

***The Resort Village
of
Sun Valley***

***Zoning Bylaw
4-2017***

TABLE OF CONTENTS

1	INTRODUCTION	5
1.1	Authority	5
1.2	Title.....	5
1.3	Purpose	5
1.4	Scope	5
1.5	Severability	5
2	DEFINITIONS.....	6
3	ADMINISTRATION AND INTERPRETATION.....	21
3.1	Development Officer	21
3.2	Council.....	21
3.3	Application for a Development Permit	21
3.4	Development Not Requiring a Permit.....	22
3.5	Development Permit Procedure.....	23
3.6	Concept Plans	23
3.7	Development Permit: Validity.....	24
3.8	Development Permit Application Fees	25
3.9	Discretionary Use Application and Fees.....	25
3.10	Fee for Zoning Amendment Application	25
3.11	Concurrent Processing of Development Permits, Building Permits and Business Licenses.....	25
3.12	Referral Under <i>The Public Health Act</i>	26
3.13	Development Appeals Board	26
3.14	Minor Variances	26
3.15	Non-Conforming Buildings Uses and Sites	27
3.16	Development Permit – Invalid	27
3.17	Cancellation	27
3.18	Stop-Work.....	28
3.19	Interpretation	28
3.20	Offences and Penalties.....	28
3.21	Inspection of Premises	28
3.22	Bylaw Compliance	28
3.23	Moving of Buildings.....	29
3.24	Demolition of Buildings	29
3.25	Temporary Development Permits.....	29
3.26	Development Agreements.....	29
3.27	Servicing Agreements.....	29
3.28	Performance Bonds.....	30
3.29	Liability Insurance	30
3.30	Interests	30
4	GENERAL REGULATIONS	31
4.1	Licenses, Permits and Compliance with Other Bylaws and Legislation.....	31
4.2	Principal Use Established.....	31
4.3	Multiple Uses	31
4.4	Number of Principal Buildings on a Site	31

4.5	Front Yard Reduction	31
4.6	Frontage for Irregular Sites	32
4.7	Permitted Yard Encroachments	32
4.8	Building Height	32
4.9	Restoration to a Safe Condition.....	32
4.10	Grading and Leveling of Sites	32
4.11	Restrictions on Changes	33
4.12	Uses Permitted In All Zoning Districts	33
4.13	Signage on Natural and Human Heritage Sites	33
4.14	Heritage Properties	34
4.15	Landscape Buffers	34
4.16	Prohibited and Noxious Uses	34
4.17	Closings	34
4.18	Satellite Dishes	35
4.19	Communication Towers	35
4.20	Private Garages, Sunrooms, Solariums, and Greenhouses	35
4.21	Solar Panels or Solar Energy Devices	35
4.22	Disposal of Wastes	35
4.23	Development Standards for Discretionary Uses.....	36
4.24	Solid and Liquid Waste Disposal Facilities	36
4.25	Temporary Garages (Fabric Covered Structures).....	36
4.26	Portable Storage Units	37
4.27	Intermodal Freight Containers (Trailers, Sea and Rail Containers)	37
4.28	Campgrounds	38
5	ZONING DISTRICTS AND ZONING MAPS	39
5.1	Zoning Districts	39
5.2	The Zoning District Map.....	39
5.3	Boundaries of Zoning Districts	39
5.4	Holding Designation	39
6	RESIDENTIAL DISTRICTS	40
	GENERAL REGULATIONS FOR RESIDENTIAL DISTRICTS	40
6.1	Modular Homes	40
6.2	Recreational Vehicles (RV)	40
6.3	Accessory Buildings and Uses	40
6.4	Parking Requirements in Residential Districts	42
6.5	Outside Storage	42
6.6	Off-Season Storage	43
6.7	Signage	43
6.8	Fence and Hedge Heights	43
6.9	Bed and Breakfast Homes	44
6.10	Guest Cottages (Without Cooking Facilities)	44
6.11	Garden Suites	45
6.12	Home Occupations (Home Based Businesses).....	45
7	Residential District (R1).....	46
8	Limited Development Residential District (R1L)	47
9	Resort Residential District (RR)	48

10 Commercial District (C)	49
11 Community Service District (CS)	51
12 Future Urban Development District – (FUD)	53
13 Natural Hazard Lands Overlay (NH)	55
14 REPEAL AND ADOPTION	57
APPENDIX “A” Zoning Map	58
APPENDIX “B” Development Permit Application Requirements	59
APPENDIX “C” Application for a Development Permit	61
APPENDIX “D” Notice of Decision for a Development Permit or Zoning Bylaw Amendment	63

1 INTRODUCTION

1.1 Authority

Under the authority granted by *The Planning and Development Act, 2007*, the Mayor and Council of the Resort Village of Sun Valley in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Resort Village of Sun Valley.

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Resort Village of Sun Valley in accordance with the Resort Village of Sun Valley Official Community Plan Bylaw 3-2017.

1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Resort Village of Sun Valley (hereinafter referred to as Sun Valley) and for the health, safety, and general welfare of the inhabitants of Sun Valley and area:

- a) To minimize land use conflicts;
- b) To establish minimum standards to maintain the amenity of the Resort Village;
- c) To ensure development is consistent with the physical limitations of the land;
- d) To restrict development that places undue demand on the Resort Village for services;
and
- e) To provide for land-use and development that is consistent with the goals and objectives of the Resort Village.

1.4 Scope

This Bylaw applies to all land included within the boundaries of the Resort Village of Sun Valley. All development within the limits of the Resort Village of Sun Valley shall hereafter conform to the provisions of this Bylaw.

1.5 Severability

A decision of a Court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this Bylaw.

2 DEFINITIONS

Whenever the subsequent words or terms are used in the Resort Village of Sun Valley Official Community Plan, Bylaw No. 3-2017 and this Bylaw, they shall have the following definition unless the context indicates otherwise.

Accessory: A building or use that:

- a) Is subordinate to and serves the principal building or principal use;
- b) Is subordinate in area, mass, extent, and purpose to the principal building or principal use served;
- c) Contributes to the comfort, convenience, or necessity of occupants of the principal building or assists the principal use; and
- d) Is located on the same site as the principal building or use.

Act: *The Planning and Development Act 2007*, Province of Saskatchewan, as amended from time to time.

Adjacent: Contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notification.

Administrator: The Administrator of the Resort Village of Sun Valley.

Aggregate Resource: Mineral materials including sand, gravel, clay, earth or mineralized rock, including recycled concrete.

Agricultural: A use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture.

Alteration or Altered: With reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal or part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or

other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw such as parking and landscaping.

Ancillary Use: A secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

Animal Clinic: A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

Applicant: A developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act 2007*.

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half story.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has four wheels and an internal-combustion engine, used for land transport.

