



The City of Melville

Zoning Bylaw



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Includes:

Bylaw No. 24/2013	Bylaw No. 16/2015	Bylaw No. 18/2016	Bylaw No. 20/2018
Bylaw No. 25/2013	Bylaw No. 17/2015	Bylaw No. 03/2017	Bylaw No. 07/2019
Bylaw No. 13/2014	Bylaw No. 19/2015	Bylaw No. 12/2017	Bylaw No. 15/2019
Bylaw No. 14/2014	Bylaw No. 26/2015	Bylaw No. 13/2017	Bylaw No. 19/2019
Bylaw No. 15/2014	Bylaw No. 27/2015	Bylaw No. 14/2017	Bylaw No. 07/2020
Bylaw No. 28/2014	Bylaw No. 01/2016	Bylaw No. 05/2018	Bylaw No. 15/2021
Bylaw No. 35/2014	Bylaw No. 04/2016	Bylaw No. 14/2018	
Bylaw No. 07/2015	Bylaw No. 05/2016	Bylaw No. 16/2018	
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1 Introduction

1.1 AUTHORITY

Under the Authority of The Planning and Development Act, 2007, the Mayor and Council of the City of Melville in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 TITLE

The Bylaw shall be known and may be cited as the “Zoning Bylaw” of the City of Melville.

1.3 PURPOSE

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the City of Melville in accordance with the City of Melville Official Community Plan Bylaw 03/2013.

1.3.2 The intent of this Bylaw is to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the City:

- a. to minimize land use conflicts
- b. to establish minimum standards to maintain the amenity of the City
- c. to ensure development is consistent with the physical limitations of the land
- d. to restrict development that places undue demand on the City's infrastructure.

1.4 SCOPE

Development shall hereafter be permitted within the limits of the City of Melville only when in conformity with the provisions of this Bylaw.

1.5 SEVERABILITY

If any section, clause or provision of this Bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or in part, other than the section, clause or provision, including anything shown on the Zoning Map, declared to be invalid.

2 Definitions

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

Amending Bylaw No. 07/2019

Abattoir – slaughterhouse; a place where animals are slaughtered for food.

Accessory Use - a use customarily associated with, incidental to, and subordinate to, the principal use, building or structure, and located on the same lot with such principal use, building, or structure.

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

Administrator - the City Manager of the City of Melville.

Alteration - any structural change or addition to a building or structure, and includes a change from one type of use to another.

Ancillary Use - a secondary and subordinate use to the principal use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

Apartment - a building divided into three or more dwelling units, unless otherwise defined, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel, motel, or rooming house.

Amending Bylaw No. 07/2019

Barrier Fence – a barrier around the property that prevents an individual to see through and keep the contents behind the fence hidden.

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

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

Building, Accessory - a subordinate building detached from a principal building, located on the same lot, the purpose of which is to enclose a use accessory to or part of the principal use.

Building Bylaw - a Bylaw of the City of Melville regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

Building Height - the vertical distance measured from grade level to:

- a. the highest point of a flat roof

- b. the mean level between the top of the highest exterior wall plate and the ridge of a pitched roof.

Building Line, Established - the average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage of the block has been built on.

Building Permit - a permit issued under the Building Bylaw of the City of Melville, authorizing the construction of all or part of any building or structure.

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

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Butcher – a person whose trade is cutting, packaging and selling meat in a shop.

Carport - a building or structure or part thereof, where at least 40% of the area of the perimeter is open and unobstructed by a wall, door, post or pier and which is used for the parking or storage of motor vehicles.

Amending Bylaw No. 14/2018

Cannabis – cannabis as defined in The Cannabis Act (Canada).

Amending Bylaw No. 14/2018

Cannabis Production Facility – the federally licensed large-scale growing of cannabis plants and harvesting material from those plants, or the large-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially authorized distributors, or both.

Amending Bylaw No. 14/2018

Cannabis Retail Outlet - the premises specified in a retail cannabis permit where the retail sale of cannabis is authorized by The Cannabis Control Act (Saskatchewan). This includes the sales of dried cannabis, cannabis plant seeds, cannabis plants, fresh cannabis, edibles containing cannabis, and cannabis concentrates.

Car Wash - a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery - property used for the internment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

City - the City of Melville.

Community Centre - a facility operated by the Municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

Council - the Council of the City of Melville.

Day Care Centre - a facility providing for the care, supervision and protection of children (or adults) but does not include the provision of overnight supervision.

Development - 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 the intensity of the use of any building or land.

Development Permit - a document issued by the Development Officer of the City of Melville that authorizes development pursuant to this Bylaw, but does not include a building permit.

Discretionary Use - a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, as contained in this Bylaw.

Dwelling - a building or part of a building intended for residential occupancy.

Dwelling Unit - one or more rooms that may be used or intended to be used as a residence, each unit having sleeping, cooking, and toilet facilities.

Dwelling Unit Group - two or more single detached, semi-detached or multiple unit dwellings located on a single lot.

Dwelling, Duplex - a building that is divided horizontally into two dwelling units.

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

Dwelling, Semi-Detached - a building that is divided vertically with a common party wall with no openings which separates the entire structure into two dwelling units with separate exterior entrances for each unit.

Dwelling, Single Detached - a building containing one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but does not include a mobile home, or modular home.

Dwelling, Townhouse (Row Housing) - a building divided vertically into three or more attached dwelling units with common side walls under one roof, each having a separate exterior entrance.

Family Child Care Home - a child care facility located in a building where the principal use is a dwelling unit, and pursuant to *The Child Care Act*.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic, or unfinished basement.

Foundation – as per the National Building Code of Canada 2015.

Frontage - the length of the front lot line.

Garage, Private - a building or part of a building or a carport used or intended to be used for the storage of motor vehicles for each dwelling unit to which the garage is accessory and wherein neither servicing nor repairing of such vehicles is carried on for remuneration.

Garage, Public - a building or part of a building other than a private garage, operated for remuneration, and which is used for the storage, care, repair, servicing, or equipping of motor vehicles.

Gas Bar - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer the sale of other petroleum products, vehicle accessories, fast foods, dry goods and groceries.

Grade Level - the average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

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

Home Based Business - a business, occupation, trade, profession, craft or an office for the administration of an off-site business, customarily conducted for gain entirely within a residential building or accessory building by the residents, and where the use is clearly ancillary and secondary to the residential use and does not change the character of the dwelling nor create a public nuisance as a result of noise, traffic, pollution or parking.

Hotel - building or structure or part of a building or structure where sleeping accommodations are provided for tourists and travelers, and where a guest register is kept, but does not include a motel or rooming house.

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

Lot (Site) - an area of land with fixed boundaries under the same ownership and which is on record with the Information Services Corporation (ISC) by Certificate of Title.

Lot Line, Front - the boundary that divides the lot from the street, in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot from the street.

Lot Line, Rear - the boundary at the rear of the lot and opposite the front lot line.

Lot Line, Side - a lot boundary other than a front or rear lot line.

Mayor - the Mayor of the City of Melville.

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

Mobile Home - a trailer coach that is used as a dwelling for a permanent or year round living; has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system; and which is certified by the manufacturer to comply with the Canadian Standards Association Code CSA-Z240 and is not more than fifteen years old.

Mobile Home, Double Wide - a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide - a mobile home designed to be towed as a single load and less than 6.71 metres wide.

Mobile Home Lot - a lot or piece of land for the placement of a mobile home for the exclusive use of its occupants.

Mobile Home Park - any lot of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home park, but does not include an industrial or construction camp or tourist campsite.

Mobile Home Subdivision - any residential subdivision of land containing lots for the purpose of accommodating mobile homes in such a manner that each mobile home is situated on its own lot and in which all such lots, public open spaces, internal streets, and lanes buffer zones and other amenity areas form a contiguous area of development.

Modular Home - a single detached or multi-unit, single level or multi-storey dwelling unit comprised of one or more factory built sections. It must be designed and manufactured in full compliance with the National Building Code and CAN/CSA-277-08 Procedure for Factory Certification for Buildings. Compliance can be confirmed by an inspection agency accredited by the Standards Council of Canada for purposes of inspecting CSA A277 Procedure for Factory Certification of Buildings and is not more than fifteen years old.

Motel - a building or group of buildings on a lot designed and operated to provide individual rental units for the use of the traveling public, each unit containing at least a bedroom and bathroom and providing convenient access to a parking space for the use of the occupants of the unit.

