

PUBLIC NOTICE

Resort Village of Aquadeo Public Notice – New Official Community Plan and Zoning Bylaw Adoption

Public Notice is hereby given that the Council of the Resort Village of Aquadeo (RV) intends to consider the adoption of new land use planning bylaws, an Official Community Plan (OCP) and a Zoning Bylaw (ZB), under sections 29 and 46 of *The Planning and Development Act, 2007*.

INTENT: The new OCP outlines the municipal vision for future land use planning in the RV and includes local land use policies to assist decision makers in achieving this vision consistent with the provincial land use planning framework. The OCP would be adopted by Council, and all future land use decisions shall be consistent with the OCP.

The new ZB would implement the policies of the OCP and establish the regulations for future growth and development within the municipal boundaries of the RV. Included are specific zoning designations to which specific permitted and discretionary uses, and their subordinate uses are assigned. The ZB also contains administrative and permitting protocols, general and specific regulations and standards for land uses, and other tools to guide decision making in the promotion of suitable and beneficial development for the residents of the RV.

The existing Basic Planning Statement Bylaw No. 18/89, and Zoning Bylaw No. 19/89, and all amendments thereto would be repealed.

AFFECTED LAND: The affected land is described as all lands located within the jurisdiction of the RV. Specific Land Use Designations and Zoning Districts would be assigned to all lands within the RV and will be mapped.

REASON: The reason for the adoption of the OCP is to:

- 1) Ensure that the Town remains a safe and sustainable community in the future.
- 1) Guide municipal land use planning decisions to achieve orderly and predictable development, and efficient use of municipal resources and services.
- 2) Promote a range of housing, business, recreational, institutional, and municipal function land use options within the Town.
- 3) Align the municipal land use planning decision making process with the current provincial planning framework - significant legislative changes to the provincial planning framework have occurred since the adoption of the RV's current land use planning bylaws in 1989 and require updating.

The reason for the adoption of the ZB is to control and regulate the use of land to provide for the amenity of the area within the RV's jurisdiction and for the health, safety, and general welfare of its inhabitants. The ZB includes the following zoning districts that provide standards for development within specific areas within the municipality. They are summarized as follows:

- 1) R1 – Residential District: which is intended to provide for a range of residential development options, complementary uses, and related recreational uses throughout the RV, with a focus on single family dwellings as the principal land use.
- 2) R2 – Seasonal Residential District: which is intended to provide regulation and allowable uses to the existing areas of land within the Resort Village occupied by seasonal campgrounds, manufactured home courts, and similar moveable residential dwelling options.
- 3) C1 – Resort Commercial District: which is intended to provide for limited low-intensity commercial development with a focus on provision of amenities, recreation, and tourism-related uses.
- 4) UH – Urban Holding District: which is intended to maintain large blocks of land with low intensity of development to be potentially subdivided and/or developed in the future.

PUBLIC INSPECTION: Any person may inspect the draft bylaws at the RV office during regular office hours, excluding statutory holidays. Copies will be available to the public at a cost or by emailing the RV administrator and asking for a copy. The office can also be reached at (306) 386-2942. A digital copy of the draft bylaws and associated maps are available at the following web address: <https://aquadeo.net/public-notices-%26-info>.

PUBLIC HEARING: Council will hold a public hearing on **August 9, 2025**, at **10:00 AM**, in the Community Hall located above the RV office to hear any person or group who may wish to speak to the proposed bylaws. Written submissions and requests for verbal representation must be received by **August 7, 2024**. Initial time allotted for representations will be five mins per individual or group; the hearing's purpose is not for questions and answers. For additional information or questions on how the proposed bylaws may affect land, please contact (306) 386-2942 or aquadeoadmin@gmail.com ahead of the hearing. Written submissions can be mailed to Box 501, Cochin, SK, S0M 0L0, or emailed to the address above.

Issued by the Resort Village of Aquadeo this 25th day of June 2025.

Alexandria Bernier

Chief Administrative Officer – Resort Village of Aquadeo

Official Community Plan

Resort Village of Aquadeo

Bylaw No. 03-2025



RESORT VILLAGE OF AQUADEO
OFFICIAL COMMUNITY PLAN

Being Schedule "A" to Bylaw No. **03-2025**

June 2025

MAYOR

SEAL

ADMINISTRATOR

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN

Bylaw No. 03-2025

A Bylaw of the Resort Village of Aquadeo to adopt the Official Community Plan.

The Council of the Resort Village of Aquadeo in the Province of Saskatchewan, in an open meeting assembled enacts as follows:

1. **WHEREAS**, Pursuant to sections 29 and 32 of *The Planning and Development Act, 2007* the Council of the Resort Village of Aquadeo hereby adopts the Official Community Plan, identified as Schedule "A" to this Bylaw.
2. **WHEREAS**, in accordance with Section 207 of the Act, the Council of the Resort Village of Aquadeo held a public hearing on _____, 2025, with regards to the proposed bylaw, which was advertised in a weekly paper on _____, 2025, and _____, 2025, in accordance with the public participation requirements of the Act; and
3. **WHEREAS**, in order to ensure the orderly development of the Resort Village of Aquadeo the Council deems it necessary to adopt an Official Community Plan.
4. **THEREFORE**, the Council of the Resort Village of Aquadeo in the Province of Saskatchewan in open meeting enacts as follows:
 - 1) This bylaw may be cited as the "Resort Village of Aquadeo Official Community Plan".
 - 2) Bylaw No. 18/89 known as the "Basic Planning Statement" including all amendments thereto are hereby repealed.
 - 3) Schedule "A" attached hereto is hereby adopted as the "Resort Village Official Community Plan."

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

Read a First Time the _____ day of _____,

Read a Second Time the _____ day of _____,

Read a Third Time the _____ day of _____,

Adoption of this Bylaw this _____ day of _____,

MAYOR

SEAL

ADMINISTRATOR

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1 Introduction

1.1 Purpose and Authority

The Planning and Development Act, 2007, ("the Act"), states that the purpose of an Official Community Plan (OCP) "is to provide a comprehensive policy framework to guide the physical, environmental, economic, social and cultural development of the municipality".

This OCP follows the principles and requirements of the Act and *The Statements of Provincial Interest Regulations* (SPI) and provides guidance and structure for future planning and development within the Resort Village of Aquadeo.

1.2 Scope

The objectives and policies outlined within this OCP are applicable to all lands located within the Resort Village of Aquadeo boundaries. Where objectives and policies are applied to lands outside of the Resort Village either by text or mapping, they are non-binding but serve to provide guidance on potential future expansion and coordination of land use planning decisions in the rural-urban interface outside of Resort Village boundaries. If any part of this OCP is found to be invalid, by the authority of a competent jurisdiction, such a decision shall not affect the validity of the remainder, or other sections, of this OCP.

1.3 Legislative Requirements

The legislative requirements for an OCP are established in Section 32 of the Act and are listed below:

- 1.3.1 An OCP must incorporate, insofar as is practical, any applicable provincial land use policies and statements of provincial interest.
- 1.3.2 An OCP must contain statements of policy with respect to:
 - a) Sustainable current and future land use and development in the municipality;
 - b) Current and future economic development;
 - c) The general provision of public works;
 - d) The management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
 - e) The management of environmentally sensitive lands;
 - f) Source water protection;
 - g) The means of implementing the OCP;
 - h) The co-ordination of land use, future growth patterns and public works with adjacent municipalities;
 - i) If the municipality has entered into an inter-municipal development agreement pursuant to the relevant sections of the Act, the implementation of the inter-municipal development agreement;
 - j) The provision of municipal reserve for school purposes;
 - (i) Ensure the creation of municipal reserve sites suitable to be used for school purposes;
 - (ii) Designate the locations of municipal reserve sites to be used for school purposes; and
 - (iii) Provide for the dedication of land or money-in-lieu of land through the subdivision process that supports equity for all subdivision applicants and municipalities within the region; and,
 - k) The management of lands that are in proximity to existing or proposed railway operations.

- 1.3.3 This Official Community Plan, its Zoning Bylaw as the primary tool for implementation of these policies, and any land use planning decision stemming therefrom shall also be consistent with The Statements of Provincial Interest Regulations (SPI) as per section 8 of the Act.

The categories within the SPI are:

Agriculture and Value-Added Agribusiness

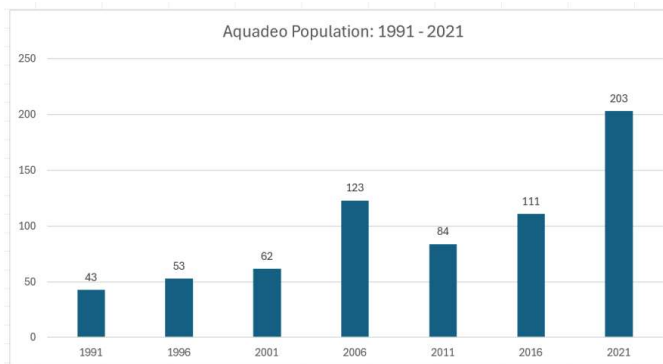
1. **Biodiversity and Natural Ecosystems**
2. **First Nations and Métis Engagement**
3. **Heritage and Culture**
4. **Inter-municipal Cooperation**
5. **Mineral Resource Exploration and Development**
6. **Public Safety**
7. **Public Works**
8. **Recreation and Tourism**
9. **Residential Development**
10. **Sand and Gravel**
11. **Shore Land and Water Bodies**
12. **Source Water Protection**

2 Community Overview

2.1 Background & Context

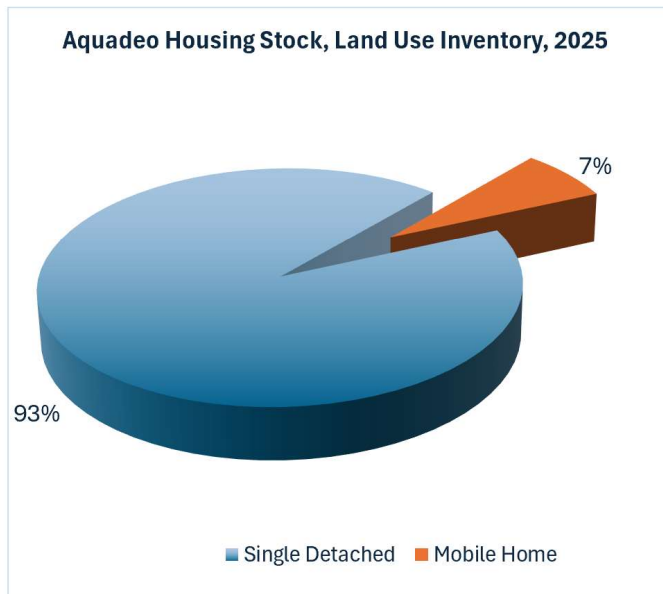
The Resort Village of Aquadeo is located on the north shore of Jackfish Lake just west of the inlet of the Turtle River. The municipal boundaries contain portions of Sections 15 & 16-48-17-W3M and is otherwise surrounded by the Rural Municipality of Meota No. 464 (RM). Other urban areas on this lake, and Murray Lake lying further east and connected via Lehman Creek, include the Village of Meota, and the Resort Villages of Cochin and Metinota. There are twelve Organized Hamlets of the RM that front directly on to two these two lakes, and the Battlefords Provincial Park occupies a large area of land located at the northeast corner of Jackfish Lake. The Resort Village is approximately 46 km north of the City of North Battleford and 182 km northwest of the City of Saskatoon.

The Resort Village of Aquadeo was formed from two main private leasehold cottage and mobile home court developments there were partially subdivided to provide titled lots for the lake front portions. The Aquadeo portion was subdivided in 1959 and added to in the early 1980's. The area was incorporated as a Resort Village in 1988 including the area of the Organized Hamlet of Aquadeo and a portion of the adjacent land containing a private golf course and manufactured home/recreational vehicle court. By incorporation, the residents sought to achieve local control over municipal development and taxation.



Population change has occurred within the community, with the Resort Village recording its highest number of permanent residents* in its history. The community sees substantial seasonal variations in population during summer months, and special events may attract up to 6,500 visitors, seasonal residents and permanent residents to the community. This residential swing has many implications for the community, highlights the seasonal and 'resort' nature of the community which is represented in the various policies included within this OCP.

A land use inventory was completed when undertaking the Official Community Plan (OCP), to better understand how the community is currently being used. This provides context for the policies proposed within the OCP, and aligns with the direction described by Council in the adoption of land use planning bylaws. The majority of community is residential in nature, and all commercial operations are oriented towards seasonal residential populations (i.e., seasonal, and/or leased campgrounds). Tourist-oriented commercial development assists to make Aquadeo a Resort Village destination location where individuals can have comprehensive recreational activities, such as a golf course, marina, campgrounds, restaurants and many lake-related recreational activities. Proximity to the Battleford's Provincial Park provides additional organized activities, such as disc golf, mini golf, walking trails, and in winter snowshoe and cross-country skiing trails, tobogganing hills and well-groomed snowmobile trails.



In completion of the Land Use Inventory, it was determined that the majority of the housing stock within the community are single-detached dwellings of various ages. With the beginnings of the community being established in the 1950's or prior, part of the community's charm is the eclectic mix of dwellings, encouraging residents of various backgrounds and income levels to feel welcome to individuals, and families.

The majority of the permanent residential development within the community are housed in single-detached dwellings equating to approximately 93% of the dwellings within the community, and 7% of the dwellings are renovated mobile homes*. The community has seen considerable redevelopment over the past couple decades with many property ownership changes resulting in the removal of old residential buildings to be replaced with four-season dwelling units. Due to existing infrastructure, and trees, the placement of move-in dwelling units is problematic, and typically new development is conducive to on-site residential construction. Some move-in dwellings are considered; however, these tend to be mobile home, or park models, simply due to the size (and narrowness) of the buildings, and less complication to travel through the community to reach internal sites.

It should be noted that a substantial aspect of the community is in the form of seasonal campgrounds and manufactured home/recreational vehicle courts, with three such areas located within municipal boundaries. These campgrounds managed by various operators accommodate recreational vehicles, park models and other various non-building code residential structures. As these are private campgrounds, accessed by internal non-surveyed roadways, it was not included within the land use inventory for the community; however, is estimated to represent approximately 40% of the seasonal users of the community. These campgrounds are typically



located around the periphery of the community, with the permanent residential development being located along the lakefront, and second and third row residential development.

With walking trails along the lakefront of the community, and the various trails and roadways located throughout the remainder of the community, Aquadeo is pedestrian centric, contributing to its tourist-destination goals.

*Note: the population numbers and housing inventory shown is based on information obtained through Statistics Canada. There are some limitations to the completeness and accuracy of this information as it does not capture forms of seasonal dwelling occupation and population fluctuations.

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3 Guiding Growth and New Development in the Resort Village of Aquadeo

3.1 Vision

It will be the purpose of the Resort Village of Aquadeo to celebrate and enhance the quality of life we experience with a focus on promoting a resort nature and family-friendly qualities within the community. In balancing growth and change, the Resort Village shall impose upon itself a practice of open and broad-minded land use management, and proper stewardship of its physical, environmental, financial, and community resources for the long-term benefit and sustainability of the community.

3.2 Goals

The Resort Village will strive to:

- 3.2.1 Provide for the growth, diversity and economic viability of the Resort Village through effective land use and development policies and regulations;
- 3.2.2 Avoid future conflicts between land uses and, where possible, reduce existing land use conflicts;
- 3.2.3 Provide for the effective control of land use and development within the Resort Village while encouraging residential, recreational and desirable economic growth within a resort context.
- 3.2.4 Provide a desirable community that builds upon and maintains amenities and recreational opportunities for its current and future residents.
- 3.2.5 Collaborate with adjacent municipalities and community groups on regional initiatives and to build upon existing regional assets in the Jackfish Lake region.

3.3 General Development Policies

The following policies apply to all future development within the Resort Village.

- 3.3.1 Development in the Resort Village is encouraged which allows for the promotion of the efficient use of land, infrastructure and access to public facilities.
- 3.3.2 Future development shall integrate into the natural surroundings and complement the existing community, built form, landscape, and vegetation. To the extent possible, vegetation shall be kept in its natural state or enhanced.
- 3.3.3 Development will be encouraged in areas of existing services and infrastructure. New development may be considered where it is economical to extend or develop new services. The costs of new services shall generally be borne by the developer.
- 3.3.4 A limited range of housing options will be sought in appropriate areas within the Resort Village bearing in mind its recreational and seasonal nature.
- 3.3.5 The provision of amenities and green space supporting a walkable community will be encouraged.
- 3.3.6 When reviewing applications for development and subdivision, consideration will be given to compatibility with adjacent land uses, impacts on municipal services, drainage, surface and groundwater, sewage disposal and pollution potential, provision of green space and trails, and public safety.
- 3.3.7 No new development shall be permitted on any potential environmentally sensitive lands or other hazard land without first being deemed suitable by a certified professional. Development suitability will be determined in part by the investigation, risk identification and proposed mitigation measures as determined by the professional.
- 3.3.8 Where appropriate and feasible, Council may purchase or lease property or use public investment to achieve the objectives of this Official Community Plan.

4 Land Use Planning Principles and Statements of Policy

The majority of the policies of the Official Community Plan will be organized around the categories of Provincial Interests as laid out in *The Statements of Provincial Interest Regulations* insofar as they are applicable in the context of the Resort Village. The following portions of this section will identify the Provincial Interests, provide background and contextual information (where applicable), and policies for land use and development. A number of Provincial Interest policy areas may be combined for brevity in the proceeding subsections.

4.1 Agriculture and Value-Added Agribusiness

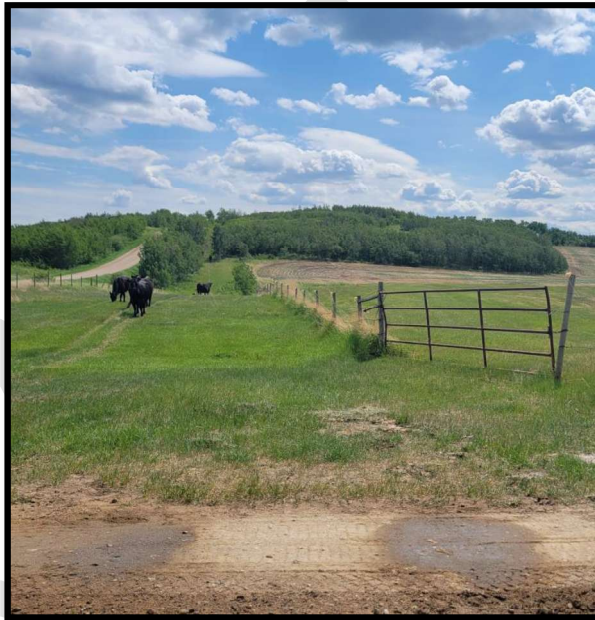
The majority of the development within the Resort Village has been subdivided and developed for residential and complimentary commercial development. Large areas of land capable of supporting agricultural development and use are limited. Local demand for agribusiness is perceived to be limited, would likely conflict with the nature of the community as being residential and recreationally-focused, and such types of uses would be better suited and viable in the surrounding RM or within the greater region.

4.1.1 The Resort Village will seek to maintain low impact agricultural uses within its immediate vicinity to minimize issues of compatibility with the primary residential and recreational nature of the Village.

4.1.2 Should additional lands be brought within the Resort Village through the process of expansion through boundary restructuring, uses which are of low intensity or low potential for land use conflict will be sought. The Zoning Bylaw will accommodate such uses within the UH - Urban Holding District.

4.1.3 The Resort Village will discourage and may oppose, agricultural and agribusiness uses in the rural-urban fringe where such uses may have negative impacts on the residents within the Village, such as but not limited to: noise, noxious odours or dust, heavy volumes or types of vehicular traffic, and similar.

4.1.4 Should a need arise for greater accommodation of agricultural use within the Resort Village, it may consider accommodation through amendment to its planning bylaws.



4.2 Biodiversity and Natural Ecosystems

The Resort Village of Aquadeo recognizes the value of environmentally sensitive areas and habitats, and other natural assets as they are the principal *raison d'être* for the community. Jackfish and Murray Lakes are home to various species of flora and fauna and that the lakes and surrounding water bodies serve as sanctuaries for birds and other waterfowl. It is recognized that municipal boundaries have little import when it comes to the natural environment and therefore proper stewardship is an inter-jurisdictional matter.

It is noted that several studies of the Jackfish and Murray Lakes area have been performed over the years. The most recent of which being the *Jackfish and Murray Lakes Development Capacity Study* completed in 2021, as a joint effort by the municipalities bordering said lakes.



The Study identifies the environmental characteristics as follows:

"Jackfish and Murray Lakes lay within the Aspen Parkland Ecoregion of Saskatchewan's southernmost ecozone, the Prairie Ecozone. North of the lakes are the Whitewood Hills Upland and the Maymont Plain area includes the lakes and lands to the south. The vegetation in the region generally consists of cultivated lands with patches of trees and shrubs, dry uplands, riparian areas, and wetlands.

The topography of the Jackfish and Murray Lakes area is hummocky with shallow fringed wetlands and steep slopes lining the east shores of Jackfish Lake. Areas north, west and south of Jackfish are relatively flat, with a higher elevation along the east shore. Lands between Jackfish and Murray have a lightly undulating plateau. The shoreline of Murray Lake varies from steep to very steep slopes.

The Jackfish and Murray Lakes drainage basin encompasses an area of 3,320 km². Jackfish Creek and Lehman Creek flow into Jackfish Lake and Crystal Creek and Lost Horse Creek flow into Murray Lake. Jackfish Lake drains south via the Jackfish River. Both lakes are connected through Lehman Creek, with multiple fringed wetlands along the boundaries which contribute to the lake levels and water quality. Water levels have largely been consistent in the lakes in the past decade, where the range of peak water levels are less than 0.65m.

A variety of waterfowl and shorebirds were observed in the areas surrounding the lakes. Jackfish and Murray Lakes are identified as a Migratory Bird Concentration Site with regional significance for staging waterfowl and the study area is located within Canada's B5 Nesting Zone. The ecoregion is known to provide habitat for a wide range of mammals including deer, moose, elk, coyote, etc."

- 4.2.1 When considering new development or subdivision, the Resort Village will consider cumulative impacts to the health and sustainability of Jackfish Lake and other natural areas attached or belonging thereto.
- 4.2.2 The Resort Village will support development that promotes the preservation and protection of significant ecological lands.
- 4.2.3 The Resort Village will promote the sustainable use of natural resources.
- 4.2.4 The Resort Village may conduct or participate in local biodiversity and ecosystems evaluations (i.e. ecological assessments) to determine whether these areas should be protected from the impacts of development.
- 4.2.5 The Resort Village will promote, wherever possible, important natural or riparian areas, significant landscapes, features, and systems be integrated into the design of new development such that they perform their natural functions.
- 4.2.6 As it pertains to development within the Resort Village, in areas under its control (particularly along the shoreline and foreshore of the lake), the Resort Village will seek to minimize potential negative impacts and may restrict or oppose development.

4.3 First Nations and Métis Engagement

The Resort Village of Aquadeo acknowledges it is located on Treaty 6 territory, the traditional territory of Cree, Saulteaux, Nakota, and Dene First Nations, and the homeland of the Métis Nation. The Saulteaux and Moosomin First Nations have communities and significant areas of land located east of the Resort Village. There are also a number of Métis Locals in the region.

It is recognized that the land and natural environment is something that is a shared resource. As such, planning and development decisions can benefit from the input, or may have impact(s) on, local First Nations and Métis communities. While land use planning and development within the Resort Village may have lesser impacts on impeding the exercise of traditional practices and treaty rights given the built-up nature and urban context, it is important to note that engagement and collaboration in the planning decision making process can be of mutual benefit.

There are no urban reserves within the Resort Village and no lands designated as reservations directly abutting the Village.



At the time of development of this Plan, the Resort Village does not have any formal relationships or working groups with local First Nations or Métis communities.

- 4.3.1 The Resort Village of Aquadeo recognizes First Nations and Métis communities' interests, knowledge, and present-day Indigenous land uses.
- 4.3.2 The Resort Village of Aquadeo will seek partnerships and common interests with First Nations and Métis communities whenever possible particularly where it comes to provision of services for residents within the region.
- 4.3.3 The Resort Village may engage in partnerships and opportunities for joint funding with proximate First Nations and Métis communities.
- 4.3.4 The Resort Village of Aquadeo will support policies that minimize negative impacts on First Nations and Métis communities.
- 4.3.5 The Resort Village may pursue engagement with proximate First Nations and Métis communities particularly where any land use or planning decision may negatively impact the exercise of traditional practices provided under Treaty and on Crown lands.
- 4.3.6 Should an urban reserve be sought to be established within the Resort Village, or lands purchased under the treaty land entitlement framework for future conversion to reserve status, the Resort Village aim to coordinate its land use planning and development for said lands by way of any necessary agreements and may require subsequent amendment to its planning bylaws.
- 4.3.7 The Resort Village recognizes any requirement of the Crown for Duty to Consult on land use planning matters.

