

TOWN OF LUSELAND

Bylaw No. 2024-03

A bylaw to amend Bylaw No. 2014-09 known as the Zoning Bylaw under subsection 46(3) of *The Planning and Development Act, 2007*.

The Council of the Town of Luseland in the Province of Saskatchewan enacts Bylaw No. 2024-03 as follows:

1. Section 2 – Definitions is amended by adding the following immediately after Campground:
“Cannabis: As defined by *The Cannabis Control (Saskatchewan) Act* [or replacement thereof].

Cannabis Retail Store: A retail store, approved under Federal and Provincial regulations, that sells cannabis and any of its derivatives.”
2. Section 2 – Definitions is amended by deleting the definition of Shipping container and replacing it with the following:
“Shipping Container: A prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck. This term shall also apply to metal storage containers that are commonly known as sea cans, cargo containers, roll-off containers, freight containers, inter-modal containers, but specifically excludes dumpsters or recycling receptacles.”
3. Section 4.22 – Trailers, Box Cars, Sea and Rail Containers is amended by deleting the section and replacing it with the following:

“4.22 TRAILERS, BOX CARS, SEA AND RAIL CONTAINERS

- (1) Shipping containers shall be prohibited in all districts except the C1, C2 and IND districts.
- (2) Shipping container, permitted under subsection (1), shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (3) Shipping containers, permitted under subsection (1), shall:
 - (a) be properly anchored and maintained in good repair;
 - (b) be sided or sandblasted and repainted, to a neutral colour or the same color as the principal building prior to their placement, above grade, on a site;
 - (c) if not conforming to subsection (3)(b) the container may be permitted if obstructed and hidden from view;
 - (d) be located no further into the front property than the front wall of the principal building and not in the front yard of any site;
 - (e) if in view of the property front be placed in a manner that the narrow side of the container is facing the back and front of the property;
 - (f) meet the requirements of The National Building Code of Canada as applicable.
- (4) Notwithstanding subsection (1), shipping containers may be temporarily placed on a site in any district:

- (a) during active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for construction on the site. The shipping container must be removed from the site upon completion of the construction; or
- (b) for the purpose of loading and unloading of items associated with the principal use for a period of not more than ten (10) days in any six-month period; and
- (c) in any case, for a period of not more than thirty (30) days unless an extension has been granted by the development officer to a maximum of ninety (90) days.

- (5) When placed on a site pursuant to subsection (4), the shipping containers shall;
 - (a) be located so as not to create a safety hazard; and
 - (b) not be located within 1.2 meters of the interior edge of a sidewalk.”

