

RESORT VILLAGE OF COCHIN

Zoning Bylaw No. 9/89

Amendments have been incorporated for convenience of reference.
The original bylaws should be consulted for all purposes of
interpretation and application of the law.

CONSOLIDATION DATE: January 15, 2020

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1 SECTION 1 - INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and in conjunction with Bylaw No. 8/89, the Basic Planning Statement, The Resort Village of Cochin in the Province of Saskatchewan in open meeting hereby enacts as follows:

Bylaw No. 3/18

- 1.1 TITLE** – This bylaw shall be known and may be cited as the Zoning Bylaw of the Resort Village of Cochin.
- 1.2 SCOPE** – Development shall be permitted within the limits of the Resort Village of Cochin when it is in conformity with the provisions of this bylaw.
- 1.3 SEVERABILITY** – If any section, clause or provision of this Bylaw, including anything shown on the Zoning District Map is, for any reason, declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause or provision, including anything on the Zoning Map, so declared to be invalid.

2 SECTION 2 - INTERPRETATION

Accessory Use – A use which is incidental and subordinate to, and is customarily associated with the principal use or building, and is located on the same lot with the principal use or building.

**Bylaw No. 3/18
Numbering scheme
deleted**

Act – Planning and Development Act, 2007.

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Administrator – The Clerk of the Resort Village of Cochin.

All-Weather Road – An unpaved road constructed of a material and design that provides for proper drainage in accordance with the Municipality’s designated road design specifications.

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Bank (water body or watercourse) – The rising ground bordering a water body that serves to confine the water to a channel or bed.

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Bed (water body or watercourse) – That portion of the water body typically (but not always) covered by water.

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Building – means a structure used for the shelter or accommodation of persons, animals, goods, or chattels, having a roof which is supported by columns or walls.

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Building, Accessory – A subordinate detached building appurtenant to a principal building or principal use and located on the same lot, which may include additional sleeping accommodations and washroom facilities however it may not include kitchen facilities. This typically includes: shed, garage, bunkhouses, gazebos, and other similar uses.

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Building, Principal – The building in which is conducted the main or primary use of the lot on which the said building is situated.

Construction Trades – Offices, shops and warehouses, with or without associated retail sales, of plumbing and heating, electrical carpentry masonry, and other trades associated with the construction of buildings.

Council – The Council of the Resort Village of Cochin.

Deck – A raised open platform, with or without rails, attached to a principal building.

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

Development Permit – A document authorizing a development issued pursuant to this Zoning Bylaw.

Discretionary Use – A use of form of development specified in the zoning district which may be allowed at Council’s discretion following application to, and approval of the Council, and subject to specific development standards provided in this bylaw and prescribed by Council.

Dwelling, Single Detached – A detached consisting of one dwelling unit, but shall not include a mobile home as herein defined.

Dwelling, Group – A group of more than one dwelling unit not including mobile homes, located on a single lot.

Dwelling unit - One or more habitable rooms constituting a self-contained unit used as a residence, each unit having provision for sleeping, cooking and toilet facilities.

Earthwork – shall be a sub-category of “landscaping” as herein defined, which includes site grading and leveling, the addition or removal of topsoil or aggregates, and the installation of retaining walls and similar structures used to modify natural or existing topography.

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Fence – A artificially constructed barrier erected to enclose or screen areas of land.

Flood Proofing – Techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating buildings by building on fill or piers, constructing dykes, creating upstream storage, diversions and channelization.

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Floor Area – The sum of the total area of the main floor of the residential structure, including any private garage, porch, veranda, sun lounge, and covered deck, but not including uncovered decks.

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Frontage – the boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

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Garage, Loft Private – A two (2) level accessory building used for residential or storage purposes only, where no dwelling, business, occupation or service is conducted, other than an approved home-based business, and in which no space is rented for commercial vehicles to a non-resident of the premises. May include ancillary sleeping accommodations.

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Garage, Private – A building or part of a building used or intended to be used or the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Hazard Lands: means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

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Home Occupation – An occupation, trade, profession or craft customarily practiced from a residence, and conducted entirely within a dwelling or accessory building to a dwelling and entirely by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the exterior character of the residential building or lot.

Landscaping – the changing, rearranging, adding or removal of vegetation or materials within a site, and which typically consists of: site grading, addition or removal of topsoil or aggregates, grass, trees, plants, flower beds, retaining walls, pathways, sidewalks, patios, driveways, and other natural or decorative features.

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Lot – An area of land with fixed boundaries and which is of records in the Land Titles Office by Certificate of Title.

Lot Coverage – The portion of the lot that is covered by building or structures.

Lot Line, Front – The line that divides the lot from the street. In the case of a corner lot, the front line shall mean the line separating the narrowest street frontage of the lot from the street.

Lot Line, Rear – The line at the rear of the lot and opposite the front lot line.

Lot Line, Side – A lot line other than a front or rear lot line.

Mayor – The Mayor of the Resort Village of Cochin

Mobile Home – a trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof):

- (1) That is used as a dwelling.
- (2) That has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system.
- (3) That is equipped with facilities for washing and water closet, or other similar facilities, which may be connect to a sewage system.

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Modular (Manufactured) Home - a factory built house that is designed and intended for use as a domestic residence and is constructed in climate controlled factories usually in an assembly line by assembling manufactured three-dimensional modular units, each with a minimum three walls and a roof/ceiling, that are each at least one room or living area, and bears a CSA seal attesting that the house complies with the A-277 Standards.

