



# RESORT VILLAGE OF WAKAW LAKE ZONING BYLAW

2024

RESORT VILLAGE OF WAKAW LAKE

ZONING BYLAW

BYLAW NO. 02-2024

(First Reading on March 18, 2024)  
(Second and Third Reading on June 10, 2024)  
(Adoption on June 10, 2024)  
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Originally Prepared for  
The Resort Village of Wakaw Lake

by

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THE RESORT VILLAGE OF WAKAW LAKE  
ZONING BYLAW

A Bylaw of the Resort Village of Wakaw Lake to adopt a Zoning Bylaw in accordance with *The Planning and Development Act, 2007*.

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

- 1) In accordance with Section 34 (1) of *The Planning and Development Act, 2007* the Council of the Resort Village of Wakaw Lake adopts the Resort Village of Wakaw Lake Bylaw, identified as Schedule "A" to this Bylaw.
- 2) The Mayor and the CAO of the Resort Village are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- 3) Bylaw 1-2023, is hereby repealed.
- 4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

INTRODUCED AND READ a first time this 18<sup>th</sup> day of March, 2024. A.D.

READ A THIRD time this 21<sup>st</sup> day of October, 2024. A.D.

ADOPTION of this Bylaw this 21<sup>st</sup> day of October, 2024. A.D.

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MAYOR

( S E A L )

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CAO

Certified a True Copy of this Bylaw adopted by Resolution of Council  
On the 21<sup>st</sup> day of October, 2024, A.D.

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CAO

TABLE OF CONTENTS

SECTION 1 – INTRODUCTION . . . . . page 7

- 1.1 Title
- 1.2 Purpose of the Zoning Bylaw
- 1.3 Scope
- 1.4 Relevance to Current Cottage Owners
- 1.5 Severance
- 1.6 Provincial Interests [see: 6.16 OCP]

SECTION 2 – ADMINISTRATION. . . . . page 7

- 2.1 DEVELOPMENT OFFICER AND PERMITS
  - 2.1.1 Development Officer
  - 2.1.2 Development Permits Requirements and Procedure
  - 2.1.3 Compliance with the Development Permit
  - 2.1.4 Development Not Requiring a Permit
  - 2.1.5 Referral to Council
  - 2.1.6 Referral to Department of Public Health
  - 2.1.7 Referral to other Agencies

2.2 DISCRETIONARY USE APPLICATIONS . . . . . page 10

- 2.2.1 Application Procedure for Discretionary Use
- 2.2.2 Discretionary Use Evaluation Criteria
- 2.2.3 Terms and Conditions for Discretionary Use Approvals
- 2.2.4 Notice of Decision
- 2.2.5 Limitation on Discretionary Use Approvals
- 2.2.6 Conditional Discretionary Use Permits ('Granny-suite')
- 2.2.7 DISCRETIONARY MUNICIPAL PERMIT for *Lakeside Development and Shoreline Structures*
- 2.2.8 Time Limited Discretionary Use

2.3 ZONING BYLAW AND FUTURE DEVELOPMENT . . . . . page 13

- 2.3.1 Amendment of the Zoning Bylaw
- 2.3.2 Development Appeals
- 2.3.3 Minor Variances
- 2.3.4 Hazard Lands
- 2.3.5 Heritage Resources

2.4 FEES AND ENFORCEMENT . . . . . page 16

- 2.4.1 Register
- 2.4.2 Fees for Amendment of the Zoning Bylaw
- 2.4.3 Enforcement, Offences and Penalties
- 2.4.4 Licenses, Permits, and Compliance with Other Bylaws and Regulations

SECTION 3 – REGULATIONS: BUILDINGS, LOTS AND ACCESSORIES . . . . . page 16

- 3.1 BUILDINGS
  - 3.1.1 Established Building Lines
  - 3.1.2 Non-Conforming Uses, Buildings and Sites
  - 3.1.3 Undersized Lots in Residential Districts

3.1.4	Permitted Yard Encroachments	
3.1.5	Private Garages and Carports	
3.1.6	Accessory Buildings, Structures and Uses	
3.1.7	Granny-Suite/Guest House	
3.1.8	Temporary Residence During Construction of Principal Building	
3.1.9	Number of Principal Buildings Permitted on a Site	
3.1.10	Demolition of Buildings	
3.1.11	Buildings to be Moved	
3.2	SPECIAL PROVISIONS (discretionary uses)	page 21
3.2.1	Bed and Breakfast Lodging	
3.2.2	Convenience type store/coffee shop	
3.2.3	Home Based Businesses and Home Occupations	
3.3	RESIDENTIAL ACCESSORIES	page 23
3.3.1	Satellite Dishes, Radio Towers, TV Antennas, Solar Collectors, Wind Turbines	
3.3.2	Communication Towers	
3.3.3	Solar Panels	
3.3.4	Geothermal Facilities and Operations	
3.3.5	Swimming Pools, Hot Tubs, Ornamental Ponds and Wading Pools	
3.3.6	Fences	
3.3.7	Outdoor Lighting	
3.3.8	Recreational Vehicles on Residential Sites	
3.3.9	Keeping of Animals	
3.3.10	Signs	
3.4	RESIDENTIAL LOTS	page 26
3.4.1	Grading and Leveling of Lots	
3.4.2	Storage in Residential District	
3.4.3	Off-Street Parking	
3.4.4	Retaining Walls	
3.4.5	Driveways	
3.4.6	Permits for Driveway Construction	
3.4.7	Lot Appearance	
3.4.8	Landscaping	
3.4.9	Removal of Dangerous Trees	
	<b><u>SECTION 4 - SEASONAL CAMPGROUND REGULATIONS</u></b>	page 30
4.1	Intent and Focus	
4.1.1	Intent	
4.1.2	Focus	
4.2	Operations and Development Permit	
4.3	Uses	
4.3.1	Permitted Uses	
4.3.1.1	Principal Uses	
4.3.1.2	Accessory Uses	
4.3.1.3	Ancillary Uses	
4.4	Discretionary Uses	
4.5	Uses not Permitted	
4.6	Campground Layout	

- 4.6.1 Campground Layout
- 4.6.2 Campsite Density
- 4.6.3 Accessory Buildings
- 4.6.4 Traffic
- 4.6.5 Buffer Areas
- 4.6.6 Amenity Areas
- 4.6.7 Signs
- 4.6.8 Utility Services Requirement
- 4.6.9 Sewage and Solid and Liquid Waste Management
- 4.6.10 Washroom Facilities
- 4.6.11 Laundry Facilities and Guest Parking
- 4.7 Other
- 4.7.1 Non-conformities
- 4.7.2 General Compliance

**SECTION 5 - REGULATIONS FOR LAKESIDE DEVELOPMENT AND SHORELINE STRUCTURES**

page 35

- 5.1 Purpose
- 5.2 Shoreline and Lakeside Land Development
- 5.3 Development Criteria and Standards
  - 5.3.1 Permitted temporary shoreline structure
  - 5.3.2 Prohibited structures, developments and uses
- 5.4 Lakeside Development and Shoreline Structures Permits (Municipal permits)

**SECTION 6 – OPEN SPACE REGULATIONS**

page 40

- 6.1 ACTIVITIES IN THE OPEN SPACE AREAS
  - 6.1.1 Vehicles and Parking
  - 6.1.2 Firearms
  - 6.1.3 Trapping
  - 6.1.4 Gardens
  - 6.1.5 Camping
  - 6.1.6 Fires
  - 6.1.7 Pets
  - 6.1.8 General Conduct of Persons in the Open Space Area
  - 6.1.9 Exemptions, Offences and Penalties
- 6.2 MANGEMENT OF OPEN SPACE AREAS . . . . . page 42
  - 6.2.1 Management of Trees and Grasses
  - 6.2.2 Dead or Deteriorating Trees
  - 6.2.3 Tree Removal from Open Spaces and Private Lots
- 6.3 GROUNDWATER PROTECTION AND STORMWATER MANAGEMENT . . . . . page 43
  - 6.3.1 Ground Water Protection
  - 6.3.2 Storm Water Management
  - 6.3.3 Community Involvement in Protecting Open Spaces

<u>SECTION 7 – ZONING DISTRICTS.</u>	. . . . .	page 45
7.1	ZONING DISTRICT MAP, HOLDING PROVISION, OVERLAY DISTRICTS	
7.1.1	The Zoning Map	
7.1.2	Boundaries of Zoning Districts	
7.1.3	Holding Provision	
7.1.4	Overlay Districts	
7.1.4.1	Flood (and Safe Building Elevation)	
7.1.4.2	Hillside Protection	
7.2	ZONING DISTRICTS	page 49
7.2.1	Residential Districts (R1, R2, R3)	
7.2.2	Commercial District (C)	
7.2.3	Recreation District (REC)	
7.2.4	Conservation District (CA)	
7.2.5	Storage District (S)	
7.2.6	Community Services District (CS)	
7.2.7	Urban Reserve District (UR)	
7.3	PERMITTED AND DISCRETIONARY USES, OTHER DISTRICT REGULATIONS	page 51
7.4	DEVELOPMENT STANDARDS	page 57
7.5	PROHIBITED LAND USE IN ALL ZONING DISTRICTS	page 60
<u>SECTION 8 – DEFINITIONS</u>	. . . . .	page 60
<u>SECTION 9- COMING INTO FORCE</u>	. . . . .	page 71

#### APPENDICES

Appendix A: Application for Development Permit, Form A and B

Appendix B: Application for Lakeside land development permits, Form C

Appendix C: Zoning District Map

Appendix D: Lot Schematics

## SECTION 1 - INTRODUCTION

Under the authority of *The Planning and Development Act, 2007* and amendments (*The Act*) and in conjunction with Bylaw No 008- 2013, the Official Community Plan (OCP) of the Resort Village of Wakaw Lake, the Council of the Resort Village of Wakaw Lake, 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 Resort Village of Wakaw Lake Zoning Bylaw.

### 1.2 Purpose

The purpose of this Zoning Bylaw is to control the use and development of land and to assist in implementing the Official Community Plan (OCP) so as to provide for the health, safety, amenities and general welfare of the residents of the Resort Village of Wakaw Lake.

### 1.3 Scope

All development within the limits of the Resort Village of Wakaw Lake shall be in conformity with the provisions of this Bylaw.

### 1.4 Relevance to Current Cottage Owners

Any lawful use of land and any existing building (or any building lawfully under construction) that does not conform to the regulations at the time that this Bylaw is approved, is permitted according to Section 3.1.2.

### 1.5 Severance

If any part of this Bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, the validity of the Bylaw as a whole, or any other part, Section or provision of this Bylaw shall not be affected.

### 1.6 Provincial Interests

Development shall incorporate "**insofar as is practical**" applicable provincial land use policies and statement of provincial interests (*The Statements of Provincial Interest Regulations* Chapter P-13.2 Reg 3 (effective March 29, 2012)). So far, applicable common planning interests to the province and this Resort Village include: heritage and culture, recreation and tourism, shoreland and water bodies, source water protection, and intermunicipal cooperation as identified in Section 1.5 of the Official Community Plan.

## SECTION 2 – ADMINISTRATION

### 2.1 DEVELOPMENT OFFICER AND PERMITS

#### 2.1.1 Development Officer

Unless an other person is appointed by resolution of the Council, the Village Administrator of the Resort Village of Wakaw Lake shall be the Development Officer responsible for the administration of this Bylaw.

#### 2.1.2 Development Permits

- a) Except as provided in Section 2.1.4, no person shall undertake a development or commence a use unless a development permit is obtained.

- b) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to *The Act*
- c) A Development Permit is not valid unless it conforms with this Bylaw and *The Act*.
- d) The application to the Development Officer for the Development Permit shall be made in the "Form A" as adopted or amended by resolution of Council, together with any other information needed to assess the application in relation to the regulations of this Bylaw and shall include the following minimum information:
- i) Name of the owner applicant or his agent, engineer, architect, or contractor authorized in writing by the registered owner of the property
  - ii) Legal description (lot, block, and registered plan number)
  - iii) Existing and proposed use
  - iv) Two copies of a layout or site plan indicating:
    - All building and setback dimensions from the property line
    - Landscaping, parking areas and driveway
    - Ingress and egress from the site/property
    - Proposed municipal services and locations
    - Confinement of drainage to open sides of the site
    - Topographic information and the 1:500 flood elevation line
  - v) Council may require submission of geotechnical report as stated in Section 2.3.5 (Hazard Lands).
- e) Issue of Permit -Upon completion of the review of an application for development, the Development Officer shall:
- i) For a PERMITTED USE, issue a development permit where the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw.
  - i) For a PERMITTED USE, issue a refusal, where the application does not comply with a provision or regulation of this Bylaw. One copy of the layout or site plan shall be returned along with the reason for refusal and advising the applicant of any right of appeal.
  - ii) The permit or notice of refusal shall be in "Form B" as adopted or amended by resolution of Council.
- f) Upon issuance of a development permit, the following additional permits may be requested:
- i) Building permit. (Building permits are not required for the construction of single storey accessory buildings under 9.3 m<sup>2</sup> (100 ft<sup>2</sup>). Note: campsite owners do require building permits as per Section 4.3.1.2
  - ii) Demolition permit
  - iii) Moving permit
- No additional permit shall be issued unless a development permit, where required in this Bylaw, has also been issued.
- g) If the development or use authorized by a development permit is not commenced within twelve (12) months from the date of issue of a permit, the permit is deemed void unless an extension has been granted prior to its expiry.

- h) A development permit may be granted for an additional 12 month period by the Development Officer.
- i) The application to the Development Officer for a Lakeside Development and Shoreline Structures Permit shall be made in the "Form C" as adopted or amended by resolution of Council, together with information needed to assess the application in relation to the regulations of this Bylaw and shall include the information outlined in Section 5 - REGULATIONS FOR Lakeside Development and Shoreline Structures
  - i) Notice of decision, and where applicable, conditions for approval shall be included on "Form C".

#### 2.1.3 Compliance with the Development Permit

- a) It is the owner's or developer's responsibility to notify the Resort Village when the development commences in order to ensure that development occurs in compliance with this Zoning Bylaw. Therefore, the owner or developers shall notify the municipality when the site is marked, and before excavation or foundations are formed.
- b) Where a building permit has been granted, inspection shall be undertaken at three stages of development:
  - i) Before the grading and levelling of lots (Section 3.4.1) with foundation (offsets) corner stakeout markers in the ground (or stakeout markers) and outer limit of site clearing (Section 6.2.3) suitably marked (colored plastic ribbons on stakes and or trees and shrubs).
  - ii) Before the foundations are formed.
  - iii) After framing is completed.
- c) Municipality shall carry out the inspection within 72 hours of the above notification(s). The costs associated with these inspection shall be the developer's responsibility.

#### 2.1.4 Development not Requiring a Permit

Although a development permit is not required, the owner applicant or his agent must comply with the requirements of the applicable Zoning Bylaw and Village regulations and bylaws, for the following,

- a) The maintenance of a public utility by the Municipality or crown or private corporation,
- b) The construction of a public utility by the Municipality,
- c) The installation of a public utility on any street or other public right-of-way by the Municipality,
- d) Any municipal facility installed and operated by the Municipality,
- e) Maintenance and repairs of any building or structure that does not include structural alterations.
- f) Outdoor lighting as long as it meets the requirements of the bylaw,
- g) The erection of a sign (for residential uses) which conforms to Section 3.3.10, and
- h) Planting of any tree or shrubs on private property.

#### 2.1.5 Referral to Council

Where the development officer submits a permit application to Council for interpretation of the bylaws (Official Community Plan Bylaw or the Zoning Bylaw) or for special conditions therein, the applicant shall be informed of the date and time of the meeting when Council will consider the matter.

### 2.1.6 Referral to Department of Public Health

A copy of all approved development permit applications involving installation of water and sanitary services shall be forwarded to the local office of the Saskatchewan Department of Health by the Development Officer.

### 2.1.7 Referral to Other Agencies

Depending on the nature of application (installation of shoreline structures), to assure compliance with other legislation and regulations, the development officer may refer applications to other agencies.

## 2.2 DISCRETIONARY USE APPLICATIONS

### 2.2.1 Application Procedure for Discretionary Use

- a) The owner of the property (or other person with written consent of the owner) may apply to the Development Officer for a DISCRETIONARY USE, and shall, in addition to the form prescribed in Section 2.1.2 (d), provide a written description of the proposed development, the intended use and operations, structures to be located on the site, required municipal services, and provide any other information that the Development Officer and or Council determines is necessary for Council to fully review the proposed development.
- b) The Development Officer shall review the DISCRETIONARY USE application for conformance with this Bylaw and any other applicable policies and regulations, and shall pass on the application and all other information submitted by the applicant, with a written report on the results of the review, to Council.
- c) Council shall review the application and the report from the Development Officer and where appropriate may request comments or information from other government agencies to assist **Council's review of the application.**
- d) After Council has received requested comments or information from other government agencies, the Development Officer shall set a date, time and location for the Council meeting to consider the application.
- e) The Development Officer, pursuant to Section 55 (2) of *The Planning and Development Act, 2007*, shall notify the assessed owners of property within a minimum of 91 metres (250 feet) of the boundary of the applicants property by registered mail, place notification posters on the **applicant's property, and post a notice on the Resort Village website. This public notice of DISCRETIONARY USE application shall be given and mailed at least four (4) weeks prior to the date of the Council meeting where the application shall be considered.**
- f) In addition to subsection 2.2.1 (e), an onsite notification poster shall be prepared by the Development Officer and posted on the site by the applicant and must remain posted until the application is considered by Council.
- g) The notice of DISCRETIONARY USE application, described in subsection 2.2.1 (e), shall describe the use applied for, the location of the use and date, along with the time and location for the Council meeting where the application shall be considered by Council.

### 2.2.2 Discretionary Use Evaluation Criteria

Council shall apply the following criteria when considering an application for DISCRETIONARY USE:

- a) The proposed discretionary uses, discretionary forms of development, and associated accessory uses must be contained within the list of discretionary uses of a zoning district.
- b) Any proposed buildings and structures shall conform to the development standards and applicable provisions of the Zoning Bylaw.
- c) In the opinion of Council, the proposed discretionary use shall not create unnecessary disturbance to abutting residential areas due to noxious or offensive emissions including gas, vapour, odour, noise, dust, glare or light, traffic, diminished storm water management, or threat of groundwater contamination.
- d) In the opinion of Council, the proposed discretionary use will be of financial, social, and or environmental benefit to the Resort Village.

### 2.2.3 Terms and Conditions for Discretionary Use Approvals

In approving a DISCRETIONARY USE application to minimize land use conflicts, Council may prescribe specific development standards or conditions with respect to the use or form of development related to:

- a) Site drainage of storm water and groundwater protection.
- b) Height, shape, arrangement and location of proposed buildings with respect to buildings on adjacent properties and their views to the lake (See: Section 7.1.4.2 - Hillside Protection Area overlay district ).
- c) **Special development standards regarding "yard requirements" to reduce conflict with neighbouring uses.**
- d) Accessibility to, number of and location of off-street parking sites and loading areas.
- e) Access to the site shall be from the front of the property (no access shall be allowed to the site through any adjacent public reserve land).
- f) Type of vehicles allowed for recreational uses (no construction and farm equipment shall be allowed).
- g) Type and volume of traffic and impact on traffic flows on adjacent roadways.
- h) Safeguards to control noxious or offensive emissions including gas, vapour, odour, noise, dust, glare or light, traffic, diminished storm water management, or threat of groundwater contamination.
- i) Any treatment given, as determined by Council, to aspects including landscaping, screening to buffer adjacent properties, lighting, outdoor signs, and parking.
- j) Consistency with any provincial land use policies and statements of provincial interest.

### 2.2.4 Notice of Decision

Council shall make a decision on a DISCRETIONARY USE APPLICATION, by resolution, that approves or refuses the discretionary use on that site. The resolution shall instruct the Development Officer to:

- a) Issue a development permit incorporating any specific development standards set forth by Council, where the development shall comply with the standards of this Bylaw, subject to the limitations of the Act.
- b) Issue a development permit incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that development shall comply with the standards of this Bylaw, subject to the limitations of the Act.
- c) Issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that he or she or both may have.
- d) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.