Non-Conforming Building - a building:

- a. that is lawfully constructed or lawfully under construction or with respect to which all required permits have been issued, at the date the Zoning Bylaw or amendment to the Zoning Bylaw

affecting the building or land on which the building is situated or will be situated becomes effective

- b. that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

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

Non-Conforming Use - a lawful specific use:

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

Parking Lot - an open space, other than a street, used for the temporary parking of more than four vehicles and available for public or private use.

Parking Space - a space within a building or parking lot with convenient access to a public lane or street, for the parking of one automobile, which shall be no less than 2.7m in width.

Permitted Use - a use of land or buildings or form of development that is prescribed in the Zoning Bylaw as a use that is allowed on a parcel.

Personal Service Establishment - a building or part of a building in which persons are employed in the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, but excludes any adult or sexually explicit services.

Amending Bylaw No. 19/2018

Pre-Existing – Any building and/or structure that existed prior to the adoption of this Zoning Bylaw

Public Utility - a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Public Work - means:

- a. systems of the production, distribution or transmission of electricity
- b. systems for the distribution, storage or transmission of natural gas or oil
- c. facilities for the storage, transmission, treatment, distribution or supply of water
- d. facilities for the collection, treatment, movement or disposal of sanitary sewage or garbage

- e. microwave, cell phone, radio and television tower communication facilities
- f. telephone, internet, cable television, optical cable or light distribution or transmission lines
- g. facilities for the collection storage, movement and disposal of storm drainage.

Ready to Move (RTM) Home – a single detached or multi-unit, single level or multi-storey dwelling unit comprised of one or more factory built sections. It must be designed and manufactured in full compliance with the National Building Code with inspection report for framing, insulation, and vapor barrier from a Licensed Building Official usually based close to where the RTM was built, that must accompany the home to its final destination.

Recycling and Collection Depot - a building or structure intended to accommodate the collection, sorting, processing and temporary storage of recyclable household materials such as bottles, cans, plastic containers, electronics, paper, and paint that would otherwise be considered waste; but does not include any outdoor processing or storage.

Residential Care Facility - a facility licensed under provincial statute to provide, in a residential setting, 24 hour long term residential, social, physical or personal care, including accommodation, meals, supervision, or assistance for persons who have limits on ability for self-care or self-supervision, and who are unrelated to the operator or owner.

Retail Store - a building or part of a building or place where goods, wares, or merchandise substances are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Rooming House - a building containing more than one rooming unit.

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

Secondary Suite - a self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one unit dwelling.

Service Station - a building or part of a building used for the retail sale of lubricating oils and gasoline, and which may include the retail sale of motor vehicle accessories, the servicing and repair of motor vehicles, a restaurant, car wash, fast foods, dry goods, groceries or vehicle sales lot as accessory uses.

Shopping Centre - a group of permitted and/or discretionary uses located on the same lot in one or more buildings for mutual benefit including off-street parking and other joint facilities.

Sign - any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon the exterior of a building, structure or a piece of land and which identifies or

advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

Special Care Home - a facility licensed pursuant to *The Housing and Special-Care Homes Act*, which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.

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

Structure - anything that is built, constructed or erected on, in or over land excluding sidewalks, pavement, curbs, open ground surface areas or is attached to something located on or in the ground.

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

Tourist Campground - a lot which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy thereof as a dwelling or sleeping place for one or more person notwithstanding that its running rear is removed or jacked up.

Units of Measure - units of measure in this Zoning Bylaw are metric abbreviated as follows:

- m - metre
- m² - square metre(s)
- km - kilometres
- ha - hectare(s)

Yard - any part of a lot unoccupied and unobstructed by any buildings or structures.

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest wall of the principal building or structure on the lot.

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

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

3 Administration

3.1 DEVELOPMENT OFFICER

The City Manager, including any person acting under the authority, direction and with written consent of the City Manager, shall be the Development Officer responsible for the administration of this Bylaw.

3.2 DEVELOPMENT PERMIT

- 3.2.1 No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in Section 3.2.3.
- 3.2.2 A development permit cannot be issued in contravention of any provisions of the Zoning Bylaw or Official Community Plan except as provided in an appeal pursuant to the Act.
- 3.2.3 A development permit is not required for the following, but all other applicable provisions of the Zoning Bylaw shall apply:
 - a. the construction or maintenance of a public work by the municipality or a public utility
 - b. the installation of a public work on any street or other public right-of-way by the municipality
 - c. a municipal facility installed and operated by the municipality
 - d. maintenance and repairs that do not include structural alterations
 - e. accessory buildings and structures less than 9.3 m² in area
 - f. a temporary building, the sole purpose of which is incidental to the construction or alteration of a building for which a building permit has been granted.
- 3.2.4 A building permit shall not be issued unless a development permit, where required, has also been issued.
- 3.2.5 If the development or use authorized by a development permit is not completed within twelve months from the date of issue of a permit, the permit is deemed void unless an extension has been granted by the Development Officer for a permitted use or by Council for a discretionary use, prior to expiry.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- 3.3.1 The application for a development permit shall be made to the Development Officer, on a prescribed form, in accordance with the requirements of this Zoning Bylaw.
- 3.3.2 Two copies of a site or building plan, drawn to scale, shall accompany the application showing dimensions, and locations of existing and proposed buildings and structures as well as all site lines. Where no new construction is proposed the applicant shall supply a written description and/or drawings of the proposed development in place of such plans.

- 3.3.3 Where the application is for a discretionary use the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.4 REFERRAL TO COUNCIL

The Development Officer may submit any application to Council for a decision on the interpretation of the Zoning Bylaw, or upon special conditions provided for in this Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.

3.5 ISSUE OF PERMITS

- 3.5.1 Upon completion of the review of an application for development, the Development Officer shall:
- for a permitted use, issue a development permit for a development that complies in all respects with the requirements of the Zoning Bylaw, the Official Community Plan and the Act, incorporating any special regulations, performance standards or development standards as authorized by the Zoning Bylaw
 - for a permitted use, issue a refusal, where the application does not comply with a provision or regulations of the Zoning Bylaw, stating the reason for refusal and advising the applicant of the right to appeal
 - issue a refusal, where the application is for a use that is not provided for in the District in which the property is located
 - where an application is made for a development permit with respect to a development of a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56 of the Act.
- 3.5.2 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.5.3 The Development Officer may revoke or suspend a development permit where an approved development is not being developed in accordance with the provisions of the Zoning Bylaw, or in accordance with the standards and conditions specified in the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.
- 3.5.4 The Development Officer shall give the reasons in writing for denying or revoking a development permit.

3.6 DISCRETIONARY USE DEVELOPMENT PERMIT PROCESS

- 3.6.1 Applicants must file with the Development Officer a development permit application in accordance with Section 3.3.

- 3.6.2 The Development Officer will examine the application for conformance with the Official Community Plan, the Zoning Bylaw, and any other applicable policies and regulations.
- 3.6.3 The Development Officer may request comments from other government agencies or interested groups that may be considered appropriate.
- 3.6.4 The Development Officer will set a date for the meeting at which the application will be considered by Council and will give written notice by ordinary mail to assessed owners of property within a 75 m radius of the boundary of the application.
- 3.6.5 The Development Officer will prepare a report for Council concerning the application including recommendations of conditions that may be applied to an approval.
- 3.6.6 Council shall consider the application along with the recommendations of the Development Officer, and any written or verbal submissions received by Council.
- 3.6.7 Council shall make a decision on a discretionary use, by resolution, that approves or refuses the discretionary use on that lot, and that instructs the Development Officer to:
 - a. issue a development permit incorporating any specific development standards set forth by Council, where the development will comply with the standards of the Zoning Bylaw, subject to the limitations of Section 56 of the Act and advising the applicant of any right of appeal that he/she may have
 - b. issue a development permit incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that the development will comply with the standards of the Zoning Bylaw, subject to the limitations of Section 56 of the Act and advising the applicant of any right of appeal that he/she may have
 - c. issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that he/she may have.

3.7 LIMITATIONS ON DISCRETIONARY USE APPROVALS

3.7.1 Validity of Discretionary Permits

A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use and:

- a. the use ceased and was replaced by another use
- b. the use ceased for a 12 month period or more
- c. the use is not started within 6 months of completion of the building required for the approved use
- d. a use requiring a construction of a building is not started within 12 months
- e. the applicant applies to increase the specifically approved intensity of use.

3.7.2 Time Limited Discretionary Use

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

3.8 DEVELOPMENT APPEALS

- 3.8.1 Council shall appoint a Development Appeals Board in accordance with Sections 213 to 227 of the Act.