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~~Motor Home – a self-propelled, motorized wheeled vehicle equipped with a dwelling unit or living space including a kitchen, bathroom, bedroom and living room, bearing Canadian Standards Association (CSA) CSA Z 240 certification. Typical vehicles include the Class A motor home and Class B camper van as illustrated in Schedule A.~~

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Move-in Residential Building – A single detached dwelling constructed off site which is being relocated to a new site in the municipality. A Move-in residential building has been used previously as a residential building. This typically does not include a new Ready-to-Move (RTM) or mobile, modular or manufactured dwellings.

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Municipality – The Resort Village of Cochin

Non-Conforming Building – A building:

- (1) That is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective, and
- (2) That on the date this Bylaw or any amendment hereto becomes effective, does not, or when constructed will not, comply with this Bylaw.

Non-Conforming Site – A site, consisting of one or more contiguous parcels, to which all permits have been issued that, on the date that this bylaw or any amendment to this bylaw becomes effective, contains a use that conforms to this bylaw, but the site area or site dimensions do not conform to the standards of the bylaw for that use.

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Non-Conforming Use – The lawful specific use:

- (1) Being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw or any amendment hereto affecting the building or land becomes effective, and
- (2) That on the date of this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

Park Model Trailer – A dwelling unit that cannot be licensed as an RV, has no brakes or tail lights, is transported on a flat deck, or on skids or wheels. The park model trailer shall be used as seasonal or permanent dwelling units and shall be certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z241-MH.

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Parking Space, Automobile – A space within building or parking lot for the parking of one (1) automobile.

Permanent Foundation – Any concrete pads, pilings made of any material, pony walls or other support structures made of concrete, wood, steel or other metal, placed on or in the ground where a building will be constructed or installed.

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Permitted Use – A use or form of development, other than a discretionary use, specifically permitted in a zoning district and subject to the regulations of the zoning district.

Personal Service Shops – A development used for 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, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

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Public Work – a government or private enterprise that provides or operates the following:

- (1) Systems for the production, distribution or transmission of electricity
- (2) Systems for the distribution, storage or transmission of natural gas or oil
- (3) Facilities for the storage, transmission, treatment, distribution or supply of water
- (4) Facilities for the collection, treatment, movement or disposal of sanitary sewage
- (5) Telecommunications infrastructure
- (6) Facilities for the collection, storage and movement of surface water drainage

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RTM (Ready to Move) Home: “stick-built home” is a house that is fully assembled by the seller prior to transport that has never been used as a dwelling prior to placement, and is a single structure designed for use with a permanent foundation as a domestic residence and is entirely constructed away from the site, transported as a single unit to the building site for installation on a permanent foundation. The residence shall comply with the Canadian Standards Association Code CSA 277.

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Shipping Container – A durable metal container typically used for shipping goods long distances by rail, ship or trucks. It is commonly used as a storage container. Also known as a Sea Can.

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Shore land - All the land located between the water's edge of a water body or water course and a bank surveyed by a registered Saskatchewan Land Surveyor under applicable land titles legislation. Where a bank has not been surveyed, the high-water level or a Safe Building Elevation may be substituted.

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Sign – Any device, letter, figure, symbol, emblem or picture which is affixed to or represented directly or indirectly upon a building, structure, or piece of land and which identifies or advertises any object, product, place, activity, person, organization or business in such a way to be visible to the public on any street or thoroughfare.

Site – One (1) or more contiguous surface parcels as defined under Land Titles Act, 2000, and used as a unit for the purpose of regulations under this Bylaw, as well as the following:

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- (a) Shall be of the same title ownership to be considered as a unit; and,
- (b) Shall not exceed two (2) adjacent lots.

Storage Compound, Commercial – An area that is open and exposed to the natural elements and does not involve the erection of permanent structures, or the material alteration of the existing state of the land, and is intended for the storage of recreational and automotive vehicles and equipment, RV's, and trailers, but not for the storage, stockpiling or accumulation of industrial type goods, materials and/or equipment.

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Storage Compound, Industrial – An area that is open and exposed to the natural elements and does not involve the erection of permanent structures, or the material alteration of the existing state of the land, and is intended for the storage of industrial equipment, and

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construction materials, such as gravel, rock, wood chips and other similar construction materials.

Street – A public thoroughfare which affords the principal means of access to the abutting property.

Structural Alteration - The construction or reconstruction of supporting elements of a building or other structure.

Structure - Anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open-air surfaced areas.

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Tourist Campground, Seasonal - shall mean the operation of an area of land managed as a unit, providing temporary accommodation tents, tent trailers, travel trailers, recreational vehicles and campers. Parcels shall be considered a campground where there are two (2) or more units (for example: campers, recreational vehicles, and other similar uses) within parcel boundaries.

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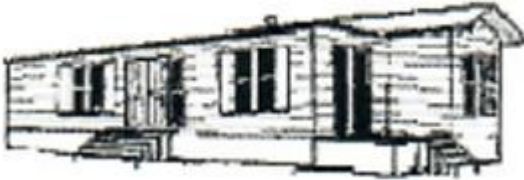


Trailer Coach – Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle or trailer designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a temporary dwelling for one or more persons notwithstanding that its running gear may be removed or that it is jacked up. Also, commonly known as a recreational vehicle (RV). It shall include a tent trailer, travel trailer, truck camper, fifth wheel trailer, motor home or other similar structures.