#### 2.2.5 Limitation on Discretionary Use Approvals

- a) The Council approved DISCRETIONARY USE application is valid for a period of 12 months from the date of approval. The approval shall not be valid when the proposed use or proposed form of development has not commenced within that time. When a prior approval is no longer valid, the Development Officer shall advise the applicant and Council.
- b) Council may direct that an extension of the DISCRETIONARY permit be granted for an additional 12 month period by the Development Officer.
- c) The discretionary use approval shall no longer be valid if:
  - i) An approved discretionary use form of development ceases to operate for a period of six (6) months or more, or,
  - ii) The use ceased and was replaced by an other use, or
  - iii) The applicant applies to increase the specifically approved intensity of use.

#### 2.2.6 Conditional Discretionary Use Permits

An application for a CONDITIONAL DISCRETIONARY USE PERMIT concerning certain accessory buildings for secondary living quarters ('granny-suite') shall be regulated by Section 2 (Discretionary Use Application Procedure; Discretionary Use Evaluation Criteria; and Terms and Conditions of Discretionary Use Approvals) of this Bylaw. Such a CONDITIONAL USE permit may be issued by Council provided that:

- a) There is a demonstrated need and potential for continued use of the structure for the purpose stated.
- b) No commercial or home occupation activities are conducted on the site; or the expansion of existing bed and breakfast lodging, nor home occupation.
- c) The building has an evident use of which is subordinate to that of a principal building or use situated on the same site.
- d) The accessory building shall be maintained in a compatible manner with the adjacent residential uses and does not present a hazard to public health, safety, general welfare, and the environment (See Section 2.2.3).
- e) The Building used for the conditional use, is of a portable nature, such that it can be easily removed when no longer needed for the conditional use for which it was permitted.

### 2.2.7 DISCRETIONARY MUNICIPAL PERMIT for *Lakeside Development* and *Shoreline Structures*

- a) An application for an annual DISCRETIONARY TEMPORARY USE PERMIT (MUNICIPAL PERMIT) for *Lakeside Development* and *Shoreline Structures* shall be regulated as described in Section 5 - Regulations for Lakeside Development and Shoreline Structures.
- b) Permit process and decision criteria are described in subsection 5.4 of Section 5.
- c) Council's decision (approved or not approved, and the permit) concerning *Shoreline Structures* and *Shorline Development* shall be on "Form C".
- d) Such a Municipal Permit may be issued by Council. The permit or notice of decision shall be in "Form C" as adopted or amended by resolution of Council.

### 2.2.8 Time Limited Discretionary Uses

Where Council has approved a discretionary use for a limited time as provided in the Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

## 2.3 ZONING BYLAW AND FUTURE DEVELOPMENT

### 2.3.1 Amendment of the Zoning Bylaw

- a) Where a development proposal is not identified within the Bylaw as a PERMITTED or a DISCRETIONARY USE, the development is considered prohibited.
- b) In such a case, the proponent/applicant may apply, upon payment of the required fee, to the Development Officer for a Zoning Bylaw amendment.
- c) The proposed development is then presented to Council at its next council meeting for review and decision, and should the development be deemed desirable for the municipality a resolution shall be passed authorizing the Development Officer to prepare a draft amendment.
- d) Council must then undertake steps outlined in accordance with Sections 207 - 212 of The Act with respect to public notice and public participation in the adoption of a bylaw to amend this Zoning Bylaw.
- e) The applicant shall pay a fee equal to the cost to the municipality associated with the public advertisement.
- f) Decision criteria for Amendment of the Zoning Bylaw shall be as outlined in the Official Community Plan under Section 3.4 - Guiding Land Use and Development Decisions.
- g) If Council deems that the amendment being applied for is not in the public interest, convenience, general welfare or in keeping with good planning practice, they shall proper notice of their rejection of the application.

### 2.3.2 Development Appeals

- a) Council in accordance with Sections 26 – 28 and 49 and 213 – 217 of *The Act*, shall appoint a Development Appeals Board of the Resort Village of Wakaw Lake.
- b) Where an application for a PERMITTED USE has been refused, the applicant shall be advised of the right to appeal to the Development Appeals Board of the Resort Village of Wakaw Lake pursuant to Section 219 of *The Act*.

- c) Where an application for a DISCRETIONARY USE or development has been approved with prescribed development standards, the applicant shall be advised of his/her right to appeal any development standards or conditions considered excessive, to the Development Appeals Board.
- d) **The applicant shall within thirty (30) days of the date of Council's approval, file a written notice of intention to appeal to the Development Appeals Board (Section 58 of *The Act*).**
- e) There remains no appeal against the approval or denial by the Council of the DISCRETIONARY use itself in accordance with Sections 57 and 58 of *The Act*.
- f) When appealing to the Development Appeals Board, and hearing an appeal, the provisions of *The Act* shall apply.
- g) An application for a Development Permit shall be deemed to be refused when a decision thereon is not made within forty (40) days after the receipt of the application in its complete and final form by the Development Officer. An appeal may then be made as though the application had been refused at the end of 40 days.

### 2.3.3 Minor Variances

All variances shall be subject to the conditions and procedures identified in section 60 of *The Act*.

- a) The zoning bylaw may authorize the council or the development officer to vary the requirements of the zoning bylaw, subject to the following conditions:
- b) A minor variance may be granted for the following only:
  - i) the minimum required distance of a building from a lot line; and
  - ii) the minimum required distance of a building to any other building on the lot.
- c) The maximum amount of minor variance on dimension shall not exceed 10% of the bylaw requirement of this Zoning Bylaw and the development shall conform to the Zoning Bylaw with respect to the use of land.
- d) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.
- e) No minor variance shall be granted for a discretionary use or form of development, or in connection with with an agreement to rezone pursuant to Section 69 (Contract Zoning) of *The Act*; or if it would be inconsistent with any provincial land use policies or statements of provincial interest.
- f) An application for a minor variance to the Zoning Bylaw shall be made to the Development Officer in a form prescribed by the Development Officer, and shall include the application fee.
- g) On receipt of an application form for a minor variance the Development Officer may:
  - i) approve the minor variance;
  - ii) approve the minor variance and impose terms and conditions on the approval; or
  - iii) deny the minor variance.
- h) Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Zoning Bylaw.
- i) If a minor variance is approved, with or without terms and conditions, the Development Officer shall provide written notice to the applicant and and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the approval.

- j) The written notice shall contain:
- i) a summary of the application for minor variance;
  - ii) reasons for and an effective date of the decision;
  - iii) indicate to an adjoining owner has 20 days after the receipt of the notice to lodge a written objection with the Council or the Development Officer, which when received will result in the approval of the minor variance being revoked; and
  - iv) where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board by registered mail or by personal services.
- k) A decision approving a minor variance, with or without terms and conditions, does not take effect until 23 days from the date of notice was sent by registered mail; or 20 days from the date of notice was served by personal services.
- l) If an assessed owner of a property having a common boundary with the applicant's land objects in writing to the Development Officer within the period prescribed in section 10) above, the approval is deemed revoked and the Development Officer shall notify the applicant in writing: of the revocation of approval; and of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days after receiving the notice.
- m) If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days after the date of that decision.
- n) A registry of the granting of all such variances, with location and all details, shall be maintained by the development officer.

#### 2.3.4 Hazard Lands

- a) Where, in the opinion of Council, a proposed development or subdivision is located on land considered to be potentially hazardous, including but not limited to flooding, spring outcrops, hillsides prone to slumping, earth movement or other instability or is otherwise unsuitable or hazardous for the proposed use, or where, owing to bad natural drainage, steep slopes, or other similar features, soft soils, and shore land erosion, Council may require that before a development permit may be issued, the applicant shall submit a geotechnical report on the proposed development to be completed and approved by a Registered Professional Geotechnical Engineer in the Province of Saskatchewan.
- b) The report must assess the hazard land, indicate the suitability of the land or lots for development with respect to the following where relevant:
- i) A suitable topographic map of the proposed area of development and elevation of the development;
  - ii) The potential for flooding up to a 1 in 500 flood elevation involving a building (See: Section 7.1.4.1 Safe Building Elevation), or where not involving a building, a lower elevation for the proposed use. ;
  - i) The potential for slope instability, shoreline recession, soil erosion, safe building sites, or the potential for irreparable alteration of the natural resource base;
  - ii) The suitability of the land for the proposed development or subdivision of land;

- iii) Proposed action for mitigation such as hazard avoidance, prevention, mitigation or other measures that may be specified as conditions in the development permit.
- c) **Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive costs of municipal services or in problems related to managing such services.**

### 2.3.5 Heritage Resources

Saskatchewan Heritage Resources Branch has indicated a high potential exists for unrecorded archaeological sites in SW 26-42-26-W2 and on similar terrain in close proximity to the lake. Should future developments be planned for this area, the Resort Village must submit detailed construction plans to the Heritage Branch for additional screening.

## 2.4 FEES AND ENFORCEMENT

### 2.4.1 Register

The Development Officer shall maintain a register of records of all permits issued pursuant to this Bylaw, along with discretionary use applications received, approved, and denied.

### 2.4.2 Fees for Amendment of the Zoning Bylaw

Where a person requests Council to amend the Zoning Bylaw that person shall pay to the Resort Village of Wakaw Lake a fee equal to the costs associated with the administration and the public advertisement of the proposed amendment in accordance with the Zoning Administration Fee Bylaw.

### 2.4.3 Enforcement, Offences and Penalties

- a) Inspection may be carried out by the Development officer as set out in Section 242 of *The Act*.
- b) Any person who contravenes or refuses or neglects to comply with this Zoning Bylaw is guilty of an offence and liable on summary conviction to the penalties as provided for in Section 243 of *The Act*.

### 2.4.4 Licenses, Permits, and Compliance with Other Bylaws

- a) Development must comply with the provisions of this Bylaw, whether or not a permit has been issued for the development.
- b) 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 Resort Village of Wakaw Lake or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Resort Village of Wakaw Lake.
- c) Where provisions in this Bylaw conflict with those of any other municipal, provincial or federal regulations, the higher or more stringent regulations shall prevail.

## SECTION 3 – REGULATIONS: BUILDINGS, LOTS AND ACCESSORIES

### 3.1 Buildings

#### 3.1.1 Established Building Lines

- a) Concerning existing buildings, where a building has been in place before the effective date of this bylaw and does not meet the minimum setback requirements, refer to Section 3.1.2.

- b) Concerning new construction, where a front building line in a residential district has been established by existing buildings in a block of abutting lots and is less than the specified front yard requirement, the required front yard may be reduced by Council for NEW CONSTRUCTION according to the following principles:
  - i) Where the new building is to be constructed on a corner site, it shall not be located further into the required front yard than a legal principal building on the abutting interior site.
  - ii) Where the building is to be constructed on an interior site it shall not be constructed further into the required front yard than the average of the encroachments of principal buildings into the required front yard in a block.

### 3.1.2 Non-Conforming Uses, Buildings and Sites

Any lawful use of land, an existing building, or of any building lawfully under construction that do not conform to these regulations at the time this Bylaw is approved shall be permitted and regulated, subject to Sections 88 – 93 inclusive of *The Act*.

- a) The adoption or amendment of this Bylaw does not affect any non-conforming building, non-conforming use, or non-conforming site.
- b) Continuation of non-conforming use or intensity of use, either permitted or discretionary, may be continued if the use conformed to the Bylaw that was in effect at the time of the development and has not been discontinued for 12 consecutive months, and any future use of the land or building must conform to any current zoning bylaw.
- c) A non-conforming use must not be increased in intensity, area, or volume within a building, or on the parcel it occupies, nor relocated in a building, moved to any other location, or moved to another portion of the parcel on which it is located except where such action will bring the use into conformity with this Bylaw.
- d) Structural alterations may only be made to a building or the part of a building where the use is conforming.

For the purposes of this section, repairs, maintenance or installations that do not alter the size of the building or involve the rearrangement or replacement of structural supporting elements are not considered to be structural alterations. *Section 90-4 of The Act*

- e) Non-conformity of a building or site may continue to be used, maintained and repaired in their present form.
- f) If the cost of repair is more than 75% of the construction cost to replace the damaged non-conforming building above its foundation, the building is to be repaired in accordance with the zoning bylaw.
- g) The use of land or the use of building is not affected by the change or intended change of ownership, tenancy, or occupancy of the land or building.
- h) Where an existing structure or lot falls into non-conformity by reason of conversion from the Imperial System of Measurement to the Metric System of Measurement solely from such change, such existing structure or lot shall not be deemed non-conforming.

3.1.3 Undersized Lots in Residential Districts

Undersized lots still in force prior to the passing of this bylaw, having less than the minimum frontage, yard setbacks, or less than the minimum site area required by the Zoning Bylaw for R -1 Residential District, may be used for a purpose permitted in the zone in which the site is located provided that all other applicable provisions of the Official Community Plan and Zoning Bylaw are complied with.

3.1.4 Permitted Yard Encroachments

Where a minimum distance, called setback, is required between the principal dwelling or an accessory structure and the lot line in any district, the following features may project into a required yard setback:

- a) Encroachments into any yard setback may be permitted for the construction of a chimney, windowsill, cornice, or roof overhang that does not exceed 0.46 m (1.5 ft) in any size or any sidewalk, uncovered driveway, fence, garden or pond.
- b) The construction of access ramps, lifts, and so on for the disabled or uncovered balconies, porches, verandahs and decks having a maximum projection of 1.8 m (6 ft) into the rear or front yard setback may be permitted.
- c) Uncovered decks that are less than .61m (2ft) in height may project .91m (3ft) into the side yard setback, or 1.22m (4ft) into the side yard setback upon approval of a variance permit application to Council.
- d) In addition to the above, uncovered decks that are less than .61m (2ft) in height may project 1.5 (5ft) into the side yard setback if the property line is adjacent to a public access (Recreation District REC)

3.1.5 Private Garages and Carports

- a) Private garages, carports and accessory buildings attached to the principal building or structure by a substantial roof structure shall be considered as part of the principal building or structure and subject to the regulations governing the principal building or structure.

3.1.6 Accessory Buildings, Structures and Uses

- a) An accessory use is a building, structure or activity, which is incidental to the principal use or activity conducted and located on the same site as the principal building or use, and used in conjunction with that principal use.
- b) Accessory buildings shall be single story in height, except as otherwise noted.
- c) Permit requirement for accessory structures:

Size of accessory structure	Requirements
Under 9.3 m <sup>2</sup> (100 ft <sup>2</sup> ) of floor area.	Development permit required.
9.3 m <sup>2</sup> or larger	Development & Building permit required.
NOTE: <ul style="list-style-type: none"> <li>• The total floor area of all accessory buildings shall not exceed 10% of the site area.</li> <li>• Only one dwelling unit, the principal dwelling unit is permitted on the site.</li> </ul>	

- d) Anchored membrane covered structures (example: canopy covered carports, canvass or tent garages) must be maintained in good repair. Ripped canvass, bent structures must be removed.
- e) No accessory use or structure shall be developed without a development permit issued pursuant to SECTION 2 (Administration).
- f) No accessory building or structure shall be constructed, erected or moved onto any site prior to the time of construction of the principal dwelling to which it is accessory, except as follows: Following the issuance of a development and building permit for a principal building, provided that the principal use is being carried out on the site/parcel, Council may, at its discretion, allow prior construction of an accessory building required for the storage of equipment and construction material.

The building permit for the accessory building is only valid for the duration of the building permit for the principle dwelling. If in the required time period the principle building is not completed, the accessory building is to be removed.

- g) A development permit may be issues for up to four (4) accessory buildings, only two of which meet the requirements for an additional building permit, (one of wich may be a discretionary 'granny-suite' per section 3.1.6 'Granny-Suite'/Guest House) and/or structures, if the sum of all units are not greater than the principal dwelling, and within the total maximum site coverage (foot-print).
- h) In no case shall a detached accessory building have a greater floor area than the principal dwelling unit.
- i) In no case shall a discretionary use permit (example: granny-suite/guest house) be issued for a detached accessory building, other than for a garage, if a discretionary permit has been issued for home based business, home occupation, or bed and breakfast lodging.
- i) Except as specifically provided in this Bylaw, accessory buildings shall comply with the yard requirements for a principal building. Any building located less than 0.9 m (3 ft) from a principal building (edge of roof) shall comply with all the minimum yard requirements of the principal building.
- j) The building style and exterior appearance of detached accessory buildings and structures shall be compatible with the principal building on the site. The determination of compatibility shall be made by the Building Inspector for the Development Officer. If the proposal is determined not compatible, the applicant may appeal to Council pursuant to Section 2.3.3 (Development Appeals).
- k) No accessory building or any portion of it shall be built or located in a required front yard of any parcel.
- l) A clearance of 0.9 m (3 ft) or more shall be maintained between an accessory building(from the roof line) and any other buildings on the site.
- m) No accessory building, structure, or accessory use facility in a rear yard shall be located less than 1.5 m (5 ft) from the side lot line or rear lot line.
- n) Decks attached to the principal or accessory building that are higher than .61 m (2ft), or support an enclosed structure with a roof, are considered part of the principal or accessory building and must follow the setback requirements of the principal or accessory building and the National Building Code of Canada.

- o) Free standing decks are considered an accessory building and must follow the setback requirements.

### 3.1.7 'Granny-Suite' /Guest House

- a) Council may allow, as a *discretionary (conditional) use*, only one accessory dwelling unit ('granny-suite'/guest house) containing secondary living quarters for use by family and guests as under the following conditions:
  - v) Such structure (unit), shall not be greater than 28 m<sup>2</sup> (300 ft<sup>2</sup>) or the principal dwelling, may be attached to the primary dwelling or may be located at the side or back of the principal dwelling, or as an attic on top of a garage.
  - v) Such structure(s) as secondary living quarters, with toilet and bathroom sink, will not be a self-contained unit with kitchen and/or bath facilities.
  - v) As per 3.1.6 (j) – the building style, height, and exterior appearance shall be compatible with the principal building.
  - v) It can be established, following Section 54, 55, and 56 of *The Planning and Development Act, 2007* that regarding the secondary living quarter there will be no conflicting land use issues with surrounding properties and the enjoyment of area residents and off street parking will be on the private site.
  - v) It shall not be used as bed and breakfast lodging, nor as home-based business, or other unauthorized uses.

#### ALSO NOTE THE FOLLOWING:

The combined floor area of the principal dwelling and all the accessory buildings and structures shall not exceed 30% of the site area in the hs - hillside overlay district, and not exceed 40% outside the hs - overlay district.

### 3.1.8 Temporary Residence During Construction of Principal Building

- a) A trailer/motor home or other acceptable structures may be used as temporary residence by the inhabitants with the permission of Council, after issuance of a temporary structure permit by the Development Officer, while a permitted principal dwelling is under construction or reconstruction.
- b) Septic facilities (holding tank for pump-out) must be provided for the temporary residence if it is to be occupied during construction of the permanent building. All liquid waste must be disposed of into the septic facilities.
- c) The permission for temporary residence to live in a trailer/ motor home or other structure shall expire with the expiration of the principal building permit or sooner upon completion of the permanent building.
- d) Construction waste must be taken outside the Resort Village to an officially approved dumpsite.

### 3.1.9 Number of Principal Buildings Permitted on a Site

- a) Not more than one principal use shall be established and not more than one principal building (dwelling) shall be placed on any one site except for:
  - i) Public utility uses
  - ii) Village (institutional) uses
  - iii) Approved groups of buildings such as a community centre, recreation buildings,
  - iv) Waste management depots
  - v) Ancillary uses as specifically provided for in this bylaw.

- b) In the case of a discretionary use, Council may designate which of the several buildings shall be deemed to be the principal building.

### 3.1.10 Demolition of Buildings

No building shall be demolished within the area covered by this Bylaw without obtaining a demolition permit. A demolition permit shall be granted where all requirements of the Building Bylaw are met.