Auto Wrecker: An area where motor vehicles as disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public

Awning: A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame designed to be attached to a wall and hung above a doorway or window.

Basement: That portion of a building that is partly or wholly underground.

Bed and Breakfast: A dwelling unit, licensed as a tourist home under *The Tourist Accommodation Regulations*,

1969, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the traveling public for a charge.

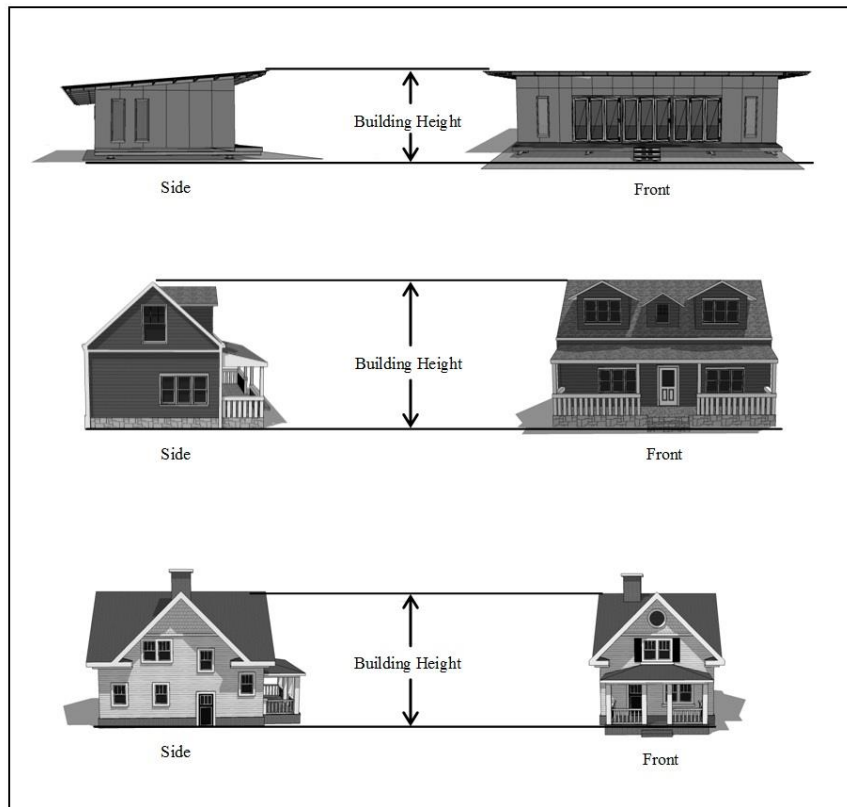
Buffer: A strip of land, vegetation or land use that physically separates two or more different land uses.

Building: A structure constructed on, in, or over land and used for the shelter or accommodation of persons, animals, goods, or chattels, and includes any structure covered by a roof supported by walls or columns.

Building, Accessory (see Accessory)

Building Bylaw: A Bylaw of the Resort Village of Sun Valley authorized by *The Uniform Building and Accessibility Standards Act (UBAS Act)* to regulate the erection, placement, alteration, repair, renovation or reconstruction of a building.

Building Height: The vertical distance of a building measured from the finished grade level to the highest peak of the roof.



Building Permit: A permit, issued under The Building Bylaw of the Resort Village of Sun Valley, authorizing the construction of, or the addition to, any building but does not include a Development Permit.

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

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

Bulk Fuel Sales and Storage: Includes land, buildings, and structure for the storage and distribution of fuels and oils including retail sales or key-lock operation.

Business Support Services: Activities intended to provide administrative, promotional or technical support for commercial and industrial activities.

Bylaw: The Resort Village of Sun Valley Zoning Bylaw.

Campground: An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

Cardlock Operation: A petroleum dispensing outlet without full-time attendants.

Carport: A building or structure or part thereof, where at least 40% of the area of the perimeter is open and unobstructed by a wall, door, post or pier and which is used for the parking or storage of motor vehicles.

Cemetery: A cemetery or columbarium within the meaning of *The Cemeteries Act* Chapter C-4, R.S.S. 1981, as amended from time to time.

Club: A group of people organized for a common purpose, to pursue common goals, interest or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws.

Commercial Use: The use of land, building(s), or structure(s) for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

Communication Facility: see (tele) communication facility.

Community Facilities: Buildings or facilities used for recreational, social, educational or cultural activities and that are owned by a municipal corporation, non-profit corporation or other non-profit organization.

Compost: Materials used in gardening, agriculture, landscaping, erosion control, wetland construction, and landfill cover.

Condominium: Land, buildings, and units, including private and common property as defined under *The Condominium Property Act*.

Conservation: The planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment.

Construction Trades: offices, shops and warehouses, with or without retail sales for trades associated with construction of buildings.

Contractor's Yard: The yard of a contractor or company, including landscaping materials used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Convenience Store: A store offering for sale primarily food products, beverages, personal care items, hardware and printed matter and which primarily provides a convenient day-to-day service to residents in the vicinity.

Council: The Council of the Resort Village of Sun Valley.

Cultural Institution: Establishments such as museums, art galleries, libraries and similar facilities or historical, educational or culturally interests which are not commercially operated.

Day Care Centre: An establishment providing for the care, supervision and protection of children (or adults) but does not include the provision or overnight supervision.

Deck: Any raised floor structure at least 0.31 metres (1 foot) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

Derelict Vehicle: a vehicle is considered derelict if it is not in operational condition, wrecked or partly wrecked, rusted or dismantled or partly dismantled and is not insured and registered under *The Highway Traffic Act* and does not have a current valid license plate attached to it

and is left outside a building for more than one month.

Development: The carrying out of any building, engineering, mining, or operations in, on, or over land, or making of any material change in the use or intensity of use of any building, or land, and shall include, but not be limited to, excavating, filling, grading or drainage of land.

Development Officer: A person appointed by the Resort Village Council to act as a Development Officer to administer this Bylaw.

Demolition Permit: A permit issued for the removal or dismantling of a building or structure with the Resort Village's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

Development Permit: A document issued by the Council of the Resort Village of Sun Valley that authorizes development pursuant to this Bylaw, but does not include a building permit.

Dilapidated: in a state of ruin or disrepair as a result of age or neglect.

Directional Signage: Signage located off-site providing direction to, and information about, a specific enterprise or activity which does not contain general advertising.

Discretionary Use: Uses or development of land, buildings, or other structures that may be permitted in a Zoning District only at the discretion of Council and which conforms to all discretionary use regulations and other regulations applicable to the district in which the use is located.

Dwelling: A building or part of a building intended for residential occupancy.

Dwelling Unit: One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities, but does not include rooming houses or rooming units.