4.4 Heritage and Culture

The majority of the lands within the Resort Village have been subdivided, otherwise developed, or have been previously disturbed. As such the likelihood to encounter any items of archaeological significance is low. However, at the time of drafting of this bylaw all lands within the Resort Village are flagged in the provincial database for such matters as being either *conditionally sensitive* or *sensitive*.

Given the lands within the Resort Village only began to be developed in the late 1950's, and development is composed primarily of private cabins and dwellings which have seen renovation and replacement over the years, it is noted that there are no properties or development that have been designated as a municipal heritage property.

That said, the absence of a long history of development does not necessarily mean that there is an absence of culture. The nature of land use and occupation within a lakeside community, tends to generate its own unique culture distinct from other types of communities and urban environments.

- 4.4.1 The Resort Village of Aquadeo recognizes the importance of natural and man-made heritage and culture resources and will support development and actions that protect, conserve, and restore such areas and resources where such things are identified.
- 4.4.2 The Resort Village of Aquadeo will consult with the applicable provincial authority to protect heritage resources where lands are identified as being heritage-sensitive and require heritage reviews for developments near these areas.
- 4.4.3 The Resort Village notes the presence of natural heritage and cultural resources in the region and shall strive to ensure that they are properly protected and promoted. The Resort Village may contribute financially to, and advocate, for such matters.
- 4.4.4 The Resort Village of Aquadeo shall maintain an inventory of cultural and historically significant areas and developments if and when they are identified.

4.5 Inter-municipal Cooperation and Collaborations

The Resort Village is located within and surrounded by the RM of Meota No. 464, which controls and administers all lands and areas around the Resort Village. There are several other municipalities with the RM that are on the common water bodies of Jackfish and Murray Lakes. They are The Resort Village of Cochin, The Resort Village of Metinota, and

the Village of Meota. The Resort Village of Aquadeo has an informal working group with the other municipalities around the Lakes and meets several times a year to discuss themes and issues common to all. The RM also has numerous Organized Hamlets within its boundaries.

The Resort Village has coordinated in the past on several projects particularly relating to the joint management of Jackfish and Murray Lakes, regional service provision, and mutual aid agreements relating to emergency services and management.

Lands available within the Resort Village are nearly fully developed. While the Resort Village is not anticipating or planning on urban expansion or proposals for future development and subdivision adjacent to its boundaries

- 4.5.1 The Resort Village supports open communication and engagement with communities in the region including the RM of Meota No. 464 and surrounding urban municipalities, First Nations and Métis Locals to ensure the Resort Village and region, as a whole, grow and advance for mutual benefit.
- 4.5.2 The Resort Village recognizes and will pursue opportunities for strategic, flexible and innovative partnerships including those for the development or upgrading of public works, public facilities, transportation infrastructure, and service delivery and housing.
- 4.5.3 Where additional land inventory needs are identified by the Resort Village, as a result of a request from a third party, or where development and subdivision adjacent to the Resort Village is proposed and makes practical sense for incorporation within the Village the Resort Village will seek a productive and fair approach in discussions of restructuring and will follow the legislated restructuring process.
- 4.5.4 The Resort Village may identify lands outside of its boundaries for future forms of development. Such identification would be based solely on desired or anticipated form of land use and anticipated direction of expansion. No studies or considerations determining suitability, serviceability, concept planning or design have been contemplated at this time and would need to be address and considered should expansion occur.
- 4.5.5 The Resort Village will consult with the RM of Meota. No. 464 where a proposed amendment to the OCP, Zoning Bylaw or proposed development or subdivision may have an impact and be of interest to the RM. The Resort Village will work with the RM to establish a process for managing land in areas of common interest. The Resort Village would expect this principal to be exercised in reciprocity by the RM.
- 4.5.6 The Resort Village will encourage appropriate development and land use patterns which are adjacent or in proximity its boundaries. Particularly, it would seek to limit forms of development that may cause nuisance or other forms of incompatibility with the residential nature of the Village, or which may exceed its servicing capacity. Development and land use patterns that would hinder the future expansion of the Resort Village boundaries or negatively impact the water quality or enjoyment of Jackfish and Murray Lakes shall be discouraged.
- 4.5.7 The Resort Village will encourage collaboration with neighbouring communities and other organizations to pursue initiatives for regional benefit and to build upon existing regional assets including The Battlefords Provincial Park.



- 4.5.8 Pursuant to *The Planning and Development Act, 2007*, Council may enter into an inter-municipal development agreement with another municipality to address issues that cross jurisdictional boundaries.
- 4.5.9 Council shall cooperate with provincial authorities to enforce fire safety, flood protection, environmental protection and shoreline pollution control regulations with the Resort Village.
- 4.5.10 Council may purchase or lease property, within the Resort Village boundaries or surrounding municipalities, or use public investment to achieve the objectives of this OCP.
- 4.5.11 Where proposed development may impact treaty rights, access or use of crown lands, the municipality will seek to engage with First Nations and Métis Locals in the area that may be affected.

Provincial Land Use Policies and Federal Jurisdiction

- 4.5.12 This Official Community Plan shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations and in cooperation with provincial and federal agencies.
- 4.5.13 Council will periodically review this Official Community Plan and the accompanying Zoning Bylaw for consistency with provincial land use policies and may amend its bylaws as necessary.
- 4.5.14 Wherever appropriate and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by provincial or federal controls.
- 4.5.15 The Resort Village will aim to utilize funding opportunities and grant programs in the provision of services or for study.

4.6 Mineral Resource Exploration and Development, Sand and Gravel

Given the urban context and residential-developed nature of the Resort Village, the potential exploration and development of mineral and aggregate resources will be limited. Therefore, no accommodation for such activities will be provided for in its planning bylaws. The Resort Village does have an interest in protecting its lands and residents from the impacts of potentially incompatible and nuisance-producing land uses of this nature.

- 4.6.1 The Resort Village will discourage or oppose the establishment of mineral resource and aggregate exploration and development within a 1.6 km radius of the Village, or such greater distance where the impacts of such development may create issues of nuisance or incompatibility.
- 4.6.2 The Resort Village may allow the storage of aggregate materials within its boundaries where such storage is directly related to a municipal or public works/utility use.
- 4.6.3 The Resort Village may coordinate its allocation of aggregate resources with other municipalities to better achieve economies of scale and lower costs for the Resort Village and its ratepayers.

4.7 Public Safety

The following subsection aims to deal with natural or human-induced hazards or threats to public safety and the protection of development.

With respect to natural hazards there are areas within the Resort Village that are potentially prone to flood, erosion, subsidence, or slope instability given the location of the Village on the banks of Jackfish Lake and for other topographic considerations.

The *Jackfish Lake Watershed Association Board* (JLWAB) in conjunction with the *Water Security Agency* (WSA) manages the watershed surrounding Jackfish and Murray Lakes. The JLWAB manages a number of water-control projects within the watershed, the foremost of which is a gate at the south end of Jackfish Lake within SW 01-47-17-W3M that helps to regulate water levels.

The Province, through *The Statements of Provincial Interest Regulations* (SPI), directs all development approving authorities (including municipalities) to: "Prohibit the development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or water body"; and, "Require flood-proofing of new buildings and additions to buildings to an elevation 0.5 metres above the 1:500 year flood elevation of any watercourse or water body in the flood fringe". All municipal planning documents and decisions must be consistent with the SPI. A

safety factor of at least 0.5 metres is added to the 1:500 year flood elevation to determine the estimated minimum building elevation (MBE) for new development.

The Estimated Peak Water Level (EPWL) in a given location is an *estimated* elevation that can change over time as updated hydrological information becomes available due to new analysis or a recent flood event. EPWLs provided in this document are not static, may be subject to change over time, or further refined by increasing or reducing the elevation based on detailed site-specific hydrological analysis performed by a certified professional engineer. EPWLs may also vary at different locations on the same water body depending on a number of factors. Confirmation of suitability or application of the known estimates should be reviewed and confirmed at time of development or subdivision application.

The following potential hazard lands are identified:

- Portions of lands along Poplar Crescent in the eastern half of the Resort Village contain significant slopes, have geotechnical development standards assigned to them, or are known to be potentially unstable.
- The most recent flood elevation (estimated peak water level or EPWL) for the Resort Village of Aquadeo along Jackfish Lake was provided by the *Water Security Agency* in 2019 and was stated to be 530.7 metres above sea level (CGVD28). A 0.5 meter freeboard and factor of safety is added to this elevation resulting in a 531.2 meter estimated minimum building elevation (MBE).

There are no known sites within the Resort Village that may be contaminated with hazardous materials. The most probable locations for potential contamination would be the area of the golf course where bulk fuels, fertilizers, and other chemicals are store. A recent assessment of the golf course lands was conducted and did not yield any evidence of contamination or the need for any remediation.

Potential Hazards Related to Surface Water or Slopes

- 4.7.1 The Development Constraints Map appended to this document as *Appendix 'B'* shall identify, in general terms, potential flood prone areas and areas which may be subject to slope instability. Portions of these areas are based on surveyed topographic information available to the Resort Village and approximately delineated where surveyed information is not currently available. Lands at the east end of the Resort Village contain slopes with significant grades. The potential flood prone area identified on this map and the related map forming part of the Zoning Bylaw, is approximately an area 50 metres setback from the shore of Jackfish Lake and captures the majority of the first row of parcels abutting thereto. These areas shall also be identified within the Zoning Bylaw. Areas identified may be potentially flood prone and warrant consideration in the subdivision or development review processes.
- a) Notwithstanding 4.7.1 above, areas identified as being potentially flood prone may, after review, be determined to be located outside of any flood plain or flood hazard area; in such cases, further assessment to determine suitability may not be required; as such, these lands will be indicated as being *potentially flood prone*. Further, there may be additional areas not shown within any municipal planning bylaw mapping of potential flood prone areas that may indeed be flood prone and shall be subject to the hazard land and flooding policies and regulation in this Bylaw or within the Zoning Bylaw.
- 4.7.2 No new permanent development will be allowable within the 1:500 year floodway of any watercourse or any water body. New permanent development, and additions to existing development, may be allowable in the flood fringe where appropriately flood-proofed, and where determined to be above the estimated MBE.
- 4.7.3 No habitable space shall be located below the MBE.
- 4.7.4 The WSA or other appropriate certified professionals may be utilized as a source of technical advice regarding flood elevations and flood proofing techniques. Developments may be referred to the WSA or other appropriate professionals for review, comment, and technical expertise. Where sufficient information related to flood risk, elevations, or determination of suitability cannot be obtained from the WSA, if required by the Municipality, professional assessment and support confirming suitability shall be provided

by a proponent solely at their cost.

- 4.7.5 Where a proponent is unsatisfied with any EPWL or MBE recommendation provided by WSA, they may, at their own cost, engage a certified professional to conduct a detailed site-specific assessment for their development or subdivision proposal to determine the 1:500 year flood elevation as per Provincial standards. Upon receipt of said information, the Municipality will consider it for acceptability and adequacy in supporting of determining development suitability.
- 4.7.6 The Municipality may employ publicly available tools and imagery for historical aerial imagery (eg. Google Earth, government databases, etc.), and local historical knowledge, to help in its assessment of the potential for flooding but shall not be relied upon for clear determination of risks related to hazard lands.
- 4.7.7 Where development is proposed on potential hazard land, including land that may be hazardous due to slumping, slope instability or flooding, and, where suitable technical expertise is not available freely through a government agency, the developer may be required to provide at their sole cost an investigation prepared by a certified professional to determine the suitability and limitations of a site for the proposed development. As applicable, any investigation shall assess the geotechnical suitability of the site, susceptibility to flooding and issues related to surface drainage, or other environmental hazards, together with any required mitigation measures such that the certified professional may suggest support for the suitability of a proposed development. Any required or recommended measures provided by the professional, or as required by the Municipality, may be attached as a condition for development permit approval, or the development may be refused where the site or development is not considered suitable. Identification of lands which are potentially unstable which may warrant special consideration and support for suitability at the time of permitting, will be shown on the Development Constraints Map appended to this document as *Appendix 'B'*.
- 4.7.8 Where land to be subdivided contains land that is a swamp, marsh, drainage course or land subject to seasonal or frequent flooding, such lands will generally be recommended for approval as Environmental Reserve and may be restricted for development.

Other Potential Hazards

- 4.7.9 Activities that generate litter, unacceptable noise, air emissions, dust, liquid and solid hazardous wastes, or that store regulated quantities of hazardous materials shall be strictly regulated and, if permitted, shall be located well away from residential uses and other natural or developed features or areas where residents may be impacted by pollution.
- 4.7.10 The Resort Village may coordinate with any applicable provincial ministries and agencies to identify contaminated sites and work towards their remediation.
- 4.7.11 Vacant properties and open space areas outside maintained parks shall be kept free of litter and debris, abandoned vehicles, derelict structures, polluted soil and groundwater, and other pollution and nuisances.
- 4.7.12 Where development is proposed in proximity to an above or below ground pipeline or other utility, the Resort Village may refer applications to said operator and apply industry accepted standards with respect to separation and mitigation measures.
- 4.7.13 While no rail line is located within Resort Village boundaries and the establishment of a new line is not anticipated, should new establishment occur, the *FCM-RAC Guidelines for New Development in Proximity to Railway Operations* will be employed for guidance where new development is proposed in proximity to the



rail line. Rail operators may be engaged to determine relevant considerations for new development, and development standards and setbacks may be employed to protect the public and new development, and to minimize potential nuisance.

- 4.7.14 Where applicable, new subdivision and development applications in or near forested areas or areas at risk for wildfires are encouraged to incorporate FireSmart principles in the design. The Resort Village of Aquadeo may, as part of its review process, require a FireSmart or wildfire risk assessment, consult with fire and emergency services, and engage with the Saskatchewan Public Safety Agency.
- 4.7.15 Where new development is proposed on a site known or suspected to be known of previous chemical contamination, development proposal may require environmental assessment, remediation, and other such study or action to determine development suitability. Absent of a clear determination of suitability, development may be prohibited or refused.

4.8 Public Works

The Resort Village has various municipal tangible capital assets that contribute to its operation. The municipality does have a Water Treatment Plant and piped municipal water throughout the community. These water lines are typically buried within municipal roadways; however some direct lines provide water access across municipal properties. The majority of municipal-owned infrastructure relates to water infrastructure, due to the Water Treatment Plant, its main lines and all distribution lines servicing residential development within the community. The Resort Village's water treatment plant is located adjacent to the Resort Village office on Parcel A, Plan 01B00918 and its well feeding the plant is located on NW 22-48-17-3 Plan 82B14866 Ext. 1. The location of the well is within a surveyed road right-of-way within the RM of Meota No. 464 and said road is mostly undeveloped other than for access to the well. The Resort Village may seek action to secure the legitimacy and access to its water source.

The second largest group of assets within the community include municipal roadways providing physical and legal access to individual parcels. Some of the roadways have been paved or surfaced with a dust-reduction strategy; however, many of the roads in the community are gravel. Due to existing trees in the community, rear alley ways are frequently used as additional access points, and provide unique pedestrian access points throughout the community and down towards Jackfish Lake.

The Resort Village also operates a municipal lagoon located southwest of the community (Par A-Plan 89B01157 within NE 08-48-17-3), adequately setback from the residential development, to mitigate adverse effects of odour. Surrounded by agricultural lands, with cattle grazing directly adjacent to the lagoon, natural grass management allows for simple land maintenance by the municipality. North of the Resort Village (Par A-Plan 89B01157 within NE 08-48-17-3) is the transfer site that accommodates solid waste and tree removal piles.



- 4.8.1 Construction and maintenance of infrastructure and services shall be carried out in a manner that minimizes adverse environmental impacts.
- 4.8.2 Where there is a clear need for new types of services or facilities, such services may be provided by the Resort Village where such services or facilities can be provided on a user-pay basis.
- 4.8.3 The Resort Village will maintain fire protection services and continue to work with municipalities in the region to provide regional fire protection services.

- 4.8.4 Subdivision and development permit applicants may be referred to the local fire chief for comment prior to decision taking place on the application.
- 4.8.5 The Resort Village shall ensure that emergency and responsive plans are current and reflect changes in land use or activities.
- 4.8.6 The cost of installing streets, utility services and other public facilities required for a new subdivision shall be borne by the developer, rather than the Resort Village, and shall be included in the terms of a servicing agreement.
- 4.8.7 Require that new developments include pedestrian linkages, where appropriate, to ensure pedestrian continuity and safety within neighbourhoods and to destination points.
- 4.8.8 Water and Solid and Liquid Waste
- a) Development shall proceed only when an adequate and sustainable water supply has been demonstrated and accepted by the Resort Village.
 - b) Where appropriate, the developer shall provide sufficient information about the potential impacts on the existing water supply.
 - c) Council will ensure new development does not impact the quality of water from municipal wells.
 - d) Developers may be required to provide a professional study to demonstrate potential impacts to source water as well as mitigation measures.
 - e) All provincial requirements for solid and liquid waste disposal facilities shall be met including location, setback, and servicing requirements.

- f) The Resort Village will work with the RM Meota No. 464 to ensure development does not restrict any future Village or regional lagoon expansions required to meet the needs of the community .Streets and Roadways
- a) All development shall require direct access to a developed road. A developed road shall mean an existing all-weather road on a registered right-of-way, or a road for which a signed agreement has been made with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.
- b) New developments that ensure safe and functional access from adjacent roadways.
- c) New road systems shall accommodate fire protection and emergency service vehicles.
- d) Where a development is proposed adjacent to a provincial highway or has the potential for significant impact, the Resort Village will refer the application to the appropriate provincial authority.
- e) Streets and traffic signs will be maintained by the Resort Village.
- f) Council shall undertake street upgrades and improvements within the Resort Village as funding is available.
- g) The Resort Village will encourage and may require secondary access or spaces dedicated to emergency egress in new subdivisions and developments and may pursue improving alternative access and egress where beneficial for the purpose of public safety within the Village.



4.8.9 Asset Management

- a) The Resort Village will aim to develop and maintain a 5-year capital plan to ensure growth will not place an undue strain on



municipal infrastructure or public service facilities. The plan shall include an upgrade schedule for the Resort Village's existing infrastructure and facilities and identify new improvements that should be completed.

- b) The Resort Village will investigate and monitor the adequacy of service levels provided throughout the community and upgrade or expand infrastructure systems as outlined within their capital plan to meet the needs and objectives of the Resort Village.

4.9 Recreation and Tourism

As previously stated, the *raison d'être* of the Resort Village is that of a recreational nature and considerable investment and focus has been made on providing a range of recreational opportunities and amenities within the community. Recreational amenities are distributed throughout the community, often located along the lakefront. Substantial investment has been made by the Resort Village for the placement of playgrounds, basketball hoops, walking trails and groomed beaches for residential use. Access to the lake is prioritized with most surveyed walkways open to the public allowing various locations for pedestrian access throughout the community.

The show piece of the community, is the executive 9-hole golf course, club house, and restaurant, which is a well used amenity by its residents and one of its main visitor draws.

- 4.9.1 The Resort Village of Aquadeo will promote and welcome visitors and travellers, encourage the sustainable development of lake and resort communities, which result in leisure activities and foster active lifestyles.
- 4.9.2 The Resort Village of Aquadeo will encourage and promote protection of critical recreational lands with cultural, heritage, and natural significance.
- 4.9.3 The Resort Village of Aquadeo will seek out partnerships with neighbouring communities to fulfill the recreational needs of the community.
- 4.9.4 The Resort Village recognizes the importance of Jackfish Lake and public access thereto as critical amenity for its residents and visitors. As such, it will aim to protect and promote public access to the Lake.
- 4.9.5 The Resort Village recognizes the demand for temporary lodging of visitors and guests. To that end, the Zoning Bylaw will accommodate a range of uses for the guests of residents, and allow for other short-term lodging within the Village (eg. hotels, motels, campgrounds, ancillary recreational vehicles, etc.).



4.10 Residential Development

Residential development is the main land use within the Resort Village; much of this in the form of season cabins and four-season dwellings. The majority of the existing titled lots in the Resort Village have been developed; however, in recent years with generational changes and transfers of land, an increasing number of the older or original cabins are being replaced. There currently is a limited supply of infill lots available for residential development within the existing built-up community. To



accommodate any additional demand for residential development, the Resort Village would need to restructure its boundaries to annex additional lands.

There are also permanent manufactured home and recreational vehicle courts currently under single private ownership – this is locally known as the Aquadeo Beach Resort (ABR) and has existed for several decades where internal sites are offered on a long-term lease basis. ABR consists primarily of lands adjacent to the golf course, along Beach Ave., and Yamaha Cr. ABR also operates the marina, boat launch, and swimming area which is centrally located along the shoreline in the Resort Village on lands outside of the Village boundary over the Crown-controlled bed of the lake. It is important to note that a large portion of individual lot development occurred prior to the enactment of planning bylaws, or has occurred since enactment, but may be non-compliant. This poses particular challenges to allowing for the addition and replacement of buildings and structures, and flexible and adaptive policy and regulation is needed to bring legitimacy to current development.

Two other seasonal campgrounds are also located within the Resort Village. One located at the southeast corner of Del St. and Hwy 674, and another north of Hwy 674 adjacent to the Resort Village office. It is understood that sites within these privately-owned campgrounds are under long-term leases.

The Resort Village is aware that much of the area under long-term lease within the seasonal campgrounds and manufactured home court areas requires subdivision approval under the Act. Bringing these developments into conformance with the Act would be a costly endeavour, may result in the disruption of current leases and lessees, removal of development, formalization of an internal road network, utility relocation, and other actions to name just a few. The Resort Village will aim to bring these lands into compliance with the Act where practical and financially feasible. Until such time, new development in these areas is severely limited.

- 4.10.1 The Resort Village of Aquadeo shall make provision for residential development, so long as it is compatible with other uses, or is located in specifically identified areas, and efficiently utilizes the existing and required infrastructure and services.
- 4.10.2 Single detached dwellings are the preferred form of housing. Manufactured homes will be allowable in specific areas designated for residential use on the Future Land Use Map, where zoning allows for the use.
- 4.10.3 Modular and RTM homes will be permitted within residential neighbourhoods if constructed to meet *Canadian Standards Association* standards and/or *National Building Code* and resemble neighbouring built dwellings.
- 4.10.4 Accessory and ancillary small-scale commercial uses may be allowable in conjunction with a residence where such allowance is made within the Zoning Bylaw.
- 4.10.5 All residential development proponents must complete, and receive approval, of development permit and building permit applications prior to construction, shall and abide by the regulations of the Zoning Bylaw and the municipality's Building Bylaw.
- 4.10.6 The Zoning Bylaw will regulate residential development through but not limited to, site size and frontage requirements, minimum setback requirements, and land use options listed as permitted and discretionary uses, and affiliated evaluation criteria and implementation regulations.
- 4.10.7 All development, buildings, and structures, including accessory buildings and structures (including, but not limited to: decks, patios, and fences) shall be entirely contained within the boundaries of the lot or site on which they are proposed to be located. Resolution of encroachment issues can be achieved by supporting the realignment of surveyed boundaries through subdivision, or the movement of buildings or structures, minor variances, and development appeals.
- 4.10.8 A variety of housing options will be provided through the Zoning Bylaw to accommodate a range of demographics, lifestyles, and income levels. In particular, the Zoning Bylaw will provide for a range of options for secondary suites and habitable accommodations, and temporary/moveable units (eg. accessory recreational vehicles).



- 4.10.9 New development shall be planned and designed to minimize human or environmental risks to people and property.
- 4.10.10 Development shall be considered in alignment with any asset management planning in place or to be undertaken by the Resort Village of Aquadeo.
- 4.10.11 The Resort Village will seek to bring the area of ABR and other campgrounds under long-term lease into compliance with the Act but recognizes the history of land use and tenancy within the Resort area. Consequently, the Resort Village would first seek compliance through means that are sensitive to its existing users. Notwithstanding, the Resort Village reserves the right to pursue corrective action by any means necessary whether on its own initiative or by direction by the Province.
- 4.10.12 In the case of dwelling groups and bare land condominiums, Council may request or support a regulation waiver of the subdivision approving authority as it pertains to the minimum widths of the internal road network where the following applies:
- a) Development is existing and is being converted to a bare land condominium;
 - b) It would not interfere with the Resort Village's ability to provide or service its infrastructure;
 - c) It would not create or increase any risk to public safety or hinder the ability for emergency services;
 - d) Where one-way streets or access can minimize the need for wider internal roadways.

4.11 Shoreland and Water Bodies, and Source Water Protection

Nestled on the north end of Jackfish Lake, the shorelands of the Lake and access thereto are the single greatest amenity and desirable feature of Resort Village; without the Lake, it is unlikely that the community would exist. It is

therefore that this irreplaceable feature of the Resort Village be managed properly as a matter for community viability and its very existence. Further, the Lake and access thereto, is a shared amenity and resource, must be protected and developed for the benefit of all residents and visitors.

The Turtle River serves as the primary inlet into Jackfish Lake, and it is located approximately 600 metres east of the Resort Village. While outside of the direct control of the Resort Village, the health of this watercourse is of the utmost importance to the Village's water resources.