### 3.1.11 Building to be Moved

No building shall be moved within or into the area covered by this Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

## 3.2 SPECIAL PROVISIONS

### 3.2.1 Bed and Breakfast Lodging

Council may establish standards limiting any accessory activities as a condition of issuing a DISCRETIONARY USE permit. Where Bed and Breakfast lodging is allowed as a DISCRETIONARY USE in a Residential District, it shall be:

- a) **Located in, and ancillary to, a single detached dwelling used as the operator's principal residence.**
- b) Licensed by provincial regulatory agencies (*The Public Health Act* and *The Public Accommodation Regulations*, *The Public Eating Establishment Regulations*, and meet the requirements of the Fire Commissioner) as required.
- c) Limited to a maximum of two thirds of the number of bedrooms for guest bedrooms,
- d) Permitted only where a mainimum of a one (1) off-street parking space is provided for each lodging room.
- e) Allowed to provide one non-illuminated window or wall sign having a maximum facial area of 0.19 square meters (2 square feet) advertising the bed and breakfast lodging.
- f) Obtained a business license from the village.

### 3.2.2 Convenience Type Store/Coffee Shop

Council may establish standards limiting any accessory activities as a condition of issuing a DISCRETIONARY USE permit, where Convenience Type Store/Coffee Shop is allowed as a DISCRETIONARY USE in a Residential District, it shall be:

- a) **Located in, and ancillary to, a single detached dwelling used as the operator's principal residence.**
- b) Licensed by provincial regulatory agencies (*The Public Health Act* and *The Public Accommodation Regulations*, *The Public Eating Establishment Regulations*, and meet the requirements of the Fire Commissioner) as required. According to the Official Community Plan, sale of liquor shall not be allowed.

- c) Limited to a maximum of half the number of habitable rooms, without structural alteration, for Convenience Type Store/Coffee Shop use.
- d) Permitted only where a minimum of one (1) off-street parking space is provided for each 4 seats in a coffee shop.
- e) Allowed to provide one non-illuminated window or wall sign having a maximum facial area of 0.19 square meters (2 square feet) advertising the coffee shop.
- f) Signage of such establishment shall not show visible evidence from any street and from the highway within the Resort Village of their commercial character, which would attract customers other than residents of the Resort Village.
- g) Obtained a business license from the village.

### 3.2.3 Home-Based Businesses and Home Occupation

Home-Based Businesses, where allowed as a DISCRETIONARY USE in a residential district, shall be subject to the following development standards:

- a) The use is clearly secondary and ancillary to the residential use of the property.
- b) The business is owned and operated by the owner of the dwelling unit.
- c) The permitted use shall be valid only during the period of time the property is occupied for residential purposes by the business owner.
- d) Home-based businesses shall not cause a variation in the residential character and appearance of the dwelling, accessory building, or land.
- e) Home-based businesses shall not create any conflict with the residential area in terms of emission of noise, ground vibration, glare, dust, odor, toxic or noxious matter or vapors, radio interference, or disturbance which is evident outside the dwelling unit.
- f) The Home-based Business and/or Home occupation will not require the construction of an additional building or other structure.
- g) The home-based businesses shall be conducted entirely indoors and there shall be no exterior storage on the site in relation to the home occupation.
- h) Except for one permitted sign in the window or on the wall, home-based businesses shall not have any signs or visual devices displayed, to advertise business, notice of sale, exterior display of goods or services, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- i) Home-based businesses shall not result in undue increase in traffic or parking requirements in the residential area.
- j) No more than 25% of the gross floor area of the principal building shall be used for Home-Based Businesses and Home Occupation.

- k) All permits issued for home occupations shall be subject to the condition that the permit may be revoked at any time, if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- l) The discretionary use approval for a home-based business shall cease to be valid when the operation ceases in accordance with Section 2 (Limitations on Discretionary Use Approvals), or where the operator issued the home occupation relocates.

### 3.3 RESIDENTIAL ACCESSORIES

#### 3.3.1 Satellite Dishes, Radio Towers, TV Antennas, Solar Collectors, Wind Turbines

- a) Without blocking of view from **neighbor's** property, the installation and operation of a satellite dish, radio tower, television antenna, or solar collector (and their supporting structure) shall be permitted not less than 1.5 m (5 ft) from the plot line in the front, side and rear yards along the escarpment (hs - overlay district) and not in the front yard elsewhere.
- b) Wind turbines shall not be permitted in the Resort Village in light of anticipated problems such **as: interference with residents' peace and quiet, shadow flicker that occurs when the sun and rotating blades align, risk to neighbouring persons and property from structural failures, visual dominance and potential ice throw from ice build up, along with their hazard for birds and bats.**

#### 3.3.2 Communication Towers

- a) Communication (cellular) towers shall be permitted as a DISCRETIONARY USE and shall be not closer than 100 metres from any residential district/area.
- b) The owner of a communication tower may be required to enter into a road maintenance agreement with the Resort Village of Wakaw Lake.

#### 3.3.3 Solar Panels

- a) On any residential site/area solar panels/collectors will require an *accessory use* permit if the solar panel:
  - i) is more than 5 m<sup>2</sup> (54 ft<sup>2</sup>) in combined area and is installed on a building; or,
  - ii) designed to provide hot water; or,
  - iii) designed to provide supplementary heating, or
  - iv) the weight of the panel and snow and wind load exceeds the structural capacity of the roof/wall of the building. Designer qualifications are required, either by a professional engineer or by a registered building designer qualified in Building Structural.
- b) *Roof mounted solar panels* are allowed as surface layer of roof (solar shingles) with no change in relief or roof projection on any roof elevation.
- c) Vertical projection (elevation) will be limited to 1.5 m (5 ft) above the roofline.
- d) *Ground mounted panel* in residential areas shall be limited to rear yard placement, 1.5 m (5ft) from rear or side property line and shall not exceed 1 m (3 ft) to 2 m (6 ft) above grade level.

- e) If attached to or erected upon an accessory building in any district, the solar collector shall not exceed the maximum permitted height of the accessory building.
- f) Council may impose additional regulatory conditions to protect the public health, safety and welfare and the property of residents.

3.3.4 Geothermal Facilities and Operations may be approved by Council as a DISCRETIONARY USE (Limited information on groundwater geology), if

- a) CSA/UL approved equipment and an approved methanol or other suitable solution will be used;
- b) Zoning requirements for an accessory or ancillary building or structure are met;
- c) Adequate setback distance from neighboring properties to limit the impacts in the event of system failure;
- d) A professional geohydrological report, based evaluation of on-site conditions (aquifer), shows that the underground installation (vertical or horizontal ground loop system) will not enter the artesian aquifers and the installation poses no risk of cross contamination of the aquifer from drilling or system failure;
- e) Installation is by a certified and bonded contractor; and
- f) Contractor must control drill mud on-site, and from entering the drainage and the lake.
- g) Contractor shall be liable for the cleanup of project area and environmental on-site and off-site contamination.
- h) The DISCRETIONARY USE APPLICANT shall monitor the operation, have a qualified service professional annually check the system, and keep a log for inspection by the authorities.

3.3.5 Swimming Pools, Hot Tubs, Ornamental Ponds, and Wading Pools

- a) The installation of a swimming pool requires a development and building permit. Any development without the approval of the council is prohibited. To mitigate the risk of lake water contamination from the release of pool water as well as for soil load on hillside, swimming pool development must meet the following requirements:
  - i) The swimming pool must carry a Canadian Standards certification.
  - ii) The swimming pool must meet setback requirements.
  - iii) The required permits are obtained for all the electrical, plumbing, and related gas connections and heating work.
  - iv) **The swimming pool is intalled and operated according to manufacturer's specification.**
  - v) All drain and backwash lines are connected to the plumbing system (holding tank) to avoid a groundwater and lake contamination event.
  - vi) Safety features must be in place such as child proof fencing.
  - viii) As these installations in exterior yard areas might pose a hazard, the area should be inaccessible when not in use or enclosed within a non-climbable fence not less than 5 ft (1.52 metres) and not more than 6 ft (1.83 metres) in height with self-latching gates.
  - xi) The development Officer may require for council a geotechnical report on the proposed development as outlined in Section 2.3.5 (Hazard Lands).
- b) Hot tubs and saunas require a development permit and must meet the following requirements:
  - i) If the hot tub (jacuzzi) is not placed directly on the ground or a concrete foundation the supporting structure will require a building permit.

- ii) The hot tub must carry a Canadian Standards certification.
  - iii) The hot tub must meet setback requirements.
  - iv) The required permits are obtained for all the electrical, plumbing, and related gas connections and heating work.
  - v) **The hot tub is installed and operated according to manufacturer's specification.**
  - vi) All drain and backwash lines are connected to the plumbing system (septic tank) to avoid a groundwater and lake contamination event.
  - vii) Safety features must be in place such as child proof fencing and/or a locked tub cover.
  - viii) As these installations in exterior yard areas might pose a hazard, the area should be inaccessible when not in use or enclosed within a non-climbable fence not less than 5 ft (1.52 metres) and not more than 6 ft (1.83 metres) in height with self-latching gates.
- c) These bylaw shall not void any electrical, plumbing and gas requirements for Swimming Pools, Hot Tubs, Ornamental Ponds, and Wading Pools by any other jurisdiction.
  - d) Landscape and Ornamental ponds shall be permitted. Safety features as recommended by the manufacturer must be in place.
  - e) Wading pools, constructed or prefabricated pool used for wading which is less than 60.96 cm **(24 inches) in depth shall be permitted. Manufacturer's recommended safety features must be in place.**

#### 3.3.6 Fences

No wall, or fence, shall, unless otherwise permitted, be erected to a greater height than:

- a) 1.83 meter (6 feet) above grade level in any required side and rear yard.
- b) 1.22 metres (4 feet) above grade level in any required front yard.

#### 3.3.7 Outdoor Lighting

- a) Outdoor lighting fixture shall be oriented in such a way that any illumination from them is deflected away from any adjacent residential properties.

#### 3.3.8 Recreation Vehicles on Residential Lots

- a) A maximum of one recreational vehicle/trailer coach (excluding boat trailers, snowmobiles, ATVs) is permitted to be stored on a lot
- b) The recreation vehicle may not be used for permanent human habitation or for commercial use.
- c) The recreation vehicle may be occupied subject to the following:
  - i) It is for the exclusive use of non-paying guests of the occupant of the principal dwelling
  - ii) It is only occupied when the principal dwelling is occupied.
- d) If the recreation vehicle has a sink, shower, or water closet, it must have a self contained septic holding tank (and the effluent must be hauled to an approved disposal site or lagoon) or be connected to an on-site septic holding tank on the same residential lot.

#### 3.3.9 Keeping of Animals

- a) The keeping of livestock shall be prohibited in the Resort Village.
- b) The keeping of household animals under the control of the residents shall be permitted in residential zones, and may be regulated by Council.

### 3.3.10 Signs

Each cottage shall display to the street side a numbered civic address sign, provided by the village, to help in the event of emergency such as fire, ambulance or police.

- a) No more than one permanent sign is permitted on each end of a property.
- b) Signs shall shall not project over property lines.
- c) A sign located in a street sight triangle or a driveway sight triangle shall be less than 0.75 m above grade at its top or shall be at least 2.5 m above grade at its lower edge, so as to not **obstruct a vehicle's view.**
- d) No backlit signs shall be permitted except those displaying a property address.
- e) For signs on home-based businesses, see Section 3.2.2.
- f) Billboards are prohibited in the Resort Village.
- g) Exceptions shall include:
  - i) Temporary signs for the sale of property or during construction,
  - ii) Election signs during the period of an election campaign, and 7 days thereafter,
  - iii) Construction signs, located on the site of the construction to which they refer

## 3.4 RESIDENTIAL LOTS

### 3.4.1 Grading and Levelling of Lots

- a) In the interest of protecting the health, safety, and property of residents in the Resort Village, to minimize the loss of natural vegetation as a cost-effective approach to control erosion and sedimentation, flooding, and managing stormwater runoff from development sites, streets, and parking areas, Council shall regulate combined clearing and grading activities by:
  - i) Requiring a special permit (development permit) for clearing and grading of subdivision and site development projects; and,
  - ii) Indicating on a site plan that subdivision/site/building site design shall preserve natural topography outside of the development footprint to reduce unnecessary land disturbance and to preserve natural drainage channels/swales in the subdivision, or on the site.
  - iii) Where excavation or filling is proposed for any development, such development may be restricted. Council may require the developer to provide an impact statement report carried out by a qualified professional prior to making a decision on the Development Permit Application.
  - iv) Removal of trees and shrubs shall comply with Section 6.2.3
  - v) All vegetation and debris in the area to be re-graded must be removed from the site prior to site grading and leveling.
  - vi) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council.
  - vii) All excavations or filling and disturbed areas shall be re-vegetated immediately after other construction activities permit, with suitable ground cover as may be necessary to prevent erosion. Drought tolerant grass, plants, shrubs, and trees suitable for the prairies are preferred.
  - viii) As a condition of a development permit, Council may require adequate erosion and sedimentation controls such as temporary or permanent berms, ripraps, grassed waterways/swales or other controls and measures.

- ix) Erosion control and sedimentation measures, depending on site conditions, may include the use of erosion control matting, filter fabric, mulches and other measures as well as temporary or permanent cover crops.
  - x) The applicant shall conduct on-site weekly inspection of all erosion and sedimentation control measures to ensure proper functioning as well as after severe storm events.
- b) Where excavation or filling is proposed for any development in a cautionary flood hazard land overlay zone, the Council may request the comments of the Saskatchewan Water Security Agency or require the applicant to provide such further geotechnical information as the Resort Village of Wakaw Lake may require prior to making a decision on the Development Permit application.
  - c) **Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage.**
  - d) The drainage of a lot shall not adversely effect adjacent property.

### 3.4.2 Storage in Residential District

In any residential district:

- a) Only outdoor storage incidental to the principal use shall be permitted in any residential district.
- b) No yard shall be used for storage or collection of hazardous material.
- c) No outdoor storage shall be permitted in the required front yard of any residential site.
- d) Unlicensed or seasonal vehicles may be stored on a lot provided a tarp is securely covering the entire vehicle.
- e) Outdoor storage of partially dismantled or inoperative vehicles is not permitted.
- f) No yard shall be used for the storage of machinery not normally used for the maintenance of the residential property.

### 3.4.3 Off-Street Parking

- a) Every parcel (lot) shall be accessible from a street according to Section 16 (10), *The Subdivision Regulations*.
- b) No person within any District shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking spaces are provided on the same lot in accordance with the table below and associated regulations:

Use	Space required
Dwelling (also existing mobile homes)	1 per dwelling unit
Home based businesses	1 per non-resident employee
Auditoriums, theatres, churches and other places of public assembly	1 for each 10 seats
Other Institutional buildings	1 for each 10 m <sup>2</sup> (107 ft <sup>2</sup> ) of gross floor area
Restaurants, licensed beverage	1 for each 4 seats lounges, licensed rooms
Retail, confectionary stores	1 for each 14 m <sup>2</sup> (150 ft <sup>2</sup> )

- c) Pursuant to the Planning and Development Act, the Council may exempt any person who constructs a new building or structure permitted in the C -Commercial District from the requirement of providing the off-street parking facilities where, in lieu thereof, he/she pays or agrees to pay the Council the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by an assessment of \$2500 times the general mill rate for that year and that the entire payment in lieu thereof shall be adequate for the duration of the existence of the building on the site.
- d) A parking space shall be a minimum of 9 feet (2.74 metres) by 20 feet (6.10 metres).
- e) Parking spaces within the front yard area shall not occupy more than 50% of the area of the front yard in residential districts.

#### 3.4.4 Retaining walls

- a) Retaining walls shall not be built at zero setbacks (at the site line).
- b) Retaining walls on a subject property, to raise the grade, on residential lots must not exceed a height of 1 m (3.3 ft) measured from natural grade on the lower side and set back from property line at least 1 m (3.3 ft), and for multiple retaining walls at least 1 m (3.3 ft) horizontal separation is between retaining walls.
- c) The resulting slopes shall be revegetated using drought resistant vegetation. Drought tolerant grass, plants, shrubs, and trees suitable for the prairies are preferred.
- d) Wood treated with creosote (railway ties) or pentachlorophenol, or the use of materials such as asphalt and old tires shall not be allowed in construction of retaining walls to avoid risk of groundwater and lake contamination.

#### 3.4.5 Driveways

- a) Driveway approaches shall be constructed:
  - i. At 90 degrees to the village road centre line,
  - ii. With a top width not greater than 20 feet (6.10 meters) for driveway approach,
  - iii. Sloped away from the village road so run-off shall not go on the road and shoulder.
- b) Driveway approaches shall be constructed with sufficient slopes to not allow water from the driveway to enter the road.
- c) If a culvert is required, to convey the full flow of water from existing drainage swales (drainage ditches) and the additional water from the driveway, the culvert size will be specified in the driveway permit.
- d) Material from the village road right-of-way shall not be used for the construction of the driveway and approach.
- e) The approach shall be constructed with no resulting damage to the road shoulder/driving surface.
- f) All season safe sight distance at the posted speed limit is required in each direction from the driveway approach.
- g) Regarding existing driveways:
  - i) Re-gravelling existing driveways is considered maintenance.
  - ii) Existing driveways shall be brought into compliance at the earliest when:
    - Substantial improvements are made to the existing driveway, for example if the owner replaces any part of an existing driveway.
    - Any widening of the travel width, raising the height of the driveway, and/or resurfacing shall be in accordance with the above provisions (in hillside overlay areas, graveled driveways are preferred over paving to increase water absorption).

### 3.4.6 Permits for Driveway Construction

- a) A Driveway Construction Permit is required for property owners to construct a driveway and its approach to village streets or to substantially modify an existing driveway across the village road right-of-way to their private lots to assure integrity of drainage and public safety.
- b) Applicants for these permits shall file an application on a form provided by the Development Officer.
  - i) In instances involving difficult drainage issues, the Development Officer shall refer the application to a qualified professional (example: landscape architect or registered professional engineer) for field review and advice. See Section 3.4.5 (c).
  - ii) Village staff shall conduct an inspection prior to the Development Officer issuing a permit. In cases involving drainage issues, a culvert may be required as a condition of the permit.
  - iii) The Development Officer shall enter any specific requirements on the permit before issuing a written permission to begin construction. Council shall establish and annually review the fee for driveway permits to cover cost of onsite inspection by the Village.
- c) The issuance of a Driveway Permit does not guarantee that if the provisions/recommendations of the permit are met the applicant will not be liable for remedying drainage concerns and be liable for damages to the village road and to neighboring properties after construction is completed.

### 3.4.7 Lot Appearance

- a) Residents must maintain (or arrange for) a reasonable level of landscape maintenance such as cutting their grass and keeping weeds down.
- b) Having a natural landscape cover approach to landscaping and/or landscaping that is water-wise does not grant the property owner the right to grow weeds or not to maintain their landscape.

### 3.4.8 Landscaping

- a) Open uncovered spaces in new residential districts shall be landscaped.
- b) The proposed landscape guidelines for residential lots are to enhance aesthetics and property values of residential districts in order to provide water efficient landscaping suitable for dry land conditions in the Resort Village and to minimize irrigation on hillside areas prone to sloughing/slippage.
- c) Applicants for a development permit (Section 2) shall be asked to include a landscape plan that recognizes the following guidelines:
  - i) Every attempt should be made to maintain the area in its natural state.
  - ii) The extent of new turf (irrigated lawn) shall not exceed 50% of the gross area of front and side yard, or 50% of the gross area rear and side yard in new residential districts in the Resort Village.
  - iii) Drought tolerant grass, plants, shrubs and trees suitable for the prairies are preferred.
  - iv) The use of wood fibre mulch, gravel or rocks is suggested for areas not covered by vegetations.

### 3.4.9 Removal of Dangerous Trees

- a) The owner or resident shall be responsible to trim or prune, remove or cut down trees on the property if the Council considers such trees or shrubs to be:
  - i) A hazard to the safety of persons,
  - ii) Likely to cause damage to public utilities, or
  - iii) Seriously inconvenience the residents.
- b) Trained village maintenance staff shall use the following criteria to identify dangerous trees that are:
  - i) Dead, dying, severely damaged or diseased, partially uprooted, severely leaning and in danger of falling on property or power lines,
  - ii) Interfering with, or is in close proximity to power lines to cause imminent danger during strong winds, or
  - iii) Blocking existing wells, septic holding tanks, drainage or other major improvements.
- c) Council may serve notice on the owner or occupant of the property that the Resort Village may take appropriate action as outlined above at the expense of the owner if the required action is not taken within 30 days of the serving of the notice.

