

BYLAW NO. 27-1989
ZONING BYLAW FOR THE RESORT VILLAGE OF BIRD'S POINT

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PART I – INTRODUCTION

Under the authority granted by The Planning and Development Act, 1983, the Council of the Resort Village of Bird's Point in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

1. Title This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Resort Village of Bird's Point.
2. Purpose The purpose of this Bylaw is to control the use of land in the Resort Village of Bird's Point so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality and to implement the policies of the Basic Planning Statement.
3. Scope No development shall hereafter be permitted within the limits of the Resort Village of Bird's Point except in the conformity with the provisions of this Bylaw, the Basic Planning Statement and The Act.
4. Severability A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw.
5. Status of Other Land Use Controls The operation of any municipal development plan or any zoning bylaw hereafter adopted or passed by a council under the authority of the Act, is suspended or is continued to be suspended (pursuant to the Act) insofar as such municipal development plan or zoning bylaw purports to affect the Resort Village.
6. Flood Hazard Warning and Disclaimer of Liability The degree of flood protection intended to be provided by this Bylaw is considered reasonable for regulatory purposes and is based on historical records and engineering and scientific methods of study for river and lakeshore settings. Larger floods may occur or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Bylaw does not imply that areas outside the flood hazard area boundaries will always be totally free from flooding or flood damage. Nor shall this Bylaw create a liability on the part of, or be a cause of, action against the Resort Village of Bird's Point or any officer or employee thereof for any flood damages that may result from the reliance on this Bylaw.

PART II – DEFINITIONS

Definitions

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

- Accessory A use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure.

<u>Act</u>	The Planning and Development Act, 1983.
<u>Administrator</u>	The Municipal Administrator or Clerk of the Resort Village of Bird's Point.
<u>Amusement Park</u>	A commercial operation for active outdoor recreational activities including, but without limited the generality of the foregoing, skateboard parks, miniature golf courses, driving ranges and go-cart tracks.
<u>Building</u>	Any structure constructed or placed on, or over land but does not include public highway.
<u>Building Principal</u>	A building in which the main or primary use of the lot is conducted.
<u>Cabin</u>	A single detached dwelling (not including a mobile home) no larger than 38 sq. m (400 sq. ft.) in area, which may only be used for: i) the six months from April through September inclusive of the same calendar year; and/or ii) weekends and on random occasions such as public holidays and ski holidays during the six months from October of one year through March of the next calendar year, inclusive, but which is not used for year-round or permanent human habitation notwithstanding that it may be designed and/or constructed for such year-round or permanent human habitation.
<u>Convenience Store</u>	A store with a gross floor area not exceeding 300 m ² (3229 sq. ft.) which sells primarily groceries to the motoring public and the neighbouring residents and which may include a fast food outlet as an accessory use in the same building.
<u>Council</u>	The Council of the Resort Village of Bird's Point.
<u>Development</u>	The carrying out of any building, engineering, mining or other operations in, on or over land or the making of material change in the use or intensity of the use of any building or land.
<u>Development Permit</u>	A document authorizing a development issued pursuant to this bylaw, but does not include a building permit.
<u>Discretionary Use</u>	A use of land or a building that may be permitted in a district only at the discretion of the Council and which may be subject to specific development standards.
<u>Dwelling</u>	A building or part of a building that may be used as a permanent residence excluding a mobile home, but including a prefabricated home.
<u>Dwelling Unit</u>	One or more rooms that may be used as a residence each unit having separate sleeping, cooking and toilet facilities.