The location of the Resort Village's water treatment plant and municipal well is identified in subsection 4.8 for the location.

- 4.11.1 The Resort Village of Aquadeo recognizes the importance of Jackfish Lake and its shorelands. It shall prioritize the protection, conservation, sustainable management, and public access to the Lake as the principal public amenity of the Village.
- 4.11.2 The Resort Village of Aquadeo shall consider the impacts of development on shorelands and water bodies and will encourage the utilization of best practices with respect to watershed management to safeguard the water systems and wetlands.
- 4.11.3 Riparian areas identified as critical ecosystems, wetlands and associated wildlife protection areas for endangered species, will be restricted for future development. These areas will be prohibited for development or protected through approved development and construction standards to minimize negative potential impacts. Where such features are present, the Resort Village may engage with agencies and ministries of higher orders of government to ensure that natural areas are not compromised.
- 4.11.4 The Resort Village will prioritize and maintain public access to shorelands, especially where the lands are under public ownership.
- 4.11.5 The Resort Village will seek to improve access to shorelands through the creation of dedicated lands for access and public amenity.
- 4.11.6 The Resort Village of Aquadeo will avoid development that compromises drinking water quality and quantity. Where applicable, developers will be required to conduct hydrology or hydrogeological assessments to assess the impact on water quality and quantity and implement appropriate mitigation measures to protect water sources.
- 4.11.7 The Resort Village of Aquadeo will require mitigation measures to protect municipal water wells and aquifers from potential contamination of a proposed development. Where risks to source waters are not suitably mitigated, development may be restricted.
- 4.11.8 The Resort Village may oppose any development or land use within or outside of its boundaries which may compromise the quality and quantity of water provided to its residents.
- 4.11.9 The Resort Village of Aquadeo may consult with government ministries and agencies while reviewing a potential development to ensure source waters are effectively protected.
- 4.11.10 The discharge of any hazardous material which may compromise source waters or drainage systems will be prohibited.

Any development or action potentially affecting any shoreland, water body, watercourse, or source waters, shall comply with any regulation, permit, or other issuance of from and higher order of government where such issuance is required.

4.12 Transportation

Primary access to the Resort Village is via Highway 4 and Highway 674. Highway 674 is a provincial highway which extends westward from Highway 4 approximately two miles and terminating centrally within the Village. Municipal grid roads under the administrative control of the RM of Meota no. 464 extend north and westward beyond this point and makes further connections with the public highway networks.

The public roadways within the Resort Village consist primarily of low speed and capacity streets and lanes providing service access to individual properties. There are other informal service and access roads which have been developed over time, but do not constitute legal access.

No existing or historic rail connections have served the community, and none are anticipated.

Unique to the Resort Village, connection to other municipalities and organized hamlets around Jackfish and Murray Lakes by way of boat are a novel option for both residents and visitors.

- 4.12.1 The Resort Village of Aquadeo will plan, develop, and maintain a transportation system to meet current and future needs, ensuring compatibility with other transportation infrastructure and provincial agencies, providing for the safe and efficient movement of goods and people for the benefit of residents, commerce, services, and visitors.
- 4.12.2 The Resort Village of Aquadeo will participate and partner with provincial agencies to align local transportation policies with provincial transportation plans.
- 4.12.3 The Resort Village of Aquadeo will strive to ensure municipal roadways are maintained and meet the needs of its residents as a means to promote public safety and the efficient movement of people and goods.
- 4.12.4 The use of any form of road right-of-way under the Resort Village's administrative control, for private use or development shall be subject to any allowance or prohibition under The Municipalities Act.
- 4.12.5 The Resort Village of Aquadeo will consult with the Ministry of Highways and Infrastructure on development proposals where the provincial highway network may be affected. It is noted that the Ministry of Highways and Infrastructure requires permitting for all development within 90 metres of its right-of-way.
- 4.12.6 The Resort Village of Aquadeo will encourage development to be located adjacent to existing developed roads or highways capable of serving as legal and physical access suitable for the proposed use. Where road or access improvements are deemed to be necessary by Council, applicants will be responsible for the costs of road construction or improvements.
- 4.12.7 The Resort Village of Aquadeo will promote traffic and road safety by ensuring that appropriate road design, speed limits and traffic control devices are utilized. Further, where accommodating provincially-mandated road widths, the Resort Village may seek to designate some streets as one-way only to improve traffic flow and access, and to minimize road conflicts.
- 4.12.8 The Resort Village may allow the use of golf carts or similar vehicles where the Resort Village has adopted any requisite bylaw as required by the Province.
- 4.12.9 While no rail line is located within Resort Village boundaries and the establishment of a new line is not anticipated, should new establishment occur, the *FCM-RAC Guidelines for New Development in Proximity to Railway Operations* will be employed for guidance where new development is proposed in proximity to the rail line. Rail operators may be engaged to determine relevant considerations for new development, and development standards and setbacks may be employed to protect the public and new development, and to minimize potential nuisance.

4.13 Community Health and Well-Being

The location and nature of the Resort Village inherently provides an environment that is conducive to the health and well-being of its residents and visitors. Large portions of its shoreline are dedicated, developed, maintained, and used as a public amenity and open space. Development within the Resort Village is compact, walkable, and generally free of traffic issues and land uses that negatively affect the experience of those residing and visiting the Village, especially at a human-scale.

That said and given the factors above, and the seasonal and "resort" nature of the community, demand for specialized housing and facilities providing care, are likely impractical as those offerings would be found in larger centres with more permanent populations and workforce. Should demand arise however, the Resort Village would look at the practicality of introducing those forms of uses into its planning bylaws by way of amendment.

Note that provincial interest items related to community health and well-being are also addressed throughout various other policy sections of this Plan.

- 4.13.1 The Resort Village of Aquadeo will promote access to natural public environments and will ensure developers provide dedicated lands or money-in-lieu for public use and amenities.

- 4.13.2 The Resort Village may pursue formal planning specifically for parks and recreation where resources or grant programs permit.
- 4.13.3 The Resort Village of Aquadeo will consider the diverse needs and perspectives of stakeholders in decision making.
- 4.13.4 Where additional lands may be restructured to be within the Resort Village boundary, and are subsequently subdivided and developed, the Village will seek to ensure sufficient lands and monies are set aside for the development of public amenity spaces. This may occur on dedicated lands yet to be created, within existing dedicated lands, or other land under public or private ownership within the Resort Village.



- 4.13.5 The Resort Village will encourage or require that the future development of commercial, institutional and other public amenities and facilities are developed such that they are accessible to the mobility needs of all people.
- 4.13.6 The Resort Village will continue to maintain and aim to expand its non-vehicular trail networks as a means to encourage physical activity active transportation.

4.14 Economic Growth

The Resort Village's location, "resort" nature, and its existing built form are such that economic growth in the form captured by Provincial Interests, is not a practical reality. Economic activity within the Resort Village will mostly be demanded and confined to commercial services that provide for tourism, recreation, local services, and owner-operated ancillary business. Large-scale commercial and industrial developments and uses are seen as more likely than not to have a negative impact on the residential and "resort" nature of the community and are therefore not initially encouraged within its boundaries or in its periphery. However, should economic growth opportunities of this nature be presented to Council, it shall consider them on a case-by case basis and its vision for the community. The majority of commercial operations within the community include a local golf course, clubhouse and restaurant, and various campgrounds located in the community to accommodate seasonal visitors to the community.

- 4.14.1 The Zoning Bylaw will allow for a limited range of principal commercial forms of development and may allow for accessory and ancillary commercial uses.
- 4.14.2 Desirable commercial uses will typically be those that provide local service to residents and visitors, tourism and recreational opportunities, and amenities.
- 4.14.3 The Resort Village of Aquadeo will encourage local and regional employment to promote a healthy regional economy and more permanent residency within the Village.
- 4.14.4 The Resort Village may consider the purchase or lease of lands or future development as a means of generating new income or revenue.
- 4.14.5 The Resort Village will advocate for and encourage the improvement and installation of public utilities and telecommunications access as a means of better service provision to its residents and open up additional

opportunities for economic growth and permanent residency.

- 4.14.6 The Resort Village will prioritize the utilization of its existing infrastructure and resources for economic development prior to considering expansion, as a means for efficient use of its infrastructure and resources.
- 4.14.7 The Resort Village will allow for horizontal and vertical integration of commercial land uses (i.e. multiple complementary principal uses on a single site) to allow for the efficient use of commercial sites, offer residents a wide variety of services in compact and centralized locations, and minimize the potential negative impacts and compatibility issues related to the locating of commercial development within an over-arching residential context.

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5 Policies for Implementation

5.1 Zoning Bylaw

- 5.1.1 The Resort Village of Aquadeo Zoning Bylaw will be the principal method of implementing the objectives and policies included in this Official Community Plan (OCP).
- 5.1.2 The regulations in the Zoning Bylaw will be consistent with the OCP. If there are any inconsistencies between the policies in the OCP and the regulations in the Zoning Bylaw, the OCP shall take precedence.
- 5.1.3 The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing development standards and regulations and through the use of Zoning Districts.
- 5.1.4 Amendments to the Zoning Bylaw shall only be considered where consistent with the OCP. Amendments to rezone shall be in keeping with the Future Land Use Map.
- 5.1.5 For purposes of accommodating a rezoning for unique development situations, Council may consider entering into rezoning agreements or *Contract Zoning*, pursuant provisions of *The Planning and Development Act, 2007*, for site specific development based on the following guidelines:
 - a) The rezoning to permit the development will not unduly conflict with adjacent land uses that are legally permitted uses within the proposed or adjacent zoning district;
 - b) The rezoning will be used to allow a specific use or range of uses contained within the zoning district to which the land is being rezoned; and
 - c) The development or redevelopment of the site for the specific use will be of benefit to the immediate area and the municipality as a whole.

5.2 Future Land Use and Zoning Bylaw Mapping

- 5.2.1 The Future Land Use Map attached to and forming part of the OCP as *Appendix 'A'* identifies existing patterns of land use and development and the location intended future forms of development. Potential exceptions and transitional policies are discussed in 5.2.7.
- 5.2.2 The Future Land Use Map policy area designation is meant as a planning guide and link certain planning policies to geographic locations. Policy area boundaries will initially be set to existing parcel boundaries, or the centreline of road right-of-way. Where a policy area boundary is not tied to such a boundary, it is considered as an approximate location.
- 5.2.3 For undeveloped areas and areas outside of the Resort Village boundary identified for potential land use and expansion, said areas are identified in concept only. Site suitability and serviceability are not determined at the time of enactment of this bylaw, and will require subsequent review, servicing, engineering and planning.
- 5.2.4 Residential Policy Area:
 - a) Lands within the Residential Policy Area are generally occupied by existing residential development, and future applications will be zoned for such purposes within the Zoning Bylaw as a Residential District.
 - b) The R1 – Residential District is intended to be employed throughout Resort Village on lands used principally for residential purposes.
 - c) The R2 –Seasonal Residential District is intended to be employed exclusively for the lands and existing development of the Aquadeo Beach Resort. It is recognized that the ability to issue permits and new development will be initially limited in this area given the status of these lands discussed in 4.10.
- 5.2.5 Commercial Policy Area:
 - a) Lands within the Commercial Policy Area are generally occupied by existing commercial, and future applications will be zoned for such purposes within the Zoning Bylaw as a Commercial District as required.
 - b) The C1 – Resort Commercial District is intended to be employed primarily for existing and future

commercial principal commercial uses within the Resort Village.

- c) The commercial policy area shall initially be applied to the lands of other seasonal campgrounds. Where subdivision of long-term leases is required within these campgrounds in accordance with the Act, subsequent development may be limited in accordance with the discussion in 4.10.

5.2.6 Urban Holding Policy Area:

- a) Lands within the Urban Reserve Policy Area are generally held in large land holdings and contain minimal building or structural development. These areas are intended to remain as such until such time as future development or subdivision proposals are considered whereby land use designation and zoning amendments are likely required for the intended use.
- b) Initially, the UH – Urban Holding District is intended to be employed in these areas.
- c) The Urban Holding Policy Area designation and UH – Urban Holding District may apply to lands targeted or restructured by way of annexation to maintain large land holdings until such time as a specific development or subdivision proposal is put forward that warrants any necessary amendment(s).

5.2.7 Transitional Land Use Policies:

- a) Initially, Zoning Districts will be assigned to lands to reflect current land uses and is clarified herein that it may not reflect a direct 1:1 correlation with the assigned land use policy area designation (eg. residential policy area = residential zoning district). It is the intent of the Resort Village to signal its intent for future land use(s) and for their transition over time. The existing zoning district applied best suits the existing development, existing site sizes and other Zoning Bylaw regulations at the time of enactment.
- b) Existing land uses can remain and can be modified where otherwise compliant with the use and site regulations of initial Zoning District assigned. Upon application for change in land use, increase in intensity of land use, or for proposed subdivision, land use designation or a zoning map amendment will be required to harmonize land use policy and zoning district assignment prior to approval of new development or subdivision. Generally speaking, the intent is not to require amendments unless a significant change in the use of land would occur by a land use planning decision.

5.2.8 Areas for Potential Future Expansion:

- a) The Future Land Use Map will initially identify an area for *Potential Future Expansion* with no specific policy area designation assigned. A portion or all this area may be designated for specific land use at a future time either prior to, or after restructuring to signal desired land use.
- b) Should a portion or all this area be annexed and restructured within the Resort Village boundary, the Resort Village would assign any lands with a land use area policy designation and appropriate zoning district.
- c) While the Resort Village has no foreseeable plans to expand its boundaries, it does want to ensure that orderly and coordinated development occurs in the rural-urban fringe area around its boundary. To that end, it has initially identified a 400 m area, and extending outwards, for *Potential Future Expansion* which is shown on the Future Land Use Map. The Resort Village would seek to coordinate land use planning within this area with the RM such that it wouldn't compromise the potential for future subdivision and development which may be brought within the Village boundary.
- d) In areas shown within the area identified for *Potential Future Expansion* not yet within the Resort Village boundary, where specific subdivision or development proposals are presented to the Resort Village, the Village will seek the input of the RM and engage in discussions regarding whether the specific proposal would be best suited within the RM or the Resort Village. The Resort Village would expect reciprocal coordination from the RM where proposals are presented to it within this area.
- e) Where boundary alteration and restructuring would, in the opinion of the Resort Village, be desirable and allow for the best level of service for the proposed development or subdivision, the Resort Village may pursue restructuring under the framework established by *The Municipalities Act*.

- f) The Resort Village may oppose proposed development or subdivision proposals in this area where it deems them to potentially impede the Resort Village's ability to expand, where development may occur in an uncoordinated manner, or where such development may pose unmanageable service demands, potential conflict, or nuisance with development within the Resort Village.
- g) While a detailed assessment of serviceability and site suitability would be required for specific proposals, the Resort Village would initially identify areas within NW 15-48-17-W3M as being the most logical area for expansion, based very generally on favourable topography and proximity to existing infrastructure and utility services.

5.3 Servicing Agreements & Development Levy Agreements

- 5.3.1 Servicing agreements between the Resort Village and developers will be required for any subdivision that involves new or expanded services, or contributions towards future upgrades or expansions. In accordance with Section 172 of the Act, servicing agreements shall address the type, standard and timing of installation or construction of services, or monies to be set aside for future servicing needs.
- 5.3.2 The Resort Village will work with adjacent and nearby municipalities to establish servicing requirements in order to coordinate services between the municipalities, where appropriate.
- 5.3.3 Council is authorized to establish, by bylaw, development levies to recover the capital costs of services and facilities associated with a development approved through the development permit application process in accordance with Section 169 of the Act. The amount of development levies shall be based on an infrastructure study prepared by a professional engineer that is licensed to practice in Saskatchewan.
- 5.3.4 In accordance with the Act, if Council adopts a development levy bylaw, a development levy agreement between the developer and the Resort Village may be required to address the type, standard and timing of installation, or construction, of services.

5.4 Comprehensive Development Reviews

- 5.4.1 Where Council deems a proposed subdivision, by amendment, or development to have significant impact on the land it is to occupy, municipal infrastructure or services, environmental conditions, public safety, or general public well-being, it may require a proponent to provide a detailed application submission and narrative which may include the following:
 - a) A detailed site layout of proposed new development including roadways, access locations, the location of dedicated lands, potential building locations, dedicated lands and utility parcels, and development phasing if applicable.
 - b) Any professionally prepared report deemed necessary by Council to determine the suitability of development with respect to potential natural or human-induced hazards, any limitations to future development, and any required mitigation measure to ensure the suitability of the development.
 - c) Any professionally prepared report to address water and sewage provision and capacity, surface water drainage, or appropriate fire suppression and emergency planning.
 - d) Any other matter deemed by Council as necessary to guide a fully informed decision.
- 5.4.2 The initial scope of the comprehensive development review will be scaled appropriately to the proposed subdivision or development, and applicants are encouraged to consult the Resort Village for initial requirements prior submission of a development or subdivision application.
- 5.4.3 The outcome of the findings in the application or any professional report prepared thereto, may help form the basis of a servicing agreement, or approval condition. Once the comprehensive development application has been reviewed and accepted by Council, no subsequent subdivision or development shall occur without the acceptance of any revision by Council.

5.5 Land Dedication

- a) The use of dedicated lands shall comply with *The Planning and Development Act, 2007*, and the *Dedicated Lands Regulations, 2009*.
- b) The Resort Village recognizes the importance of supporting school opportunities. At the time this bylaw was approved, there was not an identified need for a future school site within the Village. If the need for a school site is identified, the municipality will work with the Ministry of Education and the local school division to ensure the creation of a site suitable for that purpose and accommodate the school accordingly. If the need for a school site is identified in a neighbouring municipality that will accommodate students from the Village, Council may contribute funds from the dedicated lands account for the acquisition of that site.
- c) In addition to the use of dedicated lands identified in b), the Resort Village's policy with respect to the use and designation of dedicated lands is as follows:
 - 1) Land dedication requirements at the time of subdivision shall occur in accordance with the provisions of the Act.
 - 2) Money in lieu of municipal reserve dedication will be preferred unless the dedication of land for municipal reserve is desired by Council to meet community recreational needs.
 - 3) Funds from the dedicated lands account may be used for purchase of lands for municipal reserve, environmental reserve, or public reserve, and development thereon, either within the Resort Village, in other municipalities, or other eligible entities as allowed by the Act, that will serve the residents of the Village in accordance with provincial regulation.
 - 4) Culturally and historically lands and buildings may be conserved and protected by way of designation as dedicated lands.
 - 5) Where appropriate and practical, dedicated lands will be used to protect archaeological sites, heritage and culture resources.
 - 6) Council will encourage the subdivision approving authority, to dedicate environmental reserve for lands that have environmental constraints or are potentially hazardous, in accordance with section 185 of the Act.
 - 7) At the time of subdivision, Council will work with the approving authority and the proponent to employ as required or desirable, municipal buffer strips and walkways.
- d) Where appropriate, municipal reserve may be used as, or integrated with, walking paths, green space, and trails.
- e) Municipal reserve, environmental reserve and public reserve shall not be used for private structures, camping or other similar privately run facilities, unless proper permits or permission have been granted under the Zoning Bylaw and the Act. Unauthorized development and encroachment on dedicated lands shall be prohibited.
- f) Council may, by resolution, authorize temporary Resort Village -sponsored community events on dedicated lands.
- g) Subdivision proposals which include or are adjacent to waterbodies or retention ponds should include walking paths to or surrounding the waterbody such that public access can be maintained.

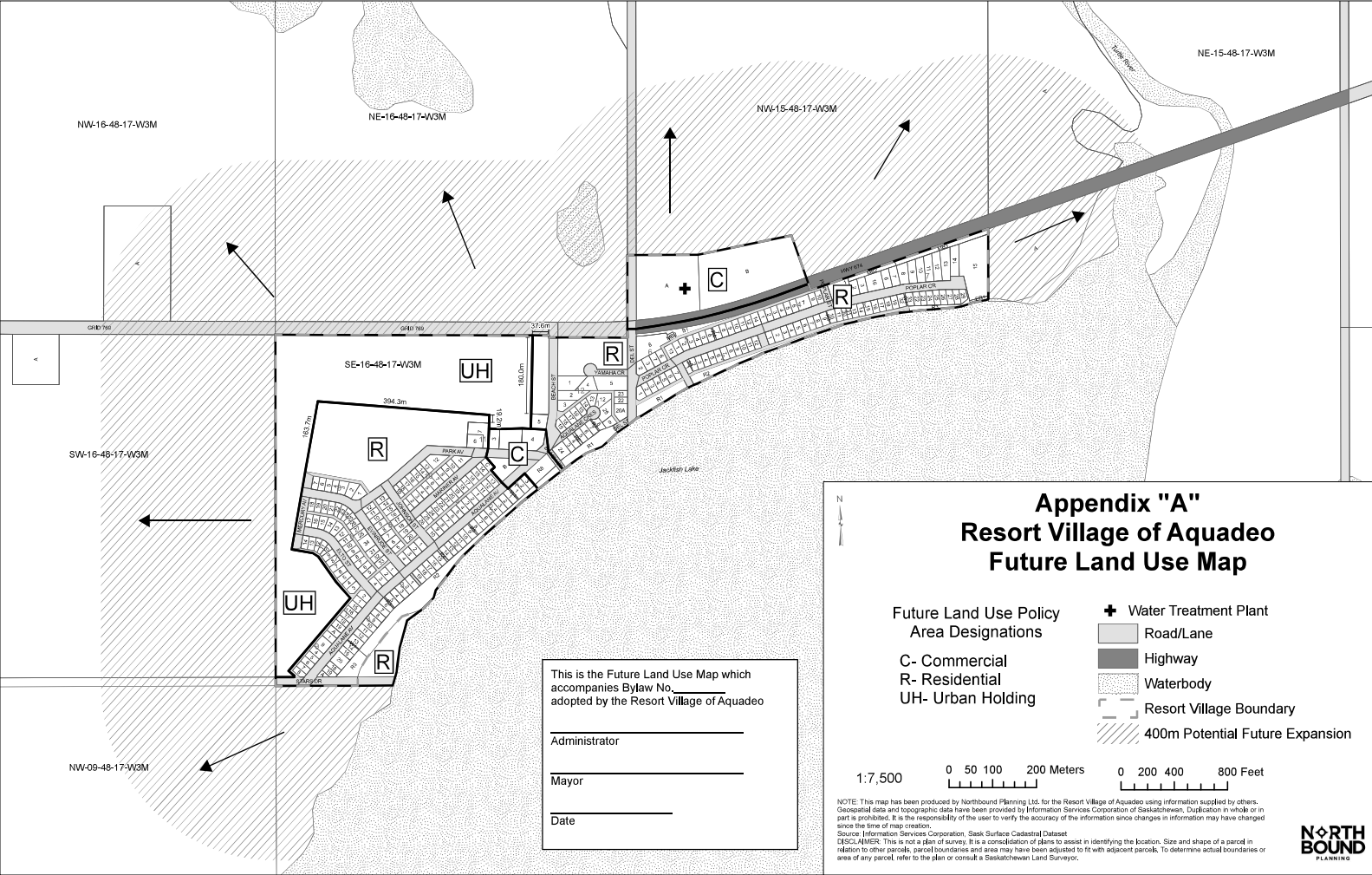
5.6 Concept Plans

- 5.6.1 Pursuant to Section 44 of the Act the Resort Village may adopt concept plans to provide a general framework to guide future subdivision and development of an area of land. Concept plans are to be amended into the OCP as a subsequent appendix.

5.7 Administration

- 5.7.1 This Official Community Plan is binding on Council and all development within the Resort Village.
- 5.7.2 Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this OCP, including the Future Land Use Map should be reviewed and updated every five (5) years, but it is recommended yearly reviews are completed to keep the policies and regulations current with changing provincial legislation, and demands for development within the Resort Village.
- 5.7.3 The Resort Village may maintain mapping and information related to other municipal infrastructure and amenities it provides and maintains and may supplement the information in this Plan to guide decision making. The nature of this information is such that it is subject to frequent changes and has intentionally be omitted from this plan for that reason. Interested individuals are encouraged to contact the Resort Village office for this information
- 5.7.4 The Resort Village may endeavor to develop and create a separate Official Community Plan implementation plan. The primary purposes of the implementation plan would be to identify an inventory and the condition of the Resort Village's assets, and establish priorities, action items, and timelines for maintenance and investment, to ensure a planned, sustainable, and coordinated approach to land use planning and development.
- 5.7.5 The interpretation of words and terms as contained in the accompanying Zoning Bylaw shall apply to the words and terms in this Plan.
- 5.7.6 If any part of this Official Community Plan is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the Plan as a whole, or any other part, section or provision of this Plan.

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Zoning Bylaw

Resort Village of Aquadeo

Bylaw No. 04-2025

Zoning Bylaw of the Resort Village of Aquadeo

Resort Village of Aquadeo

Bylaw No. **04-2025**

A bylaw to adopt a Zoning Bylaw for the Resort Village of Aquadeo.