4 Section 4 – General Regulations is amended by adding the following immediately after section 4.31.2:

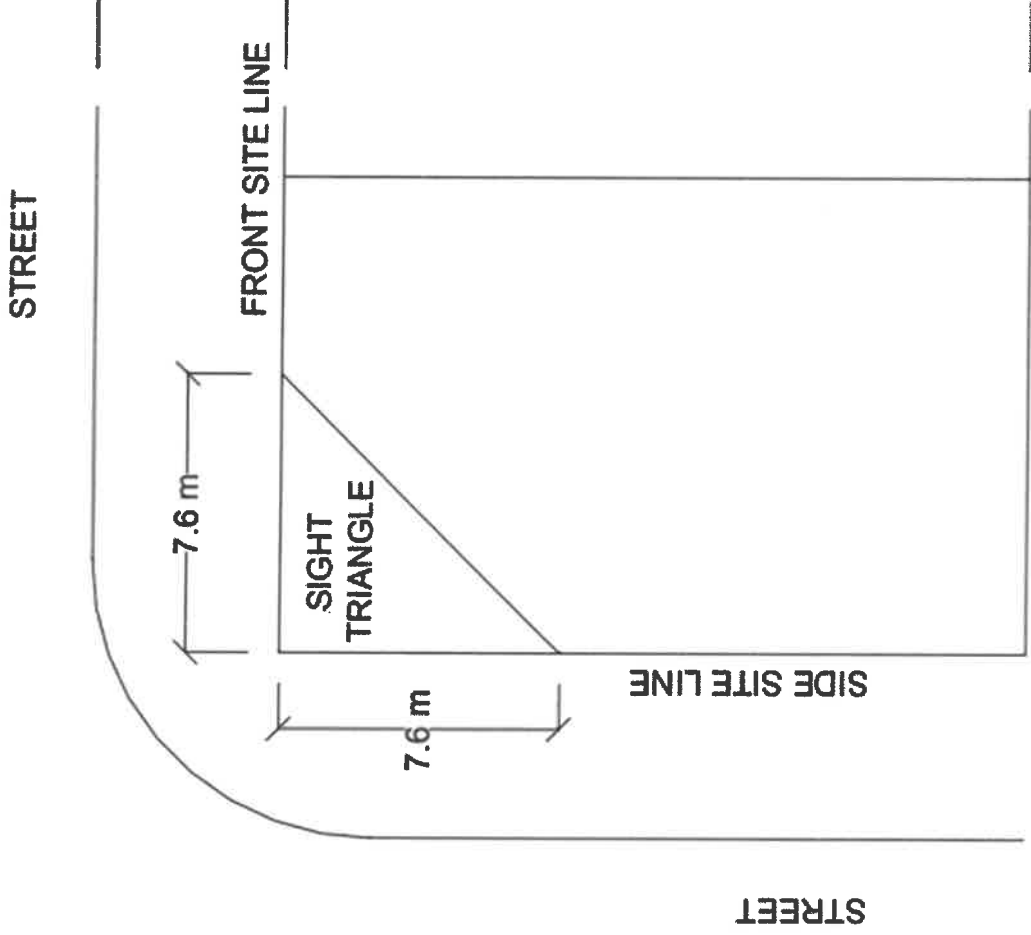
“4.32 OUTDOOR STORAGE

4.32.1 In any residential district the following requirements shall apply:

- a) No outdoor storage shall be permitted in the required front yard of any residential site.
- b) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- c) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- e) Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time for a maximum of thirty (30) days.
- f) No person shall park or store on any part of a site, any commercial vehicle with a gross vehicle weight (GVW) exceeding 8,000 kg or a total length greater than 6.0 metres.
 - i) One commercial vehicle may be parked overnight on a site, provided the commercial vehicle does not exceed 8,000 kg or a length of 6.0 metres and is operated by a resident of the dwelling unit. The weight and length limits shall not apply to school buses; however, school buses shall not be parked within 1.2 metres (4ft) from the interior edge of the sidewalk.

4.33 SIGHT TRIANGLES

- 4.33.1 No building, structure, earth pile, vegetation, etc. in any Zoning District shall obstruct the vision of drivers within the sight line triangles.
- 4.33.2 Shall mean the triangular area formed, on 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 7.6 metres distant from the point of intersection, measured along said site lines (see diagram below)



- 4.33.3 The maximum height within the sight triangle area will be 1.0 metre (3.3 feet)."
5. Section 5 – Development Standards for Discretionary Uses is amended by adding the following immediately after section 5.9:
"5.10 GARDEN (GRANNY) SUITES
- 5.10.1 A single Garden Suite may be placed in the back yard of a single-detached residential development under the following conditions:
- a) There is no secondary suite in the primary residence.
 - b) The garden suite dwelling unit is a temporary use and shall be permitted for a five-year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision.
 - c) The owner(s) of the host residence must live on the site, and at least one resident of the primary dwelling and one resident of the garden suite shall be related by blood, marriage, or legal adoption.
 - d) Except for infant children (up to two years of age) of a resident of the garden suite dwelling, there shall be no more than two residents.
 - e) The occupant(s) of the garden suite should be able to benefit from the informal care and support of relatives in the primary residence, or provide care and support to family in the primary residence.

- f) The floor area of the garden suite dwelling shall not be less than 23m² (250 ft²) and not greater than 74 m² (800 ft²). The garden suite shall not be located on a permanent foundation to allow the structure to be removed from the property when it is no longer required by a relative of the permanent resident.
- g) The maximum height of the garden suite shall not exceed 5.0 meters (16 ft) from grade level and shall have only one story.
- h) Garden suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence.
- i) Residents of the garden suite must have access to the rear yard amenities.
- j) The combined site coverage of the single detached dwelling and garden suite dwelling shall not exceed the maximum coverage permitted by this Zoning Bylaw, and the accessory dwelling shall be placed so that all other setback requirements of the Zoning Bylaw are met.
- k) A parking space shall be provided on site for the resident(s) of the garden suite dwelling.
- l) There shall be direct and separate access to the garden suite dwelling by on-site driveway, by public roadway, or by alley.