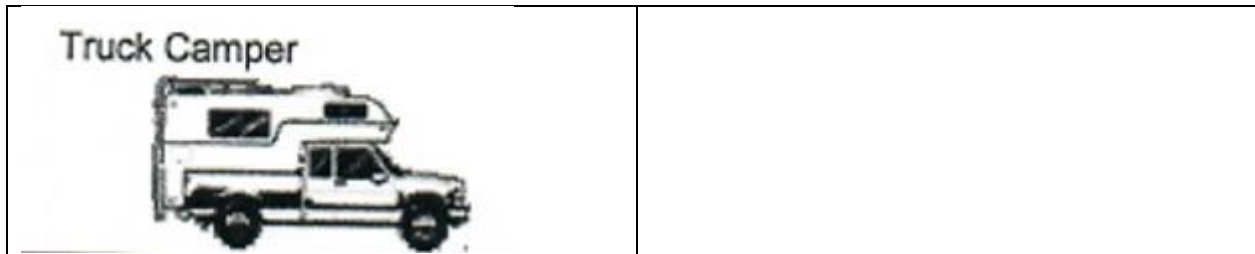
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Trailer Home – A towed wheeled conveyance containing a dwelling unit or living space including a kitchen, bathroom, bedroom and living room, bearing Canadian Standards Association (CSA) CSA Z 240 or CSA Z 241 certification. “Table A1” shall illustrate the specific types of units to be considered under this definition. It shall not include a mobile home” as herein defined.

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Table A1

Allowed Units	
<p>Class A Motor home</p> 	<p>Travel Trailer</p> 
<p>Fifth Wheel Trailer</p> 	
Prohibited Units	
<p>Class B Camper Van</p> 	<p>Travel Trailer (Toy Hauler)</p> 
<p>Park Model Trailer</p> 	<p>Park Model Recreational Unit</p> 
<p>Folding Camper Trailer</p> 	<p>Expandable Travel Trailer</p> 



Yard – Any part of a lot unoccupied and unobstructed by any principal building.

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

Yard, Rear – A year extending across the full width of the lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.

Yard, Required – The minimum size of a front, side or rear yard required under this Bylaw.

Yard, Side – A yard extending from the front yard to the rear yard between the side lot line and the nearest wall, exclusive of the eaves of the principal building on the lot.

Zoning Districts – A specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, placement, spacing and size of land sand structures.

3 SECTION 3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER – The Clerk of the Resort Village of Cochin and such other person as may be designated by Council from time to time shall be the Development Officers responsible for the administration of this Bylaw.

3.2 DEVELOPMENT PERMIT

3.2.1 Except as provided in Section 3.2(3), no person shall undertake a development or commence a use unless he obtains a development permit. No development permit is valid unless it conforms with the Zoning Bylaw.

3.2.2 An application for a development permit shall be made in Form A which may be modified by resolution of Council from time to time.

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3.2.3 A development Permit is not required for the following provided that all other provisions and regulations of the Bylaw are conformed to:

- (1) the maintenance of a public work;
- (2) the construction of a public work of the Resort Village of Cochin;
- (3) the installation of a public work on any street or other public right-of-way;
- (4) temporary signs;
- (5) maintenance and repairs that do not include structural alterations;
- (6) accessory buildings less than 10 m² in area;
- (7) fences 2 m in height or less.

3.2.4 If the development authorized by a development permit is not commenced within 12 months from the date of its issue, and completed within 24 months of its issue, the permit is deemed to be void, unless an extension of this period shall first have been granted.

3.2.4.1 Surveyed Plot Plans and Real Property Surveyors Reports (RPSR)

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- (1) Any proposed residential or commercial development that directly borders another residential or commercial development shall be required to produce a RPSR for all buildings or structures 18.6 square meters (200 square feet) in area or larger on a permanent foundation, except those exempt from requiring a development permit as per clause 3.2.3. The RPSR shall be completed and provided to the municipality after installation of the permanent foundation, but before installation or construction of the building above the permanent foundation.
- (2) A development permit application for a proposed residence on potentially hazardous land as defined by provincial regulation, this Bylaw and the Official Community Plan or lands that have an interest registered on the title pursuant to Section 130 of the Act,

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must be accompanied by a RPSR prepared by a Saskatchewan Land Surveyor, which illustrates that the proposed elevation of the finished main floor is above the Safe Building Elevation as defined by the Ministry of Government Relations.

- (3) Notwithstanding clause (1) and (3), residential or commercial development shall not be required to submit documentation provided by a Saskatchewan Land Surveyor for applications regarding the following items:

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- a. Fences
- b. Uncovered Decks
- c. ~~Structures under 200 square feet~~
- d. trailer home as a principal use (temporary)

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- (4) Where earthwork is proposed on shore land or within 5 metres of the high-water level of any waterbody or watercourse, or other potential hazard lands containing significant or unstable slopes, applicants shall be required to submit a RPSR showing: the location of existing earthwork attributable to the site in question which extends beyond a property boundary; the location of proposed earthwork in relation to property boundaries; any adjacent waterbody or watercourse; or other features within the site, and shall include surveyed elevations. Upon completion of the earthwork, a secondary RPSR addressing those matters listed above will be required to show the completion and location new modification or improvements and may be required as a condition of development permit approval.

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3.2.4.2 Landscaping and Earthwork

Landscaping and earthwork are not exempt from development permit requirements. Where applicable, a landscaping or earthwork component may form part of a development permit application for a separate use, structure, or building. Where no other use, structure, or building is proposed, landscaping or earthwork shall require its own permit application.

