

CONSOLIDATED
ZONING BYLAW
FOR
THE CODETTE LAKE DEVELOPMENT AREA OF
THE RURAL MUNICIPALITY OF
NIPAWIN NO. 487
NO. 5 – 1987

September 28, 2007

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RURAL MUNICIPALITY OF
NIPAWIN NO. 487
CODETTE LAKE ZONING BYLAW NO. 5 – 1987

INTRODUCTION

PART 1

Under the authority granted by The Planning and Development Act, the Reeve and Council of the Rural Municipality of Nipawin No. 487 in the Province of Saskatchewan, in open meeting hereby enact as follows:

Title

The Bylaw shall be known and may be cited as the “Codette Lake Zoning Bylaw.”

Purpose

The purpose of this Bylaw is to regulate development in the Codette Lake Development Area so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the area.

Scope

Development shall hereafter be permitted within the limits of the Codette Lake Development Area of the Rural Municipality of Nipawin No. 487 only when in conformity with the provisions of this Bylaw.

Validity

If any section, clause, or provision of this Bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other

than the section, clause, or provision, including anything shown on the Zoning Map, so declared to be invalid.

DEFINITIONS

PART 2

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

Accessory use – shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use or building.

Agricultural holding- shall mean the total land holding within the Rural Municipality of Nipawin No. 487 of a person(s) engaged in an agricultural operation.

Agricultural operator – shall mean a farmer or a person whose principal source of income is derived from the agricultural production of his agricultural holding.

Alteration – shall mean any structural change or addition made to any building.

Building – shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels.

Building, accessory – shall mean a subordinate detached building appurtenant to a main building or main use and located on the same site, the purpose of which is to provide better and more convenient function of the main building or main use.

Building, residential – shall mean a single detached, semi-detached, duplex, mobile home or dormitory dwelling unit.

Building line, established – shall mean the average distance from the street line to the main wall of existing buildings of any side of any block where more than half the frontage has been built upon.

Council – shall mean the Council of the Rural Municipality of Nipawin No. 487.

Development – shall mean the carrying out of any building, engineering, mining or other operations in, on or over land or making of any material change in the use of any building or land.

Development Permit – shall mean a permit, issued by the Council of the Rural Municipality of Nipawin No. 487 that authorizes development, but does not include a building permit.

Discretionary use – shall mean any development permitted in a zoning district subject to the location and conditions specified by Council on the Development Permit.

Dwelling unit – shall mean one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

Dwelling, dormitory – shall mean a room or set of rooms used for the habitation of one or more persons but does not include eating quarters. This type of dwelling may be made of two or more apartments or sets of rooms, for the use of individuals working in an agricultural operation on the agricultural holding.

Dwelling, semi-detached – shall mean two dwelling units side by side in one building unit with a common party wall which separates, without opening, the two dwelling units throughout the entire structure.

Dwelling, single detached – shall mean a detached building consisting of one dwelling unit as herein defined and occupied or intended to be occupied as the permanent home or residence but shall not include a mobile home as herein defined.

Floor area – shall mean the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, verandah, sunroom, unfinished attic or unfinished basement.

Hotel – shall mean a building or structure or part of a building or structure used or advertised as a place where sleeping accommodation, with or without meals, is provided for transient lodgers, and where a guest register or record is kept, but does not include a motel, boarding house, lodging house, rooming house or tourist home.

Intensive Livestock Operation – shall mean an operation for the rearing confinement, or feeding of poultry, hogs, sheep or cattle that meets the requirements and standards of The Pollution (by Livestock) Control Act, Regulations there under.

Minister – shall mean the Minister of Rural Development for the Province of Saskatchewan.

Mobile Home – shall mean a trailer coach that is used as a dwelling for permanent or seasonal living, and that has water faucets and a shower head or bath tub that may be connected to a water distribution system, and that has a wash basin and water closet that may be connected to a sewerage system.

Mobile Home Site – shall mean a site, parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court – shall mean any tract or parcel of land on which two or more occupied mobile homes are located, not including a temporary construction camp.

Motel – shall mean a series of dwelling units intended for use of automobile transients, each containing at least a bedroom and bathroom, and each having convenient access to a parking space for the use of the occupants of the units.

Municipality – shall mean the Rural Municipality of Nipawin No. 487.