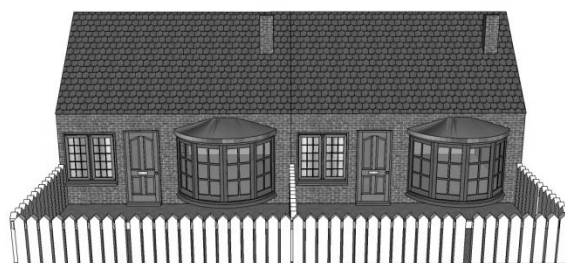
Dwelling, Duplex: A building, including a bare land condominium, which is divided either vertically or

horizontally into two dwelling units with separate entrances

Dwelling Group: A group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.

Dwelling, Multiple Unit: A building containing four or more dwelling units and shall include condominiums, Resort townhouses, row houses, and apartments, but not include a converted dwelling, rooming house, hotel, or motel.

Dwelling, Semi-Detached: A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.



Semi-Detached Dwelling

Dwelling, Single-Detached: A building containing only one dwelling unit, including a bareland condominium and shall not include a mobile home as herein defined.



Single-Detached Dwelling

Dwelling, Townhouse: A dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.



Townhouse Dwelling

Dwelling, Tri-plex: A building, including a condominium which is divided vertically into three dwelling units, each with its own entrance.

Educational Institution: An establishment dedicated for the purpose of providing education and instruction in any branch of knowledge.

Electronic Message Centre (EMC): a variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology, whereby the message can be altered by electric or electronic means.

Existing: In place, or taking place, or with all approvals and permits in place on the date of the adoption of this Bylaw.

Farm Building/Yard: Improvements such as barns, granaries, etc. used in connection with the growing and sale of trees, shrubs and sod or the raising or production of crops, livestock or poultry, fur production, bee keeping and situated on a parcel of land used for the farm operation.

Fence: A structure used to enclose or screen areas of land.

Fill (Clean Fill): Soil, rock or other material approved by the Resort Village.

Flanking: Means to the side of a lot, parcel or site.

Flood: A temporary rise in the water level that results in the inundation of areas not ordinarily covered by water.

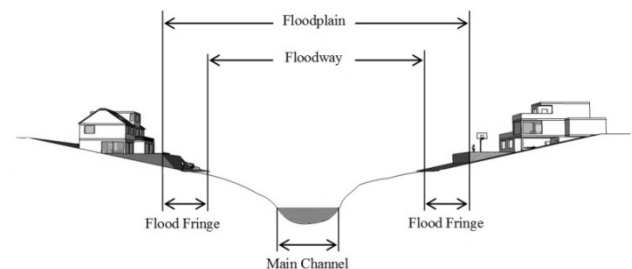
(Design) Flood Level:

- a) a 1:500 year flood;
- b) a flood having a return period greater than 1:500 years;
- c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500 year flood.

Flood Fringe: The portion of the floodplain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.

Floodproofed: A measure, or combination of structural and non-structural measures, incorporated into the design of a structure which reduces or eliminates the risk of flood damage to a defined elevation.

Floodway: The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.



Estimated Peak Water Level for the Resort Village of Sun Valley is 512.7 metres or 1682 feet.

Freeboard Elevation: The elevation of the Design Flood Level (the 1:500 flood elevation) plus an extra 0.50 metres (1.64 feet) to provide protection against wave run-up and ice surge.

Floor Area: The maximum area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, open deck, unfinished attic, or unfinished basement or cellar and in a commercial or industrial building, any utility room.

Frontage (Lot Frontage): The distance across the street side of a lot (a lot must front on a street), between the points where the side lines of the lot meet the street right of way or boulevard; or, where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

Future Land Use Map: In its projections, the map specifies certain areas for residential growth and others for residential, industry, commercial and conservation. The Future Land Use Map for Sun Valley is attached as Appendix "A" in the Official Community Plan.

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

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

Garden Suite: a second, small, dwelling on the site of a primary, single-family dwelling that accommodates one or two family members of the owner/occupants of the primary residence and is intended to allow the family to live independently but with the support nearby of the extended family.

Gas Bar: A building or place where fuel and automotive fluids are sold and may be added to a vehicle on the property, and which may have a convenience store and/or restaurant.

Grade: The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the four outside corners of the building.

Greenhouse, Commercial: A building for the growing of flowers, plants, shrubs, trees and similar vegetation that are not necessarily transplanted outdoors on the same site, but are sold directly at wholesale or retail from the site.

Greenhouse, Private: A building for the growing of flowers, plant, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products may not be offered for sale.

Greenways: A linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks or streams and managed as natural environments, or bikeways along landscaped roads.

Guest Cottage: A detached accessory building to be used for summer sleeping accommodations only and which is located on the same lot as the principal dwelling.

Hazardous Industry/Substance: A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or other living organisms.

Hazard(ous) Land: Land having inherent environmental hazards; land subject to flooding, earth movement, or slope instability, land with poor natural drainage, ground water seepage, erosion, steep slopes, rock formations, or other similar features.

Heritage Resource: The history, culture and historical resources of an area and its residents.

Highway Sign Corridor: A strip of land parallel and adjacent to a provincial highway, where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*", as may be amended from time to time.

Home Occupation (Home Based Business): An occupation, trade, profession, or craft customarily conducted for gain in a dwelling unit or accessory building by the resident or residents, which is clearly incidental and secondary to the principal use of the site and which does not create or become a public nuisance as a result of noise, traffic, pollution, or parking. Home occupations shall not occupy more than 25% of the total finished floor area of a dwelling unit in any Residential District.

Hotel: A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where a guest register or record is kept, but does not include a motel or rooming house.

Industrial Use: The use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

Infill Development: Re-development within existing areas or neighbourhoods.

Institutional Use: The use of land, buildings, or structures for religious, charitable, educational, health or welfare purposes and includes churches, public or private schools, nursery schools, hospitals, and special care.

Intermodal Freight Container: a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system. "Intermodal" indicates that the container can be moved from one mode of transport to another (from ship, to rail, to truck) without unloading and reloading the contents of the container. Lengths of containers, which each have a unique ISO 6346 reporting mark, vary from 2.44 metres to 17.07 metres (8 feet to 56 feet) and heights from 2.44 metres to 2.90 metres (8 feet to 9 feet 6 inches).

Kennel, Boarding: The temporary accommodation of more than four dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding: The keeping of domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Kennel, Enclosure: An accessory building or enclosure intended to house one or more domestic animals.

Landfill: A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

Landscaped Area: An area not built upon and not used for any purpose other than as an open space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences and similar outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

Land Use Zoning District: Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

Lane: A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

Livestock: Domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.

Loading Space: A space measuring at least 3.0 metres (9.84 feet) in width and 8.5 metres (27.88 feet) in depth, located on a lot, and having access to a street or lane, in which a vehicle may park to load or unload.

Lot (see Site): An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot" and "site" shall be deemed not to mean the same.