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- 3.8.2 **A person who wishes to appeal to the Development Appeals Board shall within 30 days of receiving the permit or refusal, file a written notice of intention to appeal with the secretary of the Board, together with a sum of not more than \$300.00 that the Board may specify to be applied to the expenses of the appeal.**
- 3.8.3 The Development Appeals Board has the powers given by the Act to allow variances to the standards of the Zoning Bylaw, including standards and conditions specified for a permitted use or a discretionary use.
- 3.8.4 Nothing in this Section allows a Development Appeals Board to vary a refusal to grant a use, or an appeal for a use or intensity of use not permitted in a Zoning District.
- 3.8.5 Nothing in this Section allows a Development Appeals Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Zoning Bylaw for a Zoning District.
- 3.8.6 An application for a development permit for a permitted use shall be deemed to be refused when the Development Officer has not issued a decision more than 40 days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application had been refused at the end of 40 days.

3.9 FEE FOR ZONING AMENDMENT APPLICATION

Amending Bylaw No. 07/2019

- 3.9.1 **Where a person requests Council to amend the Official Community Plan or Zoning Bylaw, that person shall pay to the Municipality a non-refundable fee of \$300.00, pursuant to the requirements of Part X of the Act.**
- 3.9.2 Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to an Official Community Plan or Zoning Bylaw, at its own cost.

3.10 FEE FOR DEVELOPMENT PERMITS

Amending Bylaw No. 07/2019

3.10.1 An applicant seeking approval of a development permit application shall pay to the Municipality a non-refundable fee of \$25.00, except for a development permit related to trees and shrubs no fee is required.

3.11 DISCRETIONARY USE APPLICATION FEES

Amending Bylaw No. 07/2019

An applicant seeking approval of a discretionary use approval shall pay to the Municipality a non-refundable fee of \$200.00. The application fee relates to application for both discretionary use approval and issuance of a development permit.

3.12 MINOR VARIANCES

3.12.1 The Development Officer may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in the Zoning Bylaw. All such variations shall be subject to the conditions and granted in accordance with Section 60 of the Act.

3.12.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.

3.12.3 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$50.00.

3.13 OFFENCES AND PENALTIES

Amending Bylaw No. 07/2019

Any person who violates this Zoning Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act. Any person who does not apply for a development permit and/or building permit will pay double the applicable fee and trees will have a penalty of \$25.00.

4 General Regulations

The following regulations shall apply to all Zoning Districts:

4.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

- 4.1.1 Development must comply with the provisions of this Zoning Bylaw, whether or not a permit has been issued for the development.
- 4.1.2 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 City of Melville or from obtaining any license, permission, permit authority or approval required by this or any other bylaw of the City of Melville. Where provisions in this Zoning Bylaw conflict with those of any other municipal, provincial, or federal requirements; the higher or more stringent regulations shall prevail.

4.2 NON-CONFORMING BUILDINGS, SITES AND USES

- 4.2.1 Where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Zoning Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by Sections 91 to 93 of the Act. These rights are subject to the following:
 - a. the enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Zoning Bylaw
 - b. all other applicable provisions of this Zoning Bylaw are satisfied
 - c. issuing of a development permit required by this Zoning Bylaw.
- 4.2.2 Where a use or intensity of use is being undertaken for part of a lot or part of a building that conform to the bylaws in effect before this Zoning Bylaw or before an amendment to this Zoning Bylaw, that use may be continued. The use may not be enlarged, not relocated, or the part of the building housing the use may not undergo structural alteration as long as the use is continued, as provided for in Sections 89 and 90 of the Act. Any portion of the property or building may undergo development or reconstruction of the building for a use that does conform to the Bylaw.

4.3 FRONTAGE ON ROAD

No development permit shall be issued unless the lot intended to be used abuts or has frontage on an existing public road.

4.4 ESTABLISHED BUILDING LINES

Where a front building line in a residential district has been established by existing buildings in a block and is less than 6.0 m from the street line front yard requirement, the required front yard may be reduced for new construction as follows:

- a. where the building is to be constructed it shall not be constructed with a building line less than 4.5 m from the street line
- b. existing buildings where legally built are conforming with respect to the established building line.

4.5 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A LOT

Not more than one principal use shall be established and not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, recreational facilities, community centres, shopping centres, special care homes, nursing homes, senior citizen homes, dwelling unit groups, multiple unit dwellings and mobile home parks.

4.6 BUILDING TO BE MOVED

No building, including, but not limited to any residential, commercial, or industrial building, shall be moved within or into the area covered by this Zoning Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

4.7 DEMOLITION OF BUILDINGS

Amending Bylaw No. 07/2019

No building, residential or otherwise, shall be demolished within the area covered by this Zoning Bylaw without obtaining a development permit and demolition permit from the Development Officer.

4.8 GRADING AND LEVELLING OF LOTS

Any lot proposed for development shall be graded and levelled at the owner's expense as is necessary to provide for adequate surface drainage, which drainage shall not adversely affect adjacent property.

4.9 WATER SUPPLY AND WASTE DISPOSAL

Amending Bylaw No. 07/2019

4.9.1 Where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense and must comply with the City of Melville's water and sewer bylaws.

4.9.2 Subject to the Acts and Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel, or other body of water, onto any land or into the air.

4.10 GEOTECHNICAL ANALYSIS REQUIRED

If a proposed development is to be located on a lot that may be subject to flooding, earth movement, or instability, or is otherwise unsuitable for development or hazardous for a proposed use, Council

may require that a geotechnical report be completed and approved by a Professional Engineer in the Province of Saskatchewan, as a condition of the issuance of the development permit. The report shall indicate the suitability of the lot, or lots, for development and any remedial measures required to ensure suitability or to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified and conditions in the development permit.

4.11 REQUIRED YARDS AND OPEN SPACE

4.11.1 Minimum Yards Required

No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.11.2 Permitted Projections in Required Yards

The following projections in required yards are permitted subject to the setback or construction requirements of the National Building Code:

- a. In Front Yards:
 - i. maximum of 1 m projection of overhanging eaves and gutters
 - ii. maximum of 1.8 m projection of canopies, open balconies, open porches, decks, raised patios, open steps, lighting fixtures, or lamp posts
 - iii. maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, window sills, or fire escapes
 - iv. wheelchair ramps to main floor level
 - v. permitted signs.
- b. In Rear Yards:
 - i. raised patios and unenclosed decks measuring more than 0.6 m in height above grade, and canopies and balconies, provided they do not project to within 3 m of the rear lot line
 - ii. raised patios, unenclosed decks measuring 0.6 m or less in height above grade, having a projection of not more than 3 m
 - iii. cantilevered construction for bay windows, bow windows, chimney chases, gutters, sills, eaves or fire escapes to a maximum projection of 1 m
 - iv. satellite dish, radio tower or television antenna where attached to a principal dwelling have a maximum projection of 0.6 m
 - v. wheelchair ramps to the main floor level.
- c. In Side Yards:
 - i. fire escapes, chimney chases, sills, belt courses, cornices, eaves and gutters to a maximum projection of 0.6 m
 - ii. walkways and steps measuring less than 0.6 m in height above grade
 - iii. wheelchair ramps to main floor level.
- d. In All Yards:
 - i. Hand rails, uncovered driveways and walkways are permitted in required yards.

4.11.3 Side Yard Exception

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

4.11.4 Yard Reductions for Dwellings on Existing Small Lots

- a. where an existing lot has a depth of less than 38.0 m, a front or rear yard may be reduced up to 20% provided that in no instance can the resulting front or rear yard be reduced to less than 4.0 m
- b. where an existing lot has a frontage of less than 8.0 m, a side yard may be reduced provided the resulting distance shall not reduce a side yard to less than 0.2 m
- c. construction of walls and openings need to conform to the National Building Code of Canada 2015.

4.11.5 Commercial and Industrial Districts

- a. in Commercial and Industrial Districts, the sale or demonstration of goods in the form of a building or structure, whether temporary or permanent, shall comply with yard requirements
- b. in Commercial and Industrial Districts, the sale or demonstration of goods, or signs, whether temporary, permanent, shall not occupy a required parking stall, loading space, or access aisle.