Non-conforming use – shall mean any use of land, building, or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zoning district in which it is located.

Non-permanent Structures – shall mean those structures or facilities that can be easily disassembled and moved and those that are not potentially subject to destruction or personal loss should floods or environmental hazards arise. Such structures and facilities include but are not limited to roads, boat ramps, boat docks, beach change houses, washrooms, picnic tables and structures.

Permanent Structures – shall mean those structures with permanent foundations or those privately owned structures that have been set up or moved in with the intention of remaining on the site for an extended length of time.

Public utility – shall mean a government or private enterprise providing a service to the general public.

Reeve – shall mean the Reeve of the Rural Municipality of Nipawin No. 487.

Rural Municipal Administrator – shall mean the Rural Municipal Administrator pursuant to the Rural Municipality Act.

Site – shall mean an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title.

Site line, front – shall mean 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 from the street.

Site line, rear – shall mean the boundary at the rear of the site and opposite the front site line.

Site line, side – shall mean a site boundary other than a front or rear site line.

Street – shall mean a public thoroughfare which affords the principal means of access to abutting property but shall not include an easement or lane.

Structure – shall mean anything that is built, constructed or erected, located on the ground, or attached to something located on the ground.

Tourist campsite – shall mean a site which provides for the location of tents and trailers used by travelers and tourists for overnight accommodation.

Trailer coach – shall mean any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

Yard – shall mean any part of a site unoccupied and unobstructed by any main building.

Yard, front – shall mean a yard extending across the full width of a site between the front line of the site and the nearest main wall of the main building or structure on the site.

Yard, rear – shall mean a yard extending across the full width of the site between the rear line of the site and the nearest main wall of the main building or structure on the site.

Yard, side – shall mean a yard extending from the front yard to the rear yard between the side line of a site and the nearest main wall of the main building or structure on the site.

ADMINISTRATION

PART 3

1. Administration

- (i) The Rural Municipal Administrator of the Rural Municipality of Nipawin No. 487 shall be the Development Officer who shall administer this bylaw.
- (ii) Every person, before commencing any development within the Codette Lake Development Area, shall apply to the Council for a permit to carry out such development. If the proposed development conforms to all relevant provisions of this Bylaw, and except as otherwise indicated in this Bylaw, the Development Officer shall issue a Development Permit.
- (iii) The applicant shall be notified in writing of the decision on his application. In the event of a refusal, the applicant shall be advised of his right to appeal the decision to the Development Appeals Board, subject to the provisions of The Planning and Development Act.
- (iv) No development shall commence until a permit to carry out such development has been obtained from the development officer.
- (v) A building permit, where required, shall not be issued unless a development permit, where required, has been issued.
- (vi) The provisions of paragraphs (ii), (iii) and (iv) above shall not apply to non-residential buildings accessory to agricultural operations with the exception of intensive livestock operations.

2. Development Appeals Board

- (i) Council shall appoint a Development Appeals Board in conformity with the provisions of The Planning and Development Act, 1983, within three months from the date of the coming into force of the bylaw.
- (ii) In addition to any other right of appeal provided by The Planning and Development Act, 1983, a person affected thereby, may appeal to the Board where a Development Officer:
 - (a) is alleged to have misapplied the bylaw in issuing a Development Permit; or
 - (b) refuses to issue a Development Permit because it would contravene this bylaw.
- (iii) An appellant shall make the appeal pursuant to subsection (ii) within 30 days of the date of the issuance of, or refusal to issue, a Development Permit.
- (iv) In determining an appeal under subsection (ii), the Board:
 - (a) is bound by the Codette Lake Development Plan;
 - (b) may confirm, revoke or vary a decision or Development Permit, or any attached condition, or may substitute a decision, or permit, that it considers advisable;
 - (c) may make a decision ordering or confirming the issuance of a Development Permit notwithstanding that the proposed development does not comply with this bylaw where, in its opinion, such action would not:

- grant to the applicant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zoning district; or
- amount to a relaxation of the provisions of this bylaw that would be contrary to its purposes and intent and would injuriously affect the neighbouring properties.

(v) Nothing in this section authorizes a person to appeal a decision of the Council:

- (a) refusing to rezone their land;
- (b) rejecting an application for approval of a discretionary use; however, a condition required by Council, on a Development Permit may be appealed.