<u>Dwelling, Single Detached</u>	A building containing only one dwelling unit.
<u>Gas Bar</u>	A retail outlet comprised of gas pumps and a cashier building, which sells motor fuels, and as an accessory use, lubricating oils and automobile accessories.
<u>Home Occupation</u>	An occupation, trade, profession or craft conducted for gain in a dwelling unit of conforming accessory building by the resident or residents and which is incidental and secondary to the residence.
<u>Hotel</u>	A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where a guest register or record is kept.
<u>Lot</u>	An area of land with fixed boundaries which is of record in the Land Titles Office by Certificate of Title. A lot may contain several sites as defined herein, subject to specific zone regulations.
<u>Lot Line, Front (Lake side)</u>	The line separating the lot from the street, or where there is no street, from the lane; for a corner lot, the shorter line abutting a street. In the case of a through lot which has lot lines fronting on two streets which are approximately parallel, Council shall be resolution designate which lot line shall be considered the front for the purposes of this bylaw.
<u>Lot Line, Rear</u>	The lot line at the rear of the lot and opposite the front lot line.
<u>Lot Line, Side</u>	A lot line other than a front or rear lot line.
<u>Minister</u>	The member of the Executive Council to whom is assigned the administrator of the Act.
<u>Mobile Home</u>	A trailer coach other than a seasonal trailer that may be used as a dwelling all the year round; has water faucets and a shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system.
<u>Mobile Home Park</u>	A lot under single management for the placement of two or more mobile homes.
<u>Motel</u>	A hotel from temporary use by automobile tourists or travelers.
<u>Permitted Use</u>	A use of land or buildings that shall be permitted in a district where all requirements of the bylaw are met.
<u>Private Recreation Facility</u>	A building or structure for indoor recreation activities including, but without limiting the generality of the foregoing, amusement arcades, miniature golf courses and private clubs.

<u>Prohibited Use</u>	A use of land or buildings that is specifically prohibited in any zone(s). Any existing use which is so designated may only continue as long as it qualifies as a legal non-conforming use pursuant to the Act and Part IV-5 of this Bylaw.
<u>Public Works</u>	<ul style="list-style-type: none">i) systems for the production of distribution of electricity;ii) systems for the distribution of natural gas or oil;iii) facilities for the storage, transmission, treatment, distribution or supply of water;iv) facilities for the collection, treatment, movement or disposal of sanitary sewage; orv) telephone or light distribution lines, that are owned or operated by the Crown or the municipality.
<u>Resort Village</u>	The Resort Village of Bird's Point.
<u>Seasonal Trailer</u>	A recreation vehicle or non self-propelled trailer (not including a mobile home) no larger than 38 sq. m (400 sq. ft) in area, either of which may only be used for: <ul style="list-style-type: none">i) the six months from April through September inclusive of the same calendar year; and/orii) weekends and on random occasions such as public holidays and ski holidays during the six months from October of one calendar year through March of the next calendar year, inclusive, but which is not used for year-round or permanent human habitation notwithstanding that it may be designed and/or constructed for such year-round or permanent human habitation.
<u>Service Station</u>	A building or part of a building used for the retail sale of lubricating oils and gasolines, automobile accessories, and the servicing and minor repairing of motor vehicles, which may include a restaurant, car wash, or car sales lot as accessory uses.
<u>Sign</u>	Any figures, numbers, emblems, pictures, devices, marks or designs, intended to be visible from other than inside a building for the purpose of making known any individual, association, business, industry or service, of for advertisement or for directing or obtaining attention.
<u>Site</u>	A parcel of land within a lot which has been leased or permitted to be developed by the landowner with a cabin or seasonal trailer. Several sites may be contained within a lot, subject to specific zone regulations.
<u>Street</u>	The whole and entire width of every highway, public road, or road allowance vested in Her Majesty in right of the province of Saskatchewan and shown as such on a plan of survey registered in a Land Titles Office.

<u>Structural Alteration</u>	The construction or reconstruction of the supporting elements of a building.
<u>Vehicle</u>	Any vehicle defined as such by The Highway Traffic Act.
<u>Yard</u>	Open, uncovered space unoccupied by buildings or structures on a lot except as specifically permitted elsewhere in this Bylaw.
<u>Yard, Front</u>	The part of a lot extending across the full width of a lot between the front lot line and the nearest wall or supporting member of a principal building or structure.
<u>Yard, Rear</u>	The part of a lot extending across the full width of a lot between the rear lot line and the nearest wall or supporting member of a principal building or structure.
<u>Yard, Side</u>	That part of a lot extending from the front yard to the rear yard between the side lot line and the nearest wall or supporting member of a principal building or structure except where the wall or supporting member is supporting an uncovered patio or uncovered sun deck.

