

TOWN OF PILOT BUTTE
BYLAW NO. 02-2025
A Bylaw to amend the Town's Zoning Bylaw No. 02-2023

Pursuant to subsection 46(3) and Section 69 of *The Planning and Development Act, 2007*, the Council of the Town of Pilot Butte, in the Province of Saskatchewan, enacts to amend Bylaw No. 02-2023 as follows:

1. The term "Local Authority" on Pages 5 and 6 of the Zoning Bylaw No. 02-2023 is amended by replacing it with the term "Town of Pilot Butte".
2. Section 1.3.3 is amended by replacing the term "Local Authority" with "*Municipality of the Town of Pilot Butte*".
3. Section 1.6.3 is amended by adding "- of the Town of Pilot Butte" at the end of the section.
"Section 1.6.3 The term "permission" pertains to the approval in writing, resolution or other forms determined by Council or the Local Authority of the Town of Pilot Butte."
4. Section 1.6.4 is repealed and replaced with:
"Section 1.6.4 The term "Town" refers to the Municipality of the Town of Pilot Butte, unless indicated otherwise."
5. The term "Local Authority" on the following sections, is amended by replacing it with the term "Town":

• Section 3.2.1 h)	• Section 6.25.2 t)
• Section 3.2.2 i)	• Section 8.1.5
• Section 4.16.2	• Section 9.1.6
• Section 4.17.4	• Section 10.1.5
• Section 4.18.3	• Section 11.1.5
• Section 4.18.4	• Section 12.1.5
• Section 5.7.1	• Section 13.1.5
• Section 5.10.1	• Section 14.1.4
• Section 5.12.1	• Section 15.1.4
• Section 5.19.1	• Section 16.1.4
• Section 6.3.11 l)	• Section 16.1.5
• Section 6.4.12 k)	• Section 17.1.3
• Section 6.5.1 n)	• Section 18.1.4
• Section 6.6.1 k)	• Section 19.1.3
• Section 6.8.1	• Section 20.1.1
• Section 6.25.2 m)	• Section 20.1.4
6. Section 2.4 and 2.5 is repealed on its entirety and replaced with:
"Section 2.4 Public Notice Policy
a) All kinds of public notices shall entail the details of the application, date, time, and place of the scheduled public hearing if there's any, and any other information and requirements necessary to the application such as:
 - i. Reason and an effective date of a decision regarding an application or permit.*

- ii. *The residents' right to submit a written objection or support before the dated public hearing.*
- b) *All written notices required shall be delivered by mail or by personal service.*
- c) *Procedures for a special public notice must be in accordance with the PDA and must be at the discretion of the Council.*

2.4.1 Standard Public Notice

- a) *Public notice is required for any discretionary use applications.*
- b) *A standard public notice shall include:*
 - i. *A written notice to the property owners that are within 75 metres of the applicant's property at least seven (7) days before the application is to be considered by Council,*
 - ii. *An advertisement for at least one (1) week in a newspaper published and/or circulated in the Town of Pilot Butte with an option of an additional one (1) week free and clear before the scheduled public hearing date.*
- d) *Where an additional public notice is deemed necessary may be at the discretion of the Town.*

2.4.2 Special Public Notice

- a) *OCP and Zoning Bylaw Adoptions, Amendments, or Repeals require special public notice.*
- b) *The following developments, land uses, or buildings may require a special public notice:*
 - i. *Campground; Auction Ground; Fairground*
 - ii. *Cemetery; Funeral Parlor and Services*
 - iii. *Community Garden; Farmer's Market*
 - iv. *Community Centre, Facility, or Recreation Centre*
 - v. *Public Open Space, Pathways, Parks, or Sports Field*
 - vi. *School; Educational Institution and Support Facility*
- c) *A special public notice shall include:*
 - i. *A written notice provided to property owners within:*
 - i.i *75 metre radius from a single lot/parcel proposed*
 - i.ii *300 metre radius from a multi-lot/parcels proposed*
 - ii. *Two (2) local newspaper postings or advertisements within two (2) weeks at least seven (7) days apart, with the last such advertisement occurring at least seven (7) days before the date of the required public hearing*
 - iii. *Website posting*
 - iv. *If the proposed amendment is not in relation to a specific property or land, the notice requirement in clause (i) may not apply*