4.12 ACCESSORY BUILDINGS AND STRUCTURES

- 4.12.1 Accessory buildings and structures shall be subordinate to and located on the same lot as the principal building or use, and used in conjunction with that principal use.
- 4.12.2 Except as specifically provided below, accessory buildings shall comply with the yard requirements for a principal building. Any accessory building must be located a minimum of 1 m from a principal building and if located in the side yard of the principal building, the side yard setback shall be a minimum of 0.6 m.
- 4.12.3 An accessory building or structure shall not be located in a front yard.
- 4.12.4 In a rear yard, a minimum of 0.6 m from a side site line or from a lane is required.
- 4.12.5 The total accessory area allowed per lot can be portioned between all accessory buildings on the lot.

Amending Bylaw No. 01/2016

- 4.12.6 Any door that could give access for a vehicle to a private garage be not less than 1.2 m (4 ft) from the rear or side property line. An accessory building that is located in a side yard cannot protrude into the required front yard.
- 4.12.7 All accessory buildings are not to exceed the height of 5.5 meters from the top of floor level to the peak of the roof.

- 4.12.8 An accessory building of 9.3 m² in area or less is not subject to setback requirements provided that they are located completely in the rear of the lot.
- 4.12.9 Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building including compliance with all yard requirements of the principal building.

4.13 OUTDOOR STORAGE

- 4.13.1 In any Residential District:
- a. no yard shall be used for the storage of unlicensed or uninsured motor vehicles, partially dismantled or inoperative motor vehicles
 - b. no yard shall be used for the storage of hazardous material
 - c. outdoor storage is permitted in a side or rear yard only when the goods or material being stored are clearly accessory and incidental to the principal use.
- 4.13.2 In Commercial and Industrial Districts, no outdoor storage shall be permitted in the required front yard of the lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.

4.14 FENCES AND HEDGES

- 4.14.1 In Residential Districts, no fence, wall, hedge, or other closed landscaping shall be to a height of more than 1 m above grade level in any required front yard or more than 2 m above grade level in any required side or rear yard.

Amending Bylaw No. 07/2019

- 4.14.2 In Commercial and Industrial Districts, no fence, wall, hedge, or other closed landscaping shall be to a height of more than 2 meters above grade level in any required front yard or more than 2 meters above grade level in any required side or rear yard. Salvage yards must contain a barrier fence around the perimeter of the property for visibility purposes. For a salvage yard the barrier fence must be a minimum of 3 meters above grade level and no more than 5 meters above grade level.

Amending Bylaw No. 07/2019

- 4.14.3 No fence shall be constructed on City of Melville property unless approved by City Council.

4.15 RAILWAY CROSSINGS AND SIGHT DISTANCES

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 meters of the point of intersection of the centre line of both the railway and the street.

4.16 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions:

- a. the facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design
- b. the facilities will be located a minimum of 300 meters for liquid waste and 457 meters for solid waste from any residence or recreational use
- c. adequate precautions shall be taken to prevent pollution of ground water by disposal operations
- d. council may apply special standards for screening, fencing, and reclamation of the site.

4.17 OFF-STREET PARKING

- 4.17.1 Off-street parking shall be provided in accordance with Table 4.1 below, and associated regulations. Except where specifically noted, all floor areas represent gross floor areas. One space is required for each rate unit or part of a unit.
- 4.17.2 In Residential Districts, off-street parking spaces shall be provided on the site on which the principal use to which the parking pertains is located.
- 4.17.3 Required off-street parking spaces in any Commercial District may be located on a separate site that is within a convenient walking distance to a maximum of 150 m of the principal building or use, provided such spaces are located within a Commercial or Industrial District.
- 4.17.4 Pursuant to Section 4.17.3, remote parking within a Commercial or Industrial District is permitted provided the owner of the principal use site registers an interest on the parking lot title to ensure that the land remains as a required parking lot in accordance with Section 235 of the Act.

Amending Bylaw No. 15/2014

- 4.17.5 Notwithstanding the off-street parking requirements in Table 4-1; the Queen Street Manor located at the intersection of Queen Street and Seventh Avenue shall provide a minimum of 8 required off-street parking spaces and the Melville Legion Manor located at the intersection of Queen Street and Sixth Avenue shall provide a minimum of 13 required off-street parking spaces.

**Table 4-1
Off Street Parking Requirements**

LAND USE	PARKING SPACES REQUIRED (minimum)
Residential	
Dwelling unit	1 space per dwelling unit

LAND USE	PARKING SPACES REQUIRED (minimum)
Modular Home, Ready to Move Home, Mobile home	1 space per unit
Bed and breakfast homes	1 space per guest room
Secondary Suite	1 space per suite
Community Service	
Elementary school	1 space per classroom
High school, collegiate	4 spaces per classroom
Private schools, other educational facilities	4 spaces per classroom
Hospital	1 space per 2 beds
Special care, residential care, and nursing home	1 space per 4 client beds
Day care centre	1 space per 20 m ² of floor area
Places of worship, auditoriums, community centres, private clubs	1 space per 4 fixed seats or 1 space per 25 m ² for movable seating
Library, museum, cultural institution	1 space per 10 fixed seats or 1 space per 50 m ² for moveable seating
Public work, public utility	No requirement
Recreational	
Ice rink, curling rink, outdoor playing fields, arena	2 spaces/sheet of ice or playing field plus 1 space/ 10 fixed seats
Fitness Centre	1 space per 30 m ² of floor area
Parks and playgrounds	No requirement
Commercial	
Retail store, shopping centre (entire area)	1 space per 25 m ² of floor area
Restaurant	1 space per 4 patron seats

LAND USE	PARKING SPACES REQUIRED (minimum)
Banks, studios , offices (all types)	1 space per 25 m ² of floor area
Medical, dental, health care clinics	1 space per 25 m ² of floor area
Theatres, halls	1 space per 10 fixed seats or 1 space per 20 m ² of floor area
Lounge, beverage room, night club	1 space per 4 patron seats or 1 space per 10 m ² of floor area
Hotel , motel	1 space per guest room or motel unit
Confectioneries	1 space per 28 m ² of floor area
Personal service establishment	1 space per 28 m ² of floor area
Nurseries, greenhouses, garden centres	1 space per 28 m ² of floor area
All other commercial land uses	1 space per 28 m ² of floor area
Industrial	
All industrial uses	1 space per 50 m ² of floor area

4.18 PAYMENT OF CASH-IN-LIEU OF REQUIRED OFF-STREET PARKING

- 4.18.1 Pursuant to Section 61 of the Act, Council may exempt any applicant for a use in the C1 – Central Commercial District from the requirement of providing off-street parking facilities, where in lieu thereof, the applicant pays or contracts to pay the City of Melville the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by an assessment of \$1000.00 times the general mill rate for the year of the development permit.

4.19 OFF-STREET LOADING

- 4.19.1 In any Commercial or Industrial District, where the use of a building or site involves the receipt, distribution or dispatch of materials, goods or merchandise from vehicles, adequate space for such vehicles to stand during loading or unloading shall be provided on the site in conformity with the following schedule as shown in Table 4.2.

Table 4-2
Off Street Loading Requirements

GROSS FLOOR AREA	LOADING SPACES REQUIRED
100 m ² to 1,500 m ²	1 loading space
1,501 m ² to 3,000 m ²	2 loading spaces
Over 3,000 m ²	2 loading spaces plus 1 for each 6,000 m ² (or part thereof over 3,000 m ²)

4.19.2 All off-street loading spaces shall be located on the site and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference with vehicular traffic on a public roadway.

Amending Bylaw No. 24/2013 (ADDITION OF NEW SECTION 4.20)

4.20 DEVELOPMENT IN FLOOD WAY AND FRINGE AREAS (CRESCENT CREEK AREA)

4.20.1 Any development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse is prohibited.

4.20.2 Parcels of land wholly within the flood way of the 1:500 year flood event are considered legally non-conforming sites for the purposes of locating a permanent structure.

4.20.3 Flood proofing is required of all new buildings and additions to buildings to an elevation of 0.5 m above the 1:500 year flood elevation of any watercourse or water body in the flood fringe.

