

RESORT VILLAGE OF ECHO BAY
ZONING BYLAW
No. 2-87

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SECTION 1 - INTRODUCTION

Under the Authority of the Planning and Development Act, 1983, and in conjunction with Bylaw No. 1-87, the Basic Planning Statement, the Resort Village of Echo Bay 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 Echo Bay.
2. Scope - Development shall be permitted within the limits of the Resort Village of Echo Bay when it is in conformity with the provisions of this bylaw.
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.

SECTION 2 - INTERPRETATION

- 2.1 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.
- 2.2 Act - The Planning and Development Act, 1983.
- 2.3 Administrator - The Clerk of the Resort Village of Echo Bay
- 2.4 Building - A structure constructed or placed on, in or over land, but not including a highway.
- 2.5 Building, Accessory - A subordinate detached building appurtenant to a principal building or principal use and located on the same lot.
- 2.6 Building, Principal - The building in which is conducted the main or primary use of the lot on which said building is situated.
- 2.7 Council - The Council of the Resort Village of Echo Bay.
- 2.8 Deck - A raised open platform, with or without rails, attached to a principal building.
- 2.9 Development - The carrying out of any building, engineering, mining, or other operations in, on or over land, or the making of any material change in the use or intensity of use of any building or land.

- 2.10 Development Permit - A document authorizing a development issued pursuant to this bylaw.
- 2.11 Discretionary Use - A use or 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.
- 2.12 Dwelling, Single Detached - A detached building consisting of one dwelling unit, but shall not include a mobile home as herein defined.
- 2.13 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.
- 2.14 Fence - An artificially constructed barrier erected to enclose or screen areas of land.
- 2.15 Floor Area - The maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling; any private garage, porch, verandah, sunroom, unfinished attic, unfinished basement, utility room, and laundry room.
- 2.16 Frontage - The side of a lot abutting the street; however, in the case of a corner lot the shorter of the sides shall be the frontage.
- 2.17 Garage, Private - A building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.
- 2.18 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.
- 2.19 Lot - An area of land with fixed boundaries that is of record in the Land Titles Office by Certificate of Title.
- 2.20 Lot Coverage - That portion of a lot that is covered by buildings or structures.
- 2.21 Lot Line, Front - The line that divides the lot from the street. In the case of a corner lot the front lot line shall be the line separating the narrowest street frontage of the lot from the street.

- 2.22 Lot Line, Rear - The line at the rear of the lot and opposite the front lot line.
- 2.23 Lot Line, Side - A lot line other than a front or rear lot line.
- 2.24 Mayor - The Mayor of the Resort Village of Echo Bay.
- 2.25 Mobile Home - A trailer coach that contains a complete dwelling unit.
- 2.26 Municipality - The Resort Village of Echo Bay
- 2.27 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.
- 2.28 Non-Conforming Use - A 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 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.
- 2.29 Parking Space, Automobile - A space within a building or parking lot for the parking of one (1) automobile.
- 2.30 Permitted Use - A use or form of development other than a discretionary use, specifically permitted in the zoning district and subject to the regulations of the zoning district.
- 2.31 Public Work
- (1) Systems for the production or distribution of electricity;
 - (2) systems for the distribution 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; or
- (5) telephone or light distribution lines

that are owned or operated by the Crown or a Municipality.

- 2.32 Sign - Any device, letter, figure, symbol, emblem, or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.
- 2.33 Street - A public thoroughfare which affords the principal means of access to the abutting property.
- 2.34 Structural Alteration - The construction or reconstruction of supporting elements of a building or other structure.
- 2.35 Trailer Coach - Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.
- 2.36 Yard - Any part of a lot unoccupied and unobstructed by any principal building.
- 2.37 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.
- 2.38 Yard, Rear - A yard 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.
- 2.39 Yard, Required - The minimum size of a front, side or rear yard required under this Bylaw.
- 2.40 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.
- 2.41 Zoning District - A specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing, and size of land or structures.