1. **WHEREAS**, Section 46 of *The Planning and Development Act, 2007* (the Act) authorizes council to prepare and adopt a Zoning Bylaw for all or part of the municipality in conjunction with the adoption of an Official Community Plan;
2. **WHEREAS**, in accordance with Section 207 of the Act, the Council of the Resort Village of Aquadeo held a public hearing on _____, 2025, with regards to the proposed bylaw, which was advertised in a weekly paper on _____, 2025, and _____, 2025, in accordance with the public participation requirements of the Act; and
3. **WHEREAS**, in order to ensure the orderly development of the Resort Village of Aquadeo the Council deems it necessary to adopt a Zoning Bylaw.
4. **THEREFORE**, the Council of the Resort Village of Aquadeo in the Province of Saskatchewan in open meeting enacts as follows:
 - 1) This bylaw may be cited as the “Resort Village of Aquadeo Zoning Bylaw”.
 - 2) Bylaw No. 19/89 known as the “Zoning Bylaw” including all amendments thereto are hereby repealed.
 - 3) Schedule “A” attached hereto is hereby adopted as the “Resort Village of Aquadeo Zoning Bylaw.”

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

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of this Bylaw this _____ day of _____, _____

MAYOR

ADMINISTRATOR

SEAL

Zoning Bylaw of the Resort Village of Aquadeo

Schedule “A”

Resort Village of Aquadeo

Zoning Bylaw

PREPARED FOR:

THE RESORT VILLAGE OF AQUADEO

BY:

NORTHBOUND

Planning Ltd.
Meota, SK

June 2025

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1 Introduction

Under the authority of *The Planning and Development Act, 2007* (the Act), the Council of the Resort Village of Aquadeo in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 Title

This Bylaw shall be known and may be cited as the Zoning Bylaw of the Resort Village of Aquadeo.

1.2 Scope

This Bylaw pertains to all lands within the Resort Village of Aquadeo. Development shall be permitted within the limits of the Resort Village when it is in conformity with the provisions of this Bylaw.

1.3 Purpose

- 1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Resort Village of Aquadeo in accordance with the Resort Village's Official Community Plan (OCP) Bylaw.
- 1.3.2 The intent of the Zoning Bylaw is to provide for the amenity of the area within the Resort Village of Aquadeo and for the health, safety and general welfare of the inhabitants of the Resort Village and area:
 - a) To minimize land use conflicts;
 - b) To establish minimum standards to maintain the amenity of the Resort Village;
 - c) To ensure development is consistent with the physical limitations of the land;
 - d) To restrict development that places undue demand on the Resort Village for services; and
 - e) To provide for land use and development that is consistent with the goals and objectives of the Resort Village.

1.4 Severability

If any section, clause or provision of this Bylaw, including anything shown on the Zoning District Map for the Resort Village of Aquadeo 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 District Map for the Resort Village, declared to be invalid.

1.5 Bylaw Compliance

Errors and/or admissions by the Development Officer or someone acting under their direction administering this Bylaw while processing applications for development do not clear any party of responsibility for complying with the provisions of this Bylaw or any other bylaw of the Municipality or relieve any applicant from liability for failure to comply with this Bylaw.

1.6 Other Legislative and Bylaw Requirements

Nothing in this Bylaw affects the duty or obligation of a person to obtain a Development Permit, or to obtain any other permit, license or other authorization required by any bylaw, or the Act, or any regulation pursuant to those provincial regulations, or from any other higher order of government.

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2 Definitions

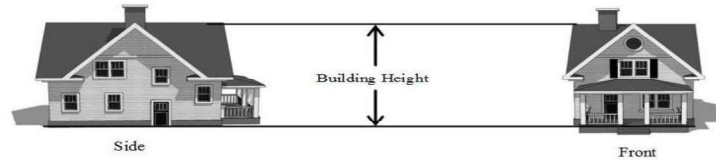
Wherever in this Bylaw and the Official Community Plan, the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:

Accessory:	A use, building, or structure, which is incidental and subordinate to, and is customarily associated with the principal use or building and is conducted on the same lot with the principal use or building.
Act:	<i>The Planning and Development Act, 2007</i> , as may be amended from time to time.
Administrator:	The Administrator for the Resort Village of Aquadeo.
Agricultural Operation or Use:	In the context of the Resort Village, agricultural use and operations shall include the production of agricultural, horticultural, and vegetable crops. It may include limited keeping of animals as prescribed in this Bylaw, but does not include in apiaries or bee-keeping.
Alteration:	Any structural change or addition made to any building, or a change of intensity of use.
Ancillary:	A use, building, or structure that is secondary and subordinate in purpose to the principal building or use on the same site but is not necessary for the operation of the principal building or use on that site.
Bare Land Condominium:	A condominium divided into bare land units as defined in <i>The Condominium Property Act, 1993</i> , as may be amended from time to time..
Bare Land Unit:	A bare land unit as defined within <i>The Condominium Property Act, 1993</i> , as may be amended from time to time..
Bed and Breakfast:	A bed and breakfast facility in a single detached dwelling occupied by its owner, licensed as an itinerant use accommodation under <i>The Public Accommodation Regulations</i> in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the traveling public for a charge.
Beverage Room:	An establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food may be an accessory use to the drinking establishment but is subject to all applicable provincial regulations.
Breezeway Corridor:	An accessory roof structure physically connecting two buildings such as dwelling and an accessory private garage or other similar structure. Where a breezeway connecting the two structures is walled or screened in, and placed on a permanent foundation, it may serve as an enclosed corridor.
Building:	A structure used for the shelter or accommodation of persons, animals, goods or chattels.

Zoning Bylaw of the Resort Village of Aquadeo

Building Bylaw: A bylaw of the Resort Village of Aquadeo regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures adopted pursuant to The Construction Codes Act.

Building Height: The vertical distance of a building measured from natural grade level at the front building line to the highest point of the roof.



Building Permit: A permit issued under the Building Bylaw of the Resort Village of Aquadeo authorizing the construction of all or part of a building or structure.

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

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

Building Line, Front: The line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

Bunkhouse: An ancillary building or space within an accessory building offering basic sleeping accommodations for residents and guests, and which is considered and accessory to a principal residential use. A bunkhouse can contain basic electrical services, is subject to any requirement of the National Building Code, but cannot contain plumbing, a kitchen, or facilities for the preparation and cooking of food.

Campground (Daily Use): An area of land managed as a unit composed of individual campsites, used to provide accommodation for tents and Recreational Vehicles where campsites are rented for short-term periods up to fourteen (14) consecutive days. It may include a group campsites component as regulated within this Bylaw.

Campground (Seasonal Use): An area of land managed as a unit composed of individual campsites, used to provide accommodation for Recreational Vehicles, Park Model RVs and Homes, where campsites are for long-term periods for fifteen (15) consecutive days or longer. It shall not include any component of group campsites.

Camping Unit: Vehicles or structures that are or may be used as a temporary living quarter or shelter, and typically includes: tents, vans, cars, trucks with sleeping facilities built-in or attached; Recreational Vehicles; Park Model Trailers and Homes; and, other similar uses.

Campsite: An area within a campground, designed and developed to accommodate a family or a specified number of persons or camping units.

Zoning Bylaw of the Resort Village of Aquadeo

Campsite (Group)	An area of land within a campground managed as a unit for rental or lease, used to provide accommodation for tents, and Recreational Vehicles. Multiple camping units may be allowable within a group campsite.
Certified Professional:	A professional engineer or geoscientist licensed to practice in Saskatchewan, within a certain discipline or field of study.
Club:	A service club or private club which involves recreational, social, cultural or athletic activities.
Commercial Entertainment Establishment:	A recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alley, theatre, billiard parlor and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).
Commercial use:	The use of land, building(s), or structure(s) for the purpose of retail or general services, buying and selling commodities, and supplying professional and personal services for compensation.
Community Centre:	A facility operated by the Municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.
Complete Application:	Pertains to a development permit application, whereby all necessary information stated on an application and this Bylaw has been received by the Development Officer, including that any additional supporting information to determine site placement or suitability has been provided to its satisfaction.
Construction Trades:	Offices, shops and warehouses, with or without associated retail sales, of plumbing, heating, electrical, carpentry, masonry, and other trades associated the construction of buildings.
Council:	The Council of the Resort Village of Aquadeo.
Deck:	Any raised floor structure at least 0.31 metres (1 ft.) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access. It shall not include walkways as separately defined.
Development:	The carrying out of the placement, removal, demolition, or construction of a building or structure. Development also includes excavation, landscaping, mining, or other operations in, on or over land, or the making of any material change in the intensity of use of any building or land.
Development Officer:	The officer of the Resort Village of Aquadeo appointed to administer this Bylaw.
Development Permit:	A permit issued by the Resort Village of Aquadeo or its designate that authorized development but does not include a building permit, but does not include a permission for temporary development located on dedicated lands in accordance with s. 194 of the Act.

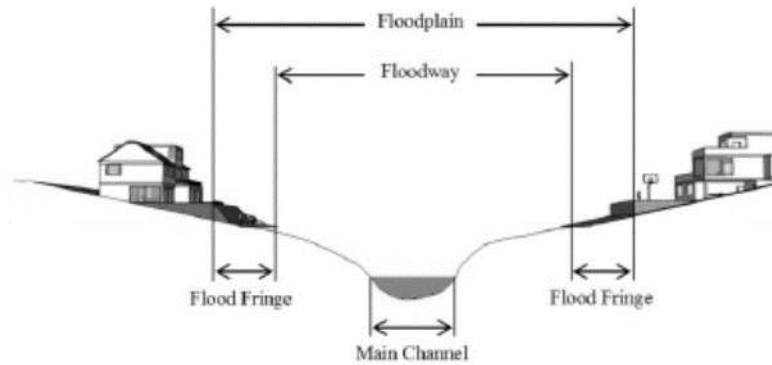
Zoning Bylaw of the Resort Village of Aquadeo

Development Standard Interest:	An interest registered on the title of a parcel that identifies a standard to which development on such parcel must adhere, which was imposed by the subdivision approving authority at the time of subdivision review and approval.
Discretionary Use:	A use or form of development specified in the general regulations or a zoning district which may be allowed at Council's discretion following application to, evaluation of, and approval by the Council and subject to specific development standards provided in this Bylaw and prescribed by Council.
Dwelling:	A building or part of a building intended for residential occupancy.
Dwelling Group:	Two (2) or more single detached dwellings, manufactured homes, park model homes and RVs, RVs, and similar, located on a single parcel.
Dwelling, Single-Detached:	A detached building consisting of one dwelling unit. Without limiting the specificity of the individual definitions which supersede, it may include: a dwelling constructed on site, a modular home, a RTM, or Move-In Residence; but shall not include a Manufactured Home, Park Model Home or RV, a Recreational Vehicle, or a Secondary Suite.



Dwelling Unit:	One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and sanitary facilities.
Estimated Peak Water Level (EPWL):	The water level calculated by the Water Security Agency or other certified professional to determine a flood hazard area. It is based on the 1:500 peak flow for rivers and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most water bodies.
Fence:	An artificially constructed barrier erected to enclose or screen areas of land.
Flood:	A temporary rise in the water level that results in the inundation of areas not ordinarily covered by water.
Flood Fringe:	The portion of the floodplain where the waters in the 1:500 year flood plain (hazard area) are projected to be less than a depth of one metre or a velocity of one metre per second. (See diagram in definition of <i>Flood Plain</i>).

Flood Plain: Means the area prone to flooding from a water body or watercourse that compromises the combined area of the flood way and flood fringe.



Flood Proofing: Any combination of structural and non-structural additions, changes or adjustments to structures or land that will significantly reduce or eliminate flood damage to real estate or improved real property and their contents up to and including the design flood level plus a freeboard of 0.5 metres (1.64 feet).

Flood Way: The portion of the flood plain adjoining the channel where the waters of the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second. (See diagram in definition of *Flood Plain*).

Floor Area: The area on all levels devoted to a single use contained within the outside walls of a building, excluding in the case of a dwelling any space located within any attached garage, porch, veranda, sunroom, unfinished attic, or unfinished basement where uninhabited.

Footprint Area: The area below any building or structure, and its supporting elements at the exterior limits of such building or structure.

Frontage: The length of the front site line; however in the case of a corner lot or site the shorter of the side site lines shall be the frontage. In the case of an irregular or 'pie-shaped' lot or site, frontage shall be measured as the width of the site at the minimum front yard setback.

Future Land Use Map: A map which denotes current or future land use or policy areas. The Future Land Use Map for the Resort Village of Aquadeo is attached as Appendix "A" in the Official Community Plan.

Garage, Private: A building or part of a building used or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

Garage, Public: A building or place where motor vehicles are stored or repaired for remuneration but does not include car washing establishments, an auto sales lot or an automobile service station.

Zoning Bylaw of the Resort Village of Aquadeo

Gas Bar:	A building or place where fuel and automotive fluids are sold and may be added to a vehicle on the property, and which may have a convenience store and/or restaurant.
Golf Course:	A public or private area, generally on one site, operated for the purpose of playing golf, and includes a par 3 courses, club house (including restaurant and beverage room), buildings for the storage of maintenance equipment, recreational facilities, driving ranges, and similar uses.
Grade:	The average elevation of the natural ground level (undisturbed surface of the land that exists before any human intervention) at the walls of a building or structure as determined by the elevation of the outside corners of the building or structure.
Greenhouse, Private:	A building for the growing of flowers, plant, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products are not be offered for sale.
Gross Floor Area:	The total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at, and above grade, including attics; enclosed porches, sunrooms verandas, and balconies; electrical or mechanical rooms, and basement areas used exclusively for parking or storage.
Habitation:	The act of living, occupying, or residing in a place by people.
Hazardous Material:	A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or other living organisms.
Hazard(ous) Land:	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.
Heritage Resource:	The history, culture and historical resources of an area and its residents.
Highway Sign Corridor:	A strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled <i>The Provincial Highway Sign Control Regulations, 2012</i> as may be amended from time to time.
Home Based Business:	A business, occupation, trade, profession or craft customarily conducted entirely within a residential, accessory, or ancillary building by the inhabitants of the dwelling, and where the use is clearly ancillary and secondary to the residential use.
Hotel:	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, but does not include a motel or rooming house.

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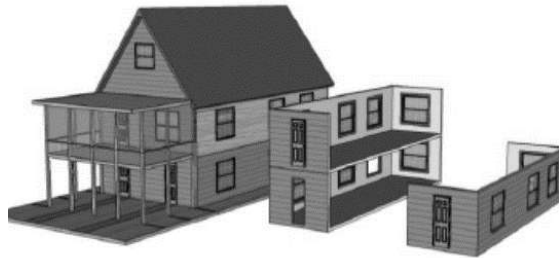
Integration, Horizontal and Vertical:	The accommodation of multiple complimentary commercial activities or uses which could be considered principal allowable uses under single or multiple ownership within one or more buildings on a single site where said uses are considered to provide complimentary processing, manufacture, or service offering of activities on the site. "Horizontal" where distributed at ground level; and "vertical" where on multiple levels within a common building.
Kitchen:	Any room or area in which food is cooked or prepared and which contains facilities and equipment used for the storage, preparation or serving of food. The facilities and equipment mentioned above may include such things as kitchen cabinets, kitchen sinks, kitchen stoves, dishwashers, other appliances and associated plumbing and wiring services (specifically 240V).
Landscaping:	Alteration to the original or natural vegetation of a site through addition, rearrangement, or change for decorative purposes. It shall include walkways, driveways, parking areas, patios, placement of topsoil, grass, trees and similar features.
Lane or Laneway:	A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.
Loft Garage:	An area within a private garage that is used for storage of private chattel(s) or is used as a bunkhouse or secondary suite, but which does not necessarily contain all the primary elements of a dwelling unit.
Lot:	An area of land with fixed boundaries and that is of record in the Land Titles Office by Certificate of Title.
Manufactured (Mobile) Home:	<p>A prefabricated building that conforms to the Canadian Standards Association # Z240 MH and:</p> <ul style="list-style-type: none">a) Used as a dwelling and is placed on a permanent foundation;b) Equipped with water faucets and shower, or other bathing facilities, that may be connected to a water distribution system and sewage collection system; andc) Equipped with a kitchen and food preparation facilities.d) Is built upon a steel deformation-resistant frame/chassis which allows it to be relocated as a unit from time to time.e) Is properly skirted and attached to, or placed on, a permanent foundation.
Manufactured (Mobile) Home Site:	An area of land, typically within a Manufactured Home Court, that is intended to be occupied by one mobile home, and for exclusive use of its occupants, with access to a driveway or a public street.
Manufactured (Mobile) Home Court:	A parcel or site on which is harbored three or more Manufactured Homes, Park Model Homes or RVs, or Recreational Vehicles.
Mayor:	The Mayor of the Resort Village of Aquadeo.

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Minimum Building Elevation (Estimated): The (estimated) Minimum Building Elevation (MBE) is the lowest permitted elevation of the top of any concrete pads, grade beams, piles or foundation walls. The MBE is determined from a site specific assessment conducted by a qualified professional engineer or the Water Security Agency. The MBE is an elevation of at least 0.5 metres above the 1:500 year flood elevation of any watercourse or water body located in the flood fringe.

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

Modular Home: A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwelling built on site in the Resort Village, and conforming to the Canadian Standards Association (CSA) # A277.



Motel: A building or group of buildings on a site designed and operated to provide temporary accommodation in exchange for remuneration and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

Move-In (MI) Residential Building: A single detached dwelling and/or private garage accessory thereto 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 or accessory building.

Municipal Facilities: Shall mean a use or facilities owned or operated by or for the Resort Village, or by a corporation under agreement with or under a franchise from the Resort Village or under a federal or provincial statute, which furnishes services and facilities including but not limited to: municipal offices and yards; and emergency and protective services. It shall not mean: those things listed as a "Public Utility" or "Public Works", community or institutional uses, or recreational uses where specifically identified within a zoning district.

Municipality (Resort Village and Village) The "Resort Village of Aquadeo" or shorter forms thereof unless otherwise specified.

Non-Conforming Building: A building:

- a) That is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a

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Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and

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

Non -Conforming Site:

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

Non-Conforming Use: A lawful specific use:

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

Park Model Home:

A dwelling unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters primarily for a seasonal use; has water faucets and shower or other bathing facilities that maybe 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. Maximum length no greater than 14.6 meter (48 feet) and shall not exceed 50.17 square metres (540 sq. ft.) in interior area. Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association and is similar in form and construction to the following:



Park Model Recreational Vehicle (RV):

A unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 meters (8.6ft). Designed for infrequent towing, it is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities. This recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 sq. meters (400 sq. feet). It conforms to the CSA Z-240 Standard for RVs and is similar in form and construction to the following:

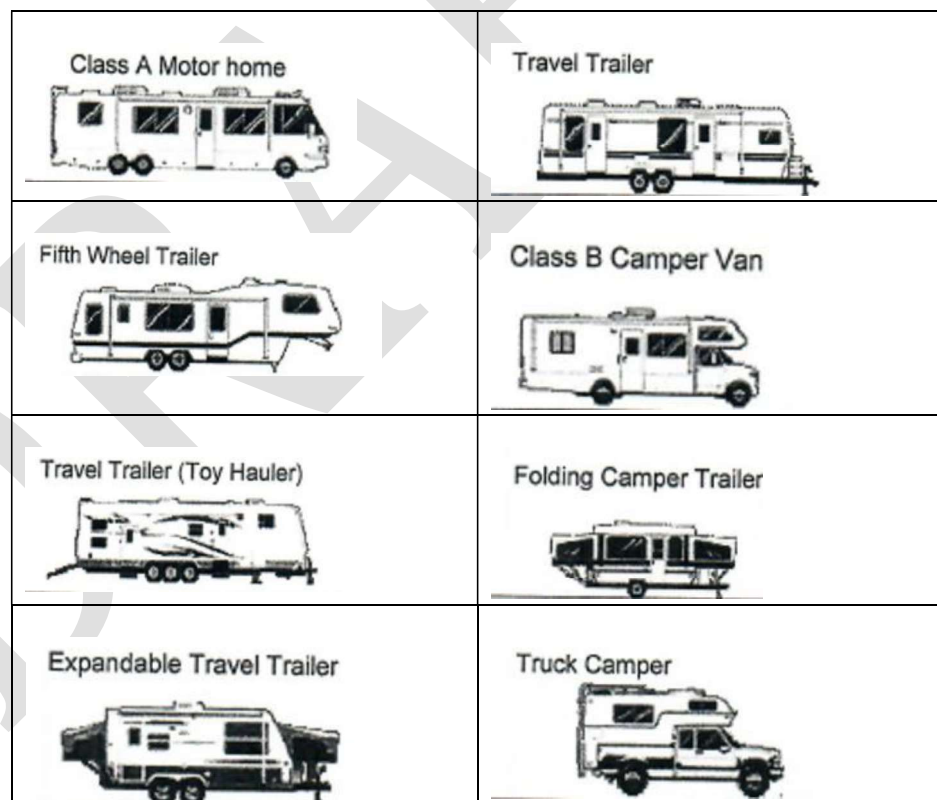


Parking Space:	A space for the parking of one (1) vehicle within a building, or parking lot with unobstructed access to the adjacent road.
Patio:	Any hard surface or floor structure 0.3 metres (1 ft.) or less above the average ground level upon which is constructed.
Permanent Foundation:	Any concrete 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.
Personal Service Establishment:	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.
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.
Property:	Depending on context may refer to: <ul style="list-style-type: none">a) Personal chattel(s), development, buildings and other structures; or,b) A land area, site or parcel boundary.
Public Roads or Roadways:	Shall include all forms of roads, streets, lanes, other registered road right-of-way, etc. as defined in <i>The Highways and Transportation Act, 1997</i> , where located on registered road right-of-way.
Public Work/Utility:	A system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality: <ul style="list-style-type: none">a) Systems for the production, distribution or transmission of electricity;b) Systems for the distribution, storage, or transmission of natural gas or oil;c) Facilities for the storage, transmission, treatment, distribution or supply of water;d) Facilities for the collection, treatment, movement or disposal of sewage and garbage;e) Telephone or light distribution lines;f) Microwave and cell phone tower communication facilities;g) Facilities for optical cable, cable television services, or other telecommunications.

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Real Property Surveyor's Report:	A report prepared by a certified Saskatchewan Land Surveyor, certifying the accurate location buildings, structures, and easements; and, where applicable, topographical information showing that the proposed elevation of all floors, including basements, is above the Minimum Building Elevation as defined herein.
Recreational Use:	The use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres and all similar uses, together with the necessary and accessory buildings and structures; though does not include the racing of animals or motorized vehicles.
Recreation Vehicle (RV):	A vehicle used for personal pleasure or travels by an individual or family which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above a recreational vehicle includes motor homes, camper vans, camper trailers, truck campers, 5 th wheels, travel trailers, park model RVs and tent trailers. It does not include park model homes or RVs as separately defined herein.

The following illustration provides some general examples of different types of RVs described above:



Restaurant:	A building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. Limited facilities may be permitted to provide for a takeout food function provided that such a facility is clearly secondary to the primary restaurant use.
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Retail Store:	Establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.
Retaining Wall:	A wall constructed of concrete, steel, treated wood, stone, masonry, soil or a combination thereof, designed to support, confine, retain, or keep in place earthen material. Landscaped steps which are built into a slope or the ground are considered a tiered form of retaining wall. The height of a retaining wall is determined by measuring the vertical distance between the finished grade at the base of the structure and the top of the wall. Alterations to slopes shall be considered a retaining wall where the slope exceeds 45 degrees from natural grade to peak or crest of any altered slope. Raised garden beds, planter boxes, and similar structures shall not be considered a retaining wall where all sidewalls of the structure do not retain earthen materials around its exterior walls. A retaining wall is an accessory use requiring discretionary approval of Council.
RTM (Ready to Move) Home:	A new single detached dwelling constructed off-site to National Building Code or CSA-A277 standards to be moved onto a new permanent residential site building foundation, and placed on a permanent foundation.

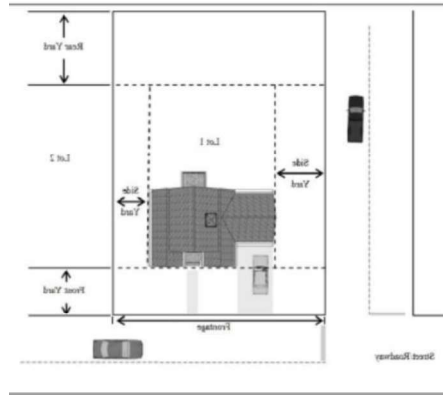


Satellite Dish:	A parabolic or other antenna utilized for the reception of satellite transmitted radio waves.
Secondary Suite:	<p>A self-contained habitable unit that is a secondary and subordinate ancillary use to a single detached dwelling, and is located within;</p> <ul style="list-style-type: none">a) a portion of a building in which the principal use is a single detached dwelling;b) an ancillary building devoted exclusively to the secondary suite;c) a portion of building that is accessory to a single detached dwelling but is not otherwise a dwelling (eg. private garage);

It shall not include Park Model Homes or RVs, a Recreational Vehicle, a Manufactured Home, or a Bunkhouse.