5 Special Provisions

This Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

5.1 DISCRETIONARY USES

5.1.1 Discretionary uses and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- site drainage of storm water
- the location of buildings with respect to buildings on adjacent properties
- the access to, number, surface treatment and location of parking and loading facilities including adequate access for pedestrian and vehicle traffic

- d. vehicle access and egress points shall be provided in suitable locations so as to minimize traffic congestion and hazards
- e. appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- f. the control of noise, glare, dust, refuse litter and odour
- g. the screening of parking, storage and other non-landscaped areas from adjacent properties and streets
- h. landscaping, screening, fencing, and preservation of existing vegetation to buffer adjacent properties and to maintain the character and amenity of the neighbourhood

5.2 HOME BASED BUSINESS (HOME OCCUPATION AND RESIDENTIAL OFFICE)

The following conditions apply to any home based business:

- 5.2.1 Where permitted, a home based business may be located in a dwelling used as the owner's residence, or building accessory to the dwelling.
- 5.2.2 Subject to Section 5.2.9, no more than two home based businesses shall be allowed per dwelling unit.
- 5.2.3 A home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signage.
- 5.2.4 A home based business shall be conducted entirely within the dwelling or accessory building.
- 5.2.5 A home based business shall not create any conflict with the residential area in terms of noise, glare, dust, odour, electrical interference, parking, traffic, or disturbance that would be disruptive to the surrounding land uses.
- 5.2.6 A home based business shall not require the parking of more than two client cars at one time. Off- street parking shall be provided for any resident and client vehicles.
- 5.2.7 A home based business shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- 5.2.8 Persons employed within the dwelling in the home based business shall be full time residents of the dwelling.
- 5.2.9 No more than 25% of the gross floor area of the principal building shall be used for a home based business.

- 5.2.10 A permit for a home based business shall be subject to the condition that the permit may be revoked at any time, if in the opinion of the Development Officer, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.

Amending Bylaw No. 07/2019

- 5.2.11 Home based businesses may display one (1) fascia sign, not exceeding 0.4m² in area except for institutional signs, which may have an area not exceeding 3.0 m², identifying the name of the home based business and such sign shall not be illuminated and shall be affixed to the principal building or located as close to the residence as possible.**

- 5.2.12 If the property is not owned by the home based business owner than a letter from the property owner is required granting authorization to conduct this business in the home.

5.3 BED AND BREAKFAST HOMES

- 5.3.1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.
- 5.3.2 Bed and breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report prior to occupancy as a bed and breakfast home.
- 5.3.3 In issuing discretionary use approval for a bed and breakfast home, Council may specify up to a maximum of three (3) guest rooms and specify the location in the dwelling of the guest rooms. Any increase in the number of guest rooms shall require a new discretionary approval.

Amending Bylaw No. 07/2019

- 5.3.4 Bed and breakfast homes may display one (1) fascia sign, not exceeding 0.4m² in area except for institutional signs, which may have an area not exceeding 3.0 m², identifying the name of the home based business and such sign shall not be illuminated and shall be affixed to the principal building or located as close to the residence as possible.**

- 5.3.5 Off-street parking shall be provided as in Section 4.17.

5.4 SECONDARY SUITES

- 5.4.1 Secondary suites may be constructed within a principal, single detached dwelling unit in a residential district.
- 5.4.2 There shall only be one secondary suite permitted in a single detached dwelling unit.
- 5.4.3 Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.

- 5.4.4 Secondary suites must contain cooking, eating, living, sleeping, and private toilet facilities. Secondary suites shall not exceed 35% of the total floor space area, including basements of the dwelling unit.
- 5.4.5 Off-street parking shall be provided as in Section 4.17.
- 5.4.6 Owner of the dwelling must reside in the dwelling to allow for a secondary suite.

5.5 RESIDENTIAL CARE HOMES

- 5.5.1 Where allowed a residential care home may be developed in a single detached dwelling unit, subject to obtaining a provincial license, pursuant to the applicable act under which the home is proposed to operate.
- 5.5.2 The residential care home shall be in compliance with *The Personal Care Act*.
- 5.5.3 The residential care home shall maintain the single detached character of the property consistent with the neighbourhood.
- 5.5.4 A residential care home shall meet all the regulations for a single detached dwelling unit as prescribed by the Zoning Bylaw.
- 5.5.5 The operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home.
- 5.5.6 The operator shall ensure that adequate supervision and care is available at the home at all times.

5.6 FAMILY CHILD CARE HOMES

- 5.6.1 Where allowed a family child care home may be developed in a single detached dwelling unit, subject to *The Child Care Act*.
- 5.6.2 The family child care home shall be in compliance with *The Child Care Act*.
- 5.6.3 The family child care home shall maintain the single detached character of the property consistent with the neighbourhood.
- 5.6.4 The family child care home shall meet all the regulations for a single detached dwelling unit as prescribed by the Zoning Bylaw.
- 5.6.5 The operator of the family child care home shall be a permanent resident of the dwelling licensed as a family child care home.

5.7 MODULAR HOMES

- 5.7.1 All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling.
- 5.7.2 Modular homes shall be permanently connected to water and sewer services provided by the municipality and permanently connected as available to other public utilities.
- 5.7.3 Modular homes shall have architectural features similar or complementary to adjacent and neighbouring homes.

5.8 ROOMING HOUSES

- 5.8.1 Rooming houses are subject to the site regulations of a single detached dwelling unit in the zoning district that they are permitted.
- 5.8.2 A rooming house unit shall provide a minimum of 14.0 m² of private living space.
- 5.8.3 Heated toilet facilities must be provided on every floor of the rooming house where there is a rooming house unit.
- 5.8.4 Subject to 5.8.3, heated toilet facilities shall be provided for every 6 rooming house units.

5.9 SERVICE STATIONS AND GAS BARS

- 5.9.1 Where a service station or gas bar is located on a corner site, the only point of access shall be located on the flanking street.
- 5.9.2 Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 m from any street or other property boundary.
- 5.9.3 An open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 m from any property line.
- 5.9.4 All automobile parts, dismantled vehicles, and similar articles shall be stored within a building or visually screened, except on the sites located in an Industrial District.

5.10 DRIVE-IN BUSINESSES

- 5.10.1 A drive-in business or a business with a drive-in service shall provide sufficient on site waiting areas for vehicles awaiting the drive-in service with a minimum of 5 vehicular spaces.
- 5.10.2 Any speaker box associated with a drive-in business or a business with a drive-in service located within 90.0 m of a residential use shall be directed away from the residential use.

6 Zoning Districts

For the purpose of this Bylaw, the City of Melville is divided into the following Zoning Districts, the boundaries of which are shown on the “Zoning District Map”. Such districts may be referred to by the appropriate symbols.

Table 6-1
Zoning District Map Symbols

Symbols	Districts
UH	Urban Holding
R1	Residential
R2	Residential
RMH	Residential Mobile Home
CS	Community Service
C1	Central Commercial
C2	Highway Commercial
M	Industrial

6.1 ZONING DISTRICT MAP

The map, bearing the statement, “This is the Zoning District Map referred to in Bylaw No. _____, adopted by the City of Melville signed by the Mayor and City Manager under the seal of the City shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this Bylaw.

6.2 BOUNDARIES OF THE ZONING DISTRICTS

- 6.2.1 The Boundaries of the Districts referred to together with explanatory legend, notation, and reference are shown on the map entitled, “Zoning District Map”.
- 6.2.2 All streets, lanes, and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 6.2.3 In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

Schedule A – Urban Holding District (UH)

The purpose of the UH - Urban Holding District is to reserve lands not immediately required for urban development and where the future use and timing of development is uncertain. Interim land uses are provided for that will not jeopardize or restrict future development of the area.

1. Permitted Uses

The following uses are permitted in the UH - Urban Holding District:

- a. agricultural uses such as crop farming, grazing, cultivation of land but not including intensive operations, such as feed lots, poultry, or hog farms
- b. outdoor recreational uses including sports fields, parks, and skating rinks or other similar uses
- c. public works, excluding storage yards.

Amending Bylaw No. 19/2018

- d. Single detached dwellings, pre-existing

2. Discretionary Uses

The following uses are discretionary uses in the UH - Urban Holding District:

- a. places of worship and ancillary halls
- b. cemeteries
- c. nurseries, greenhouses and garden centres
- d. veterinary clinics and veterinary hospitals.

Amending Bylaw No. 19/2018

- e. Single detached dwellings, new

3. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-2
UH – Urban Holding District Site Development Regulations

Minimums	Agricultural Uses	Recreational	Public Works	All Other Uses
Site Area (sq. m)	40 ha	No minimum	No minimum	0.5 ha
Site Frontage (m)	N/A	No minimum	No minimum	30.0
Yard, Front (m)	N/A	No minimum	No minimum	6.0
Yard, Rear (m)	N/A	No minimum	No minimum	6.0

Minimums	Agricultural Uses	Recreational	Public Works	All Other Uses
Yard, Side (m)	N/A	No minimum	No minimum	3.0
Floor Area (sq. m)	N/A	No minimum	No minimum	No minimum
Site Coverage	N/A	No minimum	No minimum	No minimum

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

6. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

7. Standards for Discretionary Uses

Council will consider applications for discretionary use in the UH - Urban Holding District with respect to the following criteria and applicable regulations and specific standards in Section 4 and Section 5:

- sewer, water, and utility services are available on site to service the development, if required
- the proposed development will not be inconsistent with the future use as outlined in the Official Community Plan
- the development will not require the development of new streets and utility lines except as may be provided in existing plans
- the proposal is not premature.

