory to but located on the same site with the main use.

3. REGULATIONS

1. MINIMUM SITE AND YARD AREAS

- a) Minimum site width -15 m (50 ft)
- b) Minimum site area -580 m<sup>2</sup> (6250 sq. ft)
- c) Minimum front yard -9 m (30 ft)
- d) Minimum side yard -3 m (10 ft)

Where a site abuts a residential commercial or community district and streets, the side yard shall be 6 m (20 ft)



- e) Minimum rear yard -3 m (10 ft)

2. LANDSCAPING

Where a site is adjacent to a residential, commercial or community district and streets, front and side yards shall be landscaped to the satisfaction of Council.

3. STORAGE OF GOODS IN YARDS

On any industrial site goods or materials shall not be stored in any front yard, or in a side yard, which abuts a residential, commercial or community district and streets.

4. OFF-STREET PARKING AND LOADING FACILITIES

Depending on the nature, type and location of the proposed use, suitable space for parking and loading shall be provided and in a location to the satisfaction of council.

5. PUBLIC RESERVE DEDICATION

Every plan of proposed subdivision for industrial use shall make provision for the dedication to the public use other than streets, lanes, and buffer strips, a minimum of 5 percent of the land area to be subdivision, subject to:

- a) Section 114 and 202 of the Planning and Development Act.
- b) Section 17 of the Subdivision Regulations
- c) The Public Reserve Regulations, 1978

14.5 UR URBAN RESERVE DISTRICT

A. INTENT

To reserve those lands within the Municipality which are yet un-subdivided or undeveloped for urban uses, until such time as their future use may be determined.

B. LAND USES

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as UR Urban Reserve District, only the following uses shall be permitted:

1. PRINCIPAL PERMITTED USES

- a) all existing uses and buildings
- b) recreational - sports fields, golf courses, community facilities and other similar uses.
- c) Public utility buildings and structures
- d) communications - radio and television buildings and structures and other similar uses

2. SECONDARY AND ACCESSORY USES

Buildings, structures or uses secondary and accessory to be located on the same site with the main use.

C. REGULATIONS

1. No future subdivision or development shall be permitted unless this is for one of the permitted uses and in the opinion of Council it will not prejudice the future economical subdivision or servicing of the land.

2. REZONING OF LAND

Proposed rezoning of land from UR Urban Reserve District to another land use shall be considered only on the basis of an overall plan for the area. The proposed development in the opinion of council shall constitute orderly and economic development with regards to adjacent land and uses, and future service requirements such as roads, schools, utilities and municipal services.

3. POSTING OF SIGNS AND BILL BOARDS

Signs showing the names of occupants, information signs bearing no advertising and signs bearing notices of sale or lease of any are permitted.

PART FOUR

GENERAL REGULATIONS

15. LAND UNSUITABLE FOR DEVELOPMENT

If the council is of the opinion that the land is subject to flooding, slumping, earth movement or other instability or is otherwise unsuitable or hazardous for the proposed use, or where owing to bad natural drainage, steep slopes, or other similar features, the cost of provision of services would, in the opinion of council, be prohibitively expensive or difficult to maintain, council may prohibit such

development.

16. PROJECTION INTO YARDS

Where minimum front, rear or side yards are required in any district, such minimum requirements shall not apply to prevent the construction or location or the following:

- a. A chimney that projects not less than .75 m (2.5 feet) from the side boundary of a site.
- b. An enclosed or open veranda, porch, terrace, or balcony which projects not more than 2 m (6.5 feet) into the minimum front yard requirements, or 1.5 m (5 feet) from the rear boundary of a site.
- c. An eave or an accessory building which projects within .3 m (1 foot) of the side of the boundary of a site, unless that building serves two abutting sites.

17. NUMBER OF PRINCIPAL BUILDING PERMITTED ON A SITE

Not more than one principal building shall be erected or moved onto any one site except where it is proposed to develop a group of buildings such as in the case of schools, hospitals, recreational and community buildings, senior citizen homes and other such facilities.

18. SERVICING OF PRINCIPAL BUILDINGS

All principal buildings constructed or moved onto a site services by the municipal water distribution or sewage collection system, shall be connected to such

service.

19. ACCESS TO PRINCIPAL BUILDINGS

All principal buildings shall have access to a public street

20. DEVELOPER/MUNICIPAL AGREEMENTS

All proposals may be subject to the requirements of entering into an Agreement between the developer and the Municipality with posting of a performance bond with the municipality, to encompass matters of road construction and maintenance, drainage ditches, culverts, land fill, landscaping, and any other requirements as determined by council.

PART FIVE

DEFINITIONS

ACCESSORY BUILDINGS: a separate building or structure normally incidental to the principal building or structure on the same site.

ACCESSORY USE: shall mean a use secondary to the principal use and located on the same site with the principal use.

ACT the Planning and Development Act, 2007

ADMINISTRATOR Shall mean the administrator/treasurer of the Village of Prud'homme

APARTMENT BUILDINGS shall mean a building containing three or more

dwelling units with shared entrances and other services and facilities, each of which is occupied or intended to be occupied as permanent residence.

BUILDING  
or

a structure with a roof supported by columns walls, intended to provide shelter for persons, property, animals or business activity.

BUILDING BYLAW

any bylaw of a municipality regulating the erection, alternation, repair, occupancy or maintenance of buildings and structures.

BUILDING LINE EXISTING

shall mean the average distance from the street line to the main wall of existing buildings on any side of any block.

BUILDING PERMITS

any permit, issued under building bylaw of a municipality, authorizing the construction of all or part of any building or structure.

BYLAW

shall means the "Zoning Bylaw" as described in part one, unless the context indicated otherwise.