Marquee: A roof-like structure of a permanent nature which projects from the wall of a building that is independently supported by a system of columns or piers without walls over an entrance to a building.

Mayor: The Mayor of the Resort Village of Sun Valley.

Mezzanine: an intermediate floor in a building which is partly open to the double-height ceilinged floor below, or

which does not extend over the whole floor space of the building.

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

Mini-Storage: see Self-Service Storage Facility

Mobile Home: A prefabricated trailer coach supported on a steel frame that conforms to the Canadian Standards Association # Z240 MH. A trailer coach may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system.



Double-Wide Mobile Home

Mobile Home Park: A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation but does not include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the terms mobile home park and mobile home court shall be deemed to mean the same.

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



Modular (Manufactured) Home

Modular (Manufactured) Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 450.00 m² (5000 ft²), and in which all sites, public open space, internal streets, buffer zones, and other amenity areas form a contiguous area of development.

Motel or Motor Hotel: A building or buildings consisting of a number of individual rental units, intended for the use of the traveling public, each containing at least a bedroom and bathroom, and each having convenient access to a parking space for the use of the occupants of the units and may or may not provide food service.

Municipality: The Resort Village of Sun Valley.

Municipal Reserve: Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a Municipality pursuant to *of The Planning and Development Act, 2007*.

Natural Areas: An area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.

Non-Conforming Use: Any use of land, building or structure lawfully existing or under construction where permits have been issued at the time of the passing of this Bylaw, the use of which does not comply with all the regulations of this Bylaw governing the Zoning District in which it is located.

Noxious Use or Condition: Any use or facility that causes or produces harmful or hazardous noise, vapours,

smoke, dust (particles suspended in or transported by air), vibrations, electrical or electromagnetic fields, glare, or light.

Official Community Plan (OCP): The Resort Village of Sun Valley Official Community Plan Bylaw No. 3-2017.

Open Space: Passive and structure leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community, including parks, recreation and tourism nodes, and natural areas.

Park Model Trailer/Unit: A residential unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m² (540 ft²). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

Parking Lot: An open area, other than a street, used for the temporary parking of more than four vehicles and available for public or private use.

Parking Space: A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres (8.20 feet) wide and 6.0 metres (19.69 feet) in length.

Pasture: A site that is used for the raising and feeding of livestock by grazing.

Patio: Any hard surface or floor structure less than 0.31 metres (1 foot) above the average ground level upon which it is constructed.

Permitted Use: The use of land, buildings or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

Person: A "person" shall apply to an individual, association, firm, partnership, corporation, trust, or agent, and their heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

Personal Service Trades: A building or part of a building in which persons are employed in furnishing services and administering to customer's personal and or grooming needs, but does not include the provision of health related services.

Place of Worship: A building set aside by any religious organization for public worship. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Pond: Any constructed containment of water for the purpose of landscape enhancement, keeping ornamental fish or aquatic plants, or for other similar purposes, but not a swimming pool.

Portable Storage Unit: A transportable storage structure that is designed and used for the storage of building materials, household goods, personal items and other materials for use on a temporary basis on a residential property. Such units are uniquely designed for their ease of loading to and from a transport vehicle.

Principal Use: The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which is occupied or maintained.

Public Work: A facility as defined under *The Planning and Development Act, 2007* including a system, work, plant, equipment, or service, whether owned or operated

by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Resort Village of Sun Valley:

- a) Communication by way of telephone lines, optical cable, microwave, and cable;
- b) Television services;
- c) Delivery of water, natural gas, and electricity;
- d) Public transportation by bus, rail, or other vehicle production, transmission;
- e) Collection and disposal of sewage, garbage, and other wastes; and
- f) Fire and Police Services.

Real-Estate Signage: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m² (10.76 feet²).

Recreational Use: The use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks and curling rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and all similar uses, together with the necessary and accessory building and structures; but does not include the racing of animals or motorized vehicles.

Recreational Vehicle: Any vehicle designed, constructed or reconstructed to be used for personal pleasure or travels in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, and constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicles. Recreational vehicles include motor homes, camper trailers, truck campers, 5th wheels and tent trailers but does not include: Boats, Snowmobiles, Golf Carts, Motorcycles, All-Terrain Vehicles (ie. Quads).



Motor Home — Camping Trailer

Recreational Vehicle (RV) Park: An area of land, managed as a unit, providing short-term accommodation for motor homes and camping trailers, including accessory facilities such as administration offices and laundry facilities.

Recycling Collection Depot (Neighbourhood): A building or structure used for the collection and temporary storage of recyclable household material such as bottles, cans, plastic containers, paper and paint, but shall not include the processing of recyclable material other than compaction; the collection and storage of oil, solvents or other hazardous material; or outdoor compaction or storage.

Redevelopment (see infill development)

Residential Care Home: A licensed or approved group care home governed by Provincial regulations that provide, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential Use: The use of land, buildings, or structures for human habitation.

Resort Village: The Resort Village of Sun Valley.

Restaurant: A building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. Limited facilities may be permitted to provide for a take-out food function provided that such a facility is clearly secondary to the primary restaurant use.

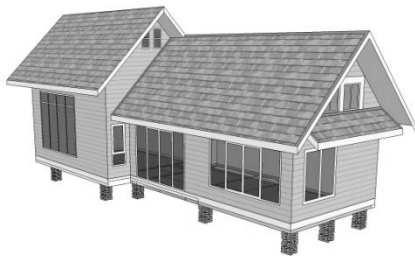
Retail Store (Shop): A building or part thereof, or a place, where goods, wares, merchandise, substances, or articles are offered or kept for sale or rent, and may include servicing and the manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Right-Of-Way: The land set aside for use as a roadway or utility corridor. Rights of way are purchased prior to the construction of a new road or utility line, and usually

enough extra land is purchased for the purpose of providing mitigative features. Sometimes road rights of way are left vacant after the initial roadway facility is constructed to allow for future expansion.

Rooming House (Boarding House): A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and with or without private toilet facilities.

RTM (Ready to Move) Home: A residential dwelling that is constructed off-site in a yard or factory to Canadian National building Code and transported as a single unit to a site for permanent installation on a permanent foundation including a basement.



RTM (Ready to Move) Home

Satellite Dish: A parabolic antenna utilized for the reception of satellite transmitted television or radio waves.

Salvage Yard (Wrecking): A parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rages, rubber tires, discarded goods, equipment, appliances or machinery.

Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one unit dwelling, and does not occupy more than 35% of the gross floor area of the dwelling, including the basement.

Self-service storage facility: A commercial business that rents or leases storage rooms, lockers, containers, modular storage units and/or outdoor space, for businesses and individuals to store and access their goods.

Service Station: A site used for the retail sale of lubricating oils and gasoline, automobile accessories, and for the servicing and repairing of motor vehicles essential to the operation of a motor vehicle; but does not include an auto body or painting shop, car sales lot, or a car washing establishment.