Amending Bylaw No. 19/2018

8. Development Regulations

No future subdivision or development shall be permitted unless the subdivision or development is for one of the permitted uses or approved discretionary uses allowed in this district which, in the opinion of Council will not prejudice the future economical subdivision, development or servicing of land. A written application including a site plan showing all buildings and structures shall be filed with the authority having jurisdiction prior to Council's consideration of the subdivision development.

Schedule B: Residential District (R1)

The purpose of the R1 - Residential District is to provide for primarily single detached residential development.

1. Permitted Uses

The following uses are permitted in the R1 - Residential District:

- a. single detached dwellings
- b. home based businesses subject to Section 5.2
- c. secondary suites subject to Section 5.4
- d. residential care homes subject to Section 5.5
- e. family child care homes subject to Section 5.6
- f. special care homes including nursing homes
- g. senior citizens homes
- h. senior centre
- i. community centres and recreation centres
- j. day care centres and pre-schools
- k. places of worship and ancillary halls
- l. parks and playgrounds
- m. public works buildings and structures, excluding offices, warehouses and storage yards.
- n. Ready to Move (RTMs) homes

2. Discretionary Uses

The following uses are discretionary uses in the R1 - Residential District:

- a. modular homes subject to Section 5.7
- b. mobile homes
- c. duplexes
- d. semi-detached dwellings
- e. dwelling unit groups
- f. bed and breakfast homes subject to Section 5.3
- g. confectioneries.

3. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-3
R1 – Residential District Site Development Regulations – Permitted Uses

Minimums	Single Detached, RTMs, Day Cares, Pre-schools	Parks, Playgrounds, Public Works	All Other Uses
Site Area (sq. m)	370.0 with lane 465.0 without lane	No minimum	465.0
Site Frontage (m)	12.0 with lane 15.0 without lane	No minimum	15.0
Non-rectangular lots	10.5 with a minimum mean width of 15.0 and a mean depth of 30.0		
Yard, Front (m)	7.5	No minimum	7.5
Yard, Rear (m)	4.5	No minimum	4.5
Yard, Side (m)	1.2, except corner sites, where it shall be 3.0	No minimum	3.0 or ½ the building height, whichever is greater
Floor Area (sq. m)	65.0, except park boulevard that has a minimum of 111.5 as per policy A125	No minimum	N/A
Site Coverage	40%	No minimum	40%

Table 6-4
R1 – Residential District Site Development Regulations – Discretionary Uses

Minimums	Modular, Duplex, Mobile Home	Semi-Detached Unit	Dwelling Unit Group	Confectioneries
Site Area (sq. m)	370.0 with lane 460.0 without lane	260.0 with lane 325.0 without lane	260.0	230.0
Site Frontage (m)	12.0 with lane 15.0 without lane	8.5 with lane 10.5 without lane	12.0	7.5
Non-rectangular lots	10.5 with a minimum mean width of 15.0 and a mean depth of 30.0			
Yard, Front (m)	7.5	7.5	6.0	7.5
Yard, Rear (m)	4.5	4.5	1.2	4.5
Yard, side (m)	1.2, except corner sites, where it shall be 3.0	1.2, except corner sites, where it shall be 3.0	1.2	1.2, except corner sites, where it shall be 3.0
Floor Area (sq. m)	65.0	65.0	N/A	N/A
Site Coverage	40%	40%	N/A	N/A

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

6. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

7. Standards for Discretionary Uses

Council will consider applications for discretionary use in the R1 - Residential District with respect to the following criteria and applicable regulations and specific standards in Section 4 and Section 5:

- the proposed development shall be consistent with the Future Land Use Map as outlined in the Official Community Plan
- for dwelling unit groups, the Council shall give consideration to the locations on major streets in order that the development will not cause excessive traffic through existing low density residential areas.

Schedule C: Residential District (R2)

The purpose of the R2 - Residential District is to provide for a range of residential types of development.

1. Permitted Uses

The following uses are permitted in the R2 - Residential District:

- a. single detached dwellings
- b. duplexes
- c. semi-detached dwellings
- d. apartments
- e. townhouses
- f. dwelling unit groups
- g. home based businesses subject to Section 5.2
- h. bed and breakfast homes subject to Section 5.3
- i. secondary suites subject to Section 5.4
- j. residential care homes subject to Section 5.5
- k. family child care home subject to Section 5.6
- l. Ready to Move (RTM) homes
- m. rooming houses subject to Section 5.8
- n. special care homes including nursing homes
- o. senior citizens homes
- p. community centres and recreation centres
- q. day care centres and pre-schools
- r. places of worship and ancillary halls
- s. parks and playgrounds
- t. public works buildings and structures, excluding offices, warehouses and storage yards.

2. Discretionary Uses

The following uses are discretionary uses in the R2 - Residential District:

- a. **confectioneries**
- b. modular homes subject to Section 5.7
- c. mobile homes

Amending Bylaw No. 08/2015

- b. **Professional Offices**

3. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-5
R2 – Residential District Site Development Regulations – Permitted Uses

Minimums	Single Detached, Duplex, RTM, Day Cares, Preschools	Semi-Detached Unit	Apartments	Townhouses	Dwelling Unit Group	Parks, Playgrounds, Public Works	All Other Uses
Site Area (sq. m)	370.0 with lane 465.0 without lane	260.0 with lane 365.0 without lane	465.0	185.0 per unit	260.0	No minimum	465.0
Site Frontage (m) Non-rectangular lots	12.0 with lane 15.0 without lane 10.5 with a minimum mean width of 15.0 and a mean depth of 30.0	8.5 with lane 10.5 without lane	15.0	7.5 per unit	12.0	No minimum	15.0
Yard, Front (m)	6.0	6.0	7.5	6.0	6.0	No minimum	6.0
Yard, Rear (m)	4.5	4.5	4.5	4.5	1.2	No minimum	4.5
Yard, Side (m)	1.2, except corner sites, where it shall be 3.0	1.2, except corner sites, where it shall be 3.0	3.5 or half the average wall height, whichever is greater	1.5 per end unit	1.2	No minimum	3.0 or ½ the building height, whichever is greater

Minimums	Single Detached, Duplex, RTM, Day Cares, Preschools	Semi-Detached Unit	Apartments	Townhouses	Dwelling Unit Group	Parks, Playgrounds, Public Works	All Other Uses
Floor Area (sq. m)	46.5	46.5	46.5	46.5	46.5	N/A	N/A
Site Coverage	40%	40%	Interior lot – 50% Corner lot – 60%	40%	N/A	N/A	N/A

Table 6-6
R2 – Residential District Site Development Regulations – Discretionary Uses

Minimums	Confectionaries
Site Area (sq. m)	230.0
Site Frontage (m)	7.5
Yard, Front (m)	6.0
Yard, Rear (m)	4.5
Yard, side (m)	1.2, except corner sites, where it shall be 3.0
Floor Area (sq. m)	N/A
Site Coverage	N/A

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

6. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

7. Standards for Discretionary Uses

Council will consider applications for discretionary use in the R2 - Residential District with respect to the applicable regulations and specific standards in Section 4 and Section 5.

Schedule D: Residential Mobile Home District (RMH)

The purpose of the RMH - Residential Mobile Home District is to provide for the development of mobile home subdivisions and mobile home parks.

1. Permitted Uses

The following uses are permitted in the RMH-Residential Mobile Home District:

- a. mobile homes and mobile home parks
- b. day care centres and pre-schools
- c. home based businesses subject to Section 5.3
- d. modular homes subject to Section 5.7
- e. parks and playgrounds
- f. public works, excluding offices, warehouses and storage yards.

2. Discretionary Uses

The following uses are discretionary uses in the RMH-Residential Mobile Home District:

- a. community centres and recreation centres
- b. places of worship and ancillary halls
- c. confectioneries.

3. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-7
RMH – Residential Mobile Home District Site Development Standards

Minimums	Mobile Homes, Modular, Daycares, Pre-schools	Mobile Home Park Space	Parks, Playgrounds, Public Works	Confectioneries	All Other Uses
Site Area (sq. m)	370.0 with lane 465.0 without lane	370.0 per space	No minimum	230.0	No minimum
Site Frontage (m)	12.0 with lane 15.0 without lane	12.0 per space	No minimum	7.5	100.0

Minimums	Mobile Homes, Modular, Daycares, Pre-schools	Mobile Home Park Space	Parks, Playgrounds, Public Works	Confectioneries	All Other Uses
Yard, Front (m)	6.0	4.5 per space	No minimum	6.0	6.0
Yard, Rear (m)	3.0	3.0 per space	No minimum	4.5	4.5
Yard, Side (m)	1.2, except corner sites, where it shall be 3.0	1.2	No minimum	1.2, except corner sites, where it shall be 3.0	3.0 or ½ the building height, whichever is greater
Floor Area (sq. m)	45.0	No minimum	No minimum	N/A	N/A
Site Coverage	40%	N/A	N/A	N/A	N/A

5. Single Wide Mobile Home Additions

Subject to the site development regulations, a single wide mobile home may have an addition, provided the projection of the addition is no more than the existing structure

6. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

7. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

8. Standards for Discretionary Uses

Council will consider applications for discretionary use in the RMH- Residential Mobile Home District with respect to the applicable regulations and the specific standards in in Section 4 and Section 5.

Schedule E: Community Services District (CS)

The purpose of the CS - Community Services District is to accommodate the orderly development of open spaces, recreational and institutional uses.

1. Permitted Uses

The following uses are permitted in the CS-Community Services District:

- a. community centres
- b. libraries, museums, historic and cultural institutions
- c. schools and other educational facilities
- d. day care centres and pre-schools
- e. places of worship and ancillary halls
- f. lodges, fraternal organizations, social clubs
- g. hospitals
- h. special care homes and nursing homes
- i. senior citizen homes
- j. group care facilities
- k. indoor and outdoor recreational uses such as arenas, golf courses, sports fields, curling rinks, skating rinks, tennis courts, and swimming pools
- l. natural and nature like open areas
- m. pedestrian trails and bicycle pathways
- n. parks and playgrounds
- o. public works, excluding storage yards.

2. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

3. Site Development Regulations

Table 6-8
CS – Community Services District Site Development Standards

Minimums	Day Care Centre, Pre-Schools	Schools, Parks, Playgrounds, Public Works	All Other Uses
Site Area (sq. m)	370.0	No minimum	465.0
Site Frontage (m)	12.0	No minimum	15.0
Yard, Front (m)	7.5	No minimum	7.5
Yard, Rear (m)	4.5	No minimum	4.5

Minimums	Day Care Centre, Pre-Schools	Schools, Parks, Playgrounds, Public Works	All Other Uses
Yard, Side (m)	1.2, except corner sites, where it shall be 3.0	No minimum	3.0 or ½ the building height whichever is the greatest
Floor Area (sq. m)	65.0	N/A	N/A
Site Coverage	40%	N/A	N/A

4. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

5. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

Schedule F: Central Commercial District (C1)

The purpose of the C1 -Central Commercial District is to accommodate and regulate commercial development in the downtown area.

1. Permitted Uses

The following uses are permitted in the C1-Central Commercial District:

- a. Retail, Commercial Services and Office Uses:
 - i. banks, offices, studios
 - ii. bakeries with retail sales
 - iii. personal service establishments
 - iv. bus terminals
 - v. medical and dental offices, and health services offices and clinics
 - vi. printing and publishing offices
 - vii. confectioneries
 - viii. restaurants, cafes and lounges
 - ix. retail stores and shopping centres
 - x. funeral homes
 - xi. broadcasting media and commercial communications studios and offices
 - xii. licensed beverage rooms and other places for the sale and consumption of beer, wine and spirits with or without food
 - xiii. theatres, halls, commercial recreational establishments, not including skating or curling rinks
 - xiv. commercial entertainment establishments
 - xv. hotels.
- Amending Bylaw No 07/2019**
 - xvi. **Butcher**
- b. Community Service:
 - i. lodges, fraternal organizations, social clubs
 - ii. libraries, cultural institutions
 - iii. places of worship and ancillary halls
 - iv. law enforcement facilities
 - v. fire hall facilities
 - vi. public works, excluding warehouses and storage yards.
- c. Transportation and Vehicle Sales and Services
 - i. service stations and gas bars subject to Section 5.9
 - ii. establishments for the sale and service of motor vehicles, excluding sales and service of mobile homes.
- d. Residential:
 - i. dwelling units accessory to a permitted use and as an integral part of the main building with an entrance from the street separate from that of the permitted use.

Amending Bylaw 14/2018**e. Cannabis Retail Outlet****2. Discretionary Uses**

The following uses are discretionary uses in the C1-Downtown Commercial District:

- a. mixed use commercial/residential developments
- b. apartments
- c. townhouses
- d. dwelling unit groups
- e. establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers.

Amending Bylaw No. 28/2014**f. Storage Warehouses****Amending Bylaw No. 18/2016****g. Day care centres and pre-schools****3. Accessory Units**

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-9
C1 – Central Commercial District Site Development Regulations

Minimums	Permitted Uses and Discretionary Uses
Site Area (sq. m)	Service Stations – 930.0 Residential Uses – See R2 –Residential District Site Development Regulations All other – 275.0
Site Frontage (m)	Services Stations – 30.0 Residential Uses – See R2 –Residential District Site Development Regulations All other – 7.5
Yard, Front (m)	Service Stations – 7.5 Residential Uses – See R2 –Residential District Site Development Regulations All other – No requirement
Yard, Rear (m)	If the rear of the site abuts any R-Residential District without an intervening street or lane 6.0; otherwise no minimum Residential Uses – See R2 –Residential District Site Development Regulations

Minimums	Permitted Uses and Discretionary Uses
Yard, Side (m)	If the side of the site abuts any R-Residential District without an intervening street or lane 1.5 or half the height of the building whichever is greater; otherwise no minimum Residential Uses – See R2 –Residential District Site Development Regulations
Floor Area (sq. m)	Residential – 46.5

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17 and Section 4.18.

6. Off-Street Loading

Off-street loading shall be provided in accordance with Section 4.19.

7. Signage

Amending Bylaw No. 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

8. Landscaping

Where a site abuts any Residential 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 through which shall not be used for any purpose except landscaping.

9. Standards for Discretionary Uses

Council will consider applications for discretionary use in the C1 – Downtown Commercial District with respect to the following criteria and applicable regulations and specific standards in Section 4 and Section 5:

- a. the proposed development shall be consistent with the Future Land Use Map as outlined in the Official Community Plan.

Schedule G: Highway Commercial District (C2)

The purpose of the C2 - Highway Commercial District is to accommodate the orderly development of commercial establishments requiring medium to large lots catering to the community and the traveling public.

1. Permitted Uses

The following uses are permitted in the C2-Highway Commercial District:

- a. hotels, motels
- b. service stations and gas bars subject to Section 5.9
- c. car and truck washes
- d. establishments for the sale, storage and servicing of motor vehicles, recreational vehicles and trailers, farm machinery and equipment
- e. restaurants, cafes and other places for sale and consumption of food and related items
- f. commercial recreational establishments
- g. nurseries, greenhouses
- h. veterinary clinics and veterinary hospitals
- i. bulk fuel oil establishments and chemical supply establishments
- j. wholesale trade stores, offices and warehouses
- k. manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings
- l. public works, excluding storage yards
- m. dwelling units accessory to a permitted use for caretakers, owners, or managers.

Amending Bylaw No. 26/2015

- n. medical and dental offices, and health services offices and clinics

Amending Bylaw No. 14/2018

- o. Cannabis Retail Outlet

Amending Bylaw No. 16/2018

- p. Retail stores and shopping centres

Amending Bylaw No. 07/2019

- q. Lumber and building supply establishments

Amending Bylaw No. 07/2019

- r. Butcher

2. Discretionary Uses

The following uses are discretionary uses in the C2-Highway Commercial District:

Amending Bylaw No. 16/2018

Deletion of a. Retail Stores and shopping centers – moved to permitted uses

- b. commercial entertainment establishments
- c. truck and freight terminals
- d. recycling and collection depots
- e. public works storage yards

- f. laboratories for grain testing and grading.