COUNCIL

shall mean the council of the Village of Prud'homme

DEVELOPMENT

shall mean the carrying out of any building engineering, mining, or other operations in, or

over land, or the making of any material changing the use of any building or land.

**DEVELOPMENT PERMIT**

A document authorizing a development issued pursuant to this bylaw, but does not include a building permit. Such development permits shall be issued by the Municipality through a method of a permit form as outlined in Schedule "B" of this bylaw.

**DISCRETIONARY USE**

A land use category considered secondary to a permitted use compatible with the existing and/or proposed principal use for sites in the surrounding area.

**DWELLING**

A building or part of a building that may be used as a permanent residence excluding a mobile home but including a prefabricated home

**DWELLING, SINGLE DETACHED** A building containing only one dwelling .

**DWELLING, DUPLEX**

shall mean a building divided horizontally into two dwellings units as herein defined.

**DWELLING, MULTIPLE UNIT**

shall mean a building divided into three or more dwellings units as herein defined and shall include, amongst other town or row of house and apartments as distinct form a rooming house, hotel or motel.

**DWELLING, SEMI-DETACHED**

shall mean two dwelling units side by side as one building unit with a common party wall that separated, without opening, the two dwellings units through out the entire structure.

**FLOOR AREA**

the total area of all floors contained within the outside walls of a building, excluding in the case of a dwelling any private garage, porch, veranda, sunroom, unfinished basement or attic.

**GARAGE**

shall mean a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity of not more than two vehicles spaces for each dwelling unit to which the garage is accessory.

**HOME OCCUPATION**

an accessory used to carry on as an occupation conducted for gain in a dwelling by the resident or residents

**Home Based Business**

A business which premises is located on a lot or within a building where the lot and building is primarily used for residential purposes. There shall be no more than 4 employees of the business that are not residents/owner's of the dwelling and no more then 8 customer visits per day shall be allowed.

**HOTEL**

shall mean a building or structure or part of a building or structure kept, used or advertised as a place where sleeping accommodation with or without meals is provided for transient lodgers, and where a guest book register or



record is kept, but does not include a motel, boarding house, lodging or rooming house, or tourist home.

**LANE** shall mean a secondary public through fare intended primarily to give access to the rear or side of abutting property

**LANDSCAPING** shall mean any combination of trees, shrubs, flowers, grass, ornamental plants or other horticultural elements together with decorative stonework, paving, screening, fencing, or other architectural elements, all of which is designed to enhance the visual quality of a property or to provide a screen to any objectionable aspects of a property that may effect adjacent land

**LOT** shall refer to that spatial area in a mobile home park reserved for use by one mobile home

**MAYOR** shall mean the Mayor of the Village of Prud'homme

**MINISTER** shall mean the Minister of Urban Affairs for the Province of Saskatchewan

**MOBILE HOME** a transportable, factory built dwelling unit conforming to Canadian Standards Association standards designed to be transported on its own wheels and chassis or by other means.

**MOBILE HOME PARK**

shall mean a parcel of land providing spaces for the long-term parking and occupancy of two or more mobile homes where a rental fee is paid for the use of the space

**MOBILE HOME SUBDIVISION**

shall mean a site containing parcels subdivided by registered plan, which are for the purpose of the long term parking and occupancy of mobile home, where individual lots are for sale and use exclusively by mobile homes.

**MOTEL**

shall mean a series of dwellings units, intended for the use of automobile transients each unit contained at least a bedroom and bathroom, each unit having convenient access to parking space for the use of the occupant.

**MUNICIPALITY**

shall mean the Village of Prud'homme

**NON-CONFORMING USE**

shall mean any use of land, building or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zoning district in which it is located

**PARCEL**

shall mean an area of land the boundaries of which are shown on a plan registered in the Local Land Titles office or are described in including in the certificate of title to the land and that has not been divided into smaller area by any plan or instrument registered in

the local land titles office

**PERMITTED USES**

those land uses permitted within a zone in conformity with the regulations of the particular zone

**PUBLIC UTILITY**

shall mean a private or public corporation regulated by government to provide a service to the general public

**ROW HOUSES OR TOWN HOUSES**

shall mean a building divided into three or more dwellings units separated from each other by walls and each having a separate front and rear entrance.

**SECRETARY /TREASURER**

shall mean the secretary treasurer of the Village of Prud'homme

**SERVICE STATIONS**

shall mean premises used in intended to be used for the servicing and repairing of motor vehicles and for the sale of gasoline and other products and accessories for motor vehicles and which may provide towing service or car wash

**SIGN**

any figures, numbers, emblems, pictures, devices, marks, or designs or combinations of such, 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 advertisements or for directing or obtaining attention.

SITE	any parcel of land with boundaries of record as in one certificate of title registered in the local land titles office
SITE AREA	means the horizontal distance
SITE WIDTH	means the average horizontal distance between the side boundaries of a site
STREET	shall mean a public through fare, which affords the principal means of access to abutting property
STRUCTURE	shall mean anything that is built, constructed or erected and located on the ground, or attached to something located on the ground
SUBDIVISION	a legal titled division of land
USE	the purpose or activity for which a piece of land or its building is designed, arranged or intended, occupied or maintained.
VILLAGE	shall mean the Village of Prud'homme
YARD	the open, unoccupied space on a lot between the property line and the front rear, or sidewall of a building
YARD, FRONT	that part of a lot which extends across

the full width of a lot between the front lot line and the nearest main wall of a building or structure

YARD, REAR

that part of a lot which extends across the full width of a lot between the rear lot line and the nearest main wall of a building or structure

YARD SIDE

that part of a lot which extends from a front yard to the rear yard between the side lot line of a lot and the nearest main wall of a building or structure

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Read a third time and adopted  
this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Administrator