Setback: The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.

Shipping Container: see Intermodal Freight Container

Should, Shall or May;

Should is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.

Shall is an operative word which means the action is obligatory.

May is an operative word meaning a choice is available, with no particular direction or guidance intended.

Sign: Any device, letter, symbol, emblem or picture, that is affixed to or represented directly or indirectly upon a building, structure, or a piece of land and that 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, thoroughfare, or any other public place.

Sign, Billboard: A private free standing sign, including supporting structure, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located.

Sign, Canopy: A sign attached to, or painted on an awning, canopy or freestanding canopy.

Sign, Fascia: a sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 feet) from such building or structure.

Sign, Freestanding: Sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

Sign, Height: The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

Sign, Marquee: a sign that is mounted or painted on, or attached to an awning, canopy, or marquee.

Sign, Off-Premises: a sign which contains any message chosen by a person other than the person in control of the premises upon which the sign is located.

Sign, Portable: a freestanding sign mounted on a portable frame with a single sign face area of not less than 1.9 m² or greater than 6.0 m² (64.59 ft²) than can be readily moved or transported.

Sign, Projecting (Awning): A sign which is wholly or partially dependent upon a buildings for support and which projects more than 0.5 metres (1.64 feet) from such building. (including Awning Signs).

Sign, Temporary: A sign which is not permanently installed or affixed in position, nor connected to any service, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one or more lots consolidated under a single certificate of title or tied at Information Services Corporation (ISC), considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

Site Area: The total horizontal area within the site lines of a site.

Site, Corner: A site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a

curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

Site Coverage: The percentage of the site area covered by all the buildings above the ground level.

Site Depth: The horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel the site depth is the length of a line joining the midpoint of such site lines.

Site, Width: The horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the street; for a corner site, the shorter line abutting a street; but in the case of a corner site with two street lines of equal length, the front site line shall be designated by predetermined building lines.

Site Line, Rear: The site line at the rear of the site, opposite the front site line.

Site Line, Side: A site line other than a front or rear site line.

Site Plan: A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.

Solar Panel: a panel designed to absorb the sun's rays as a source of energy for generating electricity or heat.

Solar Fence: a fence/barrier made up of active energy generating solar panels.

Storey: That portion of a building, other than an attic or basement, between the upper surface of any floor and the upper surface of the floor next above.

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height in accordance with the National Building Code of Canada, between finished floor

and finished ceiling over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

Stakeholders: Individuals, groups or organizations who have a specific interest or “stake” in a particular need, issue situation or project and may include members of the local community residents, community groups or local, provincial and federal governments.

Street: The whole and entire width of every highway, public road, or road allowance vested in Her Majesty in the right of the Province of Saskatchewan and shown as such on a plan of survey registered at Information Services Corporation (ISC).

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

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

Subdivision: A division of land, and includes a division of a quarter section into legal subdivision as described in the regulations made pursuant to *The Land Surveys Act, 2000*.

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.61 metres (2.0 feet) or more at any point.

Tavern: An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted, subject to Provincial Regulations.

(Tele)Communication Facility: A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those used exclusively for dispatch communications.

Temporary Garage: Shall mean a temporary prefabricated shelter constructed with a metal or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover used primarily for the storage of vehicles or other equipment accessory to a residential use.

Tiny House: a type of dwelling unit, typically less than 50m² (538 ft²) which meets National Building Code requirements.

Tourist Campground: An area of land, managed as a unit, providing short-term accommodation for tents, camping trailers and recreational vehicles including accessory facilities such as administration offices and laundry facilities.

Tourist Home: a dwelling unit operated as a temporary place to stay, with or without compensation, and includes all vacation rentals of a dwelling unit.

Resort Village: The Resort Village of Sun Valley.

Use: The activity or purpose for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, occupied, or maintained.

Used For: Includes “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 14.0 m² (150.70 ft²).

Vacation Trailer: See Recreational Vehicle

Vehicle Repair and Maintenance Service:

Indoor: includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.

Outdoor: maintenance services have all or any portion of their operations located outside of an enclosed building.

Warehouse: A building used for the storage and distribution of wholesale goods and materials.

Waste Disposal Facility, Liquid: A facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

Waste Disposal Facility, Solid: A facility or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial and institutional sources which are disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

Wind Energy Conversion System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide on-site power for a principal use.

Wind Turbine: The individual component of a Wind Energy Conversion System that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters.

Wind Turbine, Electrical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to electrical energy through electric currents.

Wind Turbine, Mechanical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to mechanical energy through motion.

Yard: Open, uncovered space open to the sky on the same site with a building or structure.

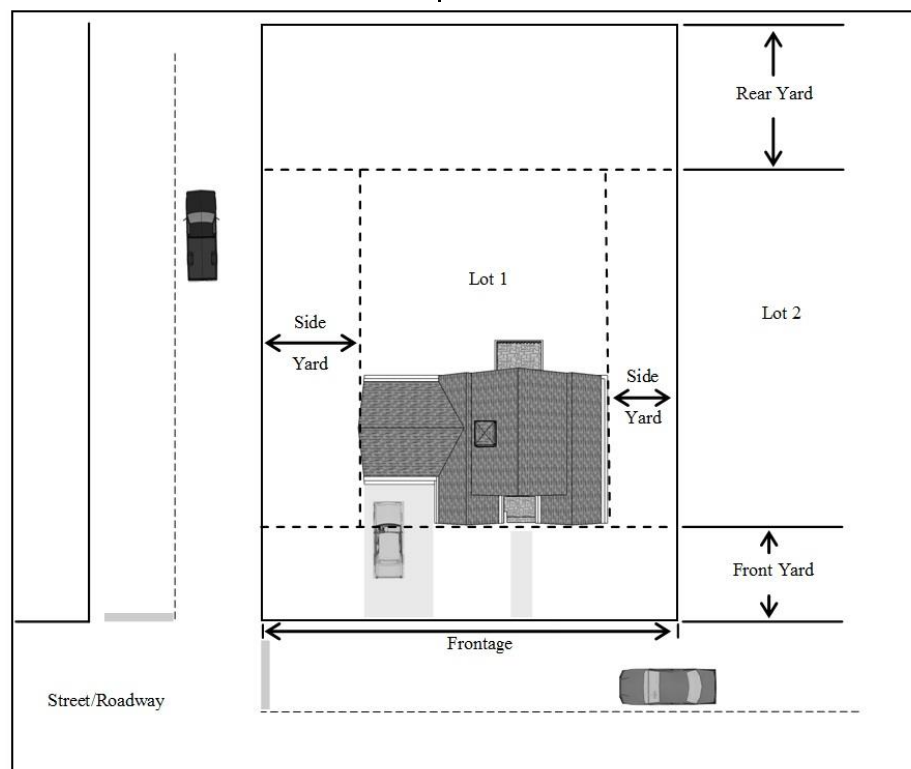
Yard, Front: The area between the side site lines and the front site line to the front building line (See Location and measurement of setbacks drawing).