PART III – ADMINISTRATION

1. Development Officer

The Municipal Administrator or Clerk shall be the Development Officer responsible for the administration of this Bylaw.

2. Development Permit

- A. Except where a particular development is specifically exempted by Section 5, no person shall undertake a development or commence a use without a development permit first being obtained. No person shall continue a development or use for which a development permit has been suspended.
- B. A development permit shall not be issued in contravention of any provisions of this Bylaw.

3. Development Permit Procedure

- A. An application for a development permit shall be made in writing to the development officer in the form prescribed by Council.
- B. Where an application for a development permit is made for a permitted use, the development officer shall issue a permit where the development is in conformity with this Bylaw.
- C. Where an application for a development permit is made for a discretionary use, the development officer shall present the application to the Council as soon as practicable.

- D. As soon as practicable after Council is presented with the application for a development permit for a discretionary use, Council shall consider the application. Prior to making a decision on a discretionary use application, Council shall notify each owner of the property within a 75 metre (246 ft.) radius of the proposed development, that it is considering an application for a discretionary use, and may refer the application to whichever government agencies or interested groups as Council may consider appropriate.
 - E. Upon approval of a discretionary use by resolution of Council the development officer shall issue a development permit subject to any development standards prescribed by Council based on the guidelines in Section 11.
 - F. Where a development permit application includes a building plan or lot diagram and the Council or the development officer issues a permit in conformity with this Bylaw, a copy of that plan or diagram shall be attached to and form part of the permit. Where the plan or diagram does not conform to the regulations of the Bylaw, the necessary corrections shall be specified as a condition of the permit.
 - G. Every decision shall be in writing and a copy shall be sent to the applicant.
 - H. A development permit is valid for a permit of twelve months and may be extended for one or more additional twelve month periods when presented to the development officer before its date of expiry.
 - I. Where the holder of a valid development permit proposes a deviation to any building plan or lot diagram forming part of the permit, and the deviation is minor in the opinion of the development officer and would not result in a contravention of the Bylaw, the development officer shall amend the permit accordingly and shall notify the Council and the Department of Health. Any such deviation shall not extend the term of the permit as described in subsection 3 (H). A proposed deviation which is not felt to be minor shall be placed before the Council for consideration at its next meeting.
 - J. Where the development officer determines that a development is being carried out in contravention of any condition of a development permit or any provision of this Bylaw, the development officer shall suspend the development permit and notify the permit holder that the permit is no longer in force.
 - K. Where the Council is satisfied that a development, the permit for which has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw the Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.
4. Referral to the Department of Health

The development officer shall forward a copy of all approved development permit applications involving installation of water or sanitary services to the local office of the Department of Health.

5. Development Not Requiring a Permit

A development permit is not required for the following:

- A. Maintenance, construction or installation of any public works.
- B. Fences under 1.8 m (6 ft.) in height.
- C. Accessory buildings or structures less than 9 square metres (100 sq. ft.) in area.
- D. Maintenance or repair of any building or structure not including structural alterations.
- E. Signs (for residential uses) which conform to Part IV, Section 7.
- F. Driveways provided they are not in an area designated as Environmental Protection as shown in the Basic Planning Statement.
- G. Storage or parking of 1 unoccupied seasonal trailer or motor home per lot.

6. Development Appeals Board

- A. A Development Appeals Board is hereby established.
- B. The Development Appeals Board shall be appointed in accordance with Sections 92 and 93 of the Act.
- C. An appeal to the Development Appeals Board and therefrom to the Provincial Planning Appeals Board may be taken in accordance with Section 96 of the Act.

7. Fee for Zoning Amendment Application

When an application is made to the Council for an amendment to this Bylaw, the applicant shall be responsible to pay the cost of advertising the amendment.