## SECTION 4 - SEASONAL CAMPGROUND REGULATIONS

### 4.1 Intent and Focus of Seasonal Campground Regulations

4.1.1 Intent: to regulate the campground use and development as a seasonal recreational campground within current capacity of 137 campsites.

4.1.2 Focus: The seasonal recreational campground is on two (2) parcels owned and operated for their members, by the Poplar Beach Campground Owners' Corporation Inc. (2010) (or PBCOC).

The campground already existed before the village Zoning Bylaw was enacted in 1981. Therefore, the campground is a nonconforming use in both zoning districts. Parcel No. 149880561 is zoned UR-Urban Reserve District and Parcel No. 132796198 is rezoned to UR-Urban Reserve District from C-Commercial District.

### 4.2 Operations and Development Permit

- a) The operation agreement between the Resort Village of Wakaw Lake and Poplar Beach Campground Owners' Cooperative Inc. provides for a permit or trailer fee in lieu of property taxes to be collected each year from each site as they are not individually assessed.
- b) The Poplar Beach Campground Owners' Corporation Inc. (2010) shall provide the Administrator of the Resort Village with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and recreation vehicle campsites with dimensions, street names where applicable, and site numbers clearly indicated, together with a record of the occupants on each site.
- c) The rearrangement of campsites, the construction or moving of buildings and structures, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit for approval an amended plan incorporating the changes. In line with the Official Community Plan (OCP) the total number of campsites shall not exceed 137 campsites (135 plus 2 rental sites). Individual sites in the campground are not legally surveyed and are not subject to assessment.

- d) The moving of a recreational vehicle on or off of a campsite shall require a development permit from the Resort Village and approval from the PBCOC Board of Directors.

#### 4.3 Uses

##### 4.3.1 Permitted Uses

The following uses are permitted in the seasonal recreational campground:

##### 4.3.1.1 Principal uses

- a) A maximum of 137 campsites shall be permitted within the boundaries of the corporate land (Parcel No. 149880561, zoned UR-Urban Reserve District and Parcel No. 132796198, rezoned to UR-Urban Reserve District from C-Commercial District). Campground use of these parcels is recognized as a non-conforming use since years prior to 1981.
- b) Recreational uses: sports field, playground, picnic ground, hiking trails and other environmentally compatible non-motorized recreational uses.
- c) Public utilities, excluding municipal solid and liquid waste disposal facilities.
- d) Facility for sorting and temporary storage of recyclables is permitted.

##### 4.3.1.2 Accessory uses (on each campsite)

- a) Accessory uses, buildings, or structures accessory to and located on the same campsite with the permitted recreational vehicle or use, including detached decks, will require development permits.

##### 4.3.1.3 Ancillary uses (in the common area of the campground)

- a) A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- b) In a common area (10% open space in the campground area), the location, design standards and site requirements of any ancillary developments, uses and services such as decks, recreational buildings, fire pits and any other similar uses or services that may be associated with or required within a campground may be approved at the discretion of the Council of the Resort Village of Wakaw Lake.

#### 4.4 Uses Not Permitted

The following uses shall not be permitted:

- a) Tents, tent trailers, or converted buses as primary seasonal dwellings.
- b) Mobile homes, except the Park Model Trailer 102 built to RV specifications, the CSA Z-240 and CSA Z-241 Standard.
- c) Extended parking and storage of heavy equipment.
- d) Permanent trailers (see: Definitions).
- e) Manufactured and modular homes.

- f) New cabins on campsites.
  - a. If an existing cabin in the campground is demolished, another cabin may be built upon development and building permit approval by the Resort Village and building permit approval by the Building Inspector.
- g) Recreational vehicles (trailer coaches or trailer homes or CSA Z-241 units) with wheels and or axels removed.
  - NOTE: all recreation vehicles shall be fully mobile and capable of being licensed for general travel on the highway.
- h) Attached structures such as decks, porches, vestibules, and similar structures, as additions to a recreational vehicle. Such structures DETACHED from the recreational vehicle ARE allowed
- i) Outhouses attached to recreational vehicles or as accessory buildings.
- j) Partially dismantled or inoperative motor vehicles.
- k) Satellite dishes or antennas larger 0.61 m (2 ft) attached to trees, power poles, or on fence posts along the periphery of the Resort Village boundary.
- l) Home based businesses.
- m) Year-round occupancy and residence.
- n) Project accommodation (work camp) using recreational vehicles or other trailers as accommodation is not permitted within the boundaries of the Resort Village of Wakaw Lake.

#### 4.5 Campground Layout

- a) The *maximum number of campsites* shall be limited to 137 (135 plus 2 rental) recreation vehicle campsites on the combined area of the two (2) parcels (Surface Parcel No.132796198 and No. 149880561) in SE 27-42-26-W2ndM.
- b) The campground shall have a minimum of two exits for fire and other emergency evacuation.
- c) No portion of a campsite, other use or structure shall be located within a roadway, required buffer area, or within the required setback from the centre line of Highway No. 41 established by Saskatchewan Ministry of Highways.
- d) Each campsite shall have direct and convenient access to a developed roadway.
- e) Each recreational vehicle shall be located at least 2 ft from the lot property line and each site shall have dimensions, location, and orientation sufficient to allow such location of recreational vehicles.

#### 4.6 Accessory Buildings

- a) Accessory buildings shall be detached from the recreational vehicle.
- b) Accessory buildings also include pre-fabricated moveable plastic and metal sheds. (Tent style gazebos are not considered to be accessory buildings.)
- c) Accessory buildings shall not have plumbing.

- d) Accessory buildings shall not be used for human habitation unless a building permit is approved, **the accessory building is inspected by the Resort Village's Building Inspector, and the building complies with the National Building Code of Canada.**
- e) A detached Accessory building on a campsite shall be single story and with a roof peak not exceeding 3.65 m (12 ft) from the highest grade on the building footprint to the highest point of the roof.
- f) Placement of accessory buildings shall be made with consideration of the clearance between other structures and RV units on the campground.
- g) Accessory decks and buildings shall not be attached to a recreational vehicle.
- h) Two (2) Accessory Buildings shall be permitted from 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) or less up to 13.38 m<sup>2</sup> (144 ft<sup>2</sup>) on a campsite where required yard setback and lot space allows. In all cases, the following will determine the ability to construct additional accessory buildings:
  - a. An additional accessory building may be permitted pending approval of PBCOC and the Resort Village Council.
  - b. In some cases, there may not be available space for two accessory buildings. To figure out available space, the following provisions are required:
    - i. Total lot size (sq ft/ sq m) minus combined footprint of accessory buildings, recreational vehicle, and raised deck area must leave 40% of unused space or natural habitation
    - ii. Sufficient space for safe entry and exit to all developed areas
    - iii. Distance from fire pit area shall be considered in determining the location of a second accessory building.

#### 4.7 Traffic

##### a) Roads and Parking:

###### i) *Internal road (all-weather) width:*

One-way: 4 m (13.12 ft)

Two-way: 7.5 m (24.60 ft)

###### ii) *Minimum vehicle parking:*

Minimum width: 3.0 m (10.0 ft) for a parking stall.

- i. Minimum one (1) vehicle located on recreation vehicle campsite in addition to the parking space for recreational vehicle (motor home, trailer home, park model)

#### 4.8 Amenity Area (Recreation Area)

- a) 10% of the RV site park area shall be set aside and designated for public amenity areas (playground area, park facilities, guest parking, and washroom) which shall be shown on the campground plan.

#### 4.9 Signs

- a) Each campsite permitted in the campground shall be designated and shown on the campground plan.

- b) Campsites shall be numbered so the numbers can be seen from the road. Campsite number signs shall not exceed 0.2 m<sup>2</sup> (2.0 ft<sup>2</sup>) in area.
- c) All streets shall have street signs, where applicable, and site numbers shall be signed, corresponding with the site plan provided.
- d) The campground will contain a permanent stall (campsite) location map at the entrance to the campground.
- e) Signs and billboards in the campground shall comply with the Zoning Bylaw.

#### 4.10 Utility Services Requirements

- a) Sewage disposal systems, potable water holding tanks, propane tanks, and natural gas and electrical servicing shall meet all relevant provincial and federal regulations.
- b) A sewage disposal facility (dump station for RV units on two rental sites) shall be provided that is easily accessible and separated from the recreational vehicle stalls and amenity areas; or a holding tank shall be provided at each campsite.
- c) Power and gas shall be as set out by SaskPower and SaskEnergy.

#### 4.11 Sewage and Solid and Liquid Waste Management.

- a) Sewage shall be collected and disposed as regulated by *The Public Health Act, 1984* and amendments and regulations (*The Shore land Pollution Control Regulations, 1976*) thereafter as administered by the Saskatoon Health Region of the Saskatchewan Department of Health, and shall be complied with in respect to all operations and development of the campground.
- b) Solid and liquid waste shall be managed as regulated by *The Environmental Management and Protection Act, 2010* and amendments and regulations thereafter.

#### 4.12 Washroom facilities

- a) Washroom facilities shall be provided in centralized locations as required by The Public Health Act and regulations therein administered by the Saskatoon Health Region.

#### 4.13 Laundry Facilities

- a) A campground may include as ancillary uses a laundromat or a confectionary, and shower designed to meet the needs of occupants of the RV sites, and one single detached dwelling for the accommodation for the operator (a volunteer or a hired person).
- b) Amenities may include: laundry facilities, telephone/internet, and play area.

#### 4.14 General Provisions

These campground regulations also include all applicable provisions of the Official Community Plan and Zoning Bylaw.

## SECTION 5 - REGULATIONS FOR LAKESIDE DEVELOPMENT AND SHORELINE STRUCTURES

### 5.1 Purpose

- a) Lakeside lands comprised of dedicated lands shown as municipal or environmental reserves on the zoning district map and Crown foreshore lands along the shoreline of Wakaw Lake. (See: Figure 1 - Lakeside Development). These are publicly owned lands. Lakeside lands are valued environmental, recreational, and aesthetic component of the Resort Village and the lake **ecology. These public lakeside lands are considered important environmental 'buffers' for the protection of Wakaw Lake.** Because use, development and structures on, and from adjacent lands can adversely affect these lakeside lands or have a potential effect on the management of the lake ecosystem, approval will be required before undertaking any work, development and placement of structures on these public lakeside lands.
- b) The purpose of these regulations is:
- i) to provide public access to the lake and along the shore of Wakaw Lake, insofar as is practical, for residents in the Resort Village;
  - ii) **to protect and preserve dedicated and Crown foreshore lands (environmental 'buffers' between the cottages and the lake)** from land uses potentially harmful to the riparian habitat and lake ecology while allowing environmentally acceptable developments and shoreline structures with the least impact on lakeside lands and the lake ecology;
  - iii) to maintain and protect shoreline aesthetics from intrusion of non-essential structures and developments;
  - iv) to avoid and minimize potential land use conflicts and avoid the intrusion of development from adjacent residential areas onto public lakeside lands (dedicated lands); and,
  - v) to control the use of lakeside lands which are public lands and to assure that such lands shall be used only for allowed purposes under regulations established by the zoning bylaw.

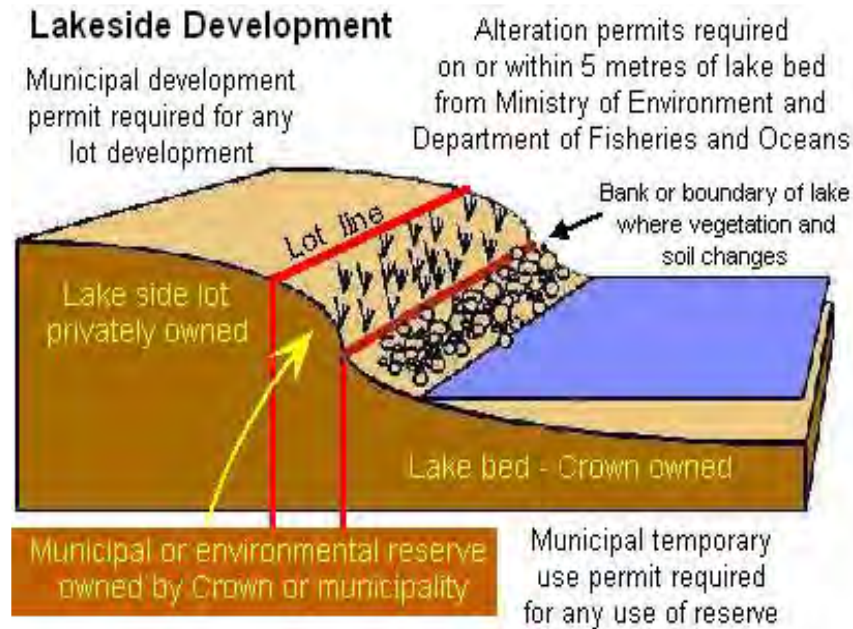
### 5.2 Shoreline and Lakeside Land Development

- a) Shoreline and lakeside land development for the purpose of these regulations in the Resort Village includes:
- an environmentally acceptable shoreline development on lakeside lands (dedicated lands and Crown foreshore lands).
  - an environmentally acceptable temporary shoreline structure (such as docks) on lakeside lands (dedicated lands and Crown foreshore lands)
- b) All Shoreline and Lakeside land development require a development permit from the Resort Village of Wakaw Lake and an Aquatic Habitat Protection permit from the Water Security Agency.
- c) Shoreline development and modifications shall be carried out in an environmentally responsible manner. Approval from Saskatchewan Environment (aquatic habitat protection), Saskatchewan Watershed Authority (lake elevation and flooding), Fisheries and Oceans (fish habitat), Transport Canada (navigation) is required prior to development. (CHECK IF NECESSARY)

*Prior to initiating shoreline development, please review Aquatic Habitat Protection on the **Water Security Agency's website** and the Fisheries and Oceans Canada document found on the Resort Village Website entitled Post-flood Shoreline Restoration and Stabilization Protocol. This document provides a clear overview of acceptable development.*

- d) Shoreline development and modifications including beach development and re-profiling of backshore lands and construction of foreshore/backshore installations such as a public boat launch, will not be permitted unless an environmental review shows the proposed 'work' in or near the water:
- to alter the bed, bank or boundary of the lake
  - to remove or add any material to the bed, bank, or boundary
  - to remove vegetation from the bed, bank or boundary
  - to place extended structures that may pose concerns for navigation on the lake
- can be carried out in an environmentally responsible manner. Approval from Saskatchewan Environment (aquatic habitat protection), Saskatchewan Watershed Authority (lake elevation and flooding), Fisheries and Oceans (fish habitat), Transport Canada (navigation) is required.
- e) Lakeside lands (municipal and environmental reserves and Crown foreshore lands) located between private lots and the water's edge may only be developed with landscaping and shore land protection, as approved and directed by Council, but only after required federal and provincial permits have been obtained and then an application for *development agreement (a municipal discretionary use permit with conditions attached to the permit)* may be considered for approval by Council.
- f) Use of lakeside lands (municipal and environmental reserves and Crown foreshore lands) by other than lakeside cottagers (back-row residents) shall require an Annual Discretionary Temporary Use Permit (municipal permit). In these circumstances, council will encourage the cooperative use of piers and docks at access nodes to the lake or by sharing of docks with lakeside cottage owners. Applicants will be limited to one boat or one boatlift.
- g) Sharing of extended docks into the lake behind cottage lots or at the end of lakeshore access nodes and walkways will be encouraged to reduce and minimize impact on the shoreline ecology. A limit of 6 boats per shared dock will be applied. These will require authorization from Council after the applicant has obtained applicable permits from federal and provincial agencies. In these circumstances, council will encourage the cooperative use of piers and docks. Applicants will be limited to one boat or one boatlift.
- h) Sharing of extended docks into the lake at the end of lakeshore access nodes (Municipal Reserve zoned recreation) by back row cottage owners will be encouraged. One boat or one boat lift or one personal watercraft policy will apply. These will require authorization from Council after applicable permits have been obtained from federal and provincial agencies by the applicant.

Figure 1 - Lakeside development



### 5.3 Development Criteria and Standards

- a) Docks and piers must be of adequate length to ensure sufficient water depth for mooring, except for shared multiple slip structures.
- b) Guidelines for installation of structures:
  - must be done manually as no equipment is allowed to work in the water or on the bank
  - only floating docks or docks supported by posts may be installed
  - Applicants approved for a dock permit are responsible to ensure that docks or other shoreline structures placed in the water meet provincial and federal guidelines for construction methods and materials viewed to be safe for fish and water habitat.
  - Creosote and pentachlorophenol treated wood are prohibited.
  - dredging to improve access to the mooring area and the dock is prohibited
  - any proposal to remove aquatic vegetation or any other type of bank work must be reviewed by Saskatchewan Ministry of Environment.

NOTE: There are practical guidelines and examples on installation of structures described in *Saskatchewan Fact Sheet Working Around Water* and *The Fish Habitat Primer A Guide to Understanding Freshwater Fish Habitat in the Prairies*, both available from the Department of Fisheries and Oceans ([www.dfo-mpo.gc.ca/oceans-habitat/](http://www.dfo-mpo.gc.ca/oceans-habitat/)).
- c) Only registered vessels of ratepayers of the Resort Village of Wakaw Lake and their overnight guests shall be allowed for docking and mooring at authorized docks.
- d) Stairs and stairways must meet the National Building Code.

#### 5.3.1 Permitted temporary shoreline structures

- a) Permitted temporary shoreline structures, for the purpose of these bylaws, refers to structures positioned and installed along the shoreline and upland edge of the shoreline; or on a lot abutting a shoreline at the water-side of the property. Such structures are attached to the bed of the lake. Such structures must not adversely impact on fish habitat.

- b) Permitted shoreline structures include the following: stake tie-up, dock, pier, rollout pier or other removable pier.
- c) All permitted shoreline structures will be conditional on obtaining a development permit from the municipality (municipal permit).

### 5.3.2 Prohibited structures, developments and uses

- a) Prohibited structures, developments and uses, considered unauthorized, on *municipal and public reserve and environmental reserve lands* (dedicated lands) and lakeside lands include but not limited to the following:
  - i) Boathouses on Crown land and dedicated land (public land) are not allowed. For boathouses that existed prior to the implementation of this bylaw refer to Section 5.3.2 (c) below and Section 5.4 (o) Expansion or major renovations to existing boathouses are not permitted. Significant maintenance projects require the approval of council.
  - ii) Skirting around piers, docks, and similar structures as it interferes with fish habitat.
  - iii) Permanent cribbed docks are not preferred. Check with the authorities.
  - iv) Houseboats shall not be allowed permanent docking at private docks or piers.
  - v) Removal of trees, shrubs and other vegetation are prohibited without a permit
  - vi) Human habitation, such as camping or living on a vessel.
  - vii) Use of fertilizer and herbicides.
  - viii) Lawns replacing natural ground cover.
  - ix) Fuel storage.
  - x) Off-site private water wells.
  - xi) Holding (septic) tanks.
- b) Such unauthorized structures developments and uses found on dedicated lands and foreshores (Section 242 of *The Act*) might be subject to a fine, penalty and removal under Section 243 of *The Act*. Cost of removal of unauthorized structures and works and remedial works will be charged against the cottage property tax of person(s) involved.
- c) Concerning a temporary structure or a development that was in place on dedicated lands (lakeside lands) without obtaining a permit or agreement with council before the coming into force of Section 194 (10) of the Act (before the enactment of this Zoning Bylaw) refer to Section 5.4 subsection o) of these regulations).

### 5.4 Lakeside Development and Shoreline Structures Permits (Municipal permits)

- a) Lakeside cottage owners do not require an annual municipal permit for shoreline installations as long as they have obtained applicable required permits from provincial and federal authorities.
- b) Development on shoreline and lakeside lands (on dedicated lands and on lake bed (Crown owned foreshore lands) without the approval of the council is prohibited. If a permit is not obtained the Resort Village will proceed with removal of development according to Section 194 of *The Planning and Development Act, 2007*.
- c) All approved private developments and temporary structures on lakeside lands are considered temporary developments subject to the provisions of *The Planning and Development Act, 2007 (The Act)*.
- d) Any temporary use of lakeside lands (dedicated lands) must be within what is permitted by *The Act* (Section 192) and *The Dedicated Lands Regulations*.