Yard, Rear: The area between the side site lines and the front site line to the rear building line (corner and interior)

Yard, Required: The minimum yard required by a provision of this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

Yard, Side: The area between the front and rear yards and between the side site line and the side building line

Location of Yards and Measurement of Setbacks



Metric to Imperial Conversions

Distance (metres - feet)			
0.5 metres	1.64 feet	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	75 metres	246 ft
5.0 metres	16 ft	80 metres	262 ft
5.5 metres	18 ft	90 metres	295 ft
6.0 metres	20 ft	100 metres	328 ft
6.5 metres	21 ft	150 metres	492 ft
7.5 metres	25 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
11 metres	36 ft	305 metres	1000 ft
12 metres	39 ft	467 metres	1532 ft
15 metres	49 ft		
15.3 metres	50 ft		

Area (m ² to ft ²)			
1.0 m ²	10.7 ft ²	100 m ²	1076 ft ²
0.5m ²	5.4 ft ²	150 m ²	1615 ft ²
5.0 m ²	53.8 ft ²	230 m ²	2475 ft ²
9.3 m ²	100 ft ²	450 m ²	4844 ft ²
14.0 m ²	144 ft ²	465 m ²	5,005 ft ²
27.9 m ²	300 ft ²	540m ²	5812 ft ²
37.2 m ²	400 ft ²	560 m ²	6,000 ft ²
45 m ²	485 ft ²	900 m ²	9687 ft ²
50 m ²	538 ft ²	930 m ²	10,000 ft ²
56 m ²	600 ft ²	6070 m ²	1.5 acres
60 m ²	646 ft ²	0.8 hectare	2 acres
78 m ²	839 ft ²	1 hectare	2.5 acres
83.6 m ²	900 ft ²	2 hectares	5 acres
92.96m ²	1,000 ft ²		

*Conversions are rounded to the nearest decimal point

3 ADMINISTRATION AND INTERPRETATION

3.1 Development Officer

- 3.1.1 The Council of the Resort Village of Sun Valley shall appoint the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Council designates from time to time.
- 3.1.2 The Development Officer shall:
 - a) Receive, record, and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, Development Permit conditions, and development and servicing agreements;
 - b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
 - c) Make available, for public inspection during office hours, a register of all Development Permits and subdivision applications and decisions;
 - d) Collect development fees, according to the fee schedule established in this Bylaw;
 - e) Perform other duties as determined by Council.
- 3.1.3 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a Development Permit application for a "Permitted use."

3.2 Council

- 3.2.1 Council shall make all decisions regarding Discretionary uses, Development and Servicing Agreements, and Zoning Bylaw amendments.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- 3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Resort Village of Sun Valley Official Community Plan.

3.3 Application for a Development Permit

- 3.3.1 Unless the proposed development or use is exempt from Development Permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:

- a) Complete and submit a Development Permit application, and (refer to permit application in Appendix “A”);
 - b) Receive a Development Permit for the proposed development.
- 3.3.2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.
- 3.3.3 Except where a particular development is specifically exempted by Section 3.4 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

3.4 Development Not Requiring a Permit

The following developments shall be exempt from Development Permit requirements, but must have written approval from the Development Officer and shall conform to all other Bylaw requirements (e.g., building permits, building bylaws, setbacks, environmental and development standards and Provincial/Federal Legislation):

3.4.1 Residential Zoning Districts

- a) Buildings and structures under 9.29 metres² (100 feet²) in area, which are accessory to a principal, residential use except where such dwelling is a discretionary use.
- b) Relocation of any accessory building provided development standards are still met on the site.
- c) The erection of any fence, wall, gate, television antennae, or radio antennae under 5 metres (16.41 feet).

3.4.2 Official Uses

Uses and buildings undertaken, erected or operated by the Resort Village of Sun Valley.

3.4.3 Internal Alterations

- a) Residential Buildings
Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;
- b) All Other Buildings
Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

3.4.4 Landscaping

Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

3.5 Development Permit Procedure

Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, *The Planning and Development Act, 2007*, and all other Resort Village Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.

3.5.1 Discretionary Use Application

3.5.1.1 Where an application for a Development Permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable.

3.5.1.2 As soon as practicable after Council is advised that an application has been made for a Development Permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to whichever Government Agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.

3.5.1.3 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.

3.5.2 Development Permit Decision

3.5.2.1 The applicant shall be notified in writing of the decision of their application within thirty (30) days of all required information being submitted to the Development Officer. The applicant shall be advised of their right to appeal a decision on a permitted use application and any terms and conditions attached to a discretionary use application to the Development Appeals Board subject to the provisions of *The Planning and Development Act, 2007*.

3.5.2.2 If the proposal conforms to the provisions of this Bylaw, a Development Permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required.

3.6 Concept Plans

3.6.1 A Concept Plan shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel residential or commercial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage high quality development. The scope and required detail of the Concept Plan will be based on the scale and location of the proposed development and address such areas as the following:

- a) Proposed land use(s) for various parts of the area;
 - b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
 - c) The location of, and access to, major transportation routes and utility corridors;
 - d) The provision of services respecting the planning for future infrastructure within the Municipality;
 - e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
 - f) Appropriate information specific to the particular land use (residential, commercial or industrial).
- 3.6.2 The Concept Plan must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.
- 3.6.3 Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required including traffic studies to determine impacts upon the Municipality's road and highway system, assessments of lands affected by flooding or slope hazards, endangered species, heritage resources, potential for ground and surface water pollution, and general risk to health and the environment.

3.7 Development Permit: Validity

- 3.7.1 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.
- 3.7.2 Where the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
- 3.7.3 Where the Council is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.8 Development Permit Application Fees

- 3.8.1 An applicant seeking the approval of a Development Permit application shall pay the **current fee under Fee Bylaw XXXX which** may be amended pursuant to Section 51 of *The Planning and Development Act, 2007* and will be available at the Resort Village of Sun Valley office.
- 3.8.2 There shall be no Development Permit application fee for accessory buildings to a residential use, sign permits, licenses for home occupations or other forms of business licenses.

3.9 Discretionary Use Application and Fees

- 3.9.1 An applicant seeking a discretionary use approval shall pay the current fee under Fee Bylaw 5-2017 which may be amended pursuant to Section 51 of *The Planning and Development Act, 2007* and will be available at the Resort Village of Sun Valley office.
- 3.9.2 The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 meter radius of the proposed development.
- 3.9.3 The Development Officer shall publish a notice of the application in accordance with the provisions of *The Planning and Development Act, 2007*, whereby the applicant shall pay to the municipality a fee equal to the costs associated with the public advertisement.