8. Offences and Penalties

Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties under the Act.

PART IV – GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw:

A. Licenses, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other building bylaw in force within the Resort Village or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Resort Village. Where requirements in this Bylaw conflict with those of any other municipal requirements, the more stringent requirements shall prevail.

B. Front or Rear Yard Reductions

Notwithstanding the minimum depth of front or rear yard required by this Bylaw where a lot is situated between two lots each of which contains a principal building which projects beyond the standard requirement for front or rear yard depth, the front or rear yard required on the said lot for any new building or addition may be reduced to an average of the two established front or rear yards on the adjacent lots.

C. Permitted Yard Encroachments

- A. Access ramps for the physically disabled or uncovered balconies, porches, verandahs, decks, and steps may project 1.8 metres (6 ft.) into any required front or rear yard.
- B. Window sills, eaves, gutters, bay windows and chimneys and similar non-structural alterations may project a distance of 0.6 m (2 ft.) into any required yard but not closer to a lot line than 0.15 m (0.5 ft.).

D. Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of institutional and recreational uses. The development officer shall advise the applicant in writing that adherence to the Bylaw Regulations will be necessary if any future application for subdivision is made.

E. Non-Conforming Building and Uses

- A. Any lawful use of land, an existing building or of any building lawfully under construction at the date of approval of this Bylaw, although such use or building does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of Sections 113 to 118 inclusive of the Act.
- B. No existing use of building shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Imperial System of Measurement to the Metric System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- C. The imperial measurements shown in brackets throughout this Bylaw are for clarification only. Permitted and discretionary uses listed in the Bylaw shall conform to the regulations shown in the Metric System of Measurement.
- D. No existing lot shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for new lots in the zoning district in which it is located. A development permit may be issued for any such lot provided all other relevant regulations of this Bylaw are met.

F. Grading and Leveling of Lots

- A. Any lot proposed for development shall be graded and leveled at the owner's expense to provide for adequate surface drainage which does not adversely affect adjacent property or the stability of the land.
- B. All excavations or filling shall be revegetated with a suitable ground cover as may be necessary to prevent erosion.

- C. Where excavation or filling is proposed for any development in a flood hazard subzone, the Council may request the comments of the Saskatchewan Water Corporation prior to making a decision on the Development Permit application.

G. Signs

- A. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- B. Temporary signs not exceeding 1 square metre (10 sq. ft.) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- C. For Commercial and Institutional Uses:
 - i. No more than two permanent signs are permitted per principal use
 - ii. The facial area of a sign may not exceed 3 square metres (32.3 sq. ft.)
 - iii. A sign may be double faced
 - iv. No sign shall exceed 4.6 metres (15 ft.) in total height above the ground
 - v. Signs advertising the principal use or the principal products offered for sale on the premises are permitted.
- D. For Residential Uses:
 - i. One permanent sign is permitted per lot
 - ii. In the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling
 - iii. The facial area of a sign may not exceed 0.5 square metres (5 sq. ft.)

H. Accessory Buildings or Structures

- A. Accessory buildings shall not be located less than 1.5 metres (5 ft.) from a lane.
- B. Accessory buildings shall not be located in a required side yard.
- C. Accessory buildings in a rear yard, shall not be located less than 0.3 metres (1 ft.) from the side lot line.
- D. For a residential use an accessory carport or garage, up to 60 square metres (645 sq. ft.) in area, shall be permitted.
- E. Buildings accessory to a residential use shall not exceed 6 m (20 ft.) in height and shall not obstruct the view of the lake from any neighbouring residence.
- F. On-site storage of 1 (one) unoccupied seasonal trailer or motor home per lot shall be permitted.
- G. Accessory buildings which are attached to the principal building shall be subject to the regulations for the principal building.

I. Uses Subject to Special Regulations

- A. Home Occupations:
 - i. Home occupations may only be located in single-detached or mobile homes or in a building accessory to the dwelling.
 - ii. Home occupations shall be conducted entirely within the dwelling or accessory building.
 - iii. Other than the one permitted business sign, there shall be no exterior storage of material, and not other variations from the residential character of the building.