3. Fee for Zoning Amendment Application

When an application is made to the Council of the Rural Municipality of Nipawin No. 487 for an amendment to this bylaw, such application shall be accompanied by an application fee to cover all or a portion of the costs of public advertising of the application.

4. Referral to Department of Public Health

A copy of all approved Development Permit applications involving the installation of water and sanitary services shall be supplied to the local office of the Department of Public Health and that all applications must comply with Provincial regulations.

5. Offences and Penalties

Prosecution for breach of this Bylaw shall be in accordance with The Planning and Development Act.

GENERAL REGULATIONS

PART 4

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

1. Licenses, Permits and Compliance with Other Bylaws

Nothing in this bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within The Rural Municipality of Nipawin No. 487 or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of The Rural Municipality of Nipawin No. 487. Where provisions in this bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

2. Frontage on Road

No development permit shall be issued unless the site or parcel of land intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on an existing public road.

3. Principal Building or Use Permitted on a Site

Not more than one principal building or use shall be permitted on any one site, as otherwise specified in this bylaw.

4. Existing Buildings

Where a building has been erected on or before the effective date of this bylaw on a site having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this bylaw; and
- (b) all other applicable provisions of this bylaw are satisfied;
- (c) such changes must be approved in accordance with this Bylaw.

5. Building to be Moved

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the municipal officer charged by Council with the administration of this bylaw or unless such building is exempt under Part 3.1.vi.

6. Waste Disposal

No liquid, solid or gaseous wastes shall be disposed of except in accordance with the Acts administered by the Department of Agriculture, Environment and Health. Landfill, solid waste, or liquid waste disposal sites shall be located in areas well removed from the reservoir and will comply with provincial health and environmental standards. On aquifers draining into the reservoir, a geotechnical report regarding waste disposal shall be provided to Council as a condition of the application.

7. Non-conforming Uses

Non-conforming uses shall be subject to the regulations of The Planning and Development Act.

8. Non-Application

The regulations of this bylaw shall not apply to the carrying out of any operations for the purpose of inspecting, repairing or renewing sewers, mains, cables, pipes, wires, tracks, or other similar apparatus required by a public utility for any lawful use of buildings or land.

9. Signs and Billboards

All signs and billboards shall be subject to the requirements of the Department of Highways plus the following requirements:

Use

- Commercial
- no more than two (2) signs are permitted on the premises;
 - no sign shall have a facial area in excess of 3.3 square metres (36 square feet). Each sign may be double-faced;
 - the maximum height of any sign shall be 6 metres (20 feet) above ground surface;
 - all signs shall meet C.S.A. (Canadian Standards Association) requirements.
- Other
- no more than one sign is permitted on the premises;
 - only signs bearing names of occupants, notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the premises are permitted;
 - no sign shall have a facial area exceeding 0.4 square metres (4 square feet). Larger signs are permitted only by resolution of Council.

- no sign shall be located in any manner that may, in the opinion of Council, visually obstruct or jeopardize the safety of others.

10. Areas Prohibited for Development

In addition to any other provision of this Bylaw:

- (a) Where land which is prone to slumping, subsidence, erosion or any other instability is proposed for development which includes a building or a non-agricultural structure, the applicant may be required to pay for the inspection of the property by a qualified professional consultant. If such inspection is not done, or having been done, finds that excessive remedial measures are necessary to safely accommodate any of the above types of development, a Development Permit shall not be issued.
- (b) Where land which is located in a watercourse or a flood plain is proposed for development with a residential, commercial, or industrial building or an agricultural structure for housing livestock, the applicant may be required to pay for the inspection of the property by a qualified professional consultant. If such inspection is not done, or having been done, finds that excessive remedial measures are necessary to safely accommodate any of the above types of development, a Development Permit shall not be issued.
- (c) Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, a Development Permit shall not be issued for any residential, commercial, or industrial building, unless the proponent agrees to pay the Municipality the full or such

portion of the costs as council may determine for the construction and maintenance of such access road in accordance with the Rural Municipality Act.