- e) Subject to the provisions of the Official Community Plan and this Zoning Bylaw, Council may allow some development of landscaping or temporary structures and may:
- i) by permit grant a person permission (municipal permit) to place a temporary structure on any dedicated lands (lakeside lands) other than a walkway, under Section 194 (2)(a) of *The Act*. A dock or a boat lift is an example of a temporary structure. Or
  - ii) by permit, grant a person permission (municipal permit) to place a development on any dedicated lands (lakeside lands) other than a walkway under Section 194 (2) (b) of *The Act*. Development, pursuant to Section 194 (1) of *The Act*, means improvements, or landscaping and maintenance of the improvement or landscaping, or shoreline modifications for the purpose of these regulations.
- f) No person shall:
- (a) undertake a *development* including *shoreline modification* or a *repair of modification(s)* without:
    - i) first obtaining a shoreline alteration or modification permit(s) from federal and provincial agencies, and
    - ii) a valid agreement for development (*municipal temporary use permit*) from the Resort Village of Wakaw Lake; or
 

*NOTE: As removal of vegetation for the installation of shoreline structures is considered 'works', such proposal to remove aquatic vegetation or any other type of bank work must be reviewed by Saskatchewan Environment.*
  - (b) rent or lease out any dock without the prior written permission of the Resort Village of Wakaw Lake.
- f) Assignment or transfer of permit or authorized structures shall not be permitted without prior express written authorization by the Resort Village of Wakaw Lake as the rights given in the permit do not accrue to the property and cannot be sold.
- g) Failing to obtain proper authorization will result in removal of the development and shoreline structure installations. After compliance, the ratepayer will have an opportunity to reapply for authorization.
- h) The application to the Development Officer for *municipal permit* shall be in the "Form C" as adopted or amended by resolution of Council, together with any other information needed to assess the application in relation to the REGULATIONS FOR DEVELOPMENT ON LAKESIDE LANDS and shall include the following minimum information:
- a) Date of application.
  - b) Name of the owner or co-owner applicant or someone authorized in writing by the registered owner of recreation property (cottage site or campsite).
  - c) Address of recreation property in the Resort Village of Wakaw Lake.
  - d) Permanent contact address, e-mail address and telephone number(s) of the applicant.
  - e) Requested location of dock and boatlift and or shoreline development and modification in front of a cottage, with a detailed site plan and photograph of where the dock or boatlift or shoreline development or modification are to be located.
  - f) Proof of public liability insurance.
  - g) All prescribed application and permit fees.

- h) Proof of authorization, where applicable, from Saskatchewan Environment, Saskatchewan Water Security Agency, Fisheries and Oceans Canada, and Transport Canada.
  - i) Any other information needed to assess the application.
- i) A copy of the approved application will be the *municipal permit* for temporary shoreline structures and or development or alteration.
  - j) If the application is denied, the applicant will be informed in writing.
  - k) A person must pay the prescribed non-refundable application fee and the permit fee when applying for a permit(s) for a development/alteration or placement of a temporary shoreline structure.
  - l) A permit issued or an agreement made does not give the grantee (recipient of a permit or an agreement) exclusive right with respect to the use of dedicated lands (lakeside lands) or privatize any part of the dedicated lands (lakeshore lands).
  - m) Applications are valid for six (6) months and failure to install shoreline structures (dock, pier, boat lift) or to carry out shoreline development will terminate approval and a new application must be made to the Resort Village of Wakaw Lake.
  - n) If changes (size, location, shape, proposed removal of aquatic vegetation) are contemplated to the original development (shoreline modification) or installation (shoreline structure), a revised application form must be submitted for review and approval.
  - o) If a temporary structures or a development that were in place on dedicated lands (lakeside lands) without obtaining a permit or agreement with council before the enactment of Section 194 (10) of *The Act*, and if council is of the opinion that the retention of such structure or development may not be in the public interest, council shall serve the person believed to have placed the temporary structure or the development on dedicated lands (lakeside lands) with written notice of council's intentions of removing or disposing the temporary structures or the development. Notice of right to appeal or of hearing on the matter shall be in accordance with Section 194 (10) to (12) of *The Act*.
  - p) The costs of removal or disposal and restoration of dedicated land (lakeside land) are a debt due to the municipality and can be applied to the taxes of the person who placed the temporary structure or development on the dedicated land.
  - q) Council will use Saskatchewan Water Security Agency and Saskatchewan Ministry of Environment or other competent authority or qualified professional for technical review of proposals regarding potential development hazards such as erosion and shoreline instability and impact on fish and wildlife habitat and for advice on required mitigation measures.

## SECTION 6 – OPEN SPACE REGULATIONS

The intent of these regulations is:

- a) To regulate the use of Open Space Areas (public and municipal reserves, beaches, waterfront area, recreation lands, green spaces, open grass lands and tree plantations, recreation areas, and environmentally sensitive areas, roadways, road allowance, parking areas/lots), and undeveloped portion of private cottage sites and campsites (60% to 70% of a cottage site area is considered open space due to limits on lot clearing and grading).
- b) To assure the continuity of natural amenities for the enjoyment of village residents.

## 6.1 ACTIVITIES IN THE OPEN SPACE AREAS

### 6.1.1 Vehicles and Parking

No person shall:

- a) Operate a vehicle in an Open Space Area except on a highway, village road, or car trail designated for vehicle use or in a parking lot.
- b) Park or idle a vehicle in an Open Space Area except in a parking Lot.
- c) Leave a vehicle in an Open Space Area, or a parking lot for more than 24 hours.
- d) Park a camper in an Open Space Area.
- e) Act contrary to any traffic control device in an Open Space Area or in a parking lot.

### 6.1.2 Firearms

- a) **The term "Firearm" shall be as defined in The Wildlife Act, 1998 and amendments.**
- b) In the interest of public safety, the discharge of any firearm within the boundaries of the Resort Village of Wakaw Lake is prohibited.
- c) This regulation does not apply to representatives of the Resort Village, or of the provincial or federal government who may, while on duty, be required to discharge their firearms.

### 6.1.3 Trapping

- a) Trapping anywhere in the Resort Village is prohibited, except as provided below.
- b) This regulation does not apply to representatives of the Resort Village, or of the provincial or federal government, who may, in the course of their duty, be required to use a trap to catch, snare or otherwise restrain any animal to protect private or village property or to protect human life. Any such trapping is permitted only with written consent of the Village Clerk on instructions from Council.
- c) Live traps may be used, with permission of the Village Clerk, to trap animals live for release elsewhere; or to trap injured animals which must be disposed of in a humane manner.
- d) Cottage owners shall be allowed to trap on their own sites.

### 6.1.4 Gardens

- a) Planting of private gardens on public lands is not allowed except on land designated by Council as a Community Garden.

### 6.1.5 Camping

- a) No person shall set up a tent, trailer, camper, or RV in an Open Space Area (public/municipal or environmental reserve), except in conformity with the Zoning Bylaw.

### 6.1.6 Fires

- a) No person shall start or maintain any fire or fire works in an Open Space Area, except as set out in the Fire Bylaw by Council.
- b) Barbecues and open fires will be regulated by separate bylaw of Council.

### 6.1.7 Pets

Pets are allowed in an Open Space Area under the following designations and conditions:

- a) Leash Areas, as designated by Council - Pets must be on a leash and under the control of the owner.
- b) Off-leash Under Control Areas, as designated by Council - Areas where pets may be off leash but must remain under the control of the owner.
- c) No Pets Allowed Areas, as designated by Council – Areas where pets are prohibited, including the golf course, and any other areas designated by Council.

### 6.1.8 General Conduct of Persons on the Open Space Areas

No person shall:

- a) Interfere with the free use or enjoyment of an Open Space Area by an other person.
- b) Engage in any activity which causes a nuisance in an Open Space Area.
- c) Damage, destroy, or remove any improvement, sign, structure or other property.
- d) Deposit or leave any domestic garbage, waste, soil, refuse or debris in any Open Space Area from within or outside the Resort Village.
- e) Leave any litter of any kind in any Open Space Area, except in a waste container provided for such purpose by the resort Village.

### 6.1.9 Exemptions, Offences and Penalties

- a) Those persons are exempt from the provisions of this Bylaw who have received the prior written permission of Council to use part of the Open Space Area as a temporary access to that **person's property**.
- a) In granting permission, Council may establish conditions (time of use, damage deposit, indemnification of the resort Village and any other conditions).
- c) Any person who contravenes any provisions of Section 6.1 of this Bylaw commits an offence and is liable on summary conviction to a fine set by Council under a separate Bylaw.

## 6.2 MANAGEMENT OF OPEN SPACE AREAS

### 6.2.1 Management of Trees and Grasses

As far as practicable, Council shall:

- a) Promote environmentally-friendly maintenance practices on open space areas.
- b) Preserve and protect native vegetation on hillside to promote hill-stability and reduce erosion.
- c) Encourage the use of native species and prairie hardy plants, trees, and shrubs, and
- d) Retain and enhance native vegetation in new developments.

### 6.2.2 Dead and Deteriorating Trees

- a) The simple existence of dead and deteriorating trees shall not be the sole criteria for tree removal from village forests (public and municipal reserves and environmental reserve).
- b) Fallen and decaying wood/branches left in-situ on the ground provide wildlife habitat and promote soil conservation. Where practical, the Resort Village shall encourage mulching unused wood on-site.

### 6.2.3 Tree Removal from Public Open Spaces and Private Lots

- a) No person shall cut or remove any tree from public open spaces without having first obtained a tree cutting permit, had the tree(s) marked for removal by the village staff, and paid a stumpage fee.
- b) The Development Officer may issue a tree cutting permit which provides for the cutting or removal of trees and shrubs where, in the opinion of the Development Officer:
  - i) The removal is necessary to provide for access to the site, required off-street parking or another permitted use on the site.
  - ii) Offstreet parking shall not take more than 50% of the width of the front yard.
  - iii) Access ways (driveways) shall not be cleared greater than 3 metres (9.8 feet) in width.
  - iv) For building construction (a development permit required) no trees and shrubs shall be removed beyond a distance of 2.5 m (8 ft) in width around the building.
  - v) The tree is located on the property within 2 m (6.5 ft) of an existing building and/or a proposed accessory building.
  - vi) The tree is dead, dying, severely diseased, or damaged so as to pose a safety hazard.
  - vii) The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees in the clump.

## 6.3 GROUNDWATER PROTECTION AND STORM WATER MANAGEMENT

### 6.3.1 Groundwater Protection

- a) The intent of this section is to protect existing and potential groundwater sources in order to safeguard the public health of residents of the Resort Village who depend on groundwater for their drinking water.
- b) Because an abandoned well can be a safety hazard, threat to ground water quality, as well as a liability issue, it is the cottage owner's responsibility to barricade off such a well and to report it to the Resort Village and to the Saskatchewan Water Security Agency for advice on decommissioning the abandoned well.
- c) No subdivision of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be provided to meet the requirements of the Saskatoon Health Region, Saskatchewan Environment, or the Saskatchewan Water Security Agency.
- d) Subject to the Acts and Regulations, as amended from time to time, and administered by the Saskatoon Health Region and Saskatchewan Environment, no liquid, solid or gaseous wastes shall be discharged into any streams, creek, river, pond, slough, intermittent drainage channel or other body of water, or on any land or into the air.
- e) Landfill for the disposal of garbage or refuse is not allowed within the Resort Village because of insufficient distance from any residential development.
- f) Pit privies are prohibited.
- g) The primary sewage disposal system component shall be a holding tank placed on the property for pump out.

- h) Placement of holding tanks with respect to distances to buildings, property line and well or water source must follow the guidelines of Saskatchewan Health; and the setbacks as determined by the Public Health Inspector from the Saskatoon Health Region.
- i) The Development Officer shall send a copy of all approved development permit applications involving installation of water and sanitary services, to the local office of the Saskatchewan Department of Health.
- j) A permit must be obtained from the Public Health Inspector before any person installs a holding tank.
- k) Effluent must be hauled to an approved lagoon or disposal site.
- l) The Resort Village may conduct annual random testing of holding tanks and water wells throughout the Resort Village in the interest of safeguarding groundwater quality.
- m) The storage of chemicals, fertilizers and combustible materials is subject to the requirements of both the federal and provincial governments. All necessary approval from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include that all permits or licences required by other regulatory agencies be obtained before development proceeds.
- n) Underground fuel storage tanks and fuel tanks shall be prohibited in the Resort Village.
- o) Heating oil tanks shall be placed over a leak-proof sump area.
- p) De-icing salts shall not be permitted on village roads.
- q) The spreading of manure is not permitted.
- r) The dumping on village soils of products that may adversely affect groundwater is prohibited. Such products include:
  - i) Antifreeze and coolants,
  - ii) Gasoline, brake, and transmission fluids,
  - iii) Paints, primers, and wood preservatives.

#### 6.3.2 Storm Water Management

- a) **Roadway ditches along surfaced roads in the subdivision act as 'catchment basins' for storm water**, which infiltrates into the subsoil (aquifer recharge). Filling in these ditches could reduce permeable soil cover and onsite drainage capacities in the residential areas. Depending on topography and drainage, Off-Street Parking, Retaining Walls and Driveways regulations (Sections 3.4.3, 3.4.4, 3.4.5) shall apply to maintain permeability and local drainage and public safety.
- b) Along the escarpment (hillside) above Wakaw Lake, and elsewhere on steep slopes, the Resort Village shall give due regard to locating trails, roads and parking and to maintaining vegetation cover to prevent run off and soil erosion.

### 6.3.3 Community Involvement in Protecting Open Spaces

Although these Bylaws provide the authority for enforcing the implementation of The Resort Village of Wakaw Lake Zoning Bylaw, Council shall rely on broad based support of these Bylaws by Village residents through:

- a) Information sharing about the purpose of these bylaws with Village residents.
- b) Opportunities for engagement in village governance (Development Appeals Board) and encouraging formation of various advisory committees (potential examples: Beach and Waterfront Committee, the Emergency Measures Committee, Social and Recreation Committee).

## SECTION 7 - ZONING DISTRICTS

### 7.1 ZONING DISTRICT MAP, HOLDING PROVISION AND OVERLAY DISTRICTS

#### 7.1.1 The Zoning District Map

The map, bearing the statement "**This is the Zoning District Map referred to as Schedule 'A' in Bylaw No.10 2013 adopted by the Resort Village of Wakaw Lake** and signed by the Mayor and Municipal Administrator **under the seal of the municipality, shall be known as the "Zoning District Map"** and such map is **attached as Schedule 'A'** in Appendix C and forms part of this Bylaw.

#### 7.1.2 Boundaries of Zoning Districts

- a) Unless shown otherwise, the boundaries of zoning districts are lot lines, centre lines of streets, lanes, roads, road allowances or such lines extended, bank (shoreline) of Wakaw Lake, and the boundaries of the municipality.
- b) In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.
- c) A district boundary shown following approximately the shoreline, row of trees, or road and trails shall be deemed to be at shoreline or the center line of the roads and trails, and move with any natural change in such natural features or centre line.

#### 7.1.3 Holding Provision

- a) **Where on the Zoning District Map the symbol for a zoning district has the prefix "H", any lands so designated on the map shall be subject to a holding provision in accordance with section 71 of *The Act*, and shall not be developed or redeveloped until the Resort Village enacts an amending bylaw removing the "H" holding symbol.**
- b) Any lands subject to a holding provision shall only be used for the following uses:
  - i) **Those existing uses, buildings, and structures lawfully permitted when the "H" is applied.**
  - ii) Passive recreation
  - iii) Golf course
  - iv) Forestation and other conservation practices
  - v) Public works
  - vi) Municipal facilities
- c) Council may, by bylaw, remove the holding symbol H from a portion of the UR - Urban Reserve District for residential development after the following conditions are met:

- i) Any development plan for this area shall be required to meet the applicable provisions of the Official Community Plan and the Zoning Bylaw guidelines at the time.
- ii) Additional residential and related land use shall only be considered under the criteria identified in Section 4.2 of the Official Community Plan - Criteria for Additional Residential and Related Land Use.
- iii) The provisions of Section 4.4 Non-Residential Development (in the Official Community Plan) shall apply.
- iv) Such criteria shall include, but is not limited to:
  - i) Meeting requirements for potable water supply, solid and liquid waste disposal in accordance with Section 4.3. Groundwater Protection and Storm Water Management Regulations of this zoning bylaw.
  - ii) Detailed designs, servicing and infrastructure development.
  - iii) The developer shall enter into an agreement with the Resort Village to improve lake accessibility (lakeshore parking, boat launch and mooring capacity) both on and off the development area.
  - iv) Public consultation with the ratepayers.
  - v) Provide sufficient time (over four weeks) to receive the electorates' response to the development in a plebiscite on the question.
  - vi) And, if applicable, Council entering into a Development and Servicing Agreement according to Section 6.9 - Development Levies and Servicing Fees in the Official Community Plan.

d) Once these, and other conditions set by the Resort Village of Wakaw Lake, have been met, the holding symbol may be removed by an amending bylaw according to Section 71 (2) of *The Act*.

#### 7.1.4 Overlay Districts

Overlay zoning districts may apply additional regulations to specific land and are indicated on the Zoning District Map. These regulations add to the regulations contained in the conventional zoning district (base zone) applicable to a site. Where the conventional district regulations applicable to a site appear to be in conflict with the overlay zone regulations, the following overlay zone regulations shall take precedence:

##### 7.1.4.1 f - Flood Hazard Area (overlay zone) and Safe Building Elevation

a) The purpose of this regulatory overlay is to provide for orderly development and safe construction in areas subject to flooding.

**In any district designated on a zoning map with the letter "f" after the district symbol** (base district) all uses in that district shall be subject to the special regulations specified in this part.

b) Permitted Uses in addition to those in the base district include:

- i) Passive parks
- ii) Picnic sites
- iii) Playgrounds
- iv) Boat launches
- v) Foot paths/trails

c) Discretionary Uses in addition to those in the base district include:

- i) Storage of goods not subject to water damage.

## d) Special Regulations:

- i) Where excavation or filling is proposed for any development in a flood hazard land overlay zone, the Council may request the comments of the Saskatchewan Watershed Authority or the applicant to provide such further geotechnical information as the Resort Village of Wakaw Lake may require prior to making a decision on the Development Permit application.
- ii) Floor elevation requirements shall apply in a cautionary flood hazard land overlay zone.
- iii) Safe Building Elevation for all existing and new sites within the Resort Village of Wakaw Lake zoning districts along Wakaw Lake shall be above the 1:500 design flood level of 510.60 m (1:500 year peak calm water level of 510.10 m above sea level (Saskatchewan Watershed Authority) plus a 0.5 m freeboard value.
- iv) Applications for development permits for sites with habitable dwellings below 510.60 m sea elevation shall show the elevation of site corners and the floor elevation of dwellings along Wakaw Lake within the Resort Village of Wakaw Lake.
- v) The grade elevation of the building or structure must be at or above the design flood elevation of 510.60 m above sea level.
- vi) Basements shall not be allowed on sites within the 1:500 design flood level.
- vii) The finished floor elevation of the building or structure must be a minimum of 0.6 m above the design flood elevation of 510.60 m and on flood proofed foundation or the structure must be flood proofed to that elevation.
- viii) Heating units and heating plants and electrical service panels shall be located above the safe building elevation.
- ix) Grade elevation of habitable buildings must be above the road centreline grade where site drainage and flooding is a concern.

NOTE: Caveats (flood proofing required) - To minimize potential flood damage, caveats were registered (Section 142 of *The Planning and Development Act, 1983*) against certain titles at Sandy Point and near Poplar Beach. The caveat requires each existing cottage owner of affected site, pursuant to the issuance of development permit or building permits, to have:

- a) flood proofing permanent buildings (up to the underside of main floor joist of new residential buildings) or structures up to an elevation of 510.58 sea level (based on 1:100 flood event) in such a way that surface water can be drained without ponding;
- b) portions of residential buildings that are below the flood proofing elevation to be flood proofed in accordance with CMCH Publication NHA 5701 2/84 Problem Lands and as updated after;
- c) sewage holding tanks be flood proofed up to the same elevation and installed in compliance with the requirements of the Department of Public health; and that,
- d) approved shoreline stabilization works be installed and maintained by the owner.