Service Station:	A building which is a principal use on a site or a structure which is an accessory use in a clearly defined space on a site; where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle, and where the service station is a principal use on the site, it may also include the servicing and repairing of motor vehicles.
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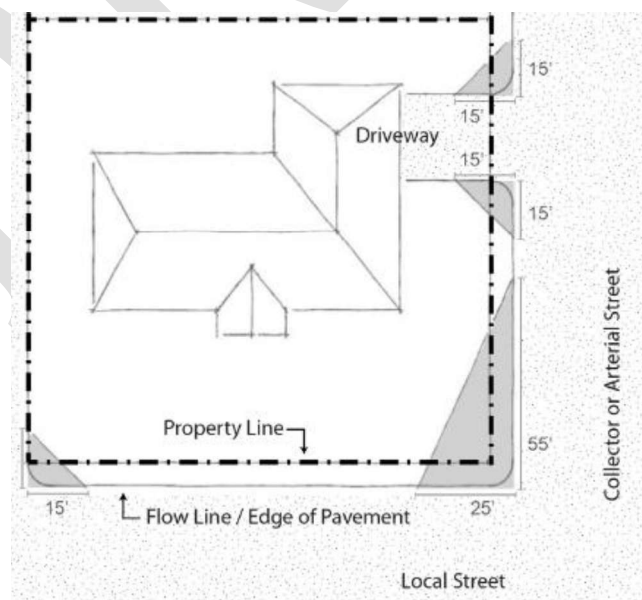
Setback: The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw, or any other prescribed separation between land uses.



Shed: A small accessory out-building or structure intended to provide shelter for private chattel(s) or storage.

Shipping Container: An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the enclosed transportation of goods by one or more means of transportation. It includes but is not limited to: intermodal shipping containers (sea can) whether supported by a trailer or chassis, placed on the ground, or on a permanent foundation; the body of transport trailer or strait truck box; but does not include a motor vehicle.

Sight (Site) Triangle: The area at the intersection of two streets, the intersection of a driveway and a street, or the intersection of an alley and a street. In this triangular area, a clear zone must be maintained to minimize obstructions to view. This can affect the permitted height and location for improvements such as fences, buildings, landscaping or signs.



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.
Sign, Billboard:	A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the site on which the sign is located.
Sign, Construction:	A temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.
Sign, Directional:	<p>Any sign:</p> <ul style="list-style-type: none">a) Displaying safety or warning messages;b) Directing traffic or providing parking directions; andc) Giving instructions, directions or orders to persons making use of premises.
Sign, Face:	The entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area. In the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.
Sign, Facial Area:	The entire surface area of a sign or, in the case of a painted wall sign, the smallest geometric figure which describes the area enclosed by the sign face.
Sign, Free Standing:	A sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.
Sign, Height:	The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.
Sign, Identification:	A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.
Sign, Mobile:	A free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purpose.
Sign, Real Estate:	A temporary sign that advertise for sale, rent, or lease the land, property or premises on which the sign is displayed.
Sign, Temporary:	A sign advertising a message applicable for a defined period of time and not exceeding six (6) months.

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Sign, Wall:	A sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 feet) from such building or structure.
Site:	See definition of <i>Lot</i> .
Site, Lakefront:	A site or parcel of land which abuts Jackfish Lake, dedicated lands, or roadway lying therebetween.
Site (Lot) Coverage:	The percentage of the site area covered by all buildings and structures at ground level or above including decks, patios, hard-surfaced driveways and parking areas and other similar uses. It does not include the area of a site covered by temporary or movable items such as recreational vehicles, automobiles, watercraft, and similar items unless permanently placed; and, the area of any uncovered deck or shed 9.29 m ² (100 ft ²) or under.
Site Line, Front:	The boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.
Site Line, Rear:	The boundary at the rear of the site and opposite the front site line.
Site Line, Side:	A site boundary other than a front or rear site line.
Site Plan:	A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.
Solar Energy System:	Any solar collector panel, film, shingle, or other solar energy device or solar structural component mounted on a building or on the ground and including other appurtenant structures and facilities, whose primary purpose is to provide for the collection, storage, and distribution of solar, or radiant, energy received from the sun to provide electrical power for use on-site (either behind the metre or off-grid).
Spa:	A small tub or shallow pool containing heated water for the purpose of providing hydrotherapy. A spa may employ powered jets for massage and water circulation and filtration systems. Also commonly known as a <i>hot tub</i> .
Statements of Provincial Interest Regulations (SPI):	<i>The Statements of Provincial Interest Regulations.</i>
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 that is placed, used, built, constructed or erected, located on the ground, or attached to something located on or in the ground.

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Structure, Temporary:	Anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.
Suitability (Suitable):	Considerations made for development or subdivision captured by Section 14 of <i>The Subdivision Regulations, 2014</i> (as amended or replaced), and modified as necessary for the purpose of development permit and municipal subdivision review.
Swimming Pool (Private):	A privately-owned artificial structure which retains water for the purpose of bathing or swimming and may be located above or within the ground. It is not synonymous with a spa.
Resort Village:	The Resort Village of Aquadeo.
Units of Measure:	Units of measure in this Bylaw are metric abbreviated as follows: <ul style="list-style-type: none">• m – metre(s)• m² – square metres(s)• km – kilometre(s)• ha – hectare(s)• ft – foot (feet)• ft² – square feet• mi – mile(s)• ac – acre(s)
Use:	The activity or purpose for which any land, building, structure, premises or part thereof is arranged, designed, intended, occupied or maintained.
Walkways:	A structure built of wood, composite material, concrete, paving stone, bricks, or similar materials which typically, but not exclusively, runs along a side property boundary providing access to open areas within a site. A walkway is generally kept free of obstructions, furniture, or storage of chattels on a consistent basis. It is not the same as a “walkway” as employed in the Act as a form of dedicated lands.
Yard:	Any part of a lot unoccupied and unobstructed by any principal, accessory, or ancillary building or structure.
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 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.
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 District: A specifically delineated area of the municipality within which certain uniform requirements and regulations, various combinations thereof, govern the use, placement, spacing and size of land or structures.

3 Administration

3.1 Development Officer

- 3.1.1 The Resort Administrator, shall be the Development Officer responsible for the administration of this Bylaw unless another designate has been appointed by Council by resolution.
- 3.1.2 The Development Officer shall:
- a) Maintain, for inspection by the public during office hours, a copy of the Official Community Plan and Future Land Use Map, and amendments thereto, this Bylaw, zoning map(s) and amendments, and ensure that copies are available to the public at a reasonable cost;
 - b) Collect development and amendment fees, where established in this bylaw or by separate fee bylaw of the Resort Village;
 - c) Be authorized to finalize and issue decisions on development permits for permitted uses.
 - d) Perform other duties as determined by Council where consistent with the Act.
 - e) Defer any planning and development decision to Council for its input, bylaw interpretation, or decision, where, in its opinion, the nature of the matter requires a specific review by Council.
- 3.1.3 The Development Officer shall receive, review and forward to Council:
- a) Development permit applications for discretionary uses;
 - b) Applications to amend the Official Community Plan or the Zoning Bylaw;
 - c) Subdivision applications;
 - d) Development and servicing agreements;
 - e) Applications for minor variances.

3.2 Council

- 3.2.1 Council shall make all decisions regarding discretionary uses, minor variance applications, development and servicing agreements and amendments to the Official Community Plan or Zoning Bylaw.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by the subdivision approving authority within the specified time period, where applications are complete and the Resort Village has sufficient information by which to provide an informed response.

- 3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007*, in accordance with the Official Community Plan, and this Bylaw.

3.3 Interpretation

- 3.3.1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

3.4 Bylaw Compliance

- 3.4.1 Errors or omissions by any person administering or required to comply with the provisions of the Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

3.5 Application for a Development Permit

- 3.5.1 Unless the particular development or use is exempt from development permit requirements, no person shall commence a development without first obtaining an approved development permit.
- 3.5.2 Development(s) exempt from permitting under this Bylaw shall be required to comply with any general or specific regulation of the Bylaw. The Resort Village may pursue enforcement on matters regulated but exempt from permitting in this Bylaw.
- 3.5.3 An application for a development permit shall be in the form prescribed by the Development Officer and shall include the following, unless exempt by the Development Officer for any application to be deemed complete:
- a) A description of the existing and intended use or development including any change in building use or land use
 - b) Legal land description
 - c) The signature of the applicant and the registered landowner(s)
 - d) A copy of the Certificate of Title and any relevant interests on title. A proponent may request this service of the Development Officer and the proponent will be responsible for any fees related to retrieval from the land titles system, in addition to any application fee specified by the Resort Village.
 - e) Estimated commencement and completion dates of development and construction, including phasing if applicable.
 - f) Source of water supply and method of treatment
 - g) Method of sewage disposal
 - h) Floor plans and elevations of the proposed development including building and structure cross-section drawings (which will be kept at the Municipal Office for future reference)
 - i) Any additional information deemed necessary by the Development Officer or Council which may include, but is not limited to, technical reports and assessments identifying water and wastewater service requirements and impacts, traffic impacts, environmental impacts, topographical information, slope instability, flood risk, and/or any other information necessary to determine suitability of development. Where such a report or

assessment is requested, it shall be provided by a professional licensed to practice in Saskatchewan.

- j) An attached site plan, which shall include the following unless exempted by the Development Officer:
 - 1) All adjacent roads, highways, service roads and access to the site (label on site plan)
 - 2) Right-of-ways and easements (gas, oil, power, etc.)
 - 3) All drainage courses (natural, and/or as modified by proposed development)
 - 4) Existing development on the site
 - 5) Location with dimensions and property setbacks of the existing and proposed buildings and uses on the site
 - 6) Landscaping (existing trees, removal of trees, proposed plantings, berms, retaining walls, water features, etc.)
 - 7) Setbacks to property boundaries, roads and services
 - 8) Top of bank and bodies of water
 - 9) Existing and proposed services: well or cistern, waterline, sewage disposal, etc.
 - 10) Sign location and details like artwork, colors, size, lights, etc.
 - 11) Site topography and special site conditions, which may require a contour map with elevations
 - 12) Parking and loading facilities
 - 13) Sidewalks, patios, playgrounds
 - 14) Scale and north arrow
- k) The Development Officer retains the right to ask for any study, research, or other information it believes is necessary for determining development suitability and bylaw compliance, at the applicant's cost, before rendering a decision. Such items may relate to, but are not limited to:
 - 1) Managing surface water and drainage through the site.
 - 2) A Survey Sketch Plan, and/or Real Property Surveyors Report showing all existing structures and easements on the site in accordance with 3.6.
 - 3) Reclamation plans, emergency response plans, etc.
 - 4) Any and all photos or pictures of the proposed development in its existing condition where to be moved onto a lot or site.
 - 5) Topographic information and site elevations and may require surveyed information.
 - 6) Any analysis, assessment, study, or report prepared by an engineer licensed to practice in Saskatchewan, relating to the potential presence of hazard lands (eg. flooding, slope stability, drainage, building design and materials, etc.)

3.6 Survey Sketch Plan (SSP) and Real Property Surveyor's Report (RPSR)

- 3.6.1 Any proposed permanent development on a lakefront lot, or other lot where potential hazard land (as defined by provincial regulation) may be present, shall be required to submit a SSP prepared by a Saskatchewan Land Surveyor (SLS) at the time of development permit

application.

- a) Survey Sketch Plans and Real Property Surveyor's Reports shall not apply to lands other than those described in 3.6.1.

3.6.2 The SSP shall:

- a) Provide elevations such that a general overview of the topography of the site can be assessed for suitability and/or as directed in a provincial development standard, as it pertains to potential flooding, slope stability, or other natural hazard. This includes, but is not limited to: proposed foundation elevations, change in elevation throughout a lot or site; placement of fill, the elevation of flood-proofing measures to be employed, etc.
- b) Address any other matter specifically identified in a provincial development standard where accurate and surveyed information is required, in the opinion of the Development Officer or as directed by the standard(s), to determine development suitability.
- c) Identify the elevation datum that was employed.
- d) Show the location of all parcel monuments, parcel boundaries, site dimensions, and site area. In preparation of the survey sketch, the SLS shall stake all monuments for surface reference and provide confirmation of completion. The survey sketch plan may be employed for use as a layout or site plan or to supplement a separate layout or site plan.
- e) Be at the sole cost of the applicant.

3.6.3 Following foundation construction, and prior to any further building or development, a RPSR shall be required confirming placement of the development as granted in an approved permit, and that minimum flood-proofing requirement(s) or elevation has been achieved, or any other matter specified in a development standard or development permit condition.

3.6.4 Any RPSR shall also be at the sole cost of the applicant.

3.6.5 Where development permitting is not required in accordance with this bylaw, neither a SSP or RPSR is required; however, the landowner is responsible for adhering to and implementing the development standards which may be on title, and in accordance with any other regulation in this bylaw which pertains to development on hazard lands; the Resort Village retains the right to enforce its Zoning Bylaw in accordance with the Act.

3.6.6 3.6.3 shall not apply to buildings or structures less than 18.6 square metres (200 square feet) in area on a permanent foundation, provided no lands were deemed potentially hazardous upon receipt of the SSP, unless required by a provincial development standard.

3.6.7 In addition to 3.6.6, there is no RPSR requirement for fences, uncovered decks, non-permanent or moveable recreational vehicles and similar items, and approach and driveway construction provided it is not in a hazard land area.

3.7 Development Not Requiring a Permit

3.7.1 A development permit is not required for the following, provided all other provisions and regulations of this Bylaw are met. Where another portion of this Bylaw exempts a development or use from permitting, it shall also be permit-exempt:

- a) The maintenance and construction, or installation of a public utility, public work, or road work.

- b) Internal maintenance and repairs that do not include structural alterations (e.g. mechanical or electrical work), where the alteration does not result in a change of use or an increase in the number of dwelling units within the building or on the site.
- c) Exterior renovations, repairs or maintenance, except structural changes and additions that alter the footprint, floor area, or location of a building or structure.
- d) Fences, subject to any other applicable regulation in this Bylaw unless specifically identified for a permitting requirement.
- e) Buildings and structures including decks, sheds, gazebos, pergolas, patios, and similar uses under 9.3 square metres (100 sq.ft.) in building footprint area, provided they are not used for any form of human habitation, and/or the building or structure is under 0.6 m (2 ft) above average finished grade.
- f) Official temporary uses includes the use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.
- g) Landscaping, provided the natural or designed drainage pattern is unaltered and does not adversely impact adjacent lands. It does not include retaining walls or site grading as regulated by this Bylaw, or where permitting is explicitly stated for such features is required by this Bylaw.
- h) Signs where exempted by 4.17, lighting, flag poles.
- i) Private on-site domestic sewage systems subject to compliance with *The Saskatchewan Onsite Wastewater Disposal Guide*, *The Shoreland Pollution Control Regulations, 1976*, and approval from the appropriate provincial authority responsible for their administration.
- j) Agricultural activity including cultivation, but excluding beekeeping, raising or keeping of livestock.
- k) Spas, subject to 4.20.
- l) Storage and/or seasonal or temporary use of Recreational Vehicle(s) ancillary to an established dwelling, subject to the general regulations in 4.38 and/or supplemented in any District.
- m) Private Docks, subject to compliance with s.194 of the Act (if applicable).
- n) Roof-mounted and portable solar energy collection systems, telecom antennae, and satellite dishes where accessory to approved development.
- o) Temporary placement of shipping containers in accordance with 4.25.
- p) Off-season storage of boat docks and lifts, ice fishing shacks, boat trailers and other similar private chattels subject to 4.13.

3.8 Development Permit Procedure

- 3.8.1 Applicants must file, with the Development Officer, the prescribed application form, a site plan, any other plans, and supplementary information as required by the Development Officer and pay the required fees. There is no obligation on behalf of the Resort Village to review any application where incomplete application information is received, or any prescribed fee has not been paid.
- 3.8.2 The Development Officer will review applications for compliance with all applicable

regulations in this Bylaw, the policies contained in the Official Community Plan, and (if applicable) any provincial legislation or regulation.

- 3.8.3 Prior to finalizing a decision, the Development Officer may refer the application to any government agency or interested group, Council or the Development Officer deem appropriate. The Development Officer or Council may also require the application to be reviewed by engineering, planning, legal, or other professional, the cost of such review shall be borne by the applicant. Conditions may be attached to a development based on any professional review and recommendations.
- 3.8.4 Where the Development Officer or Council deems it necessary to monitor and re-evaluate any proposal (both permitted and discretionary uses), a development permit may be issued for a specified period of time. Where a permit time limit is imposed as a condition of approval, the period shall be specified up to a maximum of five (5) years. Unless specified otherwise, the applicant may apply for a permit extension or a new development permit near the expiration of the original development permit.
- 3.8.5 Permitted Uses
- a) The Development Officer is authorized to finalize and issue a decision on a development permit application for a permitted use. The Development Officer may refer any application to Council for review and direction, when the Development Officer considers it necessary.
 - b) There is no required public notice for permitted use development permit applications.
 - c) The Development Officer will issue a development permit, in writing, when the application meets the requirements of the Zoning Bylaw. The permit may incorporate any special regulations, performance standards, or development standards authorized by this Bylaw or the Official Community Plan. If applicable, the applicant shall be advised of their right to appeal any terms and conditions identified.
 - d) The Development Officer will issue a refusal, in writing, when the application does not comply with the requirements of this Bylaw. The Development Officer shall provide written notice to the applicant stating the reason for refusal and the applicant's right of appeal to the Development Appeals Board.
- 3.8.6 Discretionary Uses
- a) The Development Officer shall prepare a report for submission to Council on discretionary use development permit applications once all information and applicable fees have been received by the Development Officer. The report shall consider compliance with the Official Community Plan and Zoning Bylaw, evaluation criteria and development conditions. The report shall include all relevant materials and referral comments.
 - b) The Development Officer shall set a date for the meeting at which the discretionary use development permit application will be considered by Council.
 - c) At least 7 days before the application is to be considered by Council, the Development Officer shall provide written notice for the discretionary use application. The written notice shall be provided to the assessed owners of property within 75 metres (246 feet) of the boundary of the applicant's land and any other owners the Development Officer deems may have an interest in the land.
 - d) In addition to c), the Development Officer:

- 1) Shall post a copy of the notice at the Municipal Office or such other publicly accessible or high-trafficked location at least 7 days prior to consideration by Council.
 - 2) May supplement any posting of notice with any electronic information communication or distribution method employed by the Municipality.
 - 3) May increase the notification area, or method or notification (e.g posting in the newspaper) at their discretion in keeping with the stated purpose of this Bylaw, and where the proposed use may impact an area at a distance greater than the prescribed minimum 75 metre requirement.
- e) Council is responsible for finalizing a decision on a development permit application for a discretionary use. Council's decision on the discretionary use will be based on the policies in the Official Community Plan, the provisions in this Zoning Bylaw and any general or use-specific evaluation criteria therein, the report prepared by the Development Officer, and any written or verbal submissions received by Council.
- f) Council shall finalize a decision, by resolution, to approve the application with or without conditions or refuse the application. Council's decision shall instruct the Development Officer to:
- 1) Issue a development permit, in writing, incorporating any applicable development standards set by Council, where the development complies with the criteria and standards of the Zoning Bylaw and Official Community Plan; or
 - 2) Where the development does not meet the required criteria and standards, issue a notice of refusal in writing to the applicant stating the reason for the refusal.
- 3.8.7 Applicants shall be provided written notice of the decision by regular mail addressed to the applicant at the address shown on the application form. Where the development application is approved with conditions, the written notice shall include the applicant's right to appeal any terms and conditions identified.

3.9 General Discretionary Use Evaluation Criteria and Optional Standards or Conditions

- 3.9.1 The following criteria must be considered in the review of all discretionary use applications, may be further supplemented within this section 4 or within the applicable Zoning District. Where no further or use specific evaluation criteria are provided in this Bylaw, the following general criteria shall be considered sufficient for evaluation of a proposed discretionary use:
- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
 - b) There must be a demand for the proposed use in the general area, and a supply of land available and capable of supporting the proposed use.
 - c) The proposal must be capable of being economically serviced with roads, water and sewer and other necessary utilities and community facilities.
 - d) Adequate receptacles for refuse and litter shall be supplied.
 - e) The proposal shall 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 future development in the vicinity.

- f) The degree of potential land use conflict or potential nuisance introduced by the use, and measures to minimize conflict or nuisance.
 - g) The proposal shall provide sufficient access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces. Vehicle access points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards.
 - h) The proposal must provide sufficient landscaping and shall preserve existing vegetation where possible.
 - i) The density, size, height and location of principal or accessory structures shall not detract from the character and amenity of the neighbourhood.
 - j) The potential impacts on lakes, waterbodies, and watercourses, and maintaining public access thereto.
 - k) The potential impacts on natural, environmental, heritage, and cultural resources.
 - l) The potential impacts and effects on the social, economic and physical sustainability of the Municipality and whether it provides a net benefit to the community.
- 3.9.2 In approving any discretionary use, Council may prescribe specific development standards or permit conditions related to:
- a) Site drainage.
 - b) The density, size, height and of buildings, and the need for any more stringent requirement than that prescribed by regulation in this Bylaw.
 - c) Access to, as well as number and location of parking and loading facilities.
 - d) Control of noise, light, glare, dust, odour, or emissions.
 - e) Landscaping, screening and fencing to buffer adjacent properties.
 - f) Any other matter prescribed in the Act, or to address any matter relating to the general or use-specific evaluative criteria listed in this Bylaw.
 - g) Any time limit issued in conjunction with a permit to allow for monitoring, performance, and impacts to surrounding land uses and municipal services. In such cases, permits may be issued up to a maximum of five (5) year period.

3.10 Development Permit Validity

- 3.10.1 Unless otherwise prescribed in this bylaw and stated on the permit decision, a development permit is valid for a period of 12 months.
- 3.10.2 A development permit is valid insofar as development occurs in accordance with the information provided by the applicant in their development permit application used as basis for permit review and issuance of the Resort Village. Any deviation from the information provided in the application must be approved in writing from the Development Officer or by issuance of a new permit; a permit is otherwise invalid.
- 3.10.3 The Development Officer or Notice of Decision shall advise a proponent that a development permit is considered invalid and/or a new approval required when:
- a) The approved use ceases and is replaced by another use.
 - b) The development or use is not commenced within 12 months of the date of issuance.

- c) The development is deemed to be undertaken in contravention of this Bylaw, the development permit, or specified development standards, agreements, or caveats.
- 3.10.4 Where a person wishes to vary the development from the application as approved, with or without conditions, prior to development the person must submit a written explanation to the Development Officer, who shall evaluate whether new application and permitting is required or the existing permit can be altered.
- 3.10.5 A development permit extension may be granted for one additional twelve (12) month period by the Development Officer, unless explicitly stated otherwise in this Bylaw. The Development Officer shall provide a written letter granting the extension. Where the use is a discretionary matter of Council, permit extension shall only be granted upon its review and by resolution.
 - a) Any permit renewal for a permitted or discretionary use, must comply with the current requirements of this Bylaw at the time of renewal issuance.

3.11 Development Permit Cancellation

- 3.11.1 The Development Officer shall advise a proponent that a development permit is cancelled, and a new approval required:
 - a) Where the Development Officer or Council is satisfied that a development permit was issued based on false, mistaken, modified, or incomplete information provided by the applicant.
 - b) When a developer requests a development permit modification and a subsequent development permit is issued.

3.12 Development Appeals Board

- 3.12.1 Council shall appoint a Development Appeals Board (the Board) within 90 days of adopting this Bylaw in accordance with Sections 214 to 218 of *The Planning and Development Act, 2007*.
- 3.12.2 The composition of the Board, the secretary, remuneration and expenses, duties and responsibilities shall be as per Council's policy, which shall be adopted by resolution.
- 3.12.3 Section 219 of the Act, provides the right to appeal where there is:
 - a) An alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
 - b) A refusal to issue a development permit because it would contravene the Zoning Bylaw; or
 - c) An order issued to the owner, operator, or occupant of the land, buildings, or premises pursuant to subsection 242(4) of the Act.
 - d) The standards and conditions issued in conjunction with an approval subject to Section 58 of the Act.
 - e) Any other prescribed matter under the Act.
- 3.12.4 As per section 219 of the Act, the Board does not have the authority to hear an appeal when:
 - a) An application for a discretionary use is refused;
 - b) Council refuses to amend the Zoning Bylaw or rezone land; or

- c) A decision regarding a subdivision application is refused.
- d) An application is not a permitted use or a permitted intensity of use.
- e) An application is a discretionary use or a discretionary intensity of use that has not been approved by resolution of Council; or
- f) An application is a prohibited use.