- (d) No development of permanent structures shall be allowed within Saskatchewan Power Corporation's Buffer Area along Codette Lake except where the land purchased by SPC exceeds that necessary to ensure environmental protection (approximately 100 metres beyond the erosion line designated by the Codette Lake Development Plan). * “and excepting Agricultural Irrigation Projects ** “and Municipal Water Systems” (e.g., water pump housing structures, cement slab bases, and related piping and pivots.” * **Bylaw 2-1990** ** **Bylaw 2-1992**
- (e) No permanent development shall be permitted below the minimum safe building elevation, along the shore of Codette Lake, of 351 metres (3.0m vertical setback from full supply level, FSL).* “except for Agricultural Irrigation Uses and their related structures, Council may, with a recommendation and approval from SaskPower, allow the placement of such structures below the 351 metre elevation, subject to any agreements required.” * **Bylaw 2-1990**
- (f) No physical landscape alteration will be permitted within SPC's buffer zone as designated on the Preferred Land Use Map, contained in the Codette Lake Development Plan, without the approval of Council and the Saskatchewan Power Corporation and approval, where necessary by

Saskatchewan Parks and Renewable Resources (foreshore alteration permit).

ZONING DISTRICT AND ZONING MAPS

PART 5

1. ZONING DISTRICTS

For the purposes of this Bylaw, the Rural Municipality of Nipawin No. 487 is divided into the following zoning districts, the boundaries of which are shown on the “Zoning District Map”. Such districts may be referred to by the appropriate symbols.

<u>Districts</u>	<u>Symbols</u>
Agricultural District	A
Resort District	R
Country Residential	CR
Highway Commercial	HC

2. The Zoning District Map

The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 5-1987” and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this bylaw, as if embodied herein.

3. Boundaries of Zoning Districts

The boundaries of such districts referred to in Part 5.1 together with explanatory legend, notation and reference, as shown on the “Zoning District Map”. Unless otherwise shown, the boundaries of the districts are lot lines, centre lines of streets, lanes, road allowances or such lines extended and the boundaries of the

Municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

4. District Schedules

The following are the schedules of uses and regulations pertaining to the various zoning districts under this bylaw.

A – AGRICULTURAL DISTRICT

PART 5 A

1. Intent

The intent of the A – Agricultural District is to support the use of land in the Codette Lake Development Area of the Rural Municipality of Nipawin No. 487 for agricultural purposes and those uses designated by the Codette Lake Development Plan. Subdivision of land shall only be permitted where the future use will be for one of the permitted or discretionary uses listed below.

2. Permitted Use

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an A – Agricultural District only the following uses shall be permitted:

A. Agricultural

Field crops, bee keeping, dairy farming, animal and poultry raising, ranching, grazing, tree nurseries, and other similar uses (excluding intensive livestock operations) customarily carried on in the field of general agriculture, including the sale, on the premises, of any produce grown or raised on the premises.

B. Communications

Radio and television towers and buildings, micro-wave installations, and other similar uses.

C. Other

Places of worship, cemeteries, public utility uses, * “except for solid and liquid waste disposal sites,” and public halls and buildings, and grain elevators existing at the date of the adoption of this bylaw.

* Bylaw 2-1992

3. Uses Permitted at Council’s Discretion

The following uses shall be permitted but only by resolution of Council and only in locations specified in such resolution of Council.

- (i) Gravel pits
- (ii) Abattoirs
- (iii) Auction marts
- (iv) Historic and archaeological sites
- (v) Airstrips and seaplane bases
- (vi) Temporary construction camps
- (vii) Intensive livestock operations
- (viii) Recreational uses including sports fields, golf courses, parks, picnic grounds, boat launches, trails, and other similar low intensity uses which involve minimal municipal services.
- (ix) Agriculture related Commercial uses including implement and machinery sales and service, small scale processing and sales of grain and seed, storage and mixing of agricultural chemicals and fertilizer. A residential building may be constructed as accessory to an established commercial use.

(x) Country (rural non-farm) residences

(xi) Institutional

*“(xii) Agricultural Irrigation Projects ** “ and Municipal Water Systems” (e.g., water pump housing structures, cement slab bases, and related piping and pivots.” *Bylaw 2-1990 **Bylaw 2-1992

*“(xiii) Solid and liquid waste disposal sites.” * Bylaw 2-1992

4. Accessory Uses

For the purposes of this bylaw uses customarily incidental and subordinate to a principal permitted or discretionary use, as listed in subsections (2) and (3) above, and located on the same site with such principal permitted use, shall be considered an accessory use. A residential holding may be considered as an accessory use to an agricultural operation listed in (2)A above but shall not be considered as accessory to other permitted uses.