3.10 Fee for Zoning Amendment Application

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as outlined in Fee Bylaw 5-2017 and permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in professional review of the application and in carrying out a public hearing.

3.11 Concurrent Processing of Development Permits, Building Permits and Business Licenses

A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently. However, in accordance with Section 3.4, when a Development Permit is not required, nothing in this Bylaw shall exempt any person from complying with a building Bylaw, or any other Bylaw in force within The Municipality, or from obtaining any permission required by this, or any other Bylaw of The Municipality, the Province or the Federal Government.

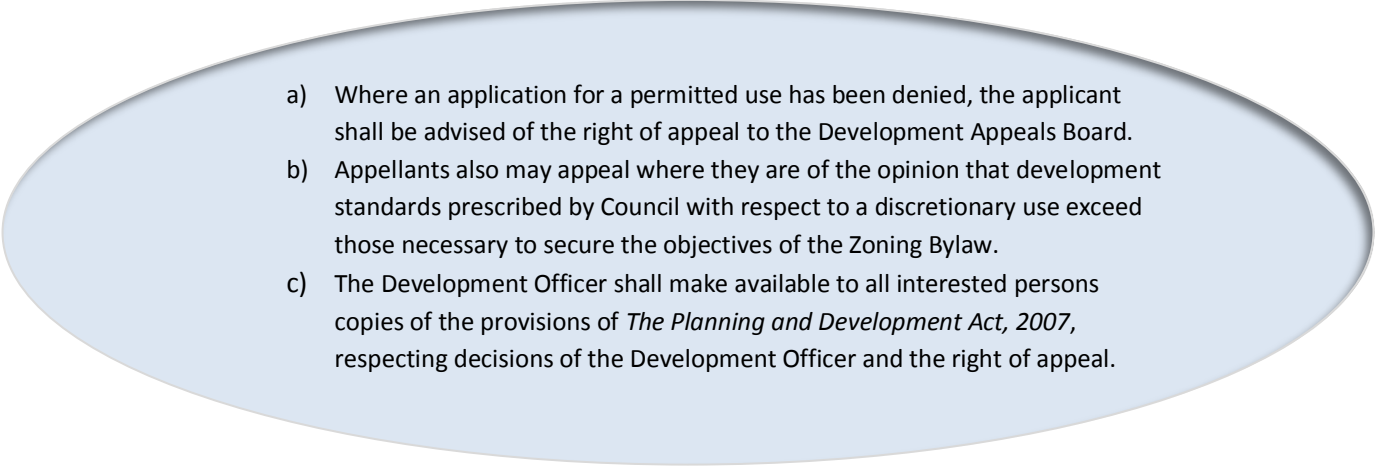
3.12 Referral Under *The Public Health Act*

The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act and Regulations*.

3.13 Development Appeals Board

3.13.1 Council shall appoint a Development Appeals Board in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act 2007*.

3.13.2 Right of Appeal

- 
- a) Where an application for a permitted use has been denied, the applicant shall be advised of the right of appeal to the Development Appeals Board.
 - b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
 - c) The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007*, respecting decisions of the Development Officer and the right of appeal.

3.14 Minor Variances

3.14.1 Minor Variance applications shall be in accordance with Section 60 of *The Planning and Development Act, 2007*.

3.14.2 The development officer may vary the requirements of this bylaw subject to the following requirements:

- a) A minor variance may be granted for the following only:
 - i. Minimum required distance of a building from a lot line; and
 - ii. The minimum required distance of a building from any other building on the lot.
- b) The maximum amount of a minor variance shall be 10% variation from the Requirements of this Bylaw.
- c) The development must conform to all other requirements of this Bylaw.
- d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.

- e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act, 2007*.
- f) Minor variances shall be granted only in relation to residential properties.

3.15 Non-Conforming Buildings Uses and Sites

- 3.15.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.
- 3.15.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- 3.15.3 No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- 3.15.4 No existing site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which the site is located.

3.16 Development Permit – Invalid

A Development Permit shall be automatically invalid and development shall cease, as the case may be:

- a) If the proposed development is not commenced within the period for which the Permit is valid;
- b) If the proposed development is legally suspended, or discontinued, for a period of six (6) or more months, unless otherwise indicated by Council or the Development Officer;
- c) When development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards; and/or
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

3.17 Cancellation

Council or the Development Officer may cancel a Development Permit, and when cancelled, development shall cease:

- a) Where the Development Officer or Council is satisfied that a Development Permit was issued based on false or mistaken information;
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
- c) When a developer requests a Development Permit modification.

3.18 Stop-Work

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or a caveat under this Bylaw.

3.19 Interpretation

- a) Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- b) All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

3.20 Offences and Penalties

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

3.21 Inspection of Premises

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

3.22 Bylaw Compliance

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

3.23 Moving of Buildings

No building shall be moved within or into the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 3.4 of this Bylaw.

3.24 Demolition of Buildings

No building shall be demolished without first obtaining a Development Permit from the Development Officer. Such permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the site.

3.25 Temporary Development Permits

The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or seasonal businesses. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a residence, portable storage or tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned, or the use of a building or structure for a seasonal business use.

3.26 Development Agreements

- 3.26.1 Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan and this Bylaw, pursuant to Section 171 to 176 inclusive, *The Planning and Development Act, 2007*.
- 3.26.2 A development agreement is mandatory for the approval of an accessory dwelling (ie. Garden Suite).

3.27 Servicing Agreements

- 3.27.1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.

3.27.2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

- a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
- b) The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

3.28 Performance Bonds

Council may require a developer, including host owners of property where an accessory dwelling is located, to post and maintain a performance bond to ensure developer performance and to protect the public interest.

3.29 Liability Insurance

Council may require developers to provide and maintain liability insurance to protect the municipality, developer and public.

3.30 Interests

Council may require that development and servicing agreements and other documents may be registered as an interest on affected lands, to protect municipal and public interests.

4 GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw.

4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation Bylaw or any other Bylaw in force within the Resort Village of Sun Valley or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Resort Village of Sun Valley or any law of the Province of Saskatchewan or Canada. Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.

4.2 Principal Use Established

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.

4.3 Multiple Uses

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3.0 metres (9.85 feet) of any other building on the site except to a building accessory to such dwelling.

4.4 Number of Principal Buildings on a Site

- 4.4.1 Only one (1) principal building shall be permitted on any one site except for the following: parks, schools, recreation facilities, residential care homes, and approved dwelling groups and condominium developments.
- 4.4.2 Multiple unit residential buildings (e.g. duplex, fourplex) are considered to be one principle building under this Bylaw, and all other uses and buildings on the site must be accessory.

4.5 Front Yard Reduction

Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.58 metres (15 feet) in a Residential district unless otherwise permitted in this Bylaw.