Amending Bylaw No. 13/2017

- g. Personal care home

3. Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

**Table 6-10
C2 - Highway Commercial District Site Development Regulations**

Minimums	Permitted Uses and Discretionary Uses
Site Area (sq. m)	1,115.0
Site Frontage (m)	30.0
Yard, Front (m)	7.5
Yard, Rear (m)	10% of lot depth, or 10 m, whichever is the lesser
Yard, Side (m)	3.0

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

6. Off-Street Loading

Off-street loading shall be provided in accordance with Section 4.19.

7. Signage

Amending Bylaw 07/2019

All sign regulations and standards can be found in the City of Melville's Sign Bylaw.

8. Standards for Discretionary Use

Council will consider applications for discretionary use in the C2 - Highway Commercial District with respect to the following criteria and applicable regulations and specific standards in Section 4 and Section 5:

- a. the separation distance to residences, tourist facilities, and restaurants
- b. locations with direct access to a highway or highway frontage are preferred

- c. the proposed operation shall not emit levels of noise, odour, or dust not common to the other permitted uses in the C2 - Highway Commercial District
- d. no exterior storage of materials, goods or waste products is permitted except within a waste disposal bin for collection.

Schedule H: Industrial District (M)

The purpose of the M - Industrial District is to accommodate the orderly development of industrial establishments permitting a reasonable level of outdoor storage and activity.

1. Permitted Uses

The following uses are permitted in the M-Industrial District:

- a. lumber and building supply establishments
- b. service stations and gas bars subject to Section 5.9
- c. establishments for the sale, storage or servicing of motor vehicles, trailers, farm machinery and other equipment
- d. autobody shops, machine shops
- e. petroleum products and propane storage yards
- f. recycling and collection depots
- g. car and truck washing establishments
- h. bulk fuel and oil establishments and chemical supply establishments
- i. wholesale trade stores, offices and warehouses
- j. truck and freight terminals
- k. warehouses and supply depots
- l. shops of plumbers, pipefitters, metal workers and other industrial tradespeople
- m. railway and ancillary functions
- n. nursery gardens and greenhouses
- o. veterinary clinics and veterinary hospitals
- p. public works
- q. a dwelling unit accessory to a permitted use for the use of caretakers, owners, or managers.

Amending Bylaw No. 19/2015

- r. storage units

Amending Bylaw No. 14/2018

- s. Cannabis Production Facility

2. Discretionary Uses

The following uses are discretionary uses in the M-Industrial District:

- a. abattoirs
- b. grain elevators, feed mills, and seed cleaning plants
- c. bulk fertilizer sales
- d. salvage yards, gravel yards, and stock yards
- e. manufacturing and processing and packing plants and associated storage facilities
- f. machine shops, foundry works, and boiler works
- g. tanneries and hide shops
- h. underground gas storage caverns
- i. underground industrial waste disposal.

3. Accessory Units

Accessory buildings and uses shall be permitted subject to Section 4.12.

4. Site Development Regulations

Table 6-11
M – Industrial District Site Development Regulations

Minimums	Permitted Uses and Discretionary Uses
Site Area (sq. m)	1,115.0
Site Frontage (m)	30.0
Yard, Front (m)	7.5
Yard, Rear (m)	10% of lot depth If abuts rail line no minimum
Yard, Side (m)	3.0, except 1.5 for grain elevators

5. Off-Street Parking

Off-street parking shall be provided in accordance with Section 4.17.

6. Off-Street Loading

Off-street loading shall be provided in accordance with Section 4.19.

7. Signage

Signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs are subject to the following requirements:

- no more than two (2) signs shall be permitted on the premises
- no sign shall be in excess of 3.3 m² in area; however the two signs may be combined and the total facial area shall not exceed 6.5 m²
- permitted signs may be double faced
- the maximum height of a permitted sign shall be 6.0 m
- no sign shall be illuminated unless the source of light is steady and suitably shielded.

8. Standards for Discretionary Use

Council will consider applications for discretionary use in the M – Industrial District with respect to the following criteria and applicable regulations and specific standards in Section 4 and Section 5:

- a. all discretionary uses in the district, with the exception of accessory dwelling units, are subject to obtaining a provincial license, pursuant to the particular act under which the facility is proposed to operate
- b. the water servicing capacity is available to service the development without excessive impact on other uses being served by the system
- c. the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated
- d. adequate separation exists from the development to residential and tourist service facilities
- e. access to truck routes, major streets and railway transportation, and railway spur sites is appropriate to the type of development.

7 Effective Date of the Bylaw

7.1 REPEAL

Bylaw No. 2/77 is hereby repealed.

7.2 COMING INTO FORCE

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

Mayor

Seal of City of Melville

City Manager

INTRODUCED AND READ a first time this 3rd day of June, 2013.

READ A SECOND TIME this 8th day of October, 2013

READ A THIRD TIME this 8th day of October, 2013

A

Appendix A - Zoning Maps

Amended as follows:

Bylaw No. 25/2015

- (a) Rezone the property described as Lots 1-10, 14 & 15, Block 126, Plan X3945 and Lots 16-25, 28, 29 & 30, Block 119, Plan X3945 from R1 – Low Density Residential District to RMH – Mobile Home District, as shown on the map which is attached hereto and forming a part of this bylaw.
- (b) Rezone the property described as Lots 1-6, Block 85A, Plan 102073575 from R1 – Low Density Residential District to R2 – High Density Residential District, as shown on the map which is attached hereto and forming a part of this bylaw.

Bylaw No. 13/2014

- (a) Rezone the property described as part of SE 31-22-6-W2 from a combination of C2 Highway Commercial, CS-Community Service and M-Industrial to C2 Highway Commercial as shown as Proposed Parcel D on the map which is attached hereto and forming a part of this bylaw.

Bylaw No. 35/2014

- (a) Rezone the property described as Lots 6-8, Block 13, Plan T286 from R2 High Density Residential District to C1 Central Commercial District.

Bylaw No. 16/2015

- (a) Rezone the property described as Lot 10, Block 24, Plan T286 from R1 Low Density Residential District to R2 High Density Residential District.

Bylaw 04/2015

- (a) Rezone the property described as Lot 9, Block 16, Plan T286 from R1 Low Density Residential District to C1 Central Commercial District.

Bylaw No. 04/2016

- (a) Rezone the property described as:
 - Block A, Plan 101795351 Extension 61
 - Block B, Plan 101795362 Extension 67
 - Block C, Plan 102018046
 - LSD 8-33-22-06-2 Extension 64
 - LSD 7-33-22-06-2 Extension 63from UH Urban Holding District to R1 Low Density Residential District.

Bylaw No. 05/2016

- (a) Rezone the property described as Lot 10, Block 16, Plan T286 from R1 Low Density Residential District to C1 Central Commercial District.

Bylaw No. 15/2016

- (a) Rezone the property described as Lot 11 – 18, Block 14, Plan T286 from C1 Central Commercial District to R1 Low Density Residential District

Bylaw No. 14/2017

- (a) Rezone the property described as Lot 10, Block 16, Plan T286 from C1 Central Commercial District to R1 Low Density Residential District.

Bylaw No. 05/2018

- (a) Rezone the property described as Block A, Plan AA274 Ext 1 and Block C, Plan 101788623 Ext. 32 from UH Urban Holding to M Industrial District.

Bylaw No. 16/2018

- (a) Rezone the Property described as Lots 8,810 & 11, Block 170, Plan Z2714 from R1 Residential to C2 Highway Commercial District

Bylaw No. 19/2018

- (a) Rezone the property described as Block B, Plan Number 70Y00517 from M Industrial District to UH Urban Holding District.

Bylaw No. 20/2018

- (a) Rezone a portion of the property described as Block/Parcel L, Plan Number T3111 from Cs- Community Services District to M – Industrial District

Bylaw No. 15/2019

- (a) Rezone the properties legally described as Lots 22&23, Block 15, Plan 01Y01342 and Lot 10, Block 15, Plan T286 from C1 Central Commercial District to R2 Residential District

Bylaw No. 07/2020

- (a) Rezone the property described as Lot 31-40, Block 41, Plan Number V664 from C2 Highway Commercial District to R1 Residential District.

Bylaw No. 15/2021

- (a) Rezone the property described as Block/Parcel B, Plan Number 70Y00517 from UH Urban Holding District to M Industrial District.**

B

Appendix B - Contract Zones

Bylaw No. 07/2015

Contract Zone with Stacey Stachowich, Options Accounting Solutions for a Bookkeeping and Tax Service (Professional Office) Land Use at 149 – 4th Avenue East (Lot 10, Block 16, Plan T286) (Signed copy available in vault in 'agreements' filing cabinet 'Agreement #59')