3.12.5 Anyone initiating an appeal must send a written notice of appeal to the secretary of the Board within:

- a) 30 days of the Development Officer's decision being issued;
- b) 30 days of the failure of Council to make a decision regarding a development permit application where it has been received in its complete and final form;
- c) 30 days of receiving a permit with terms and conditions (only the conditions can be appealed); or
- d) Thirty 30 days under the Act, of an order being served to repair or correct contraventions.
- e) The fee for an appeal shall be set by the Board to a maximum prescribed under the Act.

3.13 Minor Variances

3.13.1 Council may vary the requirements of the Bylaw for the:

- a) Minimum required distance of a building from the lot line; or
- b) Minimum required distance of a building to any other building on the lot.

3.13.2 An application for a minor variance shall be made to the Development Officer in a form as prescribed by the Development Officer. The Development Officer will forward the application to Council for a decision.

3.13.3 The maximum amount of variance shall not exceed 10% from the requirements established in this bylaw.

3.13.4 The development must conform to all other land use requirements established in this Bylaw.

3.13.5 The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.

3.13.6 A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to the Act.

3.13.7 On receipt of an application for a minor variance, Council may:

- a) Approve the minor variance;
- b) Approve the minor variance and impose terms and conditions on the approval; or
- c) Refuse the minor variance.

3.13.8 Where Council imposes terms and conditions on an approval, the terms and conditions shall be consistent with:

- a) Minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements.

- b) Providing adequate separation between buildings for safety reasons.
 - c) Avoiding encroachment into adjoining property, by reduction of allowable projections or other potential encroachments.
- 3.13.9 If the application is approved by Council, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail, to the applicant and to the assessed owners of property with a common boundary with the applicant's land. The notice shall:
- a) Include a summary of the application for minor variance;
 - b) Provide a reason for and an effective date of the decision;
 - c) Indicate that an adjoining assessed owner may within 20 days, submit a written objection with the Development Officer; and
 - d) Where written objection is received by the Development Officer, advise that the applicant will be notified of the right of appeal to the Development Appeals Board.
- 3.13.10 A decision approving a minor variance, with or without terms and conditions, does not take effect:
- a) In the case of a notice sent by registered mail, until 23 days from the date the notice was mailed; or
 - b) In the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- 3.13.11 If an assessed owner of property having a common boundary with the land that is the subject of the application, objects in writing to the Municipality respecting the approval of the minor variance within the time period prescribed the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
- a) Of the revocation of the approval;
 - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- 3.13.12 If an application for a minor variance is refused, or approved with terms and conditions, the applicant may appeal the refusal to the Board within thirty 30 days of that decision.
- 3.13.13 The Development Officer shall maintain a complete and current record of all applications and decisions for minor variances.

3.14 Non-Conforming Uses, Buildings and Sites

- 3.14.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to Sections 88 – 93 inclusive of the Act.
- 3.14.2 All bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.
- 3.14.3 Existing development or sites shall not be deemed non-conforming due to non-compliance with the metric units used in this Bylaw where such non-conformity results solely from the conversion of imperial units to metric units.
- 3.14.4 Any parcel which does not conform to a minimum or maximum site area requirement but existed in the Land Titles Office prior to the coming into force of this Bylaw, shall be deemed

conforming with regard to site area. Buildings and structures containing an established principal or accessory uses may be modified and intensified subject to adherence to all other applicable regulation(s) of the Zoning District in which they are located, having no increase to the degree of locational non-conformity within a parcel, and where there is no change in type of use.

3.14.5 Within the R1 District, the following applies:

where permanent development is existing on abutting, privately-owned sites or lots, which existed prior to the enactment of this Bylaw; and,

where development is non-compliant with respect to achieving minimum required side or rear yard setbacks, and subdivision to rearrange the common property boundary would bring the existing development into conformity with said setbacks,

a lesser than prescribed site area and minimum site frontage will be allowable where all the following conditions apply and where applicable, these considerations shall supersede the regulation in the R1 District regulation table where all of the following applies:

- a) The subdivision to rearrange the property boundary(ies) would not result in an increase in the density of sites or lots.
- b) The resulting sites or lots would each be at least 400 square metres (4,305 square feet) in area.
- c) The resulting sites or lots would maintain a minimum of a 12 m (39.36 feet) site frontage.
- d) The rearranging of property boundaries would result in bringing the non-conforming development into compliance with yard setbacks.
- e) Affected property owners are co-applicants for the subdivision application.
- f) The new boundary location would not negatively impact any infrastructure or service provision of the Resort Village or a service provider.
- g) The resulting new sites or lots would otherwise comply with all other regulations this Bylaw.

3.15 Amendments

3.15.1 Any person seeking to amend this Zoning Bylaw and/or the Official Community Plan must apply for an amendment to the Development Officer in the form prescribed by the Development Officer. The Development Officer shall review the application and then refer the amendment request to Council for consideration.

3.15.2 The amendment application may be subject to fees established in this bylaw or by a separate fee bylaw.

3.15.3 The procedures for public notification and public participation during the bylaw amendment process shall meet or supersede the prescriptions of the Act.

3.15.4 Council shall consider zoning amendments to accommodate proposals only when specific development proposals, subdivision applications, servicing agreements, and other information, as the case may be, have been presented to and reviewed by Council.

3.16 Letters of Credit and Bonding

- 3.16.1 For any development, Council may require the submission of a letter of credit, performance or reclamation bond, or any other form of assurance to ensure that the development is constructed and completed in accordance with the development standards and regulations set forth within this Bylaw or any permit issued thereto.
- 3.16.2 The Resort Village may require any such matter be formalized within an agreement for interest registration to title of the subject property under any applicable provincial act or regulation allowing such. Any fee(s) for interest registration are the sole cost of the applicant.
- 3.16.3 All agreements for letter of credit and, bonds shall individually stipulate procedures for the release or completion of the agreement that will be mutually agreed upon between the Municipality and development proponents.

3.17 Servicing Agreements and Development Levies

- 3.17.1 Council may require a subdivision applicant to enter into a Servicing Agreement or development permit applicant to enter into a Development Levy agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for by the Act.
- 3.17.2 Council may create and adopt a development levy bylaw to provide guidance when entering into development levy agreements.
- 3.17.3 Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance, to protect the public interest, and to ensure development occurs in compliance with this Bylaw.
- 3.17.4 Council may require the applicant to provide and maintain liability insurance to protect the applicant, Municipality and the public.
- 3.17.5 Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include the provision of roadways, water and sewage service, garbage disposal, recreational facilities, and any other matter prescribed by the Act.

3.18 Fees and Advertising

- 3.18.1 When an application is made for a development permit, a minor variance or an amendment to a planning bylaw, the applicant making the request shall bear the actual cost of advertising, as permitted by the Act and as per any fee bylaw of the municipality.
- 3.18.2 Pursuant to Section 51 of the Act, the Municipality may adopt or utilize a separate fee bylaw. Such a bylaw establishes a schedule of fees to be charged for matters related to planning and development.
- 3.18.3 Council may undertake any additional advertisement and public consultation(s) that it considers necessary respecting a proposed amendment to a planning bylaw or a proposed development where it is of the opinion that it is in the public interest to do so in accordance with the stated purpose of this Bylaw.

3.19 Enforcement, Offences and Penalties

3.19.1 Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties outlined in Section 243 of the Act.

3.19.2 Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, the Development Officer may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purpose of inspection.

3.19.3 Order by the Development Officer

- a) Where the Development Officer has determined that a violation of this Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to Section 242 of the Act.
- b) The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following:
 - 1) Discontinue the development;
 - 2) Alter the development so as to remove the contravention;
 - 3) Restore the land, building or premises to its condition immediately prior to the development or form of development;
 - 4) Complete the work necessary to comply fully with the zoning bylaw.
- c) The order shall specify the time when the actions required are to be complete and shall advise of the rights of appeal.
- d) The Development Officer may register an interest against the title of the property, based on the order, and shall discharge interest once the order is complied with.
- e) The Development Officer may apply to the Court of King's Bench to enforce the order.

3.20 Comprehensive Development Review

- a) Where Council deems a proposed subdivision, development, or application for bylaw mapping amendments to have significant impact on the land it is to occupy, municipal infrastructure or services, environmental conditions, public safety, or general public well-being, it may require a proponent to provide a detailed application submission and narrative which may include the following:
 - 1) A detailed site layout of proposed new development including roadways, access locations, the location of dedicated lands, potential building locations, dedicated lands and utility parcels, and development phasing if applicable.
 - 2) Any professionally prepared report deemed necessary by Council to determine the suitability of development with respect to potential natural or human-induced hazards, any limitations to future development, and any required mitigation measure to ensure the suitability of the development.

- 3) Any professionally prepared report to address water and sewage provision and capacity, surface water drainage, or appropriate fire suppression and emergency planning.
- 4) Any other matter deemed by Council as necessary to guide a fully informed decision.
- b) The initial scope of the comprehensive development review will be scaled appropriately to the proposed subdivision or development, and applicants are encouraged to consult the Resort Village for initial requirements prior submission of a development, subdivision, or bylaw amendment application.
- c) The outcome of the findings in the application or any professional report prepared thereto, may help form the basis of a servicing agreement, or approval condition. Once the comprehensive development review has been reviewed and accepted by Council, no subsequent subdivision or development shall occur without the acceptance of any revision by Council.

4 General Regulations, Standards, Conditions, and Evaluation

4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

- 4.1.1 In their interpretation and application, the provisions of this Bylaw shall be held to the be the minimum requirements adopted for the promotion of the health, safety and general welfare of the public.
- 4.1.2 Nothing in this bylaw shall exempt any person from complying with the Municipal Building Bylaw, or any other municipal bylaw.
- 4.1.3 In addition to the requirements of this bylaw, an applicant must comply with all federal and provincial legislation and regulations, and shall require any required permission or approval therefrom prior to establishment or operation of land use, and may be subject to any reporting requirements.
- 4.1.4 Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirement, or should conflicting regulation be present within this Bylaw, the more stringent regulation shall prevail.
- 4.1.5 A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued. The Development Officer may issue a development permit and a building permit consecutively.

4.2 Number of Principal Buildings or Uses Permitted on a Site

- 4.2.1 Not more than one principal building or use shall be placed on any one site, including lots and sites that have been consolidated or parcel tied, with the exception of:
 - a) Public utilities and public works.
 - b) Municipal uses.
 - c) Institutional uses.
 - d) Recreational and community uses and facilities.
 - e) Commercial horizontal and vertical integration.
 - f) Manufactured Home Courts.

4.3 Municipal Facilities, Public Works and Utilities

- 4.3.1 Municipal offices, public works, facilities and buildings of the Municipality are permitted in any zone subject to the site regulations for public works in that zone (where applicable). Signs erected by the Municipality are permitted in any location in the Resort Village and may be of any appropriate size as determined by Council. Listing of use within a Zoning District is not required.

4.4 Principal Use Established

- 4.4.1 In any zoning district, the principal use of the land must be established prior to any accessory or ancillary buildings, structures, or uses being permitted, except for the following:
- a) Where a development permit has been issued for a principal building, Council may allow an accessory building to be developed if the accessory building is demonstrated as required for the storage of construction material and equipment. If the principal building is not completed within 12 months from the permit approval date, the accessory building shall be removed, unless Council has issued an extension.
 - b) Where the placement of a temporary structure, building, or vehicle is allowable and regulated within this Bylaw (eg. temporary RV, shipping container, etc.), but shall not include any form of tent or similar item.

4.5 Moving and Demolition of Buildings

- 4.5.1 No building shall be moved within, into, or out of the area covered by this Bylaw without first obtaining a development permit from the Development Officer.
- 4.5.2 No building shall be demolished without first obtaining a permit from the Development Officer in the form prescribed by the Development Officer. Demolition costs and permit fees shall be borne by the developer.
- 4.5.3 Where a principal building or use is demolished or removed from a site, all other development accessory or ancillary thereto shall also be removed unless the development can remain by way of any subsequent permitting or approval granted by this Bylaw.

4.6 Grading and Levelling of a Site

- 4.6.1 A development permit is required for grading, levelling, filling and excavating beyond any works related to basic landscaping primarily intended for aesthetic purposes.
- 4.6.2 Unless otherwise stated, any site proposed for development shall be graded and leveled, at the owner's expense, to provide for adequate surface drainage. Drainage shall not adversely impact slope stability or adjacent property and shall meet all requirements of the Municipality respecting design and location of flow from the property. Any drainage planning will be at the sole cost of the applicant.
- 4.6.3 All excavation or filling shall be re-vegetated, as soon as it is practicable after other construction activities permit, with a suitable ground cover as may be necessary to prevent erosion.
- 4.6.4 Prior to finalizing a decision on any proposed grading, levelling, filling or excavation, the applicant may be required to provide an impact assessment, geotechnical report, and/or drainage plan to be carried out by a qualified professional. The report should assess potential negative impacts to the development site and adjacent properties. Any mitigation measures identified by a professional may be attached as a condition of approval.
- 4.6.5 Vegetation and debris in the area to be re-graded must be removed from the site prior to site grading and leveling. All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the regarded area, or re-located and shall not encroach on municipal roads or property.

- 4.6.6 As a condition of a permit, the Development Officer or Council may require that excess fill be removed from the site during development where excess fill may put undesirable load on an unstable slope, or where it may impede surface drainage.

4.7 Sight (Site) Triangle

- 4.7.1 Subject to the definition contained in this bylaw, the following uses are prohibited in a sight triangle:

- a) A building, structure, wall, fence, sign, hedge or shrub, or use which would obstruct the vision of drivers of motor vehicles.
- b) Parking.
- c) A fence or tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metres (3.3 feet) in height above the elevation of the centre lines of abutting streets. Buildings or structures shall not be located within a sight triangle as defined by this bylaw, and shall supersede any specific yard requirement.

- 4.7.2 The following are allowed in any sight triangle:

- a) Government signage and government sign posts.
- b) Fire hydrants, benches and traffic control devices.
- c) Utility poles, and one utility transmission or control device.

4.8 Restoration to a Safe Condition

- 4.8.1 Nothing in this Bylaw shall prevent the strengthening or restoration to a safe condition of any conforming building or structure, provided that such strengthening or restoration will not increase the height, area or volume so as to contravene the provisions of this Bylaw or the Act.

4.9 Water Supply and Waste Disposal

- 4.9.1 Where available, every residence, and every building requiring water supply and/or sewage disposal shall be connected to the municipal water and sewer systems at the owner's expense.
- 4.9.2 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into any air.
- 4.9.3 No development or use of land, which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by the Saskatchewan Health Authority and/or the Water Security Agency. Disposal of any hazardous liquid, solid, or gaseous waste shall be governed by the applicable provincial agencies.

4.10 Flood Hazard

- 4.10.1 New permanent development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- 4.10.2 Where a development is proposed in an area identified within *Appendix B - Development Constraints* mapping within the Official Community Plan and Zoning Bylaw planning mapping as being potentially flood prone or adjacent to a body of water or watercourse, the applicant may be required to submit sufficient supporting documentation as directed by the Municipality to determine if the proposed development or subdivision is suitable and/or above the MBE. Such proposals may be referred to applicable departments or agencies of higher orders of government for comments and technical expertise prior to finalizing a decision.
- a) Notwithstanding 4.10.2 above, areas identified as being potentially flood prone may, after review, be determined to be located outside of any flood plain or flood hazard area; in such cases, further assessment to determine suitability may not be required; as such, these lands will be indicated as being potentially flood prone. Further, there may be additional areas not shown within any municipal planning bylaw mapping of potential flood prone areas that may indeed be flood prone, and shall be subject to the hazard land and flooding policies in the Official Community Plan and regulation in this Bylaw.
- 4.10.3 Supporting information shall be in the form of a report, assessment, or other information suitable to Council or the Development Officer to confirm suitability; any cost of which shall be borne by the proponent. Where technical information is required, the report or assessment shall be prepared by a certified professional, and shall identify the suitability of the proposed development on the site with respect to:
- b) The potential for flooding and the location of the 1:500 flood elevation in relation to proposed development. Professionally-provided topographical information may be required.
- c) The suitability of the site for the proposed use or building, given the site constraints;
- d) Any other potential environmental hazards or limitations; and
- e) Actions to avoid, prevent, mitigate, or remedy hazards.
- 4.10.4 New buildings and additions to buildings shall be prohibited in the floodway of the 1:500 year flood elevation of any watercourse or water body.
- 4.10.5 New buildings and additions to buildings shall be flood proofed to an elevation a minimum of 0.5 metres (1.64 feet) above the 1:500 year flood elevation of any watercourse or water body. There shall be no habitable space below this elevation.
- 4.10.6 For the purpose of this Bylaw and for supplement to the definition of *flood-proofing*, appropriate flood-proofing measures shall mean:
- a) All buildings shall be designed to prevent structural damage by flood waters and ice;
- b) The first floor of all buildings or the lowest potential point of entry shall be constructed above the designated flood design elevation; and

- c) All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.
- 4.10.7 Actions identified in an assessment which prevent, change, mitigate or remedy hazards may be incorporated as conditions in the issuance of any development permit. A permit shall be refused for any development for which, in Council's (or the Development Officer's) opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.
- 4.10.8 Where provincial hazard land development standards are on title of a parcel, the requirements of the standards must be adhered to by an applicant or developer and will not be attached to a permit as an appealable condition or development standard, where the appeal period pertaining to a subdivision approval has expired.
- 4.10.9 Where provincial hazard land development standards are on title of a parcel, and an applicant deems them as excessive, an applicant may, at its own cost, seek supplementary investigation and recommendations of a certified professional to determine if a lesser standard is feasible. Alternatively, an applicant may approach the holder of the interest specifying the development standards for potential removal.
- 4.10.10 Notwithstanding the site and development regulations within any District, where potential hazard lands are present, development may be subject to more stringent regulation for determination of suitability and to minimize potential risk to people and property.
- 4.10.11 If so provided for in this Bylaw related the provision of Real Property Surveyors Reports, or as indicated in a provincial hazard land development standard for elevation confirmation as part of the development permitting process, a proponent may be required to provide surveyed topographical information confirming that the building or structure has been flood-proofed up to the MBE.

4.11 Slope Instability

- 4.11.1 New development will be prohibited in any readily eroded or unstable slope area if the proposed development may be affected by, or increase, the potential hazard presented by erosion or slope instability. An approximation of said areas are identified within *Appendix B - Development Constraints* mapping within the Official Community Plan and Zoning Bylaw, but are not necessarily confined to those areas and will be evaluated on a case-by-case basis.
- 4.11.2 Where subdivision or development is proposed on or adjacent to lands which may be subject to potential hazard for reason of instability or erosion, the Development Officer may require the applicant to provide proof of suitability through geotechnical assessment as prepared by a professional geotechnical engineer licensed to practice in Saskatchewan.
- 4.11.3 The geotechnical information shall be at the cost of the developer and shall:
 - a) Define the hazard area;
 - b) Identify potential impacts to the proposed development and potential impacts to adjacent properties;

- c) Identify mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and impacts to slope stability;
 - d) Identify known or suspected residual hazards; and
 - e) Provide clear direction from the certified professional that they endorse the findings of their work.
- 4.11.4 A development permit shall not be issued unless the report indicates that the site is suitable for the development or outlines suitable mitigating measures and documents residual hazards.
- 4.11.5 If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application.
- 4.11.6 Where provincial hazard land development standards are on title of a parcel, the requirements of the standards must be adhered to by an applicant or developer and will not be attached to a permit as an appealable condition or development standard, where the appeal period pertaining to a subdivision approval has expired.
- 4.11.7 Where provincial hazard land development standards are on title of a parcel, and an applicant deems them as excessive, an applicant may, at its own cost, seek supplementary investigation and recommendations of a qualified professional to determine if a lesser standard is feasible.
- 4.11.8 Where provincial hazard land development standards are on title of a parcel, and an applicant deems them as excessive, an applicant may, at its own cost, seek supplementary investigation and recommendations of a certified professional to determine if a lesser standard is feasible. Alternatively, an applicant may approach the holder of the interest specifying the development standards for potential removal.
- 4.11.9 Notwithstanding the site and development regulations within any District, where potential hazard lands are present development may be subject to more stringent regulation for determination of suitability and to minimize potential risk to people and property.

4.12 Satellite Dishes, Radio Towers, Telecommunication Antennas, Solar Energy Systems, and Wind Turbines for Personal Use

- 4.12.1 The installation and operation of a satellite dish, radio tower, telecommunication antenna, and roof-mounted and portable solar energy collection systems, for personal use, including, their supporting structure shall be permitted and considered as general accessory use (use listing is not required) in all zoning districts subject to the following:
- a) It shall not encroach onto adjacent property lines or municipal roads;
 - b) It shall not be subject to any minimum setback or height regulation.
- 4.12.2 Ground mounted solar arrays and wind turbines shall be prohibited.

4.13 Outdoor Storage

- 4.13.1 In any residential district, only outdoor storage incidental to the principal use shall be permitted. This may include, but is not limited to: off-season storage of docks, ice fishing shacks, boat lifts, boat trailers; and, similar private chattels.
- 4.13.2 Any outdoor storage of private chattels shall adhere to the prescribed minimum setback distances of the principal use in the zoning district in which they are located.
- 4.13.3 No junked, inoperable, or unlicensed vehicle or watercraft may be stored on any parcel outside of a fully enclosed building.

4.14 Approaches/Driveways

- 4.14.1 All approaches and driveways to public roads require the approval of the Resort Village.
- 4.14.2 The developer will be responsible for approaches, culverting, and driveways and all associated costs.
- 4.14.3 All approaches and driveways shall not negatively affect drainage patterns, traffic flow and sightlines.

4.15 Bed and Breakfast

- 4.15.1 Bed and Breakfast operations shall be located in a single detached dwelling, used as the operator's principal residence or in a building accessory to the principal residential use. The operator shall occupy the site while guests are present.
- 4.15.2 Bed and breakfast homes shall be permitted and licensed as required by any provincial agency or ministry and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast home.
- 4.15.3 In issuing approval for a bed and breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms. Any increase in the number of guest rooms shall require a new discretionary use approval.
- 4.15.4 In addition to any off-street parking used for the operator of the facility, one off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed and breakfast home.
- 4.15.5 Signs for a bed and breakfast shall comply with any regulation of signage in this Bylaw.
- 4.15.6 Council will consider applications with respect to the following criteria:
 - a) The suitability and comfort of the building for the proposed development.
 - b) There is adequate space on the site for the proposed facility;
 - c) There are appropriate levels of access to the site.
 - d) Off-street parking is available for the users of the facility and for the operator;
 - e) The development is compatible with adjacent uses.

4.16 Home Based Businesses

- 4.16.1 Home based businesses require a development permit and any change in use or expansion will require a new development permit application.
- 4.16.2 Home based businesses shall be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling.
- 4.16.3 A home based business shall clearly be secondary and ancillary to the principal residential use.
- 4.16.4 A home based business shall be conducted entirely within the dwelling or accessory building.
- 4.16.5 A home based business shall not create any conflict with a residential area in terms of the emission of noise, light, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m.
- 4.16.6 Off-street parking shall be provided for any client and resident vehicles. There shall not be more than two client vehicles parked at any time.
- 4.16.7 The home occupation shall not have any outdoor storage or materials, or exterior variation from the residential character of the residence or its accessory building.
- 4.16.8 Persons employed by the home based business shall be full time residents of the dwelling. Council may, in its approval, provide for up to two other persons employed by the home based business where such persons are employed to work off-site.
- 4.16.9 A permit issued for home based businesses shall be subject to the condition that the permit may be revoked at any time and enforcement pursued if, in the opinion of the Development Officer or Council, the conditions under which the permit was originally issued are no longer met.
- 4.16.10 Signs for home based businesses shall comply with any regulation of signs this Bylaw.

4.17 Signs

4.17.1 Development Permit Exemptions:

- a) A development permit is required for any sign except as follows:
 - 1) Official signs erected by a public agency for a public purpose;
 - 2) Real estate signs advertising the sale, lease, or rental of the property on which it is located and related information;
 - 3) Directional or safety signs bearing no advertising information;
 - 4) Address signs,
 - 5) Signs bearing the name of buildings and occupants containing no advertising information;
 - 6) Election signs during the period of an election campaign, and seven (7) days thereafter; and

- 7) Construction signs located on the site of the construction to which they refer.

4.17.2 General Sign Regulations

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public, including but not limited to obstructing any sight triangle of a street, driveway or other vehicle access point.
- b) Official signs erected by a public agency for a public purpose shall be of a size and placed at a location appropriate to that public purpose and shall be exempt from any other sign regulation of this Bylaw.
- c) Except as specifically provided for in this Bylaw, all signs shall be located within the limits of the parcel on which they are located and shall not project over the site lines.
- d) Private signs shall not be placed on public rights of way, or attached to public utilities, or other public facilities, except where the Municipality specifically permits signs in the location for such purpose and any consent from the utility provider has been obtained.
- e) No sign shall cover, obscure, or in any way detract from the visibility and function of an official sign or traffic control device.
- f) Real estate and construction signs shall be removed once the contract is completed.
- g) A permit for a temporary sign is valid for the period of the temporary event to which it refers or a period of 2 months, whichever comes first. The sign shall be removed once the permit expires, unless a new permit is first obtained.
- h) In a Commercial or Urban Holding District:
 - 1) No more than 2 permanent signs are permitted per principal use to advertise the principal use or the principal products offered for sale on the premises, or services offered;
 - 2) The facial area of a sign shall not exceed 3.5 square metres (37.67 square feet);
 - 3) A sign may be double faced;
 - 4) No sign shall exceed 6 metres (19.69 feet) in total height above the ground;
- i) In Residential Districts
 - 1) One permanent sign is permitted per lot.
 - 2) In the case of a home based business, an additional permanent sign is permitted in a window of a dwelling.
 - 3) The facial area of a sign may not exceed 0.5 square metres (5.38 square feet).