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3.2.5 Decision

- 3.2.5.1** The decision made on all applications shall be given to the applicant in writing in Form B which may be modified by resolution of Council from time to time.

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- 3.2.5.2** Upon completion of the review of an application for a permitted use or form of development, the Development Officer shall:

- (1) where the application conforms to all the provisions of this Bylaw, issue a Development Permit; or
- (2) where the class of development or use is subject to special regulations, performance standards or development standards specified in this Bylaw, issue a Development

Permit which shall specify those regulations or standards to which the development is specifically subject; or

- (3) where the development officer is unsure of the proper interpretation of a provision, submit the application to Council for a ruling; or
- (4) refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reasons for the refusal.

3.2.5.3 Where the application is for a discretionary use or form of development, the Development Officer shall submit the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:

- (1) refuse the application and indicate the reasons for the refusal; or
- (2) issue a Development Permit incorporating any special standards as set forth in Council's resolution and as outlined in the Bylaw.

3.2.5.4 General Discretionary Use Evaluation Criteria

In exercising its discretion Council may consider the evaluation criteria identified below, and should determine the extent and nature of the information and analysis required to render a decision:

(a) **Roadways:** the assessment of capacity of existing roadway infrastructure to accommodate the proposed use.

(b) **Air Resources:** assess and consider the potential impacts and effects on local air resources.

(c) **Soil Resources:** assess and consider the potential impacts and effects on local soil resources.

(d) **Water Resources:** assess and consider the generation of waste resulting from the proposed use, and the capacity of existing water management services.

(e) **Natural and Heritage Resources:** assess and consider the potential impacts and effects on natural, cultural and heritage resources.

(f) **Land Use Compatibility:** the anticipated impact(s) of the proposed discretionary use on existing land uses in the area.

(g) **Suitability and Sustainability:** assess and consider the potential impacts and effects on social, economic and physical sustainability of the Municipality.

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3.2.5.5 Use-Specific Discretionary Use Evaluation Criteria

In addition to the general discretionary use evaluation criteria, Council will apply the following criteria in its evaluation of the following discretionary uses:

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(1) Shipping Containers (more than one per site):

- a. conformance with all relevant portions of the *Basic Planning Statement* and this bylaw;
- b. it is demonstrated, to the satisfaction of Council, that placement will not negatively affect the character of the existing development in the surrounding area;
- c. any treatment given to the shipping container to improve its appearance to complement existing development on site or on adjacent properties;
- d. potential negative impacts can be suitably mitigated through landscaping, screening, separation, appropriate placement on a site, etc.; and
- e. the size of the site on which it is proposed for placement.

(2) Trailer Home as a principal use:

- a. conformance with all relevant portions of the Basic Planning Statement and this bylaw;
- b. the age and condition of the unit;
- c. potential negative impacts can be suitably mitigated through landscaping, screening, separation, appropriate placement on a site, etc.;
- d. the potential impacts to roadways and parking;
- e. compliance and suitability of proposed water and sewage systems; and
- f. proof of due diligence on behalf of the applicant for the establishment of a permanent principal residence.

Bylaw No. 14-19

3.3 DEVELOPMENT APPEALS

- 3.3.1** Council shall appoint a Development Appeals Board in accordance with sections 214 -216 of The Act.
- 3.3.2** Where an application for a permitted use or form of development has been refused, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Resort Village of Cochin.
- 3.3.3** Where an application for a discretionary use or form of development has been approved by council with prescribed development standards pursuant to the Bylaw and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the Bylaw, the applicant may within 30 days of the date of council's approval, appeal the development standards prescribed with the approval of the discretionary use or form of development to the Development Appeals Board of the Resort Village of Cochin and from that Board, if necessary, to the Provincial Planning Appeals Board in accordance with the Act.
- 3.3.4** An application for a development permit shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the development officer and an appeal may be made as provided in Section 3.3 (1) as though the application had been refused at the end of the period specified in that subsection.

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3.4 FEEES

- 3.4.1** The following fees shall be applied to applications for development permits and minor variances:
 - (1) Permitted principal, accessory, or ancillary uses: \$0.00

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(2) Discretionary principal, accessory, or ancillary uses:	\$150.00
(3) Signs:	\$50.00
(4) Minor Variance:	\$50.00

3.4.2 The following fees shall be applied to application for amendments to the Basic Planning Statement or Zoning Bylaw:

(1) Textual amendments:	\$350.00
(2) Map amendments:	\$400.00

3.4.3 In addition to the fees prescribed in clauses 3.4.1 and 3.4.2, applicants will be responsible for any cost relating to the advertising of public notices, and any public hearing.

3.4.4 The fee for a hearing of the Development Appeals Board is set by the board and shall be the maximum allowable under the Act.

3.5 OFFENCES AND PENALTIES

3.5.1 Where the Development Officer has reasonable cause to believe that a person has contravened any provision of this Bylaw, they may but shall not be required to serve on that person a Notice of Violation which shall provide that the Municipality will accept voluntary payment by that person, if paid to and received at the offices of the Municipality, and setting forth a voluntary payment equal to the sum of:

- (a) An amount in lieu of a fine in the sum of \$1,000.00 and;
- (b) A penalty imposed pursuant to s. 8(2)(e) of The Municipalities Act, in the sum of \$1,000.00.