*NOTE: New sitting and construction of buildings and structures will be in accordance with the zoning bylaw.*

## 7.1.4.2 hs – Hillside Protection Area

As stated in the Official Community Plan, unprotected excavations particularly along and below the escarpment, are subject to slope instability and erosion. Along steep slopes local evidence of actively shedding back slopes toward the lake were noted. Deep unvegetated cuts for roads are prone to erosion and sedimentation runoff during heavy rainfall.

Careful siting of cottages and structures is required on these steep slopes to prevent landslips and risk of erosion as well as to avoid unnecessary blocking of views of the lake from cottages.

- a) Purpose of the hillside Protection Area is to protect the natural terrain and vegetation to avoid and minimize erosion and damage to property and residents and to preserve views to and from the lake. In any district designated on a zoning (base) map with the letters "hs" after the district symbol all uses in that district shall be subject to the special site regulations specified in that part.
- b) Defining the area
 

This applies to sites where an existing or proposed development or subdivision is located on a hillside of 15% or greater slope for the length of the site within an R - Residential District.
- c) Permitted Uses in hillside protection area are as identified in the base district.
- d) Discretionary Uses in hillside protection area concerning residential and other development on cottage sites are as identified in the zoning bylaw and on lakeside lands as identified in Section 5 Regulations for Development on Lakeside Lands in this zoning bylaw.
- e) Prohibited Uses
  - a) Prohibited uses are as identified in the base district.
  - b) Off-road vehicles are restricted to designated paths and trails outside the lakeshore environmental reserve (below the cottage lots at the base of the escarpment).
  - c) (Also see: Section 7.5 - Prohibited Use in All Zoning Districts).
- f) Special Site Regulations
  - i) At Council's discretion the required minimum front yard setback in residential districts for specific sites may be reduced according to paragraph (ii) below.
  - ii) Depending on site conditions (examples: natural drainage, potential for slope instability, erosion, safe building sites, or the potential for irreparable alteration of the landscape), site analysis may be required according to Section 2.3.5 Hazard Lands in order to relax the minimum front yard requirement for dwellings (principal building) from 6 m (20 ft) to 3.5 m in the residential districts next to Wakaw lake. Also refer to footnote to Section 7.4 Development Standards.
  - iii) Applications for development permits for sites (along Wakaw Lake within the Resort Village of Wakaw Lake) shall show the elevation of site corners and the floor elevation of dwellings.
  - iv) In order to promote retention of vegetation cover, important for storm water management and for minimizing soil erosion and for wildlife habitat, additional clearing of vegetation (trees and shrubs) shall be limited to 8 ft outside strip of the 'maximum site coverage' (total foot print) of all buildings.
  - v) The 'maximum site coverage' is 30% of the site area and together with driveways, parking and impermeable surfaces shall not exceed 50%.
  - vi) Clearing, Grading and Levelling of Lots Shall comply with Section 3.4.1
  - vii) No site clearing shall occur and no foundation work, new buildings or structures shall be constructed without the submission of site clearing and restoration plan for approval as the resort village may require.

viii) Placement and or height of new buildings or structures shall be so as to minimize interference with the natural vistas of the lake, the escarpment landscape (view of the steep hillside) from the primary living area of the adjacent cottage sites. Council shall have the deciding authority if there is any dispute on property owner's views.

NOTE: 'View' means a vista of water bodies (Wakaw Lake) or surrounding hills of the lake, from the primary living areas of the single dwelling/principal building. Obstructions by natural stands of trees and shrubs are exempt.

7.2 ZONING DISTRICTS

For the purpose of applying this Bylaw, the Village of Wakaw Lake is divided into the following zoning districts. The boundaries of these zoning districts are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

Zoning Districts	Symbols
Residential (Single Detached Dwellings)	R-1, R-2, R-3
COMMERCIAL	C
RECREATION	REC
CONSERVATION	CA
STORAGE	S
COMMUNITY SERVICES	CS
URBAN RESERVE	UR

7.2.1 The Residential Districts (R-1, R-2, and R-3) (Single Detached Dwellings)

7.2.1.1 Residential District (R-1)

The intent - The purpose of the R-1 Residential District is to provide for low-density residential development comprised of single detached dwellings and permitted uses such as recreation, community service and public work uses compatible with a residential area.

7.2.1.2 Residential District (R-2)

The purpose of this district is to provide for single detached dwellings in R-2 Residential District. Further R-2 districts with sites without a back lane are prohibited, existing ones are provided for.

7.2.1.3 Residential District (R-3)

The purpose of this district is to accommodate existing high density residential development. To fit sites to existing cabin locations at Sandy Point (in Section 25) to accommodate existing high density residential developments. Further undersized lots/sites (R-3) are prohibited by the OCP.

For development standards in the Residential Districts, refer to Section 7.4

### 7.2.2 The Commercial District (C)

The intent - The purpose of the C - Commercial District is to provide land for commercial development and to regulate commercial uses such as neighborhood type store, coffee shop, restaurant, golf course and accessory establishments primarily for village residents and their guests and not for commercial developments (such as highway side gas station, tourist campgrounds, hotels, rental condos) that would attract tourists.

### 7.2.3 Recreation District (REC)

The intent of the REC - Recreation Zoning District is to provide for and regulate recreational development and related uses.

This reflects existing areas of recreation development (beach area and boat launch) and other municipal reserves intended for future recreational use (example: trail access nodes to the lakeshore).

**NOTE: the REC - Zoning District includes most of the dedicated public reserve (Crown owned) and/or to municipal reserve (Municipal owned). These are shown as dedicated lands on subdivision plans. NOT all public/municipal reserves are zoned REC - District in this Resort Village.**

**NOTE: The development of public reserve and/or municipal reserve is subject to the provisions of the Official Community Plan and Zoning Bylaw (Section 193 of *The Act*).**

**NOTE: For bylaw effectiveness it is required to have a 'parcel class code change' (conversion) for Lakeview Drive from "road" to Municipal Reserve (and zoned as REC District).**

Recreation developments for use by village residents will also be allowed in R - Residential District, UR - Urban Reserve District.

### 7.2.4 Conservation (CA)

The intent of CA - Conservation District is to recognize and preserve lands of natural and cultural (archeological) features under the definition of section 185 of *The Planning and Development Act 2007* and other areas zoned Conservation District. These conservation districts (environmental reserves) include known natural drainage courses, seepage springs, the lakeshore lands (land/water interface), lands subject to flooding, environmentally sensitive wildlife habitat (wetlands on and around Poplar Point and at Sandy Point), and unstable areas (shoreline erosion). Use and development shall be low impact on the environment.

**NOTE: Conservation designation is applied to lands identified as Environmental Reserves (Crown land) or Municipal Environmental Reserve on subdivision plans and/or areas (Poplar Point) zoned for Conservation in this Zoning Bylaw.**

**NOTE: For bylaw effectiveness it is required to have a 'parcel class code change' (conversion) for Lakeshore Road from "road" to Environmental Reserve (and zoned as **CA - Conservation District**).**

Where appropriate in CA - Conservation District, carefully placed low impact developments (foot path, boardwalk, viewing posts, park benches, and discretely placed informational signs) and non-destructive recreational activities (wildlife viewing, nature appreciation) may be allowed.

7.2.5 Storage (S)

The intent of the S - Storage District is to provide for storage needs in the form of accessory buildings and uses of village residents. These lands are not intended for commercial or industrial use. The area selection for S - Storage District reflects existing storage use.

7.2.6 Community Services (CS)

The intent of CS - Community Services District is to enable the Resort Village to set aside surveyed parcel(s) for community services, public works, village operations, and community organized events.

NOTE: Zoning Bylaws will also allow community services related land use and public works on lands in the Residential District, Recreation District and in the Urban Reserve District.

7.2.7 Urban Reserve (UR)

- a) The intent of UR - Urban Reserve District is to reserve lands in their interim use within the Municipality which are as yet not subdivided or undeveloped land for urban uses until such time as their future use may be determined.
- b) Only where the proposed zoning would be in conformity with the Official Community Plan shall the rezoning of land from Future Development to any other land use be considered.

Note - Other districts may be added as necessary.

7.3 PERMITTED AND DISCRETIONARY LAND USES, OTHER DISTRICT REGULATIONS

	PERMITTED USES	DISCRETIONARY USES	OTHER DISTRICT REGULATIONS
Residential District (R-1)	<p><u>Residential</u></p> <ul style="list-style-type: none"> <li>• Single detached dwellings.</li> </ul> <p><u>Recreational</u></p> <ul style="list-style-type: none"> <li>• Picnic grounds, golf courses, sports fields, beaches, playgrounds, and parks.</li> </ul> <p><u>Institutional</u></p> <ul style="list-style-type: none"> <li>• Churches and church halls</li> <li>• Community halls and facilities</li> <li>• Public works</li> </ul>	<ul style="list-style-type: none"> <li>• Home Based Business</li> <li>• Neighborhood confectionary store/coffee shop</li> <li>• Home Occupation</li> <li>• Bed and Breakfast Lodging</li> <li>• One accessory dwelling unit ('granny-suite/guest house) or detached accessory building as a <i>temporary discretionary (conditional) use</i> (Section 3.1.7).</li> </ul>	<p>Accessory buildings, structures and uses, except accessory dwelling units, shall be permitted and comply with Section 3.1.6 of this zoning bylaw.</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• Off street parking</li> <li>• Residential accessories</li> <li>• Storage</li> <li>• Drainage</li> <li>• Overlay districts (flood hazard and hillside protection)</li> </ul>

	PERMITTED USES	DISCRETIONARY USES	OTHER DISTRICT REGULATIONS
Residential District (R-2)	<p><u>Residential</u></p> <ul style="list-style-type: none"> <li>• Single detached dwellings.</li> </ul> <p><u>Recreational</u></p> <ul style="list-style-type: none"> <li>• Picnic grounds, golf courses, sports fields, playgrounds, beaches and parks.</li> </ul> <p><u>Institutional</u></p> <ul style="list-style-type: none"> <li>• Churches and church halls</li> <li>• community halls and facilities [place of assembly]</li> <li>• Public works</li> </ul>	<p>On <u>lots/sites with lane</u>:</p> <ul style="list-style-type: none"> <li>• Home Based Business</li> <li>• Neighborhood confectionary store/coffee shop</li> <li>• Home Occupation</li> <li>• Bed and Breakfast Lodging</li> <li>• One accessory dwelling unit ('granny-suite/guest house) or detached accessory building as a <i>temporary discretionary (conditional) use</i>.</li> </ul> <p>On <u>lots/sites without lane</u>:</p> <ul style="list-style-type: none"> <li>• Home Occupation</li> <li>• One accessory dwelling unit ('granny-suite/guest house) or detached accessory building as a <i>temporary discretionary (conditional) use</i>.</li> </ul>	<p>Accessory buildings, structures and uses: buildings, structures or uses secondary and accessory to but located on the same site with the proposed use.</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• Off street parking</li> <li>• Residential accessories</li> <li>• Storage</li> <li>• Drainage</li> <li>• Undersized lots</li> <li>• Overlay districts (flood hazard and hillside protection)</li> </ul>
Residential District (R-3)	<p><u>Residential</u></p> <ul style="list-style-type: none"> <li>• Single detached dwellings.</li> </ul> <p><u>Recreational</u></p> <ul style="list-style-type: none"> <li>• Picnic grounds, playgrounds, beaches and parks.</li> </ul> <p><u>Institutional</u></p> <ul style="list-style-type: none"> <li>• Public works</li> </ul> <p><u>Prohibited uses</u></p> <ul style="list-style-type: none"> <li>• Mobile homes</li> </ul>	<p>Due to limited site area and limited parking only the following discretionary uses may be considered/allowed:</p> <ul style="list-style-type: none"> <li>• Home Occupation</li> <li>• If space available, one accessory dwelling unit ('granny-suite/guest house) or detached accessory building as a <i>temporary discretionary (conditional) use</i>.</li> </ul>	<p>Accessory buildings, structures and uses: buildings, structures or uses secondary and accessory to but located on the same site with the proposed use.</p> <p>Accessory dwelling unit (granny-suite): see Discretionary Uses</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• Off street parking</li> <li>• Residential accessories</li> <li>• Storage</li> <li>• Drainage</li> <li>• Undersized lots</li> </ul> <p>Overlay districts (flood hazard and hillside protection)</p>

	PERMITTED USES	DISCRETIONARY USES	OTHER DISTRICT REGULATIONS
Commercial District (C) (Non-Residential Development)	<p><u>Principal Permitted Uses:</u></p> <p><u>Commercial</u></p> <ul style="list-style-type: none"> <li>• Personal service shops</li> <li>• Grocery stores and food item sales</li> <li>• Restaurants and cafes</li> <li>• Retail merchandise shops</li> </ul> <p><u>Institutional</u></p> <ul style="list-style-type: none"> <li>• Place of worship</li> <li>• Community halls and facilities</li> <li>• Municipal buildings</li> <li>• Public works and utilities</li> </ul> <p>Shall not allow rental facilities for tents, campers, trailers, motor homes or other forms of accommodation.</p>	<ul style="list-style-type: none"> <li>• Small cabins for overnight guests</li> </ul>	<p>Secondary and Accessory Uses:</p> <p>Buildings, structures or uses secondary and accessory to but located on the same site with the principal use, including a single detached dwelling secondary and accessory to a principal commercial use.</p>

	PERMITTED USES	DISCRETIONARY USES	OTHER DISTRICT REGULATIONS
Recreation District (REC)	<p><u>Permitted uses:</u></p> <ul style="list-style-type: none"> <li>• Roads discretely located and under stricter than normal controls due to erosion and risk of flood</li> <li>• Parking lots</li> <li>• Picnic grounds, playgrounds, public beaches and parks.</li> <li>• Open space, buffer strip</li> <li>• Golf course</li> <li>• Hiking and cross country ski trails</li> <li>• Sports and playgrounds</li> <li>• Beach and boat launch access</li> <li>• Public boat docking facilities</li> <li>• Foot paths, stairs and boardwalks as appropriate</li> <li>• Public building or facility</li> <li>• Utilities</li> </ul> <p><u>Prohibited uses:</u></p> <ul style="list-style-type: none"> <li>• Overnight parking</li> <li>• Idling of vehicles</li> <li>• Camping</li> <li>• Off-site gardens</li> <li>• Storage of cars, boats trailers and other private property</li> <li>• <b>Extension of 'private space' by off-site landscaping</b></li> <li>• Lane access through municipal/public reserve (the primary level of access to lots or parcels is from the Village streets and service access from the back lane)</li> </ul>	<ul style="list-style-type: none"> <li>• Marina and gas pump and/or boat rental under DISCRETIONARY TEMPORARY USE PERMIT (MUNICIPAL PERMIT)</li> <li>• Snack bar at the beach</li> <li>• Motorized trails in areas designated by Council</li> <li>• Shore land protection measures (erosion control)</li> <li>• Swimming areas</li> <li>• Boating restrictions</li> <li>• Boat launch</li> <li>• Public washrooms (risk of high water table)</li> <li>• Water safety related facilities and navigational aids such as beacons and signs; and</li> <li>• Shore land alteration and management efforts shall include prior consultation with government environmental and water management agencies.</li> </ul>	<p>Accessory buildings, structures and uses secondary or subordinate to the principal permitted or discretionary use, shall apply.</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• No minimums (development standards)</li> <li>• Most of the lands shown as Public Reserve on the subdivision plan are zoned as REC - Recreation District. These zoned lands shall be subject to the provisions of Section 186 and 192 and other sections regarding Public Reserve, of <i>The Planning and Development Act, 2007</i>.</li> <li>• Boating regulations (Transport Canada)</li> <li>• Shore land <b>'alterations'</b> (Saskatchewan Ministry of - - Environment and Department of Fisheries and Oceans of Canada)</li> <li>• Section 5 - Regulations for Development on Lakeside Lands of this zoning bylaw.</li> </ul>
		<ul style="list-style-type: none"> <li>•</li> </ul>	

	PERMITTED USES	DISCRETIONARY USES	OTHE DISTRICT REGULATIONS
Conservation District (CA)	<p><u>Permitted Uses</u></p> <ul style="list-style-type: none"> <li>• Shoreline fishing</li> <li>• Nature appreciation, photography</li> <li>• Hiking</li> <li>• Cross country skiing</li> <li>• Wildlife viewing</li> <li>• Preservation of wildlife habitat</li> <li>• Preservation of vegetation cover for the prevention of erosion</li> <li>• The Conservation Area (environmental reserve) must be left in its natural state.</li> </ul> <p><u>Prohibited uses:</u></p> <ul style="list-style-type: none"> <li>• Motor vehicle access</li> <li>• Mooring of vessels</li> </ul>	<ul style="list-style-type: none"> <li>• Carefully located and developed foot paths and/or boardwalks (avoiding nesting sites)</li> <li>• Viewing posts</li> <li>• Park benches</li> <li>• Discretely placed informational signs</li> <li>• Navigational aids</li> <li>• Public utilities and communication installations.</li> </ul>	<p>Accessory Uses</p> <ul style="list-style-type: none"> <li>• Non-habitable buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted</li> </ul> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• Section 185 (3) of <i>The Planning and Development Act, 2007</i>.</li> <li>• Section 5 - Regulations for Development of Lakeside Lands.</li> </ul>
		<ul style="list-style-type: none"> <li>• Permits are required from the Saskatchewan Ministry of Environment and the Department of Fisheries and Oceans for any work planned in or within 5 m (16.40 ft) of a lakebed.</li> <li>• <i>Dedicated Lands Regulations</i> and provisions of this Bylaw shall apply.</li> </ul>	
Storage District (S)	<p><u>Permitted uses</u></p> <ul style="list-style-type: none"> <li>• Storage sheds and private garages</li> <li>• Shared storage compound (example: boat trailer storage area) for outdoor storage of recreational vehicles and equipment.</li> <li>• Storage of vehicles and equipment</li> <li>• Public parks (transitional use)</li> <li>• Public works and municipal facilities</li> </ul> <p><u>Prohibited uses:</u></p> <ul style="list-style-type: none"> <li>• Commercial buildings and uses</li> <li>• Dwelling units and units (vehicle, trailer, tent, recreation vehicle, watercraft) for any form of habitation (place to eat, sleep, recreate, and rest)</li> <li>• Storage of commercial and farm vehicle and equipment</li> </ul>		<p>Accessory buildings and uses shall be permitted:</p> <ul style="list-style-type: none"> <li>• No more than one accessory building on a lot in the S - Storage District</li> <li>• Accessory building shall not have dwelling units or habitable rooms</li> </ul>

	PERMITTED USES	DI SCRETI ONARY USES	OTHER DI STRICT REGULATIONS
Community Services (CS)	<p><u>Permitted uses:</u></p> <ul style="list-style-type: none"> <li>• Maintenance building</li> <li>• Maintenance equipment storage</li> <li>• Fire hall</li> <li>• Public works</li> <li>• Recycling site/building (for hauling away)</li> <li>• Waste collection building (for hauling away)</li> <li>• Community organized events</li> <li>• Rental of community centre for family or community functions</li> </ul> <p><u>Prohibited uses:</u></p> <ul style="list-style-type: none"> <li>• Storage of private property</li> </ul>		<p>Regulations:</p> <ul style="list-style-type: none"> <li>• <b>Buildings shall meet</b> applicable standards for worker safety.</li> <li>• <b>Fuel pumps and other</b> accessory equipment shall be located at least 10 m (33 ft.) from public roads/trails.</li> </ul>
Urban Reserve (Future Development) (UR)	<p><u>Principal Permitted Uses</u></p> <ul style="list-style-type: none"> <li>• All uses and buildings lawfully existing on or before the effective date of this bylaw.</li> <li>• Agricultural field crops</li> <li>• Tree farms</li> <li>• Recreational sports fields, parks, golf courses, community facilities and other similar uses</li> <li>• Public Utility buildings (excluding offices and warehouses) and structures.</li> <li>• Communications - radio and television buildings and structures and other similar uses.</li> </ul>	<p>Accessory Buildings, Structures or Uses secondary or subordinate to and located in the same un-surveyed area as the principal permitted use shall be permitted.</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>• No future subdivision or development shall be permitted unless it is for one of the permitted uses and in the opinion of Council it will not prejudice the future economical subdivision or servicing of the land.</li> <li>• Land may be rezoned from UR—Urban Reserve District to any other Zoning District as guided by the Official Community Plan. An application for such an amendment shall be accompanied by an overall site plan of the area. Examination of the proposed development must demonstrate to the satisfaction of Council, that the proposal constitutes orderly and economic development having regards to adjacent land uses, and future service requirements such as roads, schools, utilities and municipal services.</li> <li>• <u>Posting of Signs and Billboards.</u> Signs showing the names of occupants, information signs bearing no advertising and signs bearing notice of sale or lease of any property are permitted.</li> <li>• H - Holding provision (access capacities/lake management, plebiscite, and service agreement)</li> </ul>	