4.18 Off-Street Parking and Loading

4.18.1 General Regulations

- a) No person within any district shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with the development.
- b) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, that specifically affects the requirements for parking and loading facilities, the number of parking and loading spaces shall be increased by the additional number of spaces required by this Bylaw.
- c) Whenever the use of a building is changed, the parking and loading spaces shall be provided as required for the new use. However, if the building was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number of spaces that the requirements for the new use exceed those of the existing use.

4.18.2 Off-Street Parking

- a) Off-street parking shall be provided in accordance with the *Table 1 – Off-Street Parking Requirements*. One space is required for each rate unit or part of a unit.
- b) Required off-street parking spaces in the commercial districts may be located on a separate site that is within a convenient walking distance to a maximum of 150 metres (492.13 feet) of the principal building or use, provided such spaces are located within a commercial district.
- c) In the residential districts, off-street parking spaces shall be provided on the site of the principal use.
- d) Where the necessary off-street parking space is provided on a parcel that is separate from the principal use, an agreement between the Municipality and the owner of the site on which the parking is to be located shall be recorded in the Resort Village office. The agreement shall bind the owner and their heirs and successors to the use of the site for the purposes of off-street parking so long as the main use or building for which the parking is provided exists. An interest based on the agreement shall be registered against the titles on behalf of the Resort Village.
- e) The minimum dimensions of any parking space shall be 2.8 metres in width by 7 metres in depth. Where not directly abutting a road right of way, additional sufficient area for maneuvering shall be provided.

Table 1 – Off-Street Parking Requirements

Land Use	Parking Spaces Required (minimum)
All Dwellings, RTMs, Manufactured Homes.	1 per dwelling unit (+ 1 per additional secondary suite or bunkhouse)
Park Models Homes and RVs, RVs	1 per unit
Bed-And-Breakfast Facility	1 plus one 1 per guest room
Hotels	1 for every 2 guest rooms
Motels	1 for each guest room
Other Uses	1 per 70 square metres of gross floor area

4.18.3 Off-Street Loading

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

4.19 Fences and Hedges

- 4.19.1 Fence height shall not exceed 1 metre (3.28 feet) in height in any required front yard in any Residential District.
- 4.19.2 No fence shall not exceed 2 metres (6.56 feet) in height in any yard.
 - a) Notwithstanding 4.19.2, by permit application, and at the discretion of Council, a fence height greater than 2 metres (6.56 feet) but no higher than 2.44 metres (8 feet), may be considered and evaluated on the basis of location, adjacent land uses, potential negative impacts on neighbouring properties, the need for additional height to protect people and property, and sight lines.
- 4.19.3 In the case of site where the side or rear boundary abuts the lake, or intervening roadway or dedicated lands, the maximum fence height shall be 1 metre (3.28 feet) in in any required side or rear yard in any Residential District.
- 4.19.4 No fence, hedge, closed landscaping, sign, or other structure shall obstruct any sight triangle.
- 4.19.5 Fences demarking the property boundary between sites are not subject to minimum yard setback requirements provided all other aspects of these regulations are adhered to.
- 4.19.6 No hedge, fence or other structure shall be erected past any property boundary.
- 4.19.7 No barbed wire or razor wire fences shall be allowed in any Residential District.

4.20 Swimming Pools and Spas

The following regulations shall apply to swimming pools and hot tubs.

- 4.20.1 Private Swimming pools shall be prohibited.
- 4.20.2 No overland drainage shall be allowed. Any water removed shall be discharged into an approved sewage system or otherwise hauled off site for disposal.
- 4.20.3 Side and rear yard setbacks shall be 1.2 metres (4 feet).
- 4.20.4 Accessory buildings used for changing clothing, equipment, or other similar accessory uses, shall comply with the provisions for accessory buildings.
- 4.20.5 Any deck attached to or abutting a spa shall:
 - a) Be considered as part of the spa;
 - b) Have a minimum side and rear yard of 1.2 metres (4 feet).

- 4.20.6 Spas shall be permit-exempt unless located on potentially unstable lands. In such cases, the provisions in this Bylaw related to potentially unstable lands shall apply.

4.21 Secondary Suites

- 4.21.1 There shall be a maximum of either one (1) bunkhouse or one (1) secondary suite per site.
- 4.21.2 Where located within a single detached dwelling, secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.
- 4.21.3 Secondary suites may contain cooking, eating, living, sleeping, plumbing, and sanitary facilities. Where any of these features of habitable space are not present within the suite, they must be available within the principal dwelling unit to suite occupants on a 24-hr basis.
- 4.21.4 The gross floor area of secondary suites may not exceed 40% of the gross floor area of the principal dwelling unit (including developed basements) and may not have more than two bedrooms.
- 4.21.5 Shall adhere to the requirements of the *National Building Code* and the Resort Village's Building Bylaw with respect to accommodations intended for human habitation, and shall require a building permit.
- 4.21.6 Secondary suites:
- a) Where attached to the principal dwelling, shall comply with the site and development regulations of the principal use to which it is ancillary.
 - b) Where detached or located in a separate accessory building, shall comply with the site and development regulations of the accessory or ancillary building in which it is located.

4.22 Accessory and Ancillary Buildings and Uses

- 4.22.1 Where required, Council shall provide interpretation of its Zoning Bylaw with respect to consideration of allowable general accessory and ancillary uses.
- 4.22.2 Accessory and ancillary buildings shall be subordinate to and located on the same site as the principal building or principal use.
- 4.22.3 Accessory and ancillary buildings shall not exceed the height of the principal building.
- 4.22.4 Private garages and carports attached to the principal building by roof structure along at least one third of a common wall are considered part of the principal building and are subject to the regulations governing the principal building.
- 4.22.5 Only one private detached garage or carport is allowed per residential parcel and shall not exceed 90 m² (969 ft²) in building footprint area.
- 4.22.6 No door shall, when open, extend beyond the property boundary of a site.

- 4.22.7 Subject to any more stringent building code requirement or other specific regulation in this Bylaw, detached accessory buildings shall be located at least 1.525 metres (5 ft.) from the wall of any other building, and 0.6 metres (2 feet) between any eaves.
- 4.22.8 There shall be a maximum of three (3) sheds or similar accessory out-buildings permitted per residential site.
- 4.22.9 No accessory or ancillary use, building, structure, or development shall be used as a dwelling or for human habitation unless specifically allowed and granted any necessary permit pursuant to this Bylaw.

4.23 Breezeway Corridors

- 4.23.1 Notwithstanding 4.22.4 a breezeway corridor connecting a principal residential dwelling to a private garage or carport, not exceeding 1.83 m (6 ft) in width as measured from the outer limit of the exterior walls or supporting framing elements, the private garage or carport shall not be deemed as part of the principal residential dwelling. Breezeway corridors are not permit-exempt regardless of size and must adhere to the requirements of *The National Building Code* and any building bylaw of the Resort Village, and at the discretion of Council.
 - a) All breezeway corridors shall comply with the site regulations of the principal residential dwelling.
 - b) All breezeway corridors must be deemed suitable for the site with respect to potential hazard lands, any other regulation in this bylaw, and shall not adversely affect surface drainage through the site or on sites adjacent.

4.24 Bunkhouses

- 4.24.1 Shall adhere to the requirements of the *National Building Code* and the Resort Village's Building Bylaw with respect to accommodations intended for human habitation, and shall require a building permit.
- 4.24.2 Shall not be used for rental, lease, or hire, or other short-term accommodation.
- 4.24.3 The kitchen and sanitary facilities of the principal residential use shall be available to occupants on a 24-hour basis.
- 4.24.4 There shall be a maximum of either one (1) bunkhouse or one (1) secondary suite per site.
- 4.24.5 The following regulations and standards shall apply to bunkhouses:
 - a) Where detached in a stand-alone building, a bunkhouse shall be placed on a permanent foundation with the interior finished floor being no greater than 0.6 metres (2 feet) above finished grade as averaged from the outer limit of all exterior building walls.
 - b) Building and site regulations (where a detached stand-alone building):
 - 1) no minimum floor area; maximum floor area: 20 m² (215 ft²)

- 2) A stand-alone bunkhouse shall be separated from any other building or structure a minimum of 1.52 metres (5 feet).

4.25 Shipping Containers

Permanent Placement

- 4.25.1 Shipping Containers shall be considered as an accessory use only and may be considered as a permitted or discretionary use based on the listing of use in the specific Zoning District. If not provided for in a District or by this subsection (eg. temporary placement), the use and placement of a shipping container is prohibited.
 - a) Notwithstanding 4.25.1 a shipping container may be considered as a principal use where specifically identified as an allowable principal use within an applicable Zoning District, and subject to any regulation or qualifier therein. The balance of 4.25.1 - 4.25.13 shall apply with any necessary modification for consideration as principal use.
- 4.25.2 A maximum of one (1) shipping container may be placed on any site 0.81 ha (2 ac.) or greater in site area in the R1 District, if provided for in said District. Shipping containers are prohibited in the R2 District. Up to a maximum of four (4) shipping containers may be placed on any site in any other District.
- 4.25.3 If and where a zoning district identifies a shipping container as a discretionary use, the following application requirements, evaluation, and standards shall apply:
 - a) A development permit is required for any shipping container where a discretionary matter.
 - b) Applicants shall submit photographs of the unit clearly showing all sides of the shipping container as part of a permit application.
 - c) The following evaluation shall apply to Council's assessment for compatibility, suitability, and placement within a site in addition to any general evaluation criteria in this bylaw:
 - 1) The context in which the shipping container will be located, and its ability to complement or detract from land uses in the vicinity.
 - 2) The condition of the shipping container and any planned treatment(s) given to improve its appearance or for it to complement the principal development on site.
 - 3) The proponent's planned use of any screening or placement within the site to minimize any potential land use conflict, nuisance, or negative impact on the public realm or adjacent land users.
 - 4) As it relates to the number of shipping containers allowed on a site, the site location, site size and coverage, location of any container relative to adjacent lands and residential uses, and the specific intended use for storage.
 - 5) The legitimacy of existing development on site to which a shipping container may be accessory.

- d) To secure the objectives of this bylaw, to minimize any negative impact on adjacent land uses and the public realm, Council may impose development standards or permit conditions related to the following:
 - 1) The placement within the site relative to other on-site development, or development on adjacent lands in excess of any prescribed minimum regulation or standard.
 - 2) Requirements for landscaping or screening.
- 4.25.4 No person shall park or store on any part of a site any unlicensed semi-trailer with wheels, truck, bus, or coach body for the purposes of advertising, warehousing, or storage within any district.
- 4.25.5 No shipping container may exceed 3.05 metres (10 ft) in height, 2.44 metres (8 ft) in width, and 12.2 metres (40 ft) in length. Length is limited to 6.1 metres (20 ft) in the R1 District on sites which have an area of less than 550 m² (5,920 ft²).
- 4.25.6 The site and development regulations, and minimum yard requirements in the applicable site and development regulation District tables shall apply to any shipping container. Where a shipping container is considered a principal use per 4.25.1 a), and where said table prescribes minimum yard regulations for accessory uses, said regulations shall apply.
- 4.25.7 In the R1 and C Districts, shipping containers shall be located in the side or rear yard only, and they may not project beyond the front line of the principal building. The minimum front yard requirement shall apply where no building or structure forms part of the principal use of the site.
- 4.25.8 Shipping containers must be kept in a clean and orderly manner, and placed on a level, secure surface or permanent foundation.
- 4.25.9 Shipping containers are prohibited from being used as a dwelling or for any form of human habitation.
- 4.25.10 Shipping containers may not be stacked or permanently connected vertically or horizontally and are prohibited from storing junk, trash, or other forms of refuse.
- 4.25.11 Shipping containers shall not block or obstruct any exits, windows, parking spaces, driveways, or access to public utilities and/or rights of way.
- 4.25.12 If and where applicable, shipping containers must comply with all federal and provincial acts and regulations relating to building or construction including the National Building Code and the Construction Codes Act, or any municipal bylaw thereunder.
- 4.25.13 Any permit granted for a shipping container is specific to the particular unit. Removal, replacement, or relocation within a site shall require a new permit.

Temporary Placement

- 4.25.14 Shipping containers may be placed in any District as a temporary permitted accessory use during the construction of an allowable permanent principal or accessory use under the

following circumstances and regulation, and specific District listing of use is not required:

- a) During construction of an allowable principal permanent use, a shipping container may be placed on site solely for the purpose of storage of building supplies and equipment related to construction.
- b) With the exception of (3), development permitting is required. Either a stand-alone permit is required, or it can be included in a development permit for permanent principal or accessory use.
 - 1) In both instances, the validity period of the temporary permit shall coincide with the permit validity period of the permanent use.
 - 2) The shipping container can remain on site during construction but must be removed the earlier of: upon expiration of the development permit validity period, or upon occupation or operation of the permanent use to which it is being employed for storage.
- c) For the purpose of short-term temporary storage and (un)loading of items associated with the permanent use on site, a shipping container may be placed on site for a period not exceeding 21 days within any one calendar year. In such instances, development permitting is not required in accordance with (2), but the proponent or landowner must advise the Development Officer in writing of the date of placement and planned removal.
- d) Notwithstanding the site and development regulations in the applicable site and development regulation District table, all temporary shipping containers must be located a minimum of 1.525 metres (5 ft) from any property line.
- e) The balance of subsection 4.25 related to permanent placement shall apply except for any discretionary use aspect of shipping container placement and permitting.
- f) Where a development permit is active or subject to enforcement for the placement of a recreational vehicle as a temporary principal use as per, the placement of a temporary shipping container is prohibited.

4.26 Dwelling Groups and Bare Land Condominiums

- 4.26.1 The regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to uses and bare land units that are within a dwelling group or part of an approved bare land condominium plan.
- 4.26.2 A single principal use is allowed per bare land unit.
- 4.26.3 Council will consider its ability to effectively administer, regulate, and enforce the development of dwelling groups bare land units, such that approval of such development is in the long-term best interests of the Resort Village and its ratepayers.
- 4.26.4 Council will consider the proposed location, the suitability of road access or the need for upgrades. Direct or proximate access to main transportation routes will be desired. Where road upgrades are deemed necessary by Council, the developer may be required to enter into a development agreement to upgrade the road to the appropriate municipal standard.
- 4.26.5 In relation to the specific context of the site, Council will consider the provision of adequate

and appropriately placed areas of common space and recreation.

- 4.26.6 Council will consider and may dictate the layout and dimension of any internal road network for the reasonable maneuvering of private vehicles, and service and emergency vehicles.

4.27 Manufactured, Modular, and RTM Homes

- 4.27.1 Manufactured, modular, and RTM homes will be allowed only if the unit or its components are less than ten (10) years of age calculated from the date of manufacture at the time of development permit application.
- 4.27.2 A copy of the bill of sale and photos of all sides of the unit must be submitted with each application.
- 4.27.3 The unit shall be properly skirted and attached to a permanent foundation.
- 4.27.4 Council will consider the feasibility of moving the unit on to site and the potential impacts on municipal infrastructure. In all cases the applicant shall be responsible for any utility movement or relocation, and infrastructure upgrades or damage, resulting from the moving and transport of the structure; and, may be secured through performance bonding.

4.28 Move-In Residential Buildings

- 4.28.1 A proposal for a Move-In residential building must demonstrate that the age, condition, and style of its exterior treatment is compatible with the general appearance of buildings in the neighboring area, and/or shall be accompanied with plans showing proposed renovations, improvements, and timeline for completion where proposed.
- 4.28.2 Move-In residential buildings shall be placed on a permanent foundation and the base of the building or structure enclosed.
- 4.28.3 Move-In residential buildings shall be required to demonstrate compliance with *National Building Code* and the Resort Village's building bylaw prior to placement on site and will require a pre-move inspection.
- 4.28.4 Photographs showing all sides of the Move-In residential building shall be submitted with a development permit application to aid in the demonstration of its current condition.
- 4.28.5 Council will consider the feasibility of moving the building on to site and the potential impacts on municipal infrastructure. In all cases the applicant shall be responsible for any utility movement or relocation, and infrastructure upgrades or damage, resulting from the moving and transport of the structure.

4.29 Park Model Homes

- 4.29.1 Where prescribed as an allowable use, Park Model Homes aged less than 10 years from date of manufacture shall be a permitted use; and, Park Model Homes aged 10 years and older from date of manufacture shall be a discretionary use.
- 4.29.2 Where discretionary, a Park Model Home the following requirements and evaluation criteria will apply:
- a) A proposal for a Park Model Home must demonstrate that the age, condition, and style

of its exterior treatment is compatible with the general appearance of buildings in the neighboring area, and/or shall be accompanied with plans showing proposed renovations, improvements, and timeline for completion where proposed.

- b) Where applicable, Park Model Homes shall be required to demonstrate compliance with current National Building Code or CSA standards, and the Resort Village's building bylaw prior to placement on site.

- 4.29.3 Photographs showing all sides of the Park Model Home shall be submitted with a development permit application to aid in the demonstration of its current condition.
- 4.29.4 Park Model Homes shall be placed on a permanent foundation and the base of the unit enclosed or skirted.
- 4.29.5 Park Model Homes are to be used on a seasonal basis only unless the unit and its utilities have been properly winterized.

4.30 Recreational Vehicles as Temporary Principal Use

- 4.30.1 Notwithstanding 4.4, a single Recreational Vehicle may be permitted as a temporary principal use on a site prior to the placement of a permanent allowable dwelling for a period not exceeding two (2) years from the notice of decision for a permanent residential dwelling. Upon expiry of the two (2) year period, final building inspection of the permanent residential dwelling must be completed; the Recreational Vehicle and any accessory buildings, uses and structures shall otherwise be immediately removed.
 - a) A separate application, and permit is required for the placement of any Recreational Vehicle as a temporary principal use, and is valid for a period of no more than two (2) years.
 - b) Council may consider a permit extension for a period of up to one (1) year where it has been demonstrated that the applicant has made significant and measurable progress towards the establishment of a permanent principal residential dwelling on the site.
 - c) Specific listing of the use is not required within a residential Zoning District.
- 4.30.2 The applicant shall sign a memorandum of understanding to acknowledge that the Recreational Vehicle shall be removed upon the expiry of any permit granted in accordance with 4.30.1, or any renewal granted in accordance with 4.30.1 b).
- 4.30.3 If the Recreational Vehicle remains on the site after any period identified in 4.30.1 has expired, the Resort Village will enforce the removal of the unit.
- 4.30.4 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.
- 4.30.5 The Recreational Vehicle shall not be modified to be made permanent through the removal of axles and/or wheels.
- 4.30.6 Home based businesses shall not be allowed on the site until the permanent dwelling has been constructed.

- 4.30.7 The Recreational Vehicle 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.
- 4.30.8 The Recreational Vehicle is not to be kept for rent, lease, or hire.
- 4.30.9 The Recreational Vehicle is not a manufactured home.
- 4.30.10 A copy of the bill of sale or registration and a photos of all sides of the unit must be submitted with each application.
- 4.30.11 The replacement or relocation of a Recreational Vehicle on a property requires a new application and permit.
- 4.30.12 The Recreational Vehicle must adhere to the regulations for “Single Detached Homes” in any applicable District, excepting Floor Area regulations.
- 4.30.13 Where the applicant has failed to complete development of a principal permanent use to a functional and habitable state as a dwelling within the permit validity period or any subsequent extension thereto granted, no subsequent application will be considered for a temporary Recreational Vehicle on the subject land for a period of two (2) years from the date of previous permit expiration, invalidity, or revocation. The municipality may seek to register an interest on title to said effect to advise any future landowner of the prohibition to re-establish a temporary recreational vehicle during this time period.
- 4.30.14 Notwithstanding 4.30.13, Council may consider a new application at its discretion within the two (2) year period where the following conditions are addressed to its satisfaction:
- a) where the site has been fully returned to its pre-development state and/or where any previous development has been removed;
 - b) the new proposal is not, for all intents and purposes and in Council’s opinion, an extension of a previously expired, invalid, or revoked permit; and,
 - c) the new proposal and timeline for establishment of a permanent residential use is substantially different from the previous proposal that failed to materialize or be executed.
- 4.30.15 In addition to the general discretionary use evaluation criteria, Council will apply the following criteria in its evaluation of a Recreational Vehicle as a Temporary Principal Use:
- a) conformance with all relevant portions of the Official Community Plan 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) the degree of detail, timeline, and information provided by the applicant for their plans to establish a permanent allowable principal residence.

4.31 Required Yards and Open Space

- 4.31.1 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.
- 4.31.2 Where minimum yards are required in any district, such minimum requirements shall not apply to the following:
- a) In any front or rear yard in a non-residential District, the construction of steps or an open deck or terrace a maximum of 2.4 metres into the required yard.
 - b) Walkways and steps up to 0.3 m (1 foot) in height above finished grade level in any required side or rear yard.
 - c) In any yard, the construction of a chimney, sill, cornice, fire escape, wheelchair ramp, or roof overhang a maximum of 0.6 metres into the required yard. (Note: building permit review may require a greater setback.)
 - d) Fences, subject to regulation within this Bylaw, and where used to demarcate shared parcel boundaries.
 - e) Any yard reduction pertaining to retaining walls as per 4.37.
 - f) Permitted signs, private telecommunications antennas, light and flag poles.
 - g) Unenclosed off-street parking areas.

4.32 Land Use Separations

- 4.32.1 No new residential building, development, or subdivision shall be located within less than a minimum separation distance to potentially incompatible or provincially-regulated uses and features as follows:
- a) 457 m from a licensed public or private solid waste disposal facility;
 - b) 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan; or
 - c) 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.
- 4.32.2 All development shall adhere to any permitting or separation requirements of the Ministry responsible for the provincial highway network which may supersede any municipal regulation.
- 4.32.3 Council may consider a reduction of the separation where the applicable provincial authority(ies) can allow and supports a separation reduction, and where it would not prejudice or impede the operation of a public solid or liquid waste facility, or its reasonable future expansion.
- 4.32.4 In addition to regulatory considerations in 4.32.3, Council will also consider the following in its evaluation of a potential setback reduction pertaining to the matters in 4.32.1:

- a) Where pre-existing development cannot achieve the prescribed minimum separation;
- b) The maximization separation to the degree possible and to mitigate potential land use incompatibility;
- c) Where a reduction would not introduce unmanageable risk to public health or public nuisance;
- d) Favourable locational and environmental conditions or mitigation measures which may lessen any risk to public health or public nuisance, including but not limited to: topography, surface water flows and drainage, geotechnical or hydrogeological conditions, wind direction, screening or berming, etc.

4.33 Permanent Foundation

- 4.33.1 With the exception of any form of recreational vehicle allowable as a permanent or temporary use, all uses containing dwelling units, and buildings and structures intended for human habitation, occupation, or storage, shall be placed on a permanent foundation.
- 4.33.2 The area below any main floor, chassis, or frame shall be fully enclosed and skirted.

4.34 Proximity to Railway

- 4.34.1 The Guidelines for New Development in Proximity to Railway Operations shall be applied to all development in proximity to rail lines, facilities and operations. No railways facilities or infrastructure exists in proximity to the Resort Village at the time of adoption of this bylaw; however, should railway be established, amendments shall be executed to this Bylaw and the Official Community Plan to address such matters.

4.35 Decks, Patios, and Walkways

- 4.35.1 Decks, patios, and walkways shall require permitting unless specifically exempted by 3.7.
- 4.35.2 See 4.31 for permitted yard encroachments.
- 4.35.3 No deck, patio, or walkway shall extend beyond a lot or site boundary.
- 4.35.4 Individual Zoning Districts may limit lot and site coverage and may limit the area of any deck, patio, or walkway.
- 4.35.5 Walkways shall have a maximum width of 1.83 metres at any given point along its length.

4.36 Campgrounds (Daily Use and Seasonal)

- 4.36.1 The operator of a campground shall provide the Development Officer with a comprehensive development narrative and site plan, identifying:
 - a) Any buildings, uses of land, and the location of all roadways and trailer coach or tent campsites with dimensions and utility service provided to each campsite.
 - b) Location of garbage collection.
 - c) Location of washroom facilities and utilities.