3.5.2 Neither the payment of the voluntary amounts pursuant to a Notice of Violation, nor the imposition or payment of any amount pursuant to clause 3.5.1 of this bylaw shall relieve a person from compliance with any Order made pursuant to this bylaw, or under the Act.

3.5.3 Every person who contravenes any provision of this bylaw is guilty of an offence, and is liable on summary conviction to pay a sum equal to the total of the following:

- (a) A fine:
 - i. In the case of an individual to a fine of not less than \$1500.00 and not more than \$10,000.00 and in the case of a continuing offence, to a further fine of not more than \$2,500.00 for each day or part of a day during which the offence continues.
 - ii. In the case of a corporation, to a fine of not less than \$2,000.00 and not more than \$25,000.00; and in the case of a continuing offence, to a further fine of not more than \$2,500.00 for each day or part of a day during which the offence continues.
 - iii. A penalty imposed pursuant to s. 8(2)(e) of The Municipalities Act, in the sum of \$1,000.00.

3.6 NON-CONFORMING USE AND NON-CONFORMING BUILDINGS – non-conforming uses and non-conforming buildings shall be subject to Sections 88-93 inclusive of the Act.

3.7 MINOR VARIANCES

3.7.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that conforms to

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this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of the Act.

4 SECTION 4 GENERAL REGULATIONS

4.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION- Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirement or from obtaining any license, permission, permit, authorization, or approval required by such requirements or regulations.

4.2 ACCESSORY BUILDINGS, STRUCTURES, AND USES

Bylaw No. 19-19

4.2.1 Private garages or carports attached to the principal building or structure shall be considered as part of the principal building or structure and subject to the regulations governing the principal building or structure.

4.2.2 Only one carport or private garage, not exceeding 60 square meters in area is permitted on a lot.

4.2.3 Shipping Containers - One (1) shipping container per site may be considered as an accessory use to a permitted or discretionary principal use in any district where used exclusively for storage of goods or materials, and subject to the following:

Bylaw No. 4-19

(1) Shipping containers shall be in good repair and avoid conflict with the existing character of the surrounding area. Photos of any shipping container shall be provided to council as part of the application.

(2) The site and yard regulations contained in Table 1 shall apply to the placement of any shipping container.

(3) Where a shipping container is a discretionary item, it is subject all evaluation criteria listed in this bylaw.

4.2.4 Landscaping features shall be considered a permitted use in all zoning districts subject to any permitting requirements, site or other regulations contained in this Bylaw.

(1) Notwithstanding 4.2.4, landscaping on any land that may be deemed hazard land for reason of potential risk to people, property, or the natural environment, regardless of location or zoning district, shall be considered at the discretion of Council and subject the evaluation criteria and hazard land provisions of this Bylaw.

Bylaw No. 19-19

4.3 REQUIRED YARDS AND OPEN SPACE

4.3.1 Minimum Yards Required – No portion of any yard or other 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.

4.3.2 Projections in Yards – Where minimum yards are required in any district, such minimum requirements shall not apply to the following:

~~(1) In any front or rear yard, the construction of steps or an open deck or terrace a maximum of 2.4 meters into the required yard.~~

(2) In any yard, the construction of a chimney, sill, cornice or roof overhang a maximum of 0.6 meters into the required yard.

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4.3.3 Fences in required yards – Fences may be constructed in or abutting a required yard subject to the following:

1. Where the yard is adjacent to the bank of Jackfish Lake, Murray Lake or Lehman Creek with or without intervening Public or Municipal Reserve to that bank, the maximum height of a fence shall be not more than 1 meter.
2. In all other cases the maximum height of a fence shall be not more than 2 meters.

4.4 SIGNS – All signs shall be subject to the following requirements.

4.4.1 In Commercial Districts

- (1) no more than two signs are permitted on the premises;
- (2) an additional temporary sign not exceeding 1 m² bearing notice of sale or lease of the property or building relating to a temporary condition affecting the premises is permitted so long as the temporary condition exists;
- (3) no sign shall have a facial area exceeding 6.5 m²;
- (4) signs may be doubled faced;
- (5) illuminated signs shall have a steady light source which is suitably shielded;
- (6) no sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- (7) signs shall not project beyond any lot line;

4.4.2 In All Other Districts

- (1) no more than one permanent sign is permitted on the premises;
- (2) an additional temporary sign bearing notice of sale or lease, sale of produce or other information relating to a temporary condition affecting the premises is permitted so long as the temporary condition exists;
- (3) for residential uses, no sign shall have a facial area exceeding 0.4 m²;
- (4) for non-residential uses, no sign shall have a facial area exceeding 1.5 m²;
- (5) no sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- (6) signs shall not project beyond any lot line.

4.5 MUNICIPAL FACILITIES

Municipal Facilities, recreational amenities and public utilities

- (a) Are permitted in all zoning districts with no site requirements.
- (b) Specific zoning district density regulations shall not apply.
- (c) Shall include municipal recreational amenities, public boat launches, playgrounds, open spaces and other similar uses.