2.4.3 Minor Variance Written Notices

- a) *Written notices shall be given to the applicant and to the assessed property owners that have a common boundary with the applicant.*
 - b) *Written notices shall indicate that an adjoining assessed owner may lodge a written objection within twenty (20) days, which will result in the approval of the Minor Variance being revoked."*
7. *Section 2.6 and its subsections are amended by renumbering it to Section 2.5.*
 8. *Sections 3.1.3, 3.1.4, 3.1.5, and 3.1.6 are repealed and replaced with*

“Section 3.1.3 A Development Permit application for a Permitted Use or ancillary/accessory shall be made to the Development Officer and shall include the following requirements:

- a) A completed Development Permit application form*
 - b) A Site Plan showing all lot lines, existing and proposed building(s)/structure(s) and all setback distances to the front, rear, and side lot lines.*
 - c) Payment of the Development Permit application pursuant to Appendix C – Schedule of Fees*
 - d) For Discretionary Use applications, include a written description of the proposed development describing:*
 - i. Intended use and operations*
 - ii. All existing and proposed building(s)/structure(s) to be located on the lot*
 - iii. Required municipal services*
 - iv. Any other information Council determines is necessary to fully review the proposed development*
 - e) For an application to be operated temporarily with up to twelve (12) months duration, include a written confirmation of the start and end date for the use of the site.”*
9. Section 3.1.7 is amended by renumbering it to Section 3.1.4.
10. Section 3.2.1 e) iii is amended by removing “- with or without conditions” and replacing it with “- *given that valid reasons for the refusal are provided.*”
11. Section 3.2.1 g) is repealed and replaced with
- “g) The applicant will be provided information regarding their right to appeal a decision to the Development Appeals Board pursuant to Section 3.11”*
12. Section 3.2.2 d) is repealed and replaced with
- “d) The Development Officer shall give a public notice of the received Development Permit application for a Discretionary Use subject to Section 2.4.”*
13. Section 3.2.2 f) iii is amended by removing “- with or without conditions” and replacing it with “- *given that valid reasons for the refusal are provided.*”
14. Section 3.2.2 h) is amended by removing “Only the development standards and conditions places onto the issued Development Permit can be appealed on a Discretionary Use application” and replacing it with “*subject to Section 3.11.*”
15. Section 3.4.1 is amended by replacing “- the Development Officer may use the provisions of Section 242 of the PDA regarding the improper development” with:
- “- the Development Officer may issue an order to remedy under the provisions of Section 242 of the PDA regarding the improper development.”*
16. Section 3.8.2 e) is repealed.
17. Section 3.8.7 is amended by removing “The written notice required shall:” and replace with:
- “- subject to Section 2.4.”*
18. Section 3.8.7 a), b), c), d) are repealed and replaced with:

“a) If there is an objection, the approval of the Minor Variance will be revoked, and the applicant will be notified of the decision and the right to appeal to the Development Appeals Board within thirty (30) days.”

19. Section 3.8.8 is repealed.

20. Section 3.8.9 is amended by renumbering to 3.8.8.

21. Section 3.8.10 is repealed.

22. Section 3.8.11 is amended by removing “- within thirty (30) days of the date of that decision” and replace it with “- *subject to Section 3.11.*”

23. Sections 3.8.11 and 3.8.12 are amended by renumbering it to 3.8.9 and 3.8.10 respectively.

24. Section 3.10.1 a) is amended by adding

25. Section 3.10.1 e) is amended by replacing the entire subsection with:

“e) The Development Officer shall release a special public notice subject to Section 2.4 Public Notice Policy.”

26. Section 3.10.1 f) is repealed.

27. Section 3.10.1 i) is amended by adding “- *and the applicant’s right to appeal to the DAB subject to Section 3.11.*”

28. Sections 3.10.1 g), h), and i) are amended by renumbering it to f), g), h) respectively.

29. Sections 3.11.1, 3.11.2, and 3.11.3 are repealed and replaced with:

“3.11.1 An application to the Development Appeals Board (DAB) concerning a decision on an application must be made within thirty (30) days after the date the decision has been issued.