- iv. Only 1 business vehicle may be parked on the residential lot, and that vehicle must be less than 3500 kg (7716 lb.) in net weight.

B. Service Stations

- i. Minimum lot area: 929 square metres (10,000 sq. ft.)
- ii. Minimum lot frontage: 30 metres (100 ft.)
- iii. Minimum front yard: 7.5 metres (25 ft.)
- iv. Fuel pumps and other accessory equipment shall be located at least 6 m (20 ft.) from any lot line.

C. Gas Bars:

- i. Minimum front yard: 7.5 metres (25 ft.)
- ii. Fuel pumps and other accessory equipment shall be located at least 6 m (20 ft.) from any lot line.

J. Outdoor Storage

- A. Only outdoor storage incidental to the principal use shall be permitted.
- B. No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.
- C. All machinery, building supplies, automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened so as not to be visible from a street or adjacent lots.

K. General Development Standards Applicable to Discretionary Uses

- A. Sites shall be landscaped and fenced where necessary to maintain the character and amenity of the neighbourhood.
- B. Adequate on-site parking shall be provided and maintained.
- C. Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets.
- D. Adequate receptacles for refuse and litter shall be supplied.
- E. No sound, light, glare, heat, dust, or other emission shall be transmitted beyond the lot lines.
- F. Vehicle access points shall be provided in suitable locations so as to minimize traffic congestions and possible hazards.
- G. The size, height and location of principal or accessory structures shall be regulated so as not to detract from the character and amenity of the neighbourhood.

L. Off-Street Parking

Off-street parking shall be provided as follows:

	<u>Use</u>	<u>Parking Spaces Required</u>
i.	Dwelling	1 for each dwelling
ii.	Mobile Home	1 for each mobile home
iii.	Hotels, motels	1 for each unit
iv.	Restaurants, theatres, halls, social clubs, places of worship	1 for every 10 seats
v.	Other uses	1 for every 70 sq. m. (753 sq. ft.) or portion thereof of gross floor area of the principal building

M. Area Prohibited for Development

- A. In addition to any other provision of this Bylaw, where a proposed development is located in a flood plain, water course or is characterized by poor drainage, erosion, steep slopes, rock formations, slumping, subsidence or other instability, which in the opinion of the Council would cause prohibitive costs for municipal or public works, the Council shall not be required to recommend a subdivision for approval or to issue a development permit.
- B. Where such conditions exist, the Council may require the applicant to pay for a geotechnical or hydrological evaluation of the lot by a qualified professional consultant. If such an evaluation is not done or, having been done the Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, the Council shall not be required to recommend a subdivision for approval or issue a development permit.

N. Tree Removal Prohibited

- A. No person shall lop, top, or cut down any tree, or to cause or permit any tree to be lopped, topped, or cut down on any land within the Resort Village except with the written permission of the Council.
- B. Notwithstanding the provisions of clause A, this bylaw shall not apply to the cutting down, topping or lopping of:
- i. trees or parts of trees which are dying or dead or have become dangerous so far as may be necessary for the prevention or abatement of a nuisance to persons or property;
 - ii. diseased or insect infested trees that should be cut or removed to prevent disease or insects from spreading to other trees;
 - iii. trees of poor form and quality that should be cut to improve the health and development of the remaining trees in the stand;
 - iv. trees growing on any highway or on a road allowance that has not been closed by the Council under the provisions of The Urban Municipality Act, 1984;
 - v. trees which must be removed to construct any development previously approved by Council, where such development approval is required.

- C. This section shall not apply to the lopping, topping, and cutting down of any trees in compliance with any statute of Canada or Saskatchewan.
- D. The Council may grant permission to a person for the lopping, topping, or cutting down of any specified tree or trees, and may as a condition of granting such permission require that such tree or trees be replaced at the expense of the person requesting the permit by a tree or trees of such appropriate size and species as may be determined by Council, either on the same location or at a suitable alternative location on the same lot.