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4.6 SHORE LAND DEVELOPMENT

- (1) The following shall apply for any development or form of development on shore land in any district. The following regulations are intended to preserve shore land as a public resource retaining, where possible, open space and natural features for public use, natural habitat and fish spawning areas.
- (2) The following developments shall be allowed at the discretion of Council:
 - (a) Privately owned boat docks, storage lifts, transport tracks or ramps, buoy anchors
 - (b) Retaining walls, including rip-rapping, landscaping work that may directly or indirectly alter the location of a bank.
 - (c) Aquatic cleaning facilities, fileting shack
 - (d) Marinas
- (4) Prohibited Development – The following types of development are not permitted on shore land:
 - (a) Boat storage buildings, boathouses, storage sheds
 - (b) Dwellings, bunkhouses or other sleeping accommodations
 - (c) The storage of sewage, petroleum or toxic substances
 - (d) Water supply pipes
- (5) Regulations
 - (a) Where approval or permitting for new development is required from a provincial ministry or agency, Council shall require the applicant provide copy of the written approval or permit from said ministry or agency prior to rendering and decision on a development.
 - (i) Where provincial ministry or agency approval is not required, Council may request written notification stating as such, prior to rendering an approval.

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- (b) Council may apply special standards regarding the dimensions and location of any development or form of development proposed to be located on shore land so that the development or form of development shall:
 - (i) Not interfere with the public's right to go on or use the shore land or adjoining waterway or water course.
 - (ii) Not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
 - (iii) Not jeopardize public safety nor be a hazard to navigation; and
 - (iv) Where possible, preserve or improve natural banks and vegetation for natural habitat and fish spawning areas.
- (c) Council may attach to a development permit any standards or conditions related to the above, or that are required in council's opinion, due to the physical features or characteristics of the shore land where the development is proposed.

4.7 HAZARD LANDS

- (a) Notwithstanding any other provision in this bylaw, Council may refuse to issue a development permit for any development on land that is in its opinion Hazard Land, unless the applicant submits a report prepared by a professional engineer that certifies the design of the proposed development contains all reasonable site development measures necessary to overcome the hazards of the development.
- (b) If deemed necessary to mitigate hazards to people or property, the recommendations of the professional engineer may form the basis of development standards issued in conjunction with a development permit. Failure to adhere to development standards may result in permit revocation or bylaw enforcement.

4.8 PROHIBITED USES

- 4.8.1 In all districts, the growing, cultivation, processing, packaging, retail sale or distribution of cannabis products or its derivatives where not established as a right granted by higher levels of government.

5 SECTION 5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions of this Bylaw, the municipality 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 a hereinafter defined.

Zoning Districts:

R1 – Residential

R2 – Residential

R3 - Residential

C – Commercial

UH – Urban Holdings

Bylaw No. 4-19

5.2 THE ZONING DISTRICT MAP

The map bearing the statement “This is the Zoning District Map referred to in Bylaw No. 9/89”, adopted by the Resort Village of Cochin signed by the Mayor and the Administrator under the seal of the municipality, shall be known as the “Zoning District Map” and such map is attached to and forms part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

The boundaries of such districts referred to together with explanatory legend, notation and reference, are shown on the “Zoning District Map”. Unless otherwise shown, the boundaries of such districts are lot lines, center lines of streets, lanes, road allowances, and the boundaries of the municipality. In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

5.4 ZONING DISTRICT

All uses and form of development within a district shall comply with the regulations contained in the district schedules in Section 6.

6 SECTION 6 DISTRICT SCHEDULES

6.1 R1 – RESIDENTIAL DISTRICT

6.1.1 Permitted Uses – The following are permitted uses in the R1 – Residential District:

- (1) single detached dwellings
- (2) municipal offices
- (3) public parks, playgrounds and sport fields
- (4) schools
- (5) places of worship
- (6) public works excluding offices, shops, warehouses, and storage yards

6.1.2 Discretionary Uses – The following are discretionary uses in the R1 – Residential District:

- (1) home occupation
- (2) mobile homes
- (3) a single trailer home as a principal use

Bylaw No. 14-19

6.1.3 Accessory Uses – Uses and forms of development are permitted (excluding commercial and industrial use) on the same lot as permitted or a discretionary use where secondary, subordinate and accessory to that permitted or discretionary use.

- (a) Any use, building, or structure established as accessory to a “trailer home as a principal use”, shall be subject to the permit and removal conditions of said principal use.

Bylaw No. 14-19

6.1.4 Regulations

6.1.4.1 Lot Regulations – The regulations in Table 1 shall apply.

6.1.4.2 Accessory Buildings and Structures

- (1) The lot regulations in Table 1 shall apply.
- (2) The total area of all accessory buildings shall not exceed the area of the principal buildings.
- (3) All building shall be separated from any the building by at least 1.5 m at the walls, and by 0.5 m between any eaves.
- (4) Pit privies are prohibited.
- (5) Fences shall comply with Section 4.3.3.

6.1.4.3 Parking

- (1) A minimum of one parking space for each dwelling shall be provided and maintained on each lot
- (2) A parking space shall be a minimum of 2.5 meters by 6 meters.
- (3) Parking spaces may be enclosed and may be in tandem.

6.1.4.4 Trailer coaches

- (1) One trailer coach less than 30 square meters in area that is not a mobile home and is used from time to time for a period not exceeding 30 consecutive days for the temporary sleeping accommodation of guests of a single detached dwelling shall be permitted in the same lot as the principal use.
- (2) Trailer coaches shall not be kept for hire.
- (3) The facilities and amenities of the principal dwelling shall be available at all times for the use of the occupants of the trailer coach.

6.1.4.5 Storage

- (1) No junked vehicle shall be stored on any lot outside an enclosed building.

6.1.4.6 Principal Use – Except where used for Places of Worship or Schools, only one principal use shall be permitted on a lot.