## 7.4 DEVELOPMENT STANDARDS

Requirements	R-1 Residential District (the village standard for existing sites in R-1 district and new residential sites)	R-2*** Residential District Existing, with and without back lane.	R-3*** Residential District Existing; The OCP and this Zoning Bylaw prohibit additional R3 zoning District
a) <u>Residential Uses, single detached dwelling:</u>			
Site area, minimum	650 m <sup>2</sup> (7,000 ft <sup>2</sup> )	1150 m <sup>2</sup> (12378.5 ft <sup>2</sup> ) Ⓒ 450 m <sup>2</sup> (4,843 ft <sup>2</sup> )	Ⓐ 430 m <sup>2</sup> (4,628.63 ft <sup>2</sup> ) Ⓑ 160 m <sup>2</sup> (1,722 ft <sup>2</sup> ) at Sandy Point
Site frontage/width, minimum	15 m (49.21 ft)	15 m (49.21 ft)	9.2 m (30 ft)
Front yard, minimum			
- principal building	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
- see ⒷSection 7.1.4.2 hs – Hillside Protection Area	ⒷSection 7.1.4.2	ⒷSection 7.1.4.2	--
- accessory building	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
Side yard, minimum			
- principal building	1.5 m (5 ft)	1.5 m (5 ft)	1.5 m (5 ft)
- accessory building	1.5 m (5 ft)	1.5 m (5 ft)	1.5 m (5 ft)
Side yard abutting a street, minimum			
- principal building	3 m (10 ft)	3 m (10 ft)	-
- accessory building			-
Rear yard, minimum			
- principal building	6 m (20 ft)	1.5 m (5 ft)	6 m (20 ft)
- accessory building	1.5 m (5 ft)	1.5 m (5 ft)	1.5 m (5 ft)
Principal building floor area (footprint), minimum and maximum	Minimum: 40 m <sup>2</sup> (430 ft <sup>2</sup> ) Maximum allowable floor area is derived from maximum site coverage less accessory buildings and structures and parking surface		
Accessory buildings, maximum of two (2) detached. <i>One may be a discretionary 'granny- suite, not greater than 28 m<sup>2</sup> (300 ft<sup>2</sup>)</i>	Total floor area of all accessory buildings shall be less than permitted floor area of Principal Building area built, and not more than 10% of site area.		
Maximum of site coverage (maximum of all buildings combined)			
• Hillside protection area (overlay zone), site area with 15% or steeper slope	30% of site area in hillside protection area		
• Site area with 14% or less slope	40%		

Building height, maximum	Council shall have the option of reducing the maximum building height where the height of a proposed building would have a negative impact on the natural vistas of the lake, valley landscape, or on the neighbouring property owner's views. Council shall have the deciding authority if there is any dispute on property owner's views.		
- principal building height	9.0 m (29.5 ft), nor shall be more than two (2) stories in height		
- accessory building	6 m (20 ft), provided that the height shall not exceed the height of principal building		
b) <u>Recreational and Public Facilities:</u>			
No minimum	No minimum	No minimum	No minimum
c) <u>Institutional and Public Facilities:</u>			
Front yard, minimum	7.5 m (24.6 ft)	7.5 m (24.6 ft)	7.5 m (24.6 ft)
Side yard, minimum	1.5 m (5 ft) or one half the building height whichever is greater	1.5 m (5 ft) or one half the building height which- ever is greater	1.5 m (5 ft) or one half the building height whichever is greater

For residential sites legally created prior to passing the zoning bylaw (October 23, 1981) the following regulations (minimum standards) shall apply:	R-1
Site area, minimum	450 m <sup>2</sup> (4,843.92 ft <sup>2</sup> )
Site frontage, minimum	15 m (50 ft)
Front yard, minimum	6 m (20 ft)
Side yard, minimum	1.5 m (5 ft)
Floor area, minimum	40 m <sup>2</sup> (430 ft <sup>2</sup> )

\*\*\* The Official Community Plan and this Zoning Bylaw prohibit additional R-2 zoning district without back lane and additional R-3 zoning district.

△ 430 m<sup>2</sup> (4,628.63 ft<sup>2</sup>) for Lots 1 and 2 Block 2, Plan No. AC.4042 Lots A, B, and C, Block 2, Plan No.69-PA-08369. January 19, 1989 #22 in Section SE 27-42-26-W2M.

△160 m<sup>2</sup> (1,722 ft<sup>2</sup>) for lots 1 to 9 inclusive in Block 1(13) and Lots 1 to 10 in Block 2(14?), at Sandy Point. November 27, 1989 #25 in Section 25-42-26-W2M.

⊔ Front yard minimum in Hillside Protection Area: the minimum front yard requirement for dwellings (principal building) shall comply with Section 7.1.4.2.6

⊔ R- 2 Residential Lots 4 to 14 inclusive in Block 9, and Lots 1 to 14 inclusive in Blk. 10 on Plan of Subdivision by J. Russ George, SLS, (September 15, 1982). #14

NOTE: Undersized lots still in force prior to the passing of this bylaw, having less than the minimum frontage, yard setbacks, or less than the minimum site area required for R -1 zoning district by the zoning bylaw, may be used for a purpose permitted in the zone in which the site is located provided that all other applicable provisions of the Official Community Plan and Zoning Bylaw are complied with.

#### Commercial District (C) Standards

##### 1. Site and Yard Areas, Minimum

- site width, minimum - 15 m (49.2 ft)
- site area, minimum -service stations - 929 m<sup>2</sup> (10,000 ft<sup>2</sup>)
- all other uses - 464 m<sup>2</sup> (5000 ft<sup>2</sup>)

- front yard, minimum -service station - 7.5 m (25 ft)
  - all other uses — no requirements
- d) side yard, minimum - no requirement unless the site abuts a residential district and streets in which case a side yard of at least 1.5 m (5 ft) shall be provided,
- e) minimum rear yard
- 1.5 m (5 ft) where a lane is present
  - 6 m (20 ft) where the rear yard of the site abuts a residential district,
- f) any dwelling accessory to a principle commercial use shall conform to the site and yard area regulations for residential uses as specified in the R—Residential District.
2. Landscaping  
Where a site abuts a residential district and streets, the side and rear yards shall be landscaped to the satisfaction of Council.
3. Storage of Goods in Yards  
Vehicles, machinery and commodities shall not be stored or collected in any yard unless within an enclosed building or screened to the satisfaction of Council.
4. Accessory buildings  
Where a front yard has been provided no accessory building shall be located in that front yard.
5. Service Stations  
Fuel pumps and other accessory equipment shall be located at least 6 meters (20 feet) from any Street or site line.
6. Signs and Billboards
- a) No more than two (2) signs are permitted on the premises.
  - b) No sign shall have a facial area in excess of 3.4 square meters (36 square feet). Each sign may be double faced.
  - c) The maximum height of any sign shall be 6 meters (20 feet) above the ground surface
  - d) No sign shall be located in any manner that may, in the opinion of Council, jeopardize the safety of others or create a visual obstruction.

#### Recreation District (REC) Standards

No minimum requirement.

#### Conservation District (CA) Standards

No minimum requirement.

#### Storage District (S) Standards

- i. Site area, minimum 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>)
- ii. Site width, minimum 12.2 m (40 ft)
- iii. Front yard, minimum 6 m (20 ft)
- iv. Side yard, minimum 1.5 m (5 ft)
- v. Rear yard, minimum 6 m (20 ft)
- vi. Site coverage, maximum 40%

#### Community Services District (CS) Standards

- i. Front yard, minimum 6 m (20 ft)
- ii. Side yard, minimum 2 m (6.56 ft)
- iii. Rear yard, minimum 6 m (20 ft)

### Urban Reserve District (UR) Standards

For permitted uses (see: Section 7.3 Permitted and Discretionary Uses)

- i. Front yard, minimum 6 m (20 ft)
- ii. Side yard, minimum 1.5 m (5 ft)
- iii. Rear yard, minimum 6 m (20 ft)

### 7.5 PROHIBITED LAND USE IN ALL ZONING DISTRICTS

Notwithstanding the authority of Council to limit other land uses, the following buildings and use of buildings and land shall be prohibited in any zone:

- a) Mobile homes (existing lawfully permitted mobile homes will be non-conforming). (Modular homes are allowed if they meet or exceed CSA Z240 and meet the national building code standard),
- b) Multiple unit dwellings,
- c) The use of any motor vehicle for human habitation,
- d) Human habitation, such as camping or living on a vessel,
- e) Exclusive private use of dedicated lands (public reserves, municipal reserves, environmental reserves) and Crown foreshore lands,
- f) Wind turbines,
- g) Stables, livestock operations, or dog boarding kennels,
- h) Personal care homes,
- i) Gas stations or garages for the repair or maintenance of motor vehicles,
- j) Tourist services and accommodations (Except for bed and breakfast lodging),
- k) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the amended Environmental Protection Act.

### SECTION 8 - DEFINITIONS

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

**Accessory Building** – a building, the use of which is subordinate to that of a principal building or use situated on the same lot/site. Accessory Building includes fabric covered structure.

**Accessory Storage Area** – an area designated within the Resort Village for the purpose of storing recreational vehicles, motor vehicles, boats, cars dollies, utility trailers, and the like.

**Accessory Use** - is a building, structure or activity, which is incidental to, and subordinate to, the principal use or activity and which is conducted and located on the same lot/site as the principal building or use, and used in conjunction with that principal use.

**Act, The** – *The Planning and Development Act, 2007*, its amendments and successor legislation.

**Administrator** - The Administrator of the Resort Village of Wakaw Lake.

**Alteration** - any structural change or addition made to any building.

**Ancillary Use** - a secondary and subordinate use to the principal use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

**Apartment** - a building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel or rooming house.

**Approved** - approved by the Council of the Resort Village of Wakaw Lake.

Aquifer – an underground layer of gravel or sand that contains groundwater. Residents of the Resort Village depend on groundwater for their drinking water.

Aquifer Protection Zone, High Sensitivity - area of sand/coarse sand overlaying a portion of the aquifer. For example, the village area, because of coarse sandy subsoil, is considered highly sensitive aquifer area.

Awning - a canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

Bed (body of water) - that portion of a water body or watercourse that is periodically or continuously covered by water.

Bed-and-Breakfast Home - a bed-and-breakfast facility is an accessory use of a single detached dwelling, licensed as an itinerant use accommodation The Public Accommodation Regulations, in which bedrooms are rented to paying customers on an overnight basis with no more than one meal served daily and before noon.

Boat - a vessel other than a Personal Watercraft

Boat Lift - any structure having temporary footings in the lake or on land, designed to lift a vessel out of the water and/or provide a platform for temporary vessel storage and no extension or other structure or object (such as a roof or canopy) may be attached to or upon a boat lift. A boat lift may be attached or unattached to a dock.

Building - a structure constructed or placed on, in or over land but does not include a public highway.

Building Bylaw - a bylaw of the Resort Village of Wakaw Lake regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to The Uniform Building and Accessibility Standards Act.

Building Height --the vertical distance of a building or structure measured from the highest grade on the building footprint, to the highest point of the roof.

Building Permit - a permit, issued under the Building Bylaw of the Resort Village of Wakaw Lake, authorizing the construction of all or part of a building or structure, but does not include a development permit.

Building, Principal - a building within which the principal use of the site is housed or conducted.

Building Line, Established - a reduced front yard requirement pursuant to Sub-section 3 Established Building Lines (Section 3 General Regulations).

Canopy - a non-retractable, permanent roof-like structure constructed of durable material extending from part or all of a building.

Child Care Services (Day Care) - "Services that are provided at the request of a parent of a child are provided for a child by a person other than a parent of the child, are provided for less than 24 hours per day, and have as their primary purpose the care and supervision of children who do not reside on the premises where the services are provided." (The Child Day Care Act). For the purpose of this zoning bylaw, babysitting is excluded.

Club - a service club or private club which involves recreational, social, cultural or athletic activities.

Council - the Council of the Resort Village of Wakaw Lake.

Deck - A structure which is either free standing or attached to a principal or accessory structure, constructed at grade or above grade, intended or designed for use as an outdoor living space and unenclosed by solid or non-solid walls or a roof.

**"Dedicated lands"** – those lands within the definition of dedicated lands contained in Section 2 of *The Act*.

**"Development"** - the carrying out of any building, engineering, mining or other operations, in, on, or over land, or the making of any material change in the use or intensity of any building or land.

Development, temporary – where dedicated lands are concerned, improvements or landscaping, and maintenance of the improvements or landscaping.

Development Officer - the officer of the Resort Village of Wakaw Lake appointed pursuant to Section 2 (SECTION 2 ADMINISTRATION) of the Bylaw to administer this Bylaw.

Development Permit - a permit, issued by the Council of the Resort Village or its designate that authorizes development but does not include a building or a discretionary use permit.

Discretionary Use - a use or form of development that may be allowed in a zoning District following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this Bylaw.

District – see Zone, or Zoning District.

Boat - a vessel other than a Personal Watercraft

Dock - a structure used for the purpose of mooring vessels(s) and for providing pedestrian access to and from moored vessel(s) and can consist of a single dock, wharf or pier, including walkway and access ramp.

Driveway - a road or lane from the village street that gives access to or from any parking area. In the residential districts it is a driveway from village streets to the front of the lot.

Dwelling - a building used or intended to be used as a residence, but shall not include room rental or Tourist Accommodation.

Dwelling Unit - 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, and each unit provides for separate sleeping, cooking and toilet facilities.

Dwelling, Single Detached - a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence. It may include an RTM when attached to its foundation on the site, but not include a mobile or modular home.

Dwelling, multiple - a building containing three (3) or more dwelling units, but not including a motel, hotel, converted dwellings, town houses or row houses.

Dwelling, duplex - a building divided horizontally or vertically into two dwelling units.

Ecology – the study of the relationships among organisms and the relationship between them and their physical environment.

Fabric Covered Structures – a pre-manufactured, or homemade structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and a maximum of three sides with fabric, reinforced plastic, vinyl, or other sheet material, with a maximum floor area no greater than 240 square feet (22.3 square metres) intended for temporary storage purposes.

Flood, Designated – for the purpose of this Resort Village along Wakaw Lake, where the lake level is controlled by a wier, the designated flood level is set by the Saskatchewan Watershed Authority.

Flood Level – see Flood, Designated

Floodplain Setback, Shoreline Setback, Building Setback – the distance from the Natural Boundary of Wakaw Lake to the backshore to allow for potential land/shoreline erosion.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

Frontage - the length of the front site line.

Garage, Private - a building or part of a building or a carport used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory.

Garage, Public - a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where vehicles are kept for remuneration, hire, sale or display.

Gas Bar - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

Grade Level - an average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Gross Floor Area - the total floor area in a principal 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, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

Groundwater – water beneath the surface of land.

Hazard Land - land which may be prone to flooding, slumping, subsidence, landslides, or erosion or any other instability or is a flood plain or watercourse.

Home Based Business - a business, occupation, trade, profession or craft customarily conducted entirely within a residential building or an accessory building by the inhabitants of the dwelling, and where the use is clearly ancillary and secondary to the residential use and does not change the character of the dwelling and generates little or no traffic.

Hot tub – a hot tub or jacuzzi, whirlpool or spa.

Household Animal – a domesticated animal kept by the residents, which is used or the product of which is used primarily and directly by the residents and not for sale or profit, and includes a dog, cat, but specifically excludes Livestock.

Hydrogeology - the study of the movement of groundwater.

Lane - a public highway vested in the Crown as a secondary level of access to a lot or parcel of land intended primarily to give access to a lot at the side or rear of the property.

Livestock - a domesticated animal normally raised or kept for food, milk or as a beast of burden or for hobby and, without limiting the foregoing, may include a horse, donkey, mule, ox, sheep or swine, poultry and other fowl, but specifically excludes a Household Animal.

Lot/site - and area of land (example: residential parcel) with fixed boundaries and which is of record in the Land Registry office of Information Services Corporation of Saskatchewan (Land Titles Office) by Title Number (Certificate of Title). A lot/site is also referred to by Block Number and Lot Number on village maps.

Lot Area - the horizontal area within the lot lines of the lot/site.

Lot Coverage - the footprint of the buildings on the lot (example: residential parcel), expressed as a percentage of the lot/site area, including the principal building, accessory buildings, carports, open decks, entry covered walkways and enclosed walkways, but excluding: driveway, parking, heat pumps, air conditioners, steps, landings, wheelchair ramps, eaves, gutters, and awnings.

Lot Line (lot boundary) - a line delineating any boundary of a lot, the boundary of a lot/site, defined as follows

- i) Lot Line, Front (Street), also street frontage - the boundary that divides the lot from the street (road right of way), in the case of a corner lot, the front lot line shall mean the boundary separating the narrowest street frontage of the lot.
- ii) Lot Line, Side - a lot boundary other than a front or a rear lot line
- iii) Lot Line, Rear (Green Space) - the lot line at the rear of the lot and opposite from the front lot line

Marina - means a structure or place, containing docking facilities that are located on a waterway, where boats, and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricated may be provided.

Mayor - the Mayor of the Resort Village of Wakaw Lake.

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

Mobile Home - a trailer coach:

- that is used as a dwelling for permanent or year round living
- that has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system
- which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.

Mobile Home Site - a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court - any site on which two or more occupied mobile homes are located but does not include an industrial or construction camp or tourist campsite.

Modular Home - a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit on a permanent foundation, and is certified by the manufacturer that it complies with the Saskatchewan Building Code and the Canadian Standards Association Code CSA-A277 and meets the national building code.

Modular Home, Single Wide - a modular home that is less than 5 m (16.40 ft.) in width.

Modular Home, Double Wide - a modular home that is greater than 7 m (23 ft.) in width.

Modular Unit - a factory built frame or shell which comprises supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a Section of a dwelling and has neither chassis, running-gear, nor its own wheels.

Municipal Facility – Public Works owned by the Municipality/Resort Village.

Municipality – same as The Resort Village of Wakaw Lake under The Municipalities Act.

Natural Boundary – for the purpose of this Bylaw, the visible watermark of the lake elevation at any time of the year along Wakaw Lake.

Non-Conforming Building - a building:

- that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a 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
- 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 – means 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:

- 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
- 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.

Official Community Plan - an official community plan adopted pursuant to section 29 of *The Act*.

Parcel - a surface parcel as defined in The Land Surveys Act, 2000. Also, see: Lot/Site.

Permitted Use - a use of land or buildings or form of development that is prescribed in the Zoning Bylaw as a use that is allowed and for the purpose of this Bylaw all uses not listed as permitted shall be deemed to be a prohibited use in that zone.

Personal Care - assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for him or herself in their home due to age, infirmity, physical or mental defect, or other disability.

Personal Care Home - a facility that provides accommodation and meals and supervision or assistance with personal care to an adult who on account of age, infirmity, physical or mental disability require special care, and who is not a relative of the person who operates the facility.

Prohibited Use – a use of land or a building or form of development that is prescribed in the zoning bylaw as not allowed on a parcel/lot/site. Neither Permitted nor Discretionary Use - Where a development proposal is not identified within the municipal zoning bylaw as a permitted or adiscretionary use, the development is considered prohibited.

Permitted use – a use of land or building with associated development standards that shall be permitted in a zoning district where all requirements of the Zoning Bylaw are met.

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.

Personal Watercraft - is a jet propelled vessel typically ridden in a similar style as a motorcycle and commonly referred to as a Jet Ski, Sea Doo or Wave Runner.

Principal Use - the primary purpose for which land, buildings, or structures are ordinarily used.