PART V – ZONING DISTRICTS AND ZONING MAPS

Zoning Districts

- A. For the purpose of this Bylaw, the Resort Village of Bird's Point is divided into the following Zoning Use and Special Regulatory Districts which may be referred to by the appropriate symbols:

<u>Zoning Use Districts</u>	<u>Symbols</u>
Environmental Protections	EP
R1 – Residential – Low Density	R1
Recreational	Rec
Local Commercial	C
<u>Special Regulatory Districts</u>	
Flood Hazard District	F (or shown by shading)

- B. The locations and boundaries of the zoning districts are shown on the Zoning District Map.

Zoning Map

The maps, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 27-89”, adopted by the Resort Village of Bird's Point signed by the Mayor and the Administrator under the Seal of the Resort Village shall be known as the “Zoning District Maps” and such maps are hereby declared to be an integral part of this Bylaw.

EP – Environmental Protection District

A. Intent

The purpose of this district is to protect environmentally sensitive land from physical damage, while permitting a limited number of passive recreational uses which do not involve a substantial change in use.

B. Permitted Uses

The following are permitted uses in the EP District:

- i. Nature trails and preserves
- ii. Passive parks (excluding developed picnic areas, golf courses, campgrounds and sports fields)
- iii. Bird or wildlife sanctuaries
- iv. Fishing

C. Discretionary Uses

- i. shoreline stabilization or improvements projects
- ii. boat launches
- iii. public works

D. Prohibited Uses

- i. Commercial uses
- ii. Recreational uses other than those listed in B and C
- iii. Residential uses

E. Regulations

Other than the applicable general regulations in Part IV, there are no requirements for permitted or discretionary uses in this zone.

R1 – Low Density Residential District

A. Intent

The purpose of this district is to maintain the existing low density pattern of individual residences.

B. Permitted Uses

The following are permitted uses in the R1 District:

- i. Single detached dwelling
- ii. Mobile homes
- iii. Public parks, playgrounds and sports fields
- iv. Public recreation facilities
- v. Public Works
- vi. Schools, libraries, cultural institutions
- vii. Churches, religious institutions

C. Discretionary Uses

- i. Home occupations (subject to the special regulations contained in Part IV, Section 9)
- ii. Day care centres (subject to Department of Social Services Regulations)
- iii. Sixty-five (65) or fewer leased sites as currently occupied by cabins or seasonal trailers in the area bounded on the west by Public Reserve R10, Plan No. 80R17956, on the north by Currie Avenue, on the east by the Village boundary and on the south by Round Lake.

D. Regulations

- i. Minimum lot area for sites occupied by one or more cabins or seasonal trailers 7.5 ha (18.5 ac.)
- ii. Minimum lot area, other uses (subject to exceptions in x. below) 450 sq. m (4844 sq. ft.)
- iii. Lot frontage, minimum for rectangular lots 12 m (40 ft.)
- iv. Minimum area of a dwelling or mobile home 65 sq. m. (700 sq. ft.)
- v. Maximum area of a cabin or season trailer located on a site 38 sq. m. (400 sq. ft.)

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| vi. | Minimum front yard | 6 m (20 ft.) |
| vii. | Minimum rear yard | 6 m (20 ft.) |
| viii. | Minimum side yard | 1.2 m (4 ft.) |
| ix. | Minimum standards for mobile homes | Compliance with Canadian Standards Association document CAN/CSA – 240.2.1 – M86 “Structural Requirements for Mobile Homes” |
| x. | There are no minimum requirements for parks, playgrounds, sports fields and public works. | |
| xi. | In addition to the above regulations, in approving a discretionary use the Council may prescribe specific development standards based on the general development standards contained in part IV. | |

Rec – Recreation District

A. Intent

The purpose of this district is to recognize existing facilities for rental tourist accommodation and leased seasonal sites as temporary residences.

