

## 5 ZONING DISTRICTS AND ZONING MAPS

### 5.1 Zoning Districts

For the purpose of this Bylaw, the Village of Tuxford is divided into several Zoning Districts that may be referred to by the appropriate symbols.

<b>FUD</b>	Future Urban Development	<b>C</b>	Commercial
<b>R</b>	Residential	<b>HPC</b>	Commercial/Light Industrial
<b>R2</b>	Residential- low density	<b>CS</b>	Community Service
<b>RA</b>	Residential Acreage		

### 5.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 02-2020 adopted by the Village of Tuxford, signed by the Mayor and by the Village Administrator under the seal of the Village, shall be known as the "Zoning District" map, and such map is hereby declared to be an integral part of this Bylaw.

### 5.3 Boundaries of Zoning Districts

- 5.3.1 The boundaries of the districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- 5.3.2 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.
- 5.3.3 Where a boundary of a district crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- 5.3.4 Where the boundary of a district is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

### 5.4 Holding Designation

- 5.4.1 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 in accordance with Section 71 of *The Planning and Development Act, 2007*.
- 5.4.2 Any lands subject to a holding provision shall only be used for the following uses:
  - a) Those uses existing on the land when the "H" is applied; and Public works.

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- a) Where a site abuts any Residential or Community Service District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (4.93 feet) in width throughout which shall not be used for any purpose except landscaping.
- b) Fences and Hedges may be erected, placed, planted, maintained or grown along a lot line only in conformance with the following regulations:
  - i. No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres (9.85 feet) in height;
  - ii. No barbed wire, or razor wire fences shall be allowed in a Commercial District;
  - iii. In the case of corner lots, no fences, hedge or shrubs shall be placed so as to create a visual obstruction in an established sight triangle.

### 5.9.11 Supplementary Regulations

In addition to other applicable regulations or standards contained in this bylaw, the following standards apply to those uses or forms of development designated as discretionary in the C- Commercial District.

- a) Auto-body Shops
  - i. This is limited to auto repair and body shops, limited salvage materials and vehicles waiting repair, where the majority of the activities are performed/ located inside an enclosed building.
  - ii. Vehicles and parts storage shall not be stored in any required front yard abutting a road. No yard shall be used for the storage or collection of hazardous material.
  - iii. All auto-body shop yards shall be must be screened from public view by a solid fence with the location, height and materials being first approved by the Development Officer by utilizing any of the following measures:
    - (i) distance and careful location;
    - (ii) natural or planted vegetation;
    - (iii) an opaque fence;
    - (iv) a building;
    - (v) other appropriate methods approved by Council.
  - iv. A Performance Bond may be required by Council to ensure the proposal meets the development standards.
- b) Service Stations

All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened.

- e) Temporary signs not exceeding 1.0 metres<sup>2</sup> (10.77feet<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.5.5 Accessory Buildings

- a) No accessory building shall be located within 3.0 metres (9.85 feet) of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 7.6 metres (24.94 feet).
- b) The Building Floor Area for large accessory buildings on a residential site may not exceed 150 metres<sup>2</sup> (1,614.64 feet<sup>2</sup>).

5.5.6 Supplementary Regulations

- a) Council will consider the applications for discretionary use with respect to the following criteria:
  - i. The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan.
  - ii. Council will review any Concept Plan prepared for further development in this zoning district and all other zoning districts in this Zoning Bylaw to insure compliance with the intent of the OCP. The contents and criteria of Concept Plans are referenced in *the Planning and Development Act, 2007, as amended*, and Councils review is to determine the impact on infrastructure and compatibility with existing development in the Village, and any subdivision review, will be conducted by approving authority, which rests with the province and its ministries who oversee Acts and Regulations pertaining to land use.
  - iii. The development will not require the development of new streets and utility lines except as may be provided for in existing plans under the Official Community Plan and that the proposal is not premature.
- b) Where a development is proposed at a location at which standard connection to the Village's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements.
- c) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.0 metres (249.35 feet) from an occupied dwelling situated on an adjoining site.

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### 5.10.12 Bulk Petroleum Storage

Access to sites for discretionary uses or developments shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes; all operations shall comply with all regulations of Sask Environment and Public Safety governing their development and operation:

- a) All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2.0 metres (6.57 ft) in height;
- b) Bulk petroleum storage tanks are to be located in accordance with the *National Fire Code of Canada, 1990*, as amended from time to time.

### 5.10.13 Signage Regulations

Signs and billboards are prohibited in the HPC District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following regulations:

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- b) The facial area of a sign shall not exceed 0.5 m<sup>2</sup> (5.39 ft<sup>2</sup>);
- c) Temporary signs not exceeding 1 m<sup>2</sup> (10.77 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

### 5.10.14 Consultation with Railways/Highways shall be required when a potential development is proposed for a:

- a) Development or redevelopment proposals in proximity to rail facilities/highways or for proposals for rail serviced industrial parks;
- b) Road and utility infrastructure works which may affect a rail facility and highway system;
- c) Transportation plans that incorporate freight transportation issues; and
- d) All new, expanded or modified rail facilities or commercial/industrial development.
- e) Should further residential development be proposed near existing rail lines development within or adjacent to the Village, the Village will recognize the provisions of the Statements of Provincial Interest, *Planning and Development Act, 2007, particularly as referenced by Clause 32(2)(k)*, and the "FCM" policy document on "Development Adjacent to Railway's", and all best management practices will be utilized, to ensure adequate setbacks between land uses are implemented. In addition, "The Land Use Planning, Rail Proximity and Public Safety Report" prepared for the Railway Association of Canada will be utilized in any review of rail line development. The Zoning Bylaw will be amended to be consistent with all current legislation should further development impacting both land uses occur. Currently the rail line is adjacent to light industrial and

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commercial uses and the Future Land Use map does not include residential uses expanding or encroaching on the rail line.

- f) Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46 metres (105.92 feet) of the point of intersection of the centre line of both the railway and the street.
- g) As identified and suggested on the Guidelines for New Development in Proximity to Railway Operations, The Federation of Canadian Municipalities and Railway Association of Canada of May 2013; the standard recommended building setbacks for new residential development in proximity to railway operations are as follows:
  - i. Freight Rail Yard: 300 metres
  - ii. Principal Main Line: 30 metres
  - iii. Secondary Main Line: 30 metres
  - iv. Principal Branch Line: 15 metres
  - v. Secondary Branch Line: 15 metres
  - vi. Spur Line: 15 metres