3.11.2 An affected person or applicant may appeal the decision to the following application or proposal:

a) When the Development Officer refuses to issue a development permit because the proposal contravenes this bylaw

b) An alleged misapplication of this bylaw in the issuance of a development permit

c) When the Council approves a Discretionary Use Permit application with development standards and conditions. (Note: only the standards or conditions may be appealed, not the decision to approve or refuse the development)

d) Where a permit or a Minor Variance application is refused or approved with terms and conditions

3.11.3 An appeal may not be made if:

a) The proposed use of the Development Permit is not Permitted Use, or a Prohibited Use under this bylaw

b) The Council rejected a Discretionary Use Permit Application

c) The Council refused a land re-zoning application

d) The Council refused an application to amend this bylaw or the Official Community Plan (OCP).

30. Section 3.11.4 is amended by replacing “- thirty (30) days” with “- *twenty (20) days*” and add:

31. Section 3.14 is amended by adding Section 3.14.13:

“Section 3.14.13 The Development Officer may refer some permit or amendment applications to any government agencies, surrounding municipalities, engineering, or other professionals for consideration and comments.”

32. Section 3.18.1 is amended by replacing “Development Levy Bylaw” with “*Development Levy Study*”.

33. Section 3.22.1 is amended by replacing “Council may require the proponent to –” with “*The Town shall –*”

34. Section 4.2 is repealed entirely.

35. Sections 4.3 to 4.28 are all renumbered from 4.2 to 4.27 respectively.

36. Section 4.3.3 is amended by adding “multiple unit buildings”:

“4.3.3 In the case of dwelling groups and multiple unit buildings, where a common wall separates dwelling units, each dwelling unit is considered to be a principal building.”

37. Section 4.3.4 is repealed.

38. Section 4.4.1 is amended by replacing it with:

“Any existing land use, building or structure, or any site located within the municipal boundary that no longer conform to the Town’s OCP or Zoning Bylaw due to the enactment of a new bylaw or any subsequent amendments may be transferred, sold, or continue its long-existing operation in accordance with provisions of Section 88 to 93 of the PDA.”

39. Section 4.5 is amended by replacing the header with:

“4.5 Re-Development of Non-Conforming Sites and Uses”

40. Section 4.5.1 is amended by replacing the entire subsection with:

“4.5.1 Where a principal or accessory building has been erected on or before the effective date of this Bylaw, on a lot or site which does not meet the minimum requirements for frontage, site area, or front, side, or rear setbacks, the building maybe enlarged, reconstructed, repaired, or renovated provided that:

a) The enlargement reconstruction, repair, or renovation does not further reduce the front, side, or rear yard setbacks that does not conform to this bylaw.

b) All other applicable provisions of this bylaw and the Town’s Building Bylaw are complied with.

c) A Development Permit and Building Permit, if applicable, must be submitted to the Town for approval by the Development Officer prior to any alteration.

41. Section 4.15.2 is amended by replacing it with:

“4.15.2 Any proposal for an accessory building, use, or structure that exceeds the maximum height or exceeds 9.3 m² (100 ft²) in area shall need a Discretionary Use Development Permit.

42. Section 4.22.1 is amended by replacing the term “corners” with “corner”.

43. Appendix C is amended by replacing the Application Fees with the following:

Development Permit

i. Permitted Use, Building or Purpose	\$100.00
ii. Discretionary Use	\$500.00
iii. Ancillary/Accessory Use, Building or Purpose	\$100.00

Amendments to the Zoning Bylaw (ZB) or the Official Community Plan (OCP)

i. ZB/OCP Text Amendment	\$760.00
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ii. ZB/OCP Map and Text Amendment (1 Parcel)	\$865.00
iii. ZB/OCP Map and Text Amendment (2-3 Parcels)	\$965.00
iv. ZB/OCP Map and Text Amendment (4+ Parcels)	\$1065.00
v. Minor Variance	\$175.00

44. Appendix C is amended by adding a subsection below the Schedule:

“A. The noted fees above include all other fees related to the application such as advertising and mailing costs, and title or interest registration fees.”

Council Readings:

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Peggy Chorney
Mayor

Seal

Allen Mullen
Administrator