SECTION 3 - ADMINISTRATION

3.1 Development Officer - The Clerk of the Resort Village of Echo Bay and such other persons 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 is attached to and forms part of this Bylaw.

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 by the Resort Village of Echo Bay;
- (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 10m² in area.

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.

3.2.5 Decision

3.2.5.1 The decision made on all applications shall be given to the applicant in writing in Form B as attached to and forming part of this Bylaw.

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 specially 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.

3.3 Development Appeals

3.3.1 Development Appeals Board - A Development Appeals Board of the Resort Village of Echo Bay is appointed in accordance with Sections 71 and 91 to 104 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 Echo Bay.

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 Echo Bay 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.

3.4 Amendment of the Zoning Bylaw

- 3.4.1 Fees - Where an application for an amendment to this Bylaw is made to council, the applicant shall pay all costs associated with advertisement of the proposed amendment.
- 3.5 Offences and Penalties - Any person who violates this bylaw is guilty of an offence and is liable on summary conviction to the penalties set forth in the Act.
- 3.6 Non-Conforming Use and Non-Conforming Buildings - Non-conforming uses and non-conforming buildings shall be subject to Sections 113-118 inclusive of the Act.

SECTION 4 - GENERAL REGULATIONS

4.1 Licences, 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 and Structures

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 metres in area is permitted on a lot.

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

4.4 Signs - All signs shall be subject to the following requirements.

4.4.1 no more than one permanent sign is permitted on the premises;

4.4.2 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;

4.4.3 no sign shall have a facial area exceeding 0.4 m²;

4.4.4 no sign shall be located in any manner that may obstruct or jeopardize the safety of the public;

4.4.5 signs shall not project beyond any lot line.

4.5 Municipal Facilities

Municipal offices and facilities of the Resort Village of Echo Bay are permitted in any zone subject to the regulations for public works in that zone.

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 as hereinafter defined.

Zoning Districts

- R - Residential
- P - Park and Community Facility
- OS - Open Space

5.2 The Zoning District Map

The map bearing the statement "This is the Zoning District Map referred to in Bylaw No. 2-87", adopted by the Resort Village of Echo Bay 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, centre lines of streets, lanes, road allowances, and the boundaries of the municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

5.4 Zoning Districts

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

SECTION 6 - DISTRICT SCHEDULES

6.1 R - Residential District

6.1.1 Permitted Uses - The following are permitted uses in the R - Residential District:

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

6.1.2 Discretionary Uses - The following are discretionary uses in the R - Residential District:

- (1) home occupations
- (2) mobile homes

6.1.3 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.

6.1.4 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 building.
- (3) Pit privies are prohibited.
- (4) In any required rear yard abutting the banks of Big Shell Lake or abutting a public reserve adjacent to the banks of Big Shell Lake, fences shall not exceed a maximum height of 1 m, and in all other yards, fences shall not exceed a maximum height of 1.5 m.

6.1.4.3 Parking

- (1) A minimum of one parking space shall be provided and maintained on each lot.
- (2) A parking space shall be a minimum of 2.5 metres by 6 metres.

- (3) Parking spaces may be enclosed and may be in tandem.

6.1.4.4 Trailer Coaches

- (1) One trailer coach 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 on 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 - 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 b), there shall be no exterior display, no exterior storage of materials, 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 an R1 District shall comply with Canadian Standards Association Construction Standard Z240.2. - 1979.
- (2) All mobile homes shall be connected to a septic pumpout 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.

TABLE 1

Use	Min Lot Area (sq m)	Min Lot Frontage (m)	Min Yard Front (m)	Min Yard Side (m)	Min Yard Rear (m)	Max Lot Coverage	Floor Area (sq m)
Single Detached & Mobile Homes	450	15	7.5	1.5	5	35%	55 min
Accessory Building (single detached)	-	-	1.5	1.5	5	-	60 max
Parks, Playgrounds, Community Centres, Public Works, and Municipal Buildings and Facilities	NO REQUIREMENTS						

6.2 P - Park and Community Facility District

6.2.1 Permitted Uses - The following are permitted uses in the P - Park and Community Facility District:

- (1) community halls and municipal offices
- (2) docks, boat launch facilities, and marinas
- (3) natural parks
- (4) parks and playgrounds, day use picnic areas, sports fields, and tennis courts
- (5) public works

6.2.2 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.