5. Regulations

A. Minimum Site Size Requirements

(i) Agricultural Uses – quarter (1/4) section or equivalent. Equivalent shall mean 65 hectares (160 acres) or such less amount as remains in an agricultural holding as a result of the registration of a road widening, road right-of-way, railway plan, pipeline or natural feature such as a body of water. However, the minimum shall not be less than 57 hectares (140 acres), except as provided for in Section (5)F below.

- (ii) Site sizes less than required under Section (5)A(i) may be permitted for agricultural purposes, on the basis of a recommendation of Council.
 - (iii) Communication Uses – no minimum.
 - (iv) Other – no minimum.
 - (v) Discretionary Uses – as recommended by Council. Consideration should be given to the provision of services on the site. Rural non-farm residential sites are subject to the provisions of Section (5)J and Section (5)K following, and resort commercial subject to the provisions of (5)M following.
- B. Only two residential buildings shall be permitted on any agricultural holding. Where additional buildings are required to accommodate full-time workers engaged in the agricultural operation carried out on the agricultural holding, they may be permitted at Council's discretion.
- C. An agricultural holding may be subdivided or severed to provide a separate site for an existing residential building provided the following conditions are met:
- (i) No other residential building exists on a separate site in the same quarter (1/4) section.
 - (ii) The site to be subdivided or severed has an area of not less than 0.8 hectares (2 acres) and not more than 8 hectares (20 acres).

- (iii) The site shall not be located where, in the opinion of Council, an all-weather access road would be prohibitively expensive to construct or maintain.
 - (iv) Notwithstanding subsection (1), an additional site may be allowed on the basis of a recommendation of Council.
- D. An agricultural operator, on the basis of a recommendation of Council, may be granted a subdivision for a farmstead site of not less than 0.8 hectares (2 acres) where the site is part of the operator's total agricultural holding even though it may be separate from the major portion of the total agricultural holding.
- E. An agricultural operator whose agricultural holding within the Rural Municipality fails to meet the minimum site area requirements may use an agricultural holding in an adjacent rural municipality, at the discretion of Council, to meet the minimum site area requirement.
- F. Any agricultural holding within the A – Agricultural District which does not conform with the minimum site area requirements, as set out in the regulations of that district, shall be deemed to be conforming with regard to site area, provided that a register title for the site existed in the Land Titles Office prior to the coming into force of this bylaw.
- G. A minimum separation distance of 305 metres (1,000 feet) shall be between an Intensive Livestock Operation and any residential buildings or recreational site or proposed recreational site designated by the Codette

Lake Development Plan on separate agricultural or non-agricultural holdings.

- H. No building shall be constructed or no person shall plant any tree or shrub or place any stone pile, portable structure, machinery or other object on private property within 46 metres (150 feet) of the edge of a road allowance or within 91 metres (300 feet) of an intersection.
- I. Non-agricultural residences existing at the time of passage of this bylaw shall be deemed to conforming.
- J. A single non-farm residential site may be allowed, on the basis of a recommendation of Council, provided:
 - (i) no other non-farm residential site exists on the same quarter section, and
 - (ii) the site to be subdivided is not less than 1 hectare (2.5 acres) and not more than 4 hectares (10 acres).
 - (iii) Sites larger than 4 hectares (10 acres) may be on the basis of a recommendation of Council.
- K. A country (rural non-farm) residential holding may be located within the A – Agricultural District where the site is cut off by railways, roads, water courses or other natural causes, but only by Resolution of Council and only in locations specified in such Resolution of Council. Such resolution shall specify the site and location of any structure. Country residential sites shall be subject to the following requirements:
 - (i) Site area – minimum 1 hectare (2.5 acres)