B. Permitted Uses

The following are permitted uses in the Recreational District:

- i. 10 or fewer rental cabins or seasonal trailers for tourists accommodation on one lot or combination of lots
- ii. Public recreation/picnic areas
- iii. Campgrounds
- iv. Pools
- v. Tennis courts
- vi. Sports fields
- vii. Boat launches
- viii. Public works

C. Discretionary Uses

- i. More than 10 rental cabins or seasonal trailers for tourist accommodations on one lot or combination of lots
- ii. Private recreation facilities
- iii. Amusement parks

D. Regulations

- i. Minimum lot area 0.2 ha (0.5 acres)
- ii. Minimum lot frontage 30 m (100 ft.)
- iii. Minimum front yard 6 m (20 ft.)
- iv. Minimum side yard 3 m (10 ft.)
- v. There are no minimum requirements for public works
- vi. In addition to the above regulations, in approving a discretionary use Council may prescribe specific development standards based on the general development standards contained in Part IV.

E. Subdivision of Land

Subdivision of a more intensive nature shall only be considered only where a rezoning is done in conformity with the Basic Planning Statement. The proposal on which the rezoning request is based shall constitute orderly and economic development with regard to adjacent land uses, and future service requirements such as roads and public works.

C – Local Commercial District

A. Intent

The purpose of this district is to serve the recreational, personal service and commercial needs of the permanent and seasonal residents without adversely affecting the primary resort character of the municipality.

B. Permitted Uses

The following are permitted uses in the C District:

- i. Offices
- ii. Restaurants
- iii. Convenience stores
- iv. Personal service establishments
- v. Service or repair shops
- vi. Theatres, halls, social clubs
- vii. Service stations (subject to the special regulations contained in Part IV, Section 9)
- viii. Public works
- ix. Gas bars
- x. Miniature golf courses
- xi. Hotels

C. Discretionary Uses

Subject to the policies contained in the Basic Planning Statement, and Part IV of this Bylaw, the following uses may be permitted in the C District, at the discretion of Council, but only in the locations and under the conditions specified by resolution of the Council:

- i. One dwelling accessory residence or single detached dwelling or mobile home per principal commercial use
- ii. Commercial recreational establishments
- iii. Day care centres (subject to Department of Social Services Regulations)

D. Regulations

- | | |
|--|--|
| i. Minimum lot area | 375 sq. m (4036 sq. ft.) |
| ii. Lot frontage, minimum for rectangular lots | 12 m (40 ft.) |
| iii. Minimum building area | None except for a minimum 65 sq. ft. (700 sq. ft.) size for an accessory residence |
| iv. Minimum front yard (principal residence) | None except as outlines in Part IV for gas bars and service stations and 6 m (20 ft.) for an accessory residence |
| v. Minimum rear yard | 6 m (20 ft.) |

- a. At its discretion, the Council may consider the alternate method of floodproofing described in subsection (b) following where the regulatory features of subsection D(i) (above) would produce either a negative visual impact or the resultant drainage would adversely affect neighbouring land due to the floodproofing of all or part of a lot through the use of fill.
- b. Alternate Floodproofing Method
 - All heating plants, air conditioning and plumbing fixtures or electrical service shall be located 0.5 m (1.6 ft.) above the 445.3 m (1460.9 ft.) design flood level.
 - Foundations and walls of any building or structure shall be floodproofed to an elevation 0.5 m (1.6 ft.) about the 445.3 m (1460.9 ft.) design flood level and all plans for such shall be certified by a qualified professional.

PART VI – REPEAL AND EFFECTIVE DATE OF THE BYLAW

- A. Schedule “B” to Bylaw No. 4/83 of the Pheasant Hills District Planning Commission, the Pheasant Hills Planning District Zoning Controls, as amended, is hereby repealed.
- B. Bylaw No. 3/86 of the Lower Qu’Appelle District Planning Commission is hereby repealed.
- C. This Bylaw shall come into force on the date of approval by the Minister of Urban Affairs.

SEAL

MAYOR

ADMINISTRATOR

Certified a True Copy
of Bylaw No. 27-89
passed by resolution of
Council in 1989.

Administrator