- d) Emergency evacuation plan.
 - e) Location of all visitor or general parking areas and walking trails.
 - f) Details of the water supply details including the source, measures taken for contamination protection, the treatment methods to be utilized, and the results of water quality testing.
 - g) Details of sewage disposal, including the proposed disposal method, expected daily sewage volume, and the dimensions and placement of holding tanks. Additionally, confirmation is needed that the designated disposal site will accept the effluent from the development.
 - h) Proof that any public water system and on-site sewage disposal system have been evaluated and approved by the Health Authority. Water and waste disposal shall meet all regulatory and reporting requirements.
 - i) Any other details required by a public health officer.
 - j) Identification of any area within the campground for use a communal parking, trailer and watercraft storage.
 - k) Other information as requested to evaluate the proposed development.
- 4.36.2 The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 4.36.3 A campground shall contain an appropriate vegetative landscape buffer to buffer noise and to provide shelter and privacy. The Resort Village may impose this as a condition of a permit.
- 4.36.4 A campground shall have signage for traffic navigation and shall post one (1) sign to identify each individual campsite.
- 4.36.5 No portion of any campsite shall be located within a roadway or required buffer area.
- 4.36.6 The minimize size of individual campsites shall be 150 m².
- 4.36.7 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 4.36.8 The space provided for roadways within a campground shall be at least 7.5 metres (25 ft) in width. No portion of any campsite, other use, or structure shall be located in any roadway.
- 4.36.9 Parking for campsite occupants shall be on individual campsites and not on any roadway. Parking for campsite visitors must be provided and adequately signed.
- 4.36.10 A campground may include relevant accessory uses such as a laundromat, confectionary or recreational site designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- 4.36.11 The *Public Health Act* shall be complied with in respect to all operations and development of the campground.

- 4.36.12 Applicant may be required to enter into an agreement to upgrade municipal roads or road allowances.
- 4.36.13 The municipality may limit the dates of seasonal operation. In the case of a daily use campground, any camping units shall be removed from any campsite outside of the permitted dates specified for seasonal operation.
- 4.36.14 Daily use campgrounds shall have a maximum of 10% of its total area dedicated to group campsites, where each group campsite may be composed of a maximum of three camping units.
- 4.36.15 Leased campsites in the case of seasonal campground may be subject to requirements for subdivision under the Act.

4.37 Retaining Walls

- 4.37.1 Retaining walls may be allowable in any District except for R2, will be a discretionary matter of Council unless specified otherwise, and shall require development permitting.
 - a) Notwithstanding its definition as being an accessory use, and as a discretionary matter of Council, a retaining wall may be employed within a site containing no principal use or development where determined by a certified professional that the wall would help stabilize a slope within a site and/or adjacent sites. However, a retaining wall in this scenario shall not constitute a principal use or development within the site.
- 4.37.2 Applications for retaining walls within five (5) metres of the high-water mark of any water course or water body shall be required to be accompanied by any necessary approval of a higher order of government, or written confirmation from said order of government that approval is not required (eg. shoreline alteration, aquatic habitat protection, etc.). Any approval requirement of the higher order of government shall be adhered to in the development of any retaining wall.
- 4.37.3 Retaining walls are exempt from any prescribed minimum side or rear yard requirement in any District but shall not be placed within any required minimum front yard.
- 4.37.4 Retaining walls may be constructed on or across a property line where both affected landowners are co-applicant to any permit application. Otherwise, any retaining wall shall be located wholly within a landowner's property boundary.
- 4.37.5 The height of a retaining wall in any District, including the height of any fence constructed thereon, shall not exceed a maximum fence height prescribed in this Bylaw and may vary dependent upon location within a site.
 - a) Where a fence is constructed on the top of a retaining wall, notwithstanding 3.7 said fence is not permit exempt.
- 4.37.6 The construction of a retaining wall shall not cause adverse effects for surface drainage, slope stability, or general risk to safety of people and property on adjacent and nearby properties. Applicants may be required to provide support for development suitability.
- 4.37.7 Subject to any absolute height restriction in 4.37.5, any retaining wall or wall tier greater than 0.6 m (2 ft) in height where located within a required yard shall be extended upwards above the grade of the adjacent property a minimum of 0.6 m (2 ft), either by extension of

the wall above said grade, or by a rigid fence placed thereon.

- 4.37.8 Notwithstanding any exemption provided in 3.6 and survey document types described therein, a pre-development Survey Sketch Plan and post-development Real Property Surveyor's Report shall be provided for any retaining wall for application completion and as condition of a permit.
- 4.37.9 If required by the Resort Village's Building Bylaw or by National Building Code, retaining walls may require building permitting.

Application Submission Requirements

- 4.37.10 In addition to a development permit application, in addition to said application every application for a retaining wall shall provide a detailed site plan and drawings showing:
- b) The proposed location of the wall, including all property boundary and building setbacks.
 - c) Drawings showing the cross-section for all portions of the wall illustrating height differential of lands to be retained.
 - d) A plan showing the existing drainage in and through the site, and a second plan showing drainage post-development.
 - e) A detailed description and/or technical drawings showing the elements and materials proposed for use as a retaining wall.
 - f) A Survey Sketch Plan as indicated in 4.37.8.
- 4.37.11 The development and construction of any retaining wall shall require the written support of any certified professional as required by Council and/or the Development Officer with respect to geotechnical, hydrological, and/or structural matters in a determination of suitability.
- 4.37.12 All relevant site, development, and construction information shall be provided to the certified professional that they can adequately assess the suitability of the proposed retaining wall.
- 4.37.13 At minimum, an assessment by a certified professional shall be provided by the applicant to determine whether a proposed retaining wall warrants further investigation for geotechnical, hydrological, and/or structural suitability. Upon initial assessment, where further investigation is recommended by the certified professional, or is requested by Council and/or the Development Officer, said information is required for application completion and consideration for approval.
- 4.37.14 Any recommendation(s) or requirement(s) for development identified by the certified professional shall be adhered to in the development of any retaining wall and may form the basis for any permit condition to help ensure the protection of people and property.
- 4.37.15 Costs associated with any assessment or investigation are solely those of the applicant.

Evaluation Criteria

- 4.37.16 Council will evaluate completed discretionary use applications for a retaining wall in accordance with the following criteria, and as supplemented by the general discretionary use evaluation criteria in 3.9:
- a) The degree to which the wall may alter the natural topography, natural habitat, and vegetation of surrounding land.
 - b) The potential impacts to municipal infrastructure, public works, and similar utility services.
 - c) The proposed plans for drainage to adequately manage surface water and erosion within and through the site, and potential impacts on neighbouring properties or municipal infrastructure.
 - d) The potential for intrusion of privacy onto adjacent properties resulting from the elevating and retaining of land.
 - e) The degree to which the retaining wall or walls have been designed and engineered to ensure its integrity and the land it retains.
 - f) The findings of any assessment or investigation provided by a certified professional, including any specific risk mitigation measures or other recommendations or requirements for development.
 - g) The findings of any assessment or investigation provided by a certified professional, including any specific risk mitigation measures or other recommendations or requirements for development.
 - h) Any other adverse effects it may have on surrounding land uses and public safety.
 - i) The need to issue development standards or permit conditions consistent with the relevant factors discussed in all of subsection 4.37 to ensure suitability of development.
 - j) Where deemed appropriate by Council and in the public interest, the benefit of the employment of a retaining wall as a stand-alone feature on an otherwise vacant site to help stabilize a slope therein or that of adjacent sites.

4.38 Recreational Vehicles Ancillary to Principal Residential Use

- 4.38.1 A maximum of one RV may be stored on any residential site that has an approved principal residence. The RV may remain on site year-round but may be used from time to time for a period not exceeding thirty (30) consecutive days for the temporary accommodation of non-paying guests.
- a) One additional RV may be allowable per site for a period not exceeding seven (7) consecutive days as temporary accommodation for visiting guests. It shall be removed thereafter.
- 4.38.2 One additional off-street parking space must be provided per ancillary RV unit.

- 4.38.3 The placement of any such RV on a site shall comply with the site and development regulations of the principal use.

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5 Zoning Districts

5.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this Bylaw, the Resort Village of Aquadeo is divided into the following Zoning Districts and the boundaries of which are shown on the “Zoning District Map”. Such districts may be referred to by the appropriate symbols as hereinafter defined.

R1	Residential District
R2	Seasonal Residential District
C1	Resort Commercial District
UH	Urban Holding District

5.2 Zoning District Map

The map bearing the statement “Zoning District Map” adopted by the Municipality and signed by the Mayor and the Administrator under the seal of the Municipality, shall be known as the “Zoning District Map” and such map forms part of this Bylaw as Appendix “A”.

5.3 Boundaries of Zoning Districts

- 5.3.1 The boundaries of the districts referred to in this Bylaw, together with an explanatory legend, notations and references to this Bylaw, are shown on the map entitled, Zoning District Map.
- 5.3.2 Unless otherwise shown, the boundaries of zoning districts, are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Resort Village of Aquadeo. Where the surveyed bank of Jackfish Lake is altered, and where it affects lands abutting the lake, the Zoning District boundary of the affected parcel(s) shall be deemed altered corresponding to the new surveyed bank as extended or retracted.

6 Zoning District Schedules

6.1 R1 – Residential District

The purpose of this district is to primarily provide for a range of residential development options, complementary uses, and related recreational uses throughout the Resort Village.

6.1.1 Permitted Uses

- a) Residential uses
 - 1) Single-detached dwellings, modular homes, RTMs
- b) Recreational and public uses
 - 1) Parks, playgrounds, and sports fields
 - 2) Public utilities and public works (excluding offices, warehouses, storage yards, and solid and liquid waste disposal facilities)
 - 3) Municipal uses and facilities
 - 4) Community Centres
 - 5) Public docks and boat launch facilities

6.1.2 Permitted Accessory and Ancillary Uses

- a) Accessory uses, buildings and structures customarily associated with a principal use and are secondary, subordinate and lesser in extent to the principal use, excluding any form of dwelling or human habitation unless defined or stated otherwise in this Bylaw. Does not include in discretionary accessory or ancillary use listed in this District.
- b) Recreational Vehicles, subject to 4.38

6.1.3 Discretionary Uses

- a) Residential uses
 - 1) Manufactured Homes
 - 2) Move-In Residential buildings
 - 3) Recreational Vehicles as a Temporary Principal Use
 - 4) Permanent placement of shipping containers as principal use (min site size: 0.81 ha (2 ac)), subject to 4.25
 - 5) Retaining walls subject to 4.37.1a)

6.1.4 Discretionary Accessory and Ancillary Uses

- 1) Home based business where ancillary to a dwelling
 - 2) Permanent placement of shipping containers as accessory use (min site size: 0.81 ha (2 ac)), subject to 4.25
 - 3) Secondary suites subject to 4.21
 - 4) Retaining walls subject to 4.37
 - 5) Bed and Breakfasts
- 6.1.5 Site and Development Regulations (see Section 4 for additional regulation and evaluation)
- a) Site and Development Regulations (TABLE 2)

TABLE 2 – R1 - Residential District Site and Development Regulations

(measurements are in meters or percentages and are minimums unless otherwise noted)

Use	Site Area (m ²)	Site Frontage	Front Yard	Side Yard	Rear Yard	Maximum Site Coverage (%) ⁽¹⁾	Floor Area (m ²)	Building Footprint (m ²) ⁽²⁾	Maximum Building Height
Residential Uses:									
Single-detached dwellings, Modular homes, Move-In dwellings, RTMs	450 ⁽³⁾	15 ⁽³⁾	1.525	1.22	1.525	60 ⁽³⁾	74.3	74.3	10.67 ⁽⁸⁾
Manufactured Homes	450 ⁽³⁾	15 ⁽³⁾	1.525	1.22	1.525	60 ⁽³⁾	37.16	37.16	6.1
Residential Accessory and Ancillary Uses⁽¹⁾⁽⁴⁾:									
Private Garages and Carports	As per principal use					(1)	-	90 max. ⁽²⁾	10.67 ⁽⁸⁾
Bunkhouses ⁽⁷⁾	As per principal use					(1)	-	20 max. ⁽²⁾	-
Secondary Suites ⁽⁶⁾	As per principal use					(1)	(6)	90 max. ⁽²⁾	-
Shipping Containers ⁽⁵⁾	As per principal use					(1)	(5)	(5)	-
Recreational Vehicles	As per principal use					-	-	-	-
Others	As per principal use					(1)	-	(2)	-
Municipal and Recreational Uses, Public Utilities and Works:									
All uses	-	-	-	-	-	-	-	-	-

Footnotes to TABLE 2:

- (1) The combined total of the footprint of all buildings and structures defined as Lot (Site) Coverage on a site shall not exceed 60% of its total area. Private driveways, exterior parking areas, ground-level impermeable walkways and patios, and similar hard-surfaced areas are excluded from the 60% area calculation, but in no instance shall the area within a lot or site be covered by more than 70% of its gross area by any building or structure.
- (2) Gross footprint area of all accessory and ancillary buildings and structures shall not exceed 150% of that of the principal building, excluding any uncovered deck, walkway, or shed 9.29 m² (100 ft²) and under, and the area of any private driveway or on-site parking area.
- (3) See site size and frontage exception in 3.14
- (4) There shall be a maximum of three (3) sheds or similar accessory or ancillary out-buildings per site.
- (5) Subject to 4.25
- (6) Subject to 4.21
- (7) Subject to 4.24
- (8) Applies to sites or lots with side or rear yards abutting the lakefront, or intervening roadway or dedicated land. Otherwise, no maximum height.

6.2 R2 – Seasonal Residential District

The primary purpose of this district is to apply regulation and allowable uses to the existing areas of land within the Resort Village occupied by seasonal campgrounds, manufactured home courts, and similar moveable residential dwelling options.

6.2.1 Permitted Uses

- a) Manufactured Homes and Manufactured Home Courts
- b) Public utilities and public works (excluding offices, warehouses, storage yards, and solid and liquid waste disposal facilities)
- c) Recreation trails, parks and playgrounds, sports fields, picnic areas

6.2.2 Permitted Accessory and Ancillary Uses:

- a) Accessory and ancillary uses customarily associated with a principal use and are secondary, subordinate and lesser in extent to the principal use.

6.2.3 Discretionary Accessory and Ancillary Uses

- a) Permanent placement of accessory shipping containers, subject to 4.25

6.2.4 Site and Development Regulations (see Section 4 for additional regulation and evaluation)

- a) Site and Development Regulations (TABLE 5)

TABLE 3 – R2 – Seasonal Residential District Site and Development Regulations									
(measurements are in meters or percentages and are minimums unless otherwise noted)									
Use	Site Area (m ²)	Site Frontage	Front Yard	Side Yard	Rear Yard	Maximum Site Coverage (%) ⁽¹⁾	Floor Area (m ²)	Building Footprint (m ²) ⁽²⁾	Maximum Building Height
Residential Uses:									
Manufactured Homes and Manufactured Home Courts	2000	15	1.525	1.22	1.525	-	-	-	6.1
Accessory and Ancillary Uses⁽²⁾⁽³⁾⁽⁴⁾									
All uses	As per principal use					(1)	-	(2)	-
Municipal and Recreational Uses, Public Utilities and Works:									
All uses	-	-	-	-	-	-	-	-	-
Footnotes to TABLE 3:									
(1) The combined total of the footprint of all buildings and structures defined as Lot (Site) Coverage on a site shall not exceed 60% of its total area. Private driveways, exterior parking areas, ground-level impermeable walkways and patios, and similar hard-surfaced areas are excluded from the 60% area calculation, but in no instance shall the area within a lot or site be covered by more than 70% of its gross area by any building or structure.									
(2) Gross footprint area of all accessory and ancillary buildings and structures shall not exceed 150% of that of the principal building, excluding any uncovered deck or shed 9.29 m ² (100 ft ²) and under, and the area of any driveway or on-site parking area.									
(3) There shall be a maximum of three (3) sheds or similar accessory or ancillary out-buildings per site.									
(4) All buildings, homes, and RVs shall be separated by at least 1.5 m at the wall, and 0.5 m between any eaves, of the same.									

6.3 C1 – Resort Commercial District

The purpose of this district is to regulate and allow commercial development. Allowable uses will generally be low intensity, service-orientated to the residents and visitors of the Resort Village, and where the potential for nuisance and incompatibility is low.

6.3.1 Permitted Uses

a) Commercial uses

- 1) Bakeries with retail sales
- 2) Cafes, restaurants, lounges and licensed beverage rooms, and other places for the sale and consumption of beer, wine and other spirits with or without food
- 3) Artisans and craft shops
- 4) Government and professional service offices
- 5) Personal service establishments
- 6) Retail and convenience stores

b) Tourism and recreational uses

- 1) Hotels and motels
- 2) Seasonal and Daily use campgrounds
- 3) Golf Courses
- 4) Parks, playgrounds, sports fields and similar uses and facilities

c) Institutional and public uses

- 1) Community centres and clubs
- 2) Places of worship, religious institutions
- 3) Public utilities (excluding solid and liquid waste disposal facilities)
- 4) Municipal uses and facilities

6.3.2 Permitted Accessory and Ancillary Uses

- a) Accessory and ancillary uses, buildings and structures customarily associated with a principal use and are secondary, subordinate and lesser in extent to the principal use, excluding dwellings.

6.3.3 Discretionary Uses

- a) Commercial uses:

1) Construction trades

2) Service stations and gas bars with or without convenience stores

6.3.4 Discretionary Accessory and Ancillary Uses

a) Permanent placement of accessory shipping containers, subject to 4.25

b) Retaining walls subject to 4.37

6.3.5 Site and Development Regulations (see Section 4 for additional regulation and evaluation)

a) Site and Development Regulations (TABLE 4)

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TABLE 4 – C1 - Resort Commercial District Site and Development Regulations

(measurements are in meters or percentages and are minimums unless otherwise noted)

Use	Site Area (m ²)	Site Frontage	Front Yard	Side Yard	Rear Yard	Maximum Site Coverage (%) ⁽¹⁾	Floor Area (m ²)	Building Footprint (m ²) ⁽²⁾	Maximum Building Height
Commercial, Tourism, Recreational, and Institutional Uses:									
All uses unless otherwise specified	450	30	7.5	1.525	1.525	60	-	-	-
Accessory and Ancillary Uses⁽²⁾⁽³⁾									
Shipping Containers ⁽⁴⁾	As per principal use					(1)	(4)	(4)	(4)
All other uses	As per principal use					(1)	-	(2)	-
Municipal and Recreational Uses, Public Utilities and Works:									
All uses	-	-	-	-	-	-	-	-	-

Footnotes to TABLE 4:

- (1) The combined total of the footprint of all buildings and structures defined as Lot (Site) Coverage on a site shall not exceed 60% of its total area. Private driveways, exterior parking areas, ground-level impermeable walkways and patios, and similar hard-surfaced areas are excluded from the 60% area calculation, but in no instance shall the area within a lot or site be covered by more than 70% of its gross area by any building or structure.
- (2) Gross footprint area of all accessory and ancillary buildings and structures shall not exceed 150% of that of the principal building, excluding any uncovered deck or shed 9.29 m² (100 ft²) and under, and the area of any driveway or on-site parking area.
- (3) There shall be a maximum of three (3) sheds or similar accessory or ancillary out-buildings per site.
- (4) Subject to 4.25

6.4 UH – Urban Holding District

The purpose of this district is to reserve unsubdivided and/or under-developed lands within the municipality for future urban development and to accommodate other uses which may not compromise future subdivision.

6.4.1 Permitted Uses

- a) Low-intensity agricultural operations in the form of cultivation only and no keeping of livestock with an allowable residence and farmyard of the operator
- b) Public utilities (excluding solid and liquid waste disposal facilities)
- c) Community gardens
- d) Recreation trails, parks and playgrounds, sports fields, picnic areas, golf courses

6.4.2 Permitted Accessory and Ancillary Uses:

- a) Accessory and ancillary uses customarily associated with a principal use and are secondary, subordinate and lesser in extent to the principal use.

6.4.3 Discretionary Uses

- a) Seasonal and Daily use campgrounds
- b) Municipal solid and liquid waste facilities and transfer stations
- c) Accessory buildings and structures customarily associated with principal discretionary use and are secondary, subordinate and lesser in extent to the principal use, excluding dwellings.
- d) Retaining walls subject to 4.37.1a)

6.4.4 Discretionary Accessory and Ancillary Uses

- a) Permanent placement of accessory shipping containers, subject to 4.25
- b) Retaining walls subject to 4.37

6.4.5 Site and Development Regulations (see Section 4 for additional regulation and evaluation)

- a) Site and Development Regulations (TABLE 5)

TABLE 5 – UH - Urban Holding District Site and Development Regulations

(measurements are in meters or percentages and are minimums unless otherwise noted)

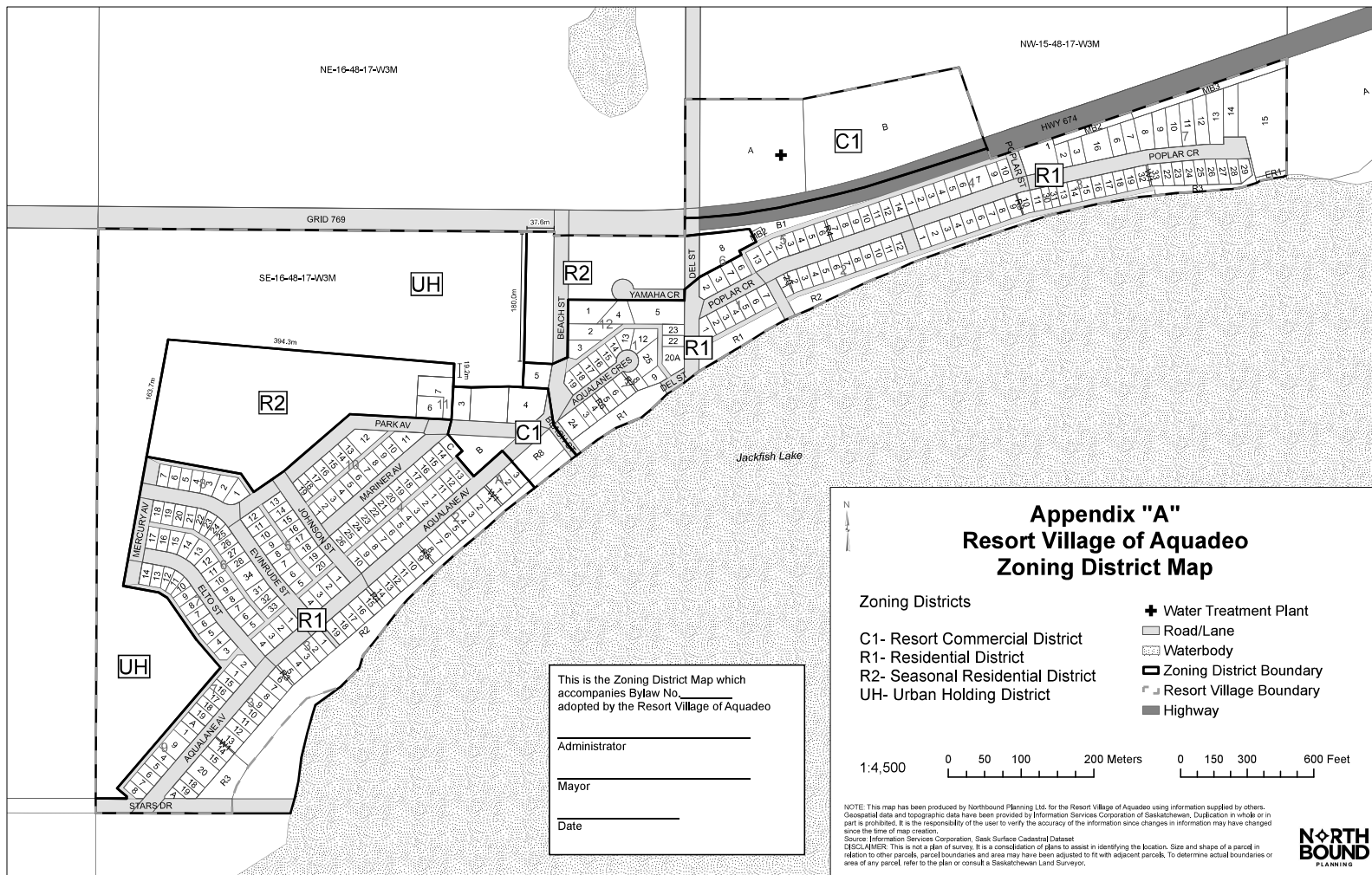
Use	Site Area (ha)	Site Frontage	Front Yard	Side Yard	Rear Yard	Maximum Site Coverage (%)	Floor Area (m ²)	Building Footprint (m ²) ⁽¹⁾	Maximum Building Height
All Uses (unless otherwise specified):	4	30	7.5	1.525	1.525	-	-	-	-
Shipping Containers ⁽¹⁾	As per principal use					(1)	-	(1)	(1)
Municipal and Recreational Uses, Public Utilities and Works:									
All uses	-	-	-	-	-	-	-	-	-

Footnotes to TABLE 5:

(1) Subject to 4.25

Appendix A - Zoning District Map of the Resort Village of Aquadeo

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Appendix B – Development Constraints Map of the Resort Village of Aquadeo

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