- (ii) The site must be situated on land which is not of high agricultural value.
 - (iii) Any roadway, approaches, or improvements required in connection with such site must be paid for by the owner of the site.
 - (iv) Two large animals (horses or cows) will be permitted per 2 hectare (5 acre) site. Four large animals will be permitted per 4 hectare (10 acre) site. For each additional 1.2 hectares (3 acres), one large animal will be permitted. Smaller animals and birds will be permitted in equivalent numbers per animal unit as determined on the basis of the Pollution (By Livestock) Control Act, 1971.
 - (v) Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the owner of the animals and no buildings or structures intended to contain birds or animals shall be located within 30.5 metres (100 feet) of an adjoining dwelling.
- L. Before an application is approved for an intensive livestock operation, a permit must be first granted by the Minister of Agriculture under the Pollution (By Livestock) Control Act and regulations pursuant to that act. In addition, where an intensive livestock operation is proposed on an aquifer draining into the Codette Lake, a geotechnical report analyzing the possible consequences shall be prepared by a professional engineer and taken into account by Council.
- M. For recreational uses within the Codette Lake Development Area, the applicant shall submit a brief written narrative explaining how the

proposal is consistent with the policies and intent of the Codette Reservoir Development Plan.

- N. The clearing of trees will not be allowed without the approval of Council. Council shall only grant approval consistent with the environmental protection policies of the Codette Lake Development Plan.
- O. In exercising its discretion on development applications in the Codette Lake Development Area, Council shall have due regard for all the Policies of the Codette Lake Development Plan including, among other things, power generation being the dominant use of the Reservoir; the intention of developing a high quality recreation area in an agricultural setting; protection of environmentally sensitive areas such as ravines, steep slopes, or potential erosion areas; minimizing the impact of development in the Fort-A-la-Corne Provincial Forest and critical wildlife habitat; to protect groundwater and water quality in the Codette Lake; protection of archeological and historic sites from incompatible development; the potential effect on existing agricultural uses; and unwarranted demands for new municipal services or demands for extensive improvements to existing services.

R – RESORT DISTRICT

PART 5B

1. Intent

The intent of the R – Resort District is to accommodate intensive recreational development within the Codette Lake Development Area, while being consistent with the agricultural, environmental, and power generation policies of the Codette Lake Development Plan.

2. Permitted Uses

Subject to all other provisions of this bylaw on any site in any district defined, designated, or described in this bylaw as an R – Resort District, only the following uses, including accessory uses, shall be permitted.

A. Residential

Single-detached dwellings, including mobile homes on a permanent or seasonal basis.

B. Institutional

- (1) Places of worship, religious institutions.
- (2) Public halls.
- (3) Government buildings.

3. Discretionary Uses

The following principal and their respective accessory uses may be permitted but only by resolution or bylaw of Council in locations and with development standards specified by Council. In exercising its discretion on development applications in the Codette Lake Development Area, Council shall have due

regard for all the Policies of the Codette Lake Development Plan including, among other things, power generation being the dominant use of the Reservoir; the intention of development a high quality recreation area in an agricultural setting; protection of environmentally sensitive areas such as ravines, steep slopes, or potential erosion areas; minimizing the impact of development in the Fort-a-la-Corne Provincial Forest and critical wildlife habitat; to protect groundwater and water quality in the Codette Lake; protection of archeological and historic sites from incompatible development; preservation of vegetation; the potential effect on existing agricultural uses; and unwarranted demands for new municipal services or demand for extensive improvements to existing services.

A. Commercial

Resort and tourist related commercial uses including retail stores, restaurants, confectionaries, and other places for the sale and consumption of food and related items and automotive service stations.

B. Recreational

Sports fields, rinks, public beaches and parks, golf courses, hiking and cross country ski trails, tourist campsites, institutional camps, picnic grounds, lodges, boat launches, riding stables, marinas and other similar uses usually associated with seasonal recreational uses.

C. Historical

Historical and archeological sites and uses.

4. Accessory Uses

For the purposes of this bylaw, uses customarily incidental and subordinate to a principal permitted use, as listed in sub-section (2) above, and located on the same site with such permitted use shall be considered an accessory use.

5. Regulations for Permitted and Discretionary Uses

A.	<u>Site Area</u>	<u>minimum</u>
	Commercial uses	450 m ² (4844 sq.ft.)
	Single Detached Dwellings	450 m ² (4844 sq.ft.)
	All other uses	900 m ² (9687.5 sq.ft.)
B.	<u>Site frontage</u>	<u>minimum</u>
	Commercial uses	7.5 m (25 ft.)
	Single Detached Dwellings	15 m (50 ft.)
	All other uses	15 m (50 ft.)
C.		
	Commercial uses	7.5 m (25 ft.)
	Single Detached Dwellings	15 m (50 ft.)
	All other uses	15 m (50 ft.)
C.	<u>Yard, front</u>	<u>minimum</u>
	Commercial uses	no requirement
	All other uses	7.5 m (25 ft.)