6.2.3 Regulations

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

6.3 OS - Open Space District

6.3.1 Permitted Uses - The following are permitted uses in the OS - Open Space District:

- (1) recreation trails
- (2) natural parks, playgrounds
- (3) public works

6.3.2 Discretionary Uses - The following are discretionary uses in the OS - Open Space District:

- (1) sewage lagoons
- (2) sanitary landfills
- (3) golf courses
- (4) crop farms not including dwellings or the raising of livestock

6.3.3 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.

6.3.4 Regulations

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

SECTION 7 - COMING INTO FORCE

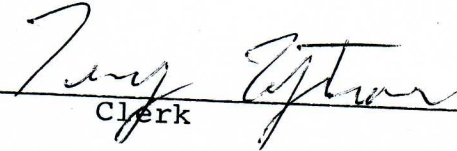
7.1 Coming into Force

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





Mayor



Clerk

RESORT VILLAGE OF ECHO BAY
APPLICATION FOR DEVELOPMENT PERMIT

1. Applicant:

Name: _____ Phone: _____

Address: _____ Postal Code: _____

2. Registered Owner: __ as above or,

Name _____ Phone: _____

Address: _____ Postal Code _____

3. Property (Legal Description)

Lot(s) _____ Block(s) _____ Registered Plan No. _____

(LSD or 1/4 _____ Sec _____ Twp _____ Rge _____ W _____)

Certificate of Title No. _____ Date _____

4. Site: Frontage _____ m, Depth _____ m, Area _____ m² or ha

5. Existing Land Use _____

6. Proposed Land Use and Description of Proposed Development:

7. a) Proposed Date of Commencement _____

b) Proposed Date of Completion _____

8. Other Information: (i.e. location of septic tank or accessory buildings) _____

9. Mobile Homes: CSA Construction Standard Z240.2.1-1979 approval number (from black and silver sticker).

10. For new construction, a Site Plan on a separate sheet showing where applicable the following (check those shown and attach):
- a) dimensions of the site
 - b) location and size of all existing and proposed buildings and structures
 - c) utility lines, easements, topographic features
 - d) proposed site drainage and finished lot grades
 - e) streets and sewer lines servicing the site
 - f) landscaping (parking and loading areas, entrance and exit points to the sites, fences, screening, trees, hedges)

11. Declaration of the Applicant:
I, _____ of the _____ of _____ in the Province of Saskatchewan solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Date _____

Signature _____

RESORT VILLAGE OF ECHO BAY
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: _____
(Applicant) _____
(Address)

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR A
___ PERMITTED USE OR FORM OF DEVELOPMENT, or
___ DISCRETIONARY USE OR FORM OF DEVELOPMENT,
HAS BEEN:

- a) ___ Approved.
- b) ___ Approved subject to the conditions or standards listed in the attached "Schedule A".
- c) ___ Refused for the following reason: _____

If your application has been approved, this form is considered to be the Development Permit referred to in Section 3.2 of Bylaw No. 2-87, the Zoning Bylaw.

Please be advised that, under Section 74 (4) and Section 96 of The Planning and Development Act, 1983:

- ___ you may appeal the refusal of your application for a permitted use or form of development (Section 96 (1)).
- ___ you may appeal those standards that you consider excessive in the approval of the discretionary use or form of development subject to standards (Section 74 (4)),
- ___ you may not appeal the refusal of your application for approval of a discretionary use or form of development (Section 96 (4)),

to the Development Appeals Board of the Resort Village of Echo Bay. In addition you may appeal if you feel that the development officer has misapplied the Zoning Bylaw in the issuing of this permit (Section 96 (1)).

Your appeal must be made in writing within 30 days of the date of issue of this form to:

Date

Development Officer