5.11 SHIPPING CONTAINERS

- 5.11.1 All permanent and temporary Shipping Containers are subject to the following conditions:
 - a) Shipping containers are considered an accessory building and shall only be used for storage purposes that are directly related to the use of the principal building on the same site
 - b) Shipping containers shall not exceed 3 metres in height, 2.5 metres in width and 12.5 metres in length.
 - c) Shipping containers may not be stacked.
 - d) The shipping containers must be kept in a clean, orderly manner and placed on a level, secure surface. Any bottom drainage holes shall be secured against the environment and/or rodents. The containers must be kept in good repair at all times and surrounding vegetation must be trimmed.
 - e) Shipping containers are prohibited from being used as a dwelling or commercial office space. Shipping containers shall not be used for the purpose of display or advertising and are prohibited from being plumbed or electrified in any manner.
 - f) Shipping containers may not be leased or used by an outside party other than the property owner or business tenant located on the site without permission from Council.
 - g) Shipping containers must comply with all provincial and national acts and regulations including the National Building code and the Uniform Building and Accessibility Standards Act.
- 5.11.2 Shipping Containers may be permanently placed in selected zoning districts as outlined in this Bylaw as permitted or discretionary uses under the following circumstances:
 - a) The permanent placement of a shipping container on any site shall require a development permit.
 - b) A maximum of three (3) shipping containers will be permitted on a site and the total area of shipping containers shall not exceed 25% of the gross floor area of the principal building.
 - c) Shipping containers shall be located in the side or rear yard only and may not project beyond the front line of the principal building. Additionally, shipping containers must comply with the rear and side yard setbacks as required in each zoning district.

- d) Shipping containers shall not block or obstruct any exits, windows, parking spaces, driveways or access to public utilities and/or right of ways.
 - e) The exterior of the shipping container must have a finish that matches or complements the exterior finish of the other buildings on the site or be painted a neutral colour.
 - f) The Development Officer may require adequate screening from adjacent sites, streets or lands and this requirement may be listed as a condition in the permitted or discretionary use approval.
- 5.11.3 Shipping containers may be temporarily placed in any district under the following circumstances:
- a) A maximum of two (2) shipping containers will be permitted on a site.
 - b) During construction when the container is used solely for the storage of supplies and equipment that are used for the site, provided a development permit has been issued for construction on the site. Containers are to be removed from the site when construction is complete or after six (6) months, whichever comes first. If an extension is required, a written request must be made to the Development Officer.
 - c) Where a development permit is not required, an application for a permit for a temporary shipping container is required prior to placement of the container on the site. The permit shall outline the location and timeline for removal of the shipping container. The Development Officer may grant one extension for special circumstances if a written request is made to the Development Officer.
 - d) All temporary shipping containers must be located a minimum of 1.2 metres from any property line.
 - e) Shipping containers shall not block or obstruct any exits, windows, or access to public utilities and/or right of ways. Temporary shipping containers may be permitted in a driveway if no other location is suitable.

5.12 RETAIL CANNABIS

- 5.12.1 In addition to any development standards Council deems necessary to address the general evaluation criteria in 3.27, the following standards, regulations, and considerations may apply to the retail sale of cannabis:
- a) Compliance with any licensing or regulatory requirement of any higher order of government will be required as part of any permit application or issuance. Where conflict may arise between the provisions of this bylaw and any requirement of a higher order of government, the more stringent provision shall apply.
 - b) Any application, to Council's satisfaction, must sufficiently address any general or specific evaluation criteria in this Bylaw.
 - c) Council may apply any standards or conditions to an approval to address evaluative matters in determining suitability of the use. The onus is on the proponent to satisfy evaluative criteria for Council's review.
 - d) At Council's discretion, it may apply a time limit of no less than five (5) years to the use to allow for evaluation and monitoring of the use within the community and on adjacent lands. Permit renewal may be done by resolution of Council where the use continues to conform with the provision of this Bylaw and the Act.
 - e) Zoning District-specific regulations for the use shall apply.
 - f) Where ancillary:
 - i) The retail sale of cannabis products and its derivatives must be clearly secondary and subordinate to a legally established principal use.
 - ii) Where the use is located within the building or structure of the principal use of the site, the ancillary retail cannabis use shall have its own separate entrance to the exterior of the building and the area within the building devoted to the use

shall be physically separated and partitioned off from the balance of the principal use.”

6. Section 7 – Residential District R1 is amended by adding the following immediately after subsection 7.8e:
- “7.9 DEVELOPMENT STANDARDS FOR MOBILE HOMES
- a) All mobile homes must meet the standards set out in CSA Z240 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the National Building Codes has been certified using the Z240 procedure.
 - b) All attached and accessory structures shall require a building permit and shall comply with the requirements of the National Building Code of Canada and the Building Bylaw of the Town of Luseland.
 - c) All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.
 - d) In order to protect the residential character of the community, wheels, hitches and running gear must be removed within thirty (30) days of arrival, and skirting must be installed in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.
 - e) All mobile homes shall be connected to water and sewer services provided by the Municipality and connected as available to other public utilities.”

7. That this Bylaw shall come into force and take effect upon the date it is adopted by council.

Read a First time this 11th day of January, 2024

Read a Second time this 13 day of February 2024

Read a Third time this 13 day of February, 2024.



Mayor



Administrator