- D. Yard, side minimum
- Institutional uses a width on each side of main building of not less than one-half the height of the building but not less than 3 metres (10 feet).
- All other uses 1.5 metres (5 feet on each side)
- E. Yard, rear minimum
- Commercial uses 6 metres (20 feet)
- All other uses 7.5 metres (25 feet) or 25% of the depth of the site whichever is the greater.
- F. Floor area minimum
- Per dwelling unit 55 m² (592 sq. ft.)
- H. Mobile Homes
- (1) Same site requirements as a single-detached dwelling.
 - (2) An accessory building or structure which specifically includes but is not limited to a porch, a canopy, an addition, or an oil tank covering will be permitted provided they are designed and clad in keeping with the original mobile home.
 - (3) All mobile homes shall be equipped with a skirting acceptable to the proper local authority within 30 days of the mobile home being placed on the site. An accessible removable panel shall be incorporated into the skirting as a service panel.

- I. A request for rezoning to R – Resort shall be reviewed by Council according to the policies and procedures of the Codette Lake Development Plan.

CR – COUNTRY RESIDENTIAL DISTRICT

PART 5C

1. Intent

The purpose of this district is to accommodate the needs of those country residents who move to the rural area and for which minimal municipal services are to be provided.

2. Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw, as a CR – Country Residential District only the following uses shall be permitted.

A. Principal Uses

- (1) Residential – Single Detached Dwellings
- (2) Public Utilities

B. Discretionary Uses

The following uses of land, buildings, or structures may be permitted but only by resolution of Council and only in locations and with development standards specified by Council:

- (1) Institutional – schools, churches, educational and religious institutions, hospitals.
- (2) Recreational – recreational uses which are related to country residential development including public sports fields, parks, golf courses, community centres.

C. Accessory Uses

Buildings, structures or uses accessory to and located on the same site with the main use, including the keeping and raising of animals and birds, except for pigs and mink, accessory to the main residential use.

3. Regulations

A. Residential Uses

- (1) Site maximum - 4 hectares (10 acres)
- (2) Site area – minimum 1 hectare (2.5 acres)
- (3) Site frontage – minimum 30.5 metres (100 feet)
- (4) Yard front – minimum 7.5 metres (25 feet)
- (5) Yard side – minimum 3 metres (10 feet)
- (6) Floor area – minimum 55 square metres (592 square feet)

B. Institutional and Recreational Uses

- (1) Site area – no minimum
- (2) Site coverage by buildings – maximum of 5 per cent of the area of the site.

C. Signs and Billboards

Are prohibited except those showing the names of occupants and signs bearing notices of sale or lease or other information relating to a temporary condition affecting the premises. No sign shall have a facial area exceeding 1.5 square metres (16 ft²) nor a height exceeding 2.4 metres (8 ft.)

4. In considering rezoning or subdivision for County Residential use, Council shall adhere to the appropriate policies and procedures in the Codette Lake Development Plan.

HC – HIGHWAY COMMERCIAL DISTRICT

PART 5D

1. Intent

The intent of the HC – Highway Commercial District is to provide for commercial and light industrial uses adjacent to the Highway. Subdivision of land shall only be permitted where the future use will be for one of the permitted uses listed below.

2. Permitted Uses

Subject to all other provision of this bylaw, on any site, in any district defined, designated or described in this bylaw as an HC – Highway Commercial District, only the following uses shall be permitted.

A. Farm Implement Dealers

Motels

Automotive Service Stations

Machine Shops

Restaurants

Automobile Sales and Service

Industrial Service Operations

Drive-in Theatres

Nurseries and Greenhouses

Convenience Food Stores

- ##### B.
- (1) Agricultural operations existing prior to the passage of this bylaw.
 - (2) Residences existing prior to the passage of this bylaw.