6.1.5 Discretionary Use Regulations

6.1.5.1 All discretionary uses shall maintain the residential character of the area as much as possible.

6.1.5.2 Home Occupations

- (1) Home occupations shall be located in a dwelling unit.
- (2) One business sign or notice is permitted.
- (3) Other than as provided in clause (2), there shall be no exterior display, no exterior storage of material, and no other variation from the residential character of the building in association with a home occupation.

6.1.5.3 Mobile Homes

- (1) All mobile homes located in a R1 District shall have a floor area of not less than 40 square meters and shall comply with Canadian Standards Association Construction Standard Z240.2.-1979 or later
- (2) All mobile homes shall be connected to a septic pump out tank approved for permanent cottage use.
- (3) All mobile homes shall be securely attached to the ground.
- (4) The regulations in Clause 6.1.4 shall apply.

6.1.5.4 Trailer Home as a principal use

- (1) A single trailer home may be temporarily permitted per site as a principal use prior to the placement of a permanent dwelling for a period not exceeding two (2) years from the notice of decision for the permanent residential dwelling. Upon expiry of the two (2) year period, final building inspection of the permanent residential dwelling must be completed; the trailer home and any accessory buildings and structures shall otherwise be immediately removed.

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- (a) Council may consider an application extension for a period of up to one (1) year where it has been demonstrated that the applicant has made significant progress towards the establishment of a permanent principal residential dwelling on the site.
- (2) The applicant shall sign a memorandum of understanding to acknowledge that the trailer home shall be removed upon the expiry of any permit granted in accordance with subclause (1), or any renewal granted in accordance with paragraph (1)(a).
 - (a) The applicant shall be required to provide a deposit at the time of application, that will be returned by the municipality upon execution of all terms and agreements.
- (3) If the trailer home remains on the site after the period identified in subclause (1) or paragraph (1)(a) has expired, the Resort Village will enforce the removal of the unit.
- (4) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, a maximum of two (2) 100-pound tanks shall be on site at one time.
- (5) The trailer home shall not be modified to be made permanent through the removal of axles and/or wheels.
- (6) Home occupations shall not be allowed on the site until the permanent residence has been constructed.
- (7) The trailer home must be a self-contained unit and must have a system for sewage and wastewater disposal that has been approved by the appropriate authority prior to the approval of a development permit.
- (8) The trailer home is not to be kept for rent, lease, or hire.
- (9) The trailer home is not a mobile home.
- (10) A copy of the bill of sale or registration and a photo must be submitted with each application.
- (11) The replacement or relocation of a trailer home on a property requires a new application and permit.

Table 1

District	Use	Minimum Site Requirements		Minimum Yard Setbacks (m)			Max Lot Coverage (%)	Floor Area (sq. m)	(Amendments)
		Size (sq. m)	Frontage (m)	Front*	Side*	Rear			
R1	Single detached, mobile, manufactured, modular, RTM homes, trailer home	450	15	7.5	1.5	5	35	40 min	Bylaw No. 14-19
	Schools, places of worship, and associated accessory buildings	900	30	7.5	3	5	-	-	
	Residential private garage	-	-	1.5	1.5	5	-	60 max	
	Other accessory buildings	-	-	7.5	1.5	1.5	-	20 max	
	Uncovered decks	-	-	1.5	1.5	1.5	-	-	
R2	Single detached, mobile, manufactured, modular, RTM homes, trailer home	300	10	4	1.5	5	50	40 min	Bylaw No. 14-19
	Residential private garage	-	-	1.5	0.75	5**	-	60 max	
	**Where the rear yard does not back onto a public roadway, street or lane, and the door does not open to the rear yard, the setback requirement may be reduced to 1.5 metres.								
	Other accessory buildings	-	-	1.5	0.75	1.5	-	20 max	
	Uncovered decks	-	-	1.5	1.5	1.5	-	-	
R3	Dwelling groups	450 per dwelling unit	30	7.5	1.5	5	35	40 min	
	Residential private garage	-	-	1.5	1.5	5	-	60 max	
	Other accessory buildings	-	-	7.5	1.5	1.5	-	20 max	
	Uncovered decks	-	-	1.5	1.5	1.5	-	-	
C	All other uses	450	15	3	1.5	1.5	-	-	
UH	Single detached dwellings	0.5 ha	30	15	15	15	-	-	
	Institutional recreation camps	2 ha	30	15	15	15	-	-	
	All other uses	3 ha	30	15	15	15	-	-	

***NOTE:** For Residential Zoning Districts - Where the depth of the lot is less than 30 m the front and rear yards may be reduced at the discretion of Council; however, that neither yard may be reduced to less than 1.5 m.

6.2 R2 – RESIDENTIAL DISTRICT

6.2.1 Permitted Uses – The following are permitted uses in the R2 – Residential District”

- (1) single detached dwellings
- (2) public parks
- (3) public works excluding offices, shops, warehouses and storage yards

6.2.2 Discretionary Uses – The following are discretionary uses in the R2 – Residential District:

- (1) home occupations
- (2) mobile homes
- (3) a single trailer home as a principal use

Bylaw No. 14-19

6.2.3 Accessory Uses – Uses and forms of development are permitted (excluding commercial and industrial use) on the same lot as a permitted or a discretionary use where secondary, subordinate and accessory to that permitted or discretionary use.

6.2.4 Regulations

6.2.4.1 All regulations of the R1 – Residential District except as provided on Table 1 shall apply in the R2 – Residential District.