Public Land - Crown. lands and waters within the Resort Village.

Public Utility, and Works – 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:

- systems for the production, distribution or transmission of electricity
- systems for the distribution, storage, or transmission of natural gas or oil
- facilities for the storage, transmission, treatment, distribution or supply of water
- facilities for the collection, treatment, movement or disposal of sewage and garbage
- telephone or light distribution lines
- microwave and cell phone tower communication facilities
- facilities for optical cable, or cable television services.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

Recreational Facility – the use of land, building or structures for indoor or outdoor activities and specifically excludes arcades.

Recreational Vehicle – any camper, travel trailer, fifth wheel or motor home with a maximum width of 2.6 meters (8.53 feet) in transit mode which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the Motor Vehicles Act.

Recreational vehicle or **"RV"** (short version) – a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers. Also, see definition of **Recreational vehicle or "RV"** (as per the Canadian Recreation Vehicle Association).

Recreational vehicle or **"RV"** (as per the Canadian Recreation Vehicle Association) – means a structure designed to provide temporary living accommodations for travel, vacation, or recreational use and to be driven, towed or transported.

Living accommodations may include sleeping, kitchen, bathroom, and systems for fresh and wastewater, 110/12V electricity, Propane, heating, air conditioning, and entertainment. It has an overall length not exceeding 12.5 metres (41 ft)\* and an overall width not exceeding 2.6 metres (8 ft 6 in), where the width is the sum of the distance from the vehicle centreline to the outmost projections on each side (including door handles, water connections, and so on) when the vehicle is folded or stowed away for transit. Such structures include folding camping trailers, travel trailers, fifth wheel trailers, slide-in truck campers and motor homes (as described by the Canadian Recreation Vehicle Association).

\* For a fifth wheel travel trailer this measurement shall be 11.3 metres (37 ft) taken from the extremity to the front of the main body measured at the floor line.

## NOTE:

- a) Recreational Vehicles are classified in to three basic categories: Motorized RVs, Towable RVs, and Park Models. These Recreational Vehicles should display Twin Seals of Excellence and CAN/CSA Z-240. Recreational vehicles displaying CAN/CSA Z-240 shall be allowed in the Recreational Vehicle campground in the Resort Village of Wakaw Lake.
- b) **Towable RV's do not require permanent and continuous on-site** hook-ups to sewage, water, and electricity.
- c) Park Models are available in two different classes:
  - i. The one allowed in the Resort Village: the *Park Model Trailer 102* which is built to RV specifications with the CSA A-240 Standard, and the trailer has a floor area that does not exceed 11.33 m<sup>2</sup> (400 ft<sup>2</sup>) and
  - ii. Park Model Recreational Unit with the CSA Z-241 (floor area exceeds 11.33 m<sup>2</sup>) may be allowed on a campsite where the required separation distance between the CSA Z-241 unit in full set-up (with slide out and awnings and canopies fully extended) and other recreation vehicles shall be maintained.

Seasonal recreational vehicle shall mean a recreational vehicle used on a seasonal basis, and closed and vacated at least sixty (60) continuous days between October 31 and April 30 of the following year. Seasonal Recreational Vehicle shall not include any of the following:

- a) Permanent Trailer as defined in DEFINITIONS.
- b) Mobile homes
- c) Manufactured and modular home
- d) Cabins
- e) Permanent, principal or year-round residences.
- f) Continuous (permanent) connection to sewage, water, and electric hook-ups.

Resource Management/Landscape Management –The wise use of a particular resource like grasslands and tree plantations/open spaces/environment to achieve a specific end such as shade, shelter, wildlife habitat, soil protection, watershed protection, aesthetics for the enjoyment and benefit of all the residents of the Resort Village.

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.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - a room or rooms for only paid accommodation that is not a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, and which may or may not provide meals; and makes no provisions for cooking in any of the rooms occupied by paying guests.

**'Ready to Move' (RTM) Dwelling** - 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.

Road allowance or village road right of way – surveyed road-right-of-way which afford the principal means of access to the abutting parcel property.

RV Site - shall mean an area designated as a campsite/RV site for no more than one (1) RV Vehicle and for an automobile or other vehicle to accommodate camping, with the actual dimensions clearly indicated on the site plan as required under this Bylaw.

Secondary Suite – one or more habitable rooms with bedroom(s) and one cooking facility, constituting a self-contained unit with a separate entrance, but which is clearly subordinate to the principal dwelling.

Sensitive Area – land or water area containing features whose protection is advocated by any individual or interest group.

Setback – the required minimum horizontal distance measured between a building or use and each of the respective lot lines.

Seasonal Recreational Vehicle Campground (RV Park) shall mean a recreational vehicle campground (RV Park) used on a seasonal and recreational basis by seasonal recreational vehicles, and closed and vacated for at least sixty (60) continuous days between October 31 and April 30 of the following year.

Sight Triangle, Driveway - the area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the driveway within the property to a similar point along the property line 3 m away from the driveway.

Sight Triangle, Street- the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 m from the corner property pin to a similar point 7.5 m along the perpendicular or intersecting property line.

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.

Site Area (or) Site Coverage – see Lot Coverage

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.

Sleeping Unit – one or more habitable rooms used for sleeping and living purposes but in which there is no kitchen or cooking facilities.

SPI - Statements of Provincial Interests - ***The Statements of Provincial Interest Regulations Chapter P-13.2 Reg 3 (effective March 29, 2012).***

*The Statements of Provincial Interest Regulations (SPI)* provide guidance to municipalities on a complex series of land use and development issues for municipalities.

Provincial oversight to ensure consistency with the SPI occurs through the approval of new official community plans, district plans, zoning bylaws and subdivision bylaws by the province (Community Planning Branch). Subdivision approving authorities, including the province, are responsible for ensuring consistency with the SPI during the subdivision approval process.

The fourteen key areas of common planning interest to the province and municipalities are:

- Agriculture and Value-Added Agribusiness
- Biodiversity and Natural Systems
- First Nations and Métis Engagement
- Heritage and Culture
- Inter-municipal Cooperation
- Mineral Resource Exploration and Development
- Public Safety
- Public Works
- Recreation and Tourism
- Residential Development
- Sand and Gravel
- Shore Land and Water Bodies
- Source Water Protection
- Transportation

**Municipalities are to address “insofar as is practical”** each statement of interest in official community plans, zoning bylaws and subdivision bylaws.

Storage Shed – a building with a maximum horizontal floor area of 100 square ft (9.29 square m), or a maximum horizontal roof area of 110 square ft (10.22 square m), used exclusively for the storage of goods.

Street - a public thoroughfare which affords the principal means of access to the abutting property. Also see: Streets under Section 16 of The Subdivision Regulations.

Structure - anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.

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.

Sustainable Development – **“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”** (Page 8, World Commission on Environment and Development. Our Common Future. (Oxford, Great Britain: Oxford University Press, 1987).

Swimming Pool – any structure, in ground or over ground, intended primarily for recreation that is, or is capable of being, filled with water to a depth of 2 ft (0.6 metres) or more. A hot tub which must have a drainage system into a sanitary sewer/septic tank shall not be considered a swimming pool.

*The Act - The Planning and Development Act, 2007.*

Tourist Accommodations - rooms, hotel, motel, rental cabins used by travellers for overnight accommodation.

Tourist Campground - a site which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Tourist Home - a private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to 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.

Trailer, permanent shall mean a trailer and/or a recreational vehicle used as a permanent, principal and/or year-round residence that has been constructed to allow year-round occupancy in accordance with provincial regulations and municipal bylaws.

Units of measure - units of measure in this Bylaw are metric abbreviated as follows:

m	metre(s)	km	kilometres
m <sup>2</sup>	square metre(s)	ha	hectare(s)

Use – the purpose for which any lot, site, or surface water, building or structure, is designed, arranged, or intended, or for which it is occupied or maintained.

Vessel - means every type of boat, ship, or craft designed, used or capable of being used solely for navigation in, on, through or immediately above water, without regard to method or lack of propulsion.

Village – The Resort Village of Wakaw Lake.

Yard - any part of a site unoccupied and unobstructed by any principal building or structure.

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

Yard, Rear - a yard extending across the full width of the lot/site between the rear lot/site line and the nearest main wall of the principal building or structure on the lot/site.

Yard, Side - a yard extending from the front yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure.

Zone – a land use district (same as Zoning District, or District) established by SECTION 5 of this Bylaw

Zoning District – the area into which the Resort Village of Wakaw Lake is divide in accordance with this Bylaw and for which specific regulations are outlined in this Bylaw.

SECTION 9 - COMING INTO FORCE

- 1) This bylaw shall come into force on the date of final approval by the Minister of Government Relations
- 2) Bylaw 1-2023 is hereby repealed

INTRODUCED AND READ a first time this 18<sup>th</sup> day of March, 2024. A.D.

READ A SECOND time this 21<sup>st</sup> day of October, 2024. A.D.

READ A THIRD TIME AND ADOPTION of bylaw this 21<sup>st</sup> day of October, 2024. A.D.

\_\_\_\_\_  
MAYOR

(S E A L)

\_\_\_\_\_  
CAO

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024. A.D.

by:

\_\_\_\_\_  
Minister of Government Relations

APPENDICES

Appendix A: Application for Development Permit, Form A and B

Appendix B: Application for Lakeside Land Development Permits, Form C

Appendix C: Zoning District Map

Appendix D: Lot Schematics

Certified a true copy of Bylaw 2-2024 adopted by Resolution of Council on the October 21<sup>st</sup>, 2024.

\_\_\_\_\_  
CAO

**The Resort Village of Wakaw Lake**  
 Box 58, Wakaw SK S0K 4P0

**DEVELOPMENT PERMIT APPLICATION**  
**per Bylaw 1-2023 Zoning Bylaw**

DEVELOPMENT: The carrying out of any building, engineering, mining, or other operations in, on, or over land or the making of any material change in the use of intensity of the use of any building or land.

**Office Use Only:**

Development Permit #:

Date Issued:

**Location:**

Civic Address:	Lot:	Block:	Plan:
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**Owner/ Agent on Behalf of Owner:**

Titled Owner:		Agent:	
Mailing Address:	City:	Province:	Postal Code:
Phone:		Email:	

**Existing Use:** \_\_\_\_\_ **Proposed Use:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Yard encroachments, Accessory building permit, Temporary Residence during Construction, Demolition of Building, Building to be Moved, Minor Variance, Grading and Levelling (and clearing), Driveways, Development Permit – Campground, Development Permit - Permitted Uses in Campground, Tree Removal)

**Start Date:** \_\_\_\_\_ **Anticipated Completion Date:** \_\_\_\_\_

**Description of Development (excavation, residence, garage, commercial, fence, accessory building)**

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**Attachments**

<input type="checkbox"/> Site Plan	Scale drawing including location and dimensions of all existing and proposed buildings (including accessory buildings and decks)	A site plan and building plans are required for all projects except a change of use where no construction, alteration, or renovation is proposed.
<input type="checkbox"/> Building Height	Building height of proposed principal or accessory building from average grade to the peak of the building.	
<input type="checkbox"/> Title	A copy of the title is required.	To confirm the property owner and any development interests on title.
<input type="checkbox"/> Discretionary Use	Any supporting documents (Bed & Breakfast, Convenience Store, Coffee Shop, Home Business)	
<input type="checkbox"/> RPR	A Real Property Report – surveyed location of all existing buildings and structures on the site	May be required as a condition of your development or to close the permit after development.
<input type="checkbox"/> Geotechnical Survey	A signed geotechnical survey of the ground/ slope by a certified engineer.	May be required as a condition of your development before work begins.

**Declaration by applicant**

I hereby certify that I am the registered owner or that I am authorized to act on behalf of the registered owner of the land described herein and that all statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, knowing that it is of the same force and effect as if made under oath, and by virtue of *The Canada Evidence Act*.

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PERMIT APPLICATIONS WILL NOT BE PROCESSED UNTIL ALL REQUIRED INFORMATION AND FEES OR DEPOSITS HAVE BEEN RECEIVED.**

**Additional permit applications that may be required: Resort Village of Wakaw Lake Building Permit \$50.00, BuildTech Inspections Building Permit (fee determined by building inspector), Moving Bond \$20,000.00, Demolition Permit \$30.00, Minor Variance Permit \$30.00**



An appeal is not allowed if:

- The use or intensity of use is not allowed by the bylaw.
- It is a discretionary use or discretionary intensity of use or form of development that has not been approved by Council.
- The use is prohibited.
- Council refuses to amend the zoning bylaw or rezone the land.

Your appeal must be made in writing within 30 days of this notice, to:

Secretary, Development Appeals Board  
The Resort Village of Wakaw Lake  
Box 58, Wakaw, SK, S0K 4P0

## Appendix B: Application for Lakeside Land Development Permits, Form C

## "Form C"

The Resort Village of Wakaw Lake

## APPLICATION FOR A MUNICIPAL PERMIT FOR

- SHORELINE STRUCTURE PLACEMENT (dock and boat lift)  
 APPROVED SHORELINE DEVELOPMENT AND OR ALTERATION

Date \_\_\_\_\_

1. FULL NAME, with INITIALS of the applicant (or names of joint applicants for sharing a boat dock)

(applications are accepted only from ratepayers of the Resort Village)

PROPERTY ADDRESS in the resort village. Lot \_\_\_\_\_ Block \_\_\_\_\_

MAILING (civic and legal) ADDRESS: \_\_\_\_\_

Telephone: \_\_\_\_\_, e-mail address: \_\_\_\_\_

2. REQUESTED LOCATION: \_\_\_ for the shoreline structure (boat dock or lift) and or \_\_\_ for the shoreline development/alteration:

\_\_\_\_\_

(Attach sketch of requested location)

3. \_\_\_ Attach photograph of project location before installation or development and photo of installation or development when applying for renewal of permit by back-row village resident or cottager.

4. AGENCIES CONTACTED (
- underline name of agency
- ) with your proposed shoreline structure installation and or shoreline development.

- o Saskatchewan Environment (to alter the bed, bank or boundary of the lake; to remove or add any material to the bed, bank or boundary; to remove vegetation from the bed, bank, or boundary)
- o Applicants interested in a municipal permit for Shoreline Development and Alteration and for Shoreline Structure (Boat dock and boatlift) on Crown land need to get permission from Saskatchewan Environment
- o Saskatchewan Water Security Agency
- o Fisheries and Oceans Canada (changes to the shore and to fish habitat)
- o Transport Canada (implications for navigation)
- o Other \_\_\_\_\_

Attach copies of agency responses and conditions \_\_\_ and agency permits \_\_\_ to this application.

5. IF APPLICATION IS FOR SHORELINE DEVELOPMENT and or ALTERATION, please describe:

\_\_\_\_\_

6. A. IF APPLICATION IS FOR SHORELINE STRUCTURE (dock, boatlift, personal watercraft lift) PLACEMENT at lake access node, please describe:

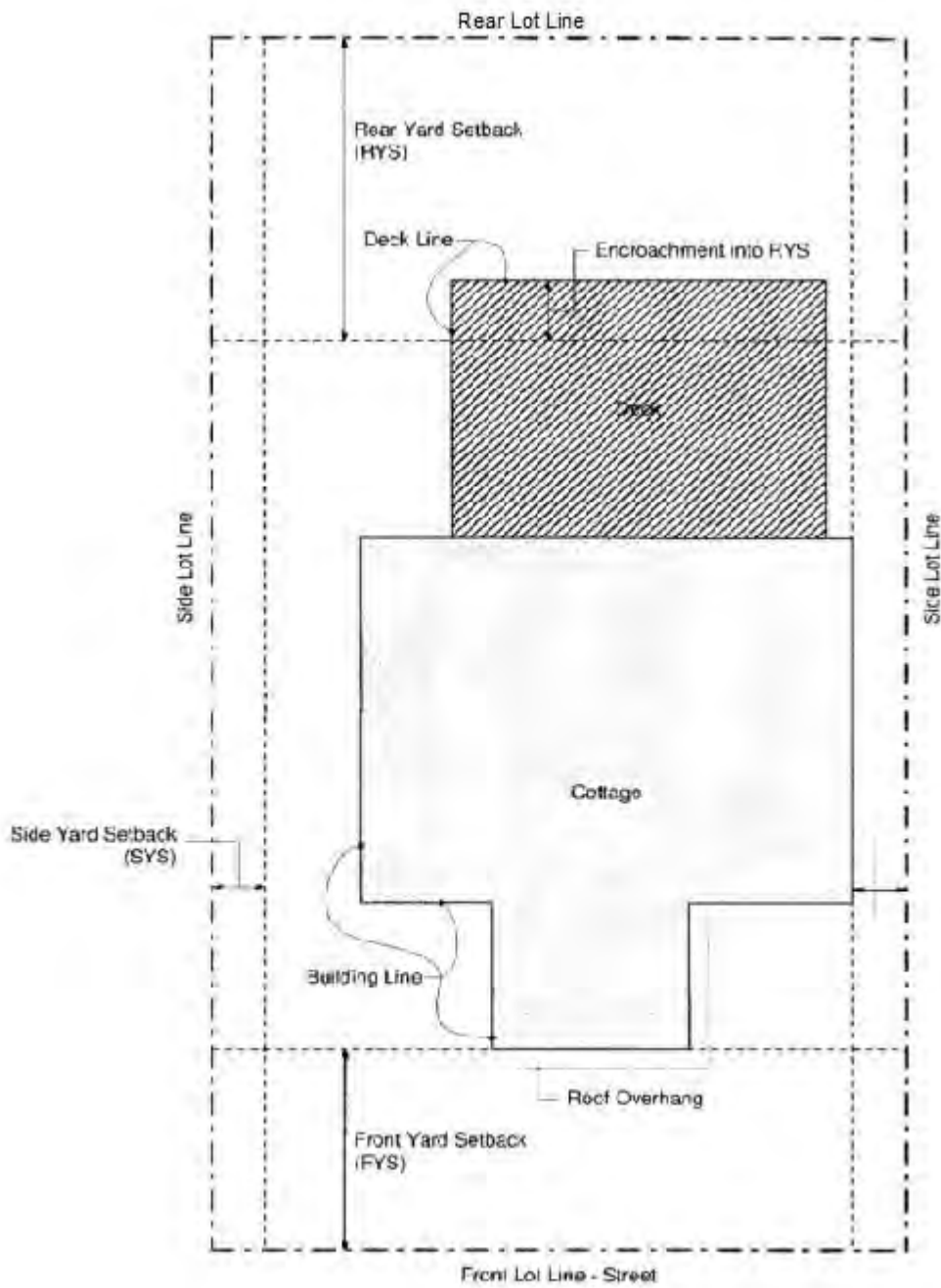
B. IF APPLICATION IS FOR SHARING OF DOCK, boatlift, personal watercraft lift with lakeside cottage owner, please describe:

Distance from existing mooring structures (dock or pier) to the right (or projection of lot-line) \_\_\_\_\_ m (ft) and to the left \_\_\_\_\_ m(ft), where applicable (6 A. or B.).

7. STAIRWAY REQUEST? \_\_\_\_\_ (attach sketch of location and sketch of stairway with dimensions. Stairways shall meet the National Building Code requirements).
8. ATTACHMENTS:
- Attach proof of public liability insurance (a condition of approval) \_\_\_\_\_
  - Application fee: \$ \_\_\_\_\_
  - Municipal permit fee \$ \_\_\_\_\_
9. APPROVED \_\_\_ or NOT APPROVED \_\_\_ BY COUNCIL for:
- \_\_\_\_ An agreement, to grant permission to place a development (shore land stabilization or landscaping) and maintenance of the improvement on dedicated lands pursuant to Section 194 (1) of *The Act*.
- \_\_\_\_ A permit to grant permission to place a temporary structure on dedicated lands (shorelines) Section 194 (2) of *The Act*. for six months durations (during open water).
10. \_\_\_ APPROVED WITH ATTACHED CONDITIONS, if any: \_\_\_\_\_
- \_\_\_\_ Two Permanent identification markers (to be affixed to your structure for inspection from the lake and from land) attached.

Left Blank - Insert Zoning Map

Appendix D – Lot Schematics



Resort Village of Wakaw Lake  
Lot Lines and Yard Descriptions  
*(with an example of encroachment into rear yard setback)*