3. Uses Permitted at Council's Discretion

The following uses shall be permitted but only by resolution of Council and only in locations specified in such resolution of Council:

- (1) Abattoirs
- (2) Veterinary Clinics
- (3) Auction Marts

4. Accessory Uses

For the purpose of this bylaw, uses customarily incident and subordinate to a principal permitted use, as listed in subsection (2) above, shall be considered an accessory use.

5. Regulations

A. Site Area Requirements (minimum)

Motels – 1,337 square metres (18,000 square feet)

Discretionary Uses – as determined by Council

Other Uses – 1,114.8 square metres (12,000 square feet)

B. Site Frontage (minimum)

All uses – 30.4 metres (100 feet)

C. Yard Requirements (minimum)

Front - motels – 15 metres (50 feet)

- all other uses – 7.5 metres (25 feet)

Side - 3 metres (10 feet) on each side

Rear - 10% of the depth of the site

D. Parking Requirements

Motels – 1 parking space for each unit

Restaurants – 1 parking space for each 4 seats

All other buildings – 1 parking space for each 27 square metres (300 square feet) of gross floor area

EFFECTIVE DATE OF THE BYLAW

PART 6

This Bylaw shall come into force on the date of final approval by the Minister of Rural Development.

Reeve

SEAL

Rural Municipal Administrator

Certified a true copy of Bylaw No. 5-1987
Adopted by resolution of Council on the
6th day of May A.D. 1987.

_____.

Reeve

_____.

Rural Municipal Administrator

**CODETTE LAKE ZONING BYLAW
APPLICATION FOR A DEVELOPMENT PERMIT**

Under the provisions of Zoning Bylaw No.5-1987 of the Rural Municipality of Nipawin No. 487 pursuant to the Planning and Development Act.

PLEASE PRINT

1. a) Applicant's
Name: _____
Occupation: _____
Address: _____
- b) Registered Owner's
Name: _____
Occupation: _____
Address: _____
2. Legal Land Description
 - a) Description of land proposed for development: All / Part (check one)
½ Section Township Range
L.S.D. Lots Block(s)
Registered Plan No. _____
Certificate of Title No. _____
Date: _____
 - b) Legal description of additional rural land holdings of Applicant.

3. Existing land use:

4. Area of site proposed for development _____ acres/hectares.
5. Proposed development involves:
New Building Alteration
Addition Move in building
Other _____

6. Description of proposed land use (if land is in the A – Agricultural District) provide description of proposed agricultural use.

7. Estimate dates of development:

Commencement: _____ Completion: _____

8. Other comments in support of application:

9. Site Plan. Please provide a sketch in the space on the following page showing:

- a) Dimensions of parcel and location of existing or proposed buildings.
- b) Topographical features, ex. Water course, drainage ditches, sloughs, wooded areas.
- c) Adjoining land uses;
- d) Size and location of easements or right of ways.

10. Conformance with Codette Lake Development Plan. The applicant shall submit a brief narrative explaining how the proposal is consistent with the policies of the Codette Lake Development Plan. This shall include a geotechnical analysis if required by the Development Plan.

11. Declaration of Applicant

I, _____,
of the Rural Municipality of Nipawin No. 487 in the province of Saskatchewan,
solemnly declare that all of the above statements contained within the application
are true, and I make this solemn declaration conscientiously believing it to be
true, and knowing that it is the same force and effects as is made under oath,

Date: _____

Signature: _____

Address: _____

Telephone No.: _____

FOR MUNICIPAL OFFICE USE ONLY:

Application No. _____

1. Present Zoning: A – Agricultural
 CR – Country Residential
 R – Resort
 HC – Highway Commercial
2. Proposed Uses(s): Principal: _____
 Accessory: _____
3. Proposed Yards: Front: _____
 Rear: _____
4. Application Status: Meets Bylaw Requirements: _____
 Does Not Meet Bylaw Requirements: _____

Proposed Use:

Site Area:

Date

Development Officer

DEVELOPMENT PERMIT: NOTICE OF DECISION

Rural Municipality of Nipawin No. 487

Application No. _____

Application

- a) Approved
- b) Approved subject to the following conditions:

- c) Refused for the following reasons:

Please be advised that you may be entitled to appeal a refusal issued by the Rural Municipal Administrator to the Development Appeals Board, subject to the Planning and Development Act.

Date

Development Officer