6.3 R3 - RESIDENTIAL DISTRICT

6.3.1 Permitted Uses – The following are permitted uses in the R3 – Residential District:

(1) dwelling groups

6.3.2 Discretionary Uses – The following are discretionary uses in the R3 – Residential District:

(1) home occupations

6.3.3 Accessory Uses – Uses and forms of development are permitted (excluding commercial and industrial use) on the same lot as a permitted or a discretionary use where secondary, subordinate and accessory to that permitted or discretionary use.

6.3.4 Regulations

6.3.4.1 All Regulations of the R1 -Residential District except as provided in Table 1 shall apply in the R3 – Residential District.

6.4 C – COMMERCIAL DISTRICT

6.4.1 Permitted Uses – The following are permitted uses in the C – Commercial District:

- (1) cafes and restaurants
- (2) commercial recreation establishments
- (3) hotels and motels
- (4) offices and banks
- (5) personal service shops
- (6) retail stores
- (7) service stations and gas bars
- ~~(8) seasonal campgrounds~~
- (9) schools
- (10) places of worship
- (11) golf courses
- (12) parks, playgrounds, sport fields and tennis courts
- (13) municipal offices and facilities
- (14) public works

Bylaw No. 4-19

6.4.2 Accessory Uses - Uses and forms of development are permitted on the same lot as a permitted use where secondary, subordinate and accessory to that permitted use.

6.4.3 Discretionary Uses – The following are discretionary uses in the C – Commercial District:

- (1) construction trades
- (2) a one unit dwelling attached or accessory to a commercial building or use.
- (3) Commercial storage compound, industrial storage compound
- (4) Seasonal Tourist Campground

Bylaw No. 4-19

Bylaw No. 3/18

6.4.4 Regulations

6.4.4.1 Lot Regulations -The regulations in Table 1 shall apply.

6.4.4.2 Parking

- (1) A minimum of one parking space shall be provided and maintained on each lot for each 30 square meters of building floor area used for a commercial purpose.
- (2) A parking space shall be a minimum of 3 meters by 6 meters
- (3) Parking space shall have direct and convenient access to a street.

6.4.4.3 Service Stations and Gas Bars

- (1) Fuel pumps and other accessory equipment for the delivery of moto fuels shall be located at least 6 meters from any lot line.

6.4.5 Discretionary Use Regulations

6.4.5.1 Construction trades

- (1) Construction trades shall be conducted entirely within an enclosed building.

- (2) All materials used in conjunction with construction trades shall be stored within an enclosed building.

6.4.5.2 Dwellings

- (1) One dwelling unit may be developed and used for the occupancy of the owner or operator of a commercial use on a lot.
- (2) The dwelling unit may be contained within the commercial building or in a separate accessory building.

6.4.5.3 The regulations in Clause 6.4.4 shall apply.

6.4.5.4 Commercial storage compound, industrial storage compound

In addition to any development standards Council deems necessary in accordance with the evaluation criteria listed in 3.2.5.4, the following standards, regulations, and considerations may apply to commercial and industrial storage compounds:

- (1) Council shall consider surrounding land uses for applicability of site location for proposal.
- (2) Council shall consider the capacity of the existing storage compounds in the Resort Village.
- (3) Council will consider the availability of vacant commercially-zoned lands as to not usurp said intended to accommodate prescribed permitted uses.
- (4) Council will consider whether the access is appropriate for the intended use and shall demonstrate alignment with provincial transportation plans where applicable.
- (5) Council may require additional screening, fencing requirements and other nuisance mitigation measures at time of application.

Bylaw No. 3/18

6.5 UH – URBAN HOLDINGS DISTRICT

6.5.1 <u>Permitted Uses</u> – The following are permitted uses in the UH – Urban Holdings District: (1) recreation trails (2) municipal offices and facilities (3) docks, boat launch facilities and marinas (4) parks and playgrounds, day use picnic areas, sports fields and tennis courts (5) public works	Bylaw No. 4-19 Bylaw No. 4-19
6.5.2 <u>Discretionary Uses</u> – The following are discretionary uses in the UH – Urban Holdings District: (1) sewage lagoons (2) sanitary lagoons (3) golf courses (4) seasonal campgrounds (5) crop farms not including the raising of livestock (6) Single detached dwellings (9) Marina’s and municipal docks	Bylaw No. 4-19 Bylaw No. 3/18
6.5.3 <u>Accessory Uses</u> - Uses and forms of development are permitted on the same lot as a permitted use where secondary, subordinate and accessory to that permitted use; unless specified otherwise in this bylaw. Accessory dwellings are only permitted where used by the operator of a crop farm.	Bylaw No. 4-19
6.5.4 <u>Regulations</u>	
6.5.4.1 Lot Regulations: The regulations in Table 1 shall apply. except as provided for in the following sections.	Bylaw No. 8/93 Bylaw No. 1-19
6.5.4.2 Institutional recreation camps may be located on sites with a minimum area of two (2) hectares.	Bylaw No. 8/93 Bylaw No. 1-19
6.5.4.3 Single detached dwellings may be located on sites with a minimum area of 0.5 hectares as long as all other provisions in Table 1 for Residential uses are complied with.	Bylaw No. 8/93 Bylaw No. 1-19

6.6 DELETED BY BYLAW No. 4-19

7 SECTION 7 COMING INTO FORCE

7.1 COMING INTO FORCE

This Bylaw shall come into force and take effect on the date of approval by the Minister of Urban Affairs.

Bylaw adopted by Council on June 15, 1989

Approved by the Minister on July 4, 1989