4.6 Frontage for Irregular Sites

Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 metres (36.09 feet) and the mean site width shall not be less than the minimum frontage for regular sites in the same District.

4.7 Permitted Yard Encroachments

4.7.1 Where minimum front, side or rear yards are required in any zoning district, the following yard encroachments may be permitted:

- a) Uncovered and open balconies, terraces, verandas, decks, patios and access ramps for the physically disabled, uncovered having a maximum projection from the main wall of:
 - i. 2.5 metres (8 feet) into any required front yard; and
 - ii. 3.66 metres (12 feet) into any required rear yard
- b) In any side yard the construction of a deck may not come closer than 1.2 metres (3.94 feet) to the side lot line.
- c) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.61 metres (2 feet) into any required yard, but not closer to a lot line than 0.61 metres (2 feet).
- d) All buildings, structures and landscaping elements are to be located wholly within the boundaries of the lot except for fences or landscaping along common property lines that are jointly constructed or maintained by the abutting property owners.

4.8 Building Height

Where a maximum height of buildings is specified in any District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney or antenna.

4.9 Restoration to a Safe Condition

Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area or volume so as to contravene the provisions of this Bylaw.

4.10 Grading and Leveling of Sites

- 4.10.1 Every development shall be graded and leveled and elevated to 512.7 metres (1682 feet), at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.

- 4.10.2 All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
- 4.10.3 All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling.
- 4.10.4 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.
- 4.10.5 Where excavation or filling is proposed for any development in a flood hazard area Council may require the comments of Saskatchewan Water Security Agency or the appropriate Provincial/Federal agency prior to making a decision on a Development Permit Application.

4.11 Restrictions on Changes

- 4.11.1 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected, and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, site, or lot.
- 4.11.2 Notwithstanding the provisions of clause 4.11.1 of this subsection, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

4.12 Uses Permitted In All Zoning Districts

- 4.12.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 4.12.2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.
- 4.12.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighbourhood in which the same is located.

4.13 Signage on Natural and Human Heritage Sites

Small plaques, markers, and interpretation signs will be encouraged on properties that have significant natural or human heritage resources, with the approval of the owner, and where the signage is appropriate in scale, design, and placement with the site and surrounding area, and does not cause safety concerns or negatively impact the heritage value of the site.

4.14 Heritage Properties

Provincial and Municipal heritage properties subject to preservation agreements are subject to development review processes as defined by *The Heritage Property Act*, Sections 23, 24, and 25. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.

4.15 Landscape Buffers

- 4.15.1 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties a minimum 2.0 metres (6.57 feet) vegetative landscape buffer, unless a fence is required for other reasons.
- 4.15.2 Primary entrances into the Resort Village and parking lots abutting major roads may require a landscape buffer.
- 4.15.3 Notwithstanding any other provisions in this Bylaw, where buffers are required for greenways, trails, parks and landscaped areas, they shall be required to reflect the character and intent of the Official Community Plan.

4.16 Prohibited and Noxious Uses

- 4.16.1 The keeping of livestock shall not be allowed except for permitted agricultural uses in the FUD - Future Urban Development District.
- 4.16.2 Any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacture.
- 4.16.3 **Noxious Uses:** Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
 - a) By the creation of noise or vibration;
 - b) By the emission of light and glare;
 - c) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
 - d) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material; or
 - e) By any combination of things in this subsection.

4.17 Closings

In the event a dedicated street or lane shown on the Zoning District Map forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the Zoning District of the adjoining property on either side of such closed street or lane. If a closed street or lane is the

boundary between two or more different Zoning Districts, the new district boundaries shall be the former centre line of the closed street or lane.

4.18 Satellite Dishes

Satellite dishes in excess of 1.0 metre (3.29 feet) in diameter shall not be located in any front yard, side yard and shall not be permitted to be erected on the roof of any building that is located within a residential district.

4.19 Communication Towers

The erection of Cellular telephone transmission towers shall not be permitted in, or closer than 100.59 metres (330 feet) of, any Residential District.

4.20 Private Garages, Sunrooms, Solariums, and Greenhouses

Private garages, carports, sunrooms, solariums, and greenhouses attached to principal buildings by a substantial roof structure shall be considered as part of the main building and shall be subject to the regulations for the principal building.

4.21 Solar Panels or Solar Energy Devices

- 4.21.1 Solar energy devices and all components associated with the devices shall meet the setback and height requirements of the District in which they are placed.
- 4.21.2 Solar energy devices attached to a principal or accessory building should be integrated with the roof or wall/structure. The mounted panel:
 - a) should not project more than 0.15 m from the surface of the building;
 - b) should not project vertically more than 1.0 m above the roof line in residential districts, and not more than 1.8 m above the roof line in all other districts, where located on buildings with flat roofs; and
 - c) should not extend beyond the outermost edge of the roof or wall to which it is mounted.
- 4.21.3 Solar energy devices not attached to a building shall:
 - a) be located in a side or rear yard only;
 - b) not exceed 2.5 m in height above the ground; and
 - c) be screened from adjacent properties with a fence or landscaping, to the satisfaction of Council.

4.22 Disposal of Wastes

- 4.22.1 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

- 4.22.2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Watershed Authority. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the appropriate Provincial/Federal agency.

4.23 Development Standards for Discretionary Uses

This Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- a) Site drainage of storm water;
- b) The location of buildings with respect to buildings on adjacent properties;
- c) Access to, number and location of parking and loading facilities;
- d) Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- e) Control of noise, glare, dust and odour;
- f) Landscaping, screening and fencing to buffer adjacent properties.

4.24 Solid and Liquid Waste Disposal Facilities

Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions.

- d) The facility will be located as near as practical to the source of waste and will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design.
- e) The facilities will be located at least 457 metres (1,500 feet) for liquid waste, and 457 metres (1,500 feet) for solid waste from any residence or recreational use.
- f) The development of any new disposal sites shall take into consideration seasonal winds.
- g) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- h) Solid waste disposal facilities shall be located in proximity to an all-weather road.
- i) Council may apply special standards for screening, fencing and reclamation of the site.

4.25 Temporary Garages (Fabric Covered Structures)

- 4.25.1 One (1) temporary garage may be placed on a residential lot with subject to the following conditions:

- a) The permit for the temporary garage shall be a temporary permit and each temporary garage is limited to a period of six (6) months. A deposit of \$250 will be required at the time of application. Permits are renewable but must re-applied for every six (6) months. There will be no fee charged for renewals, but re-applications will require the submission of a date stamped photograph.
- b) The structure must be kept in good shape and tidy as determined through inspection by Village representatives. Any structures that are tattered, torn or in disrepair must either be removed or replaced;
- c) The temporary garage must be located in the side or rear yard only.

4.26 Portable Storage Units

- 4.26.1 A portable storage unit, incidental to construction of a building or structure with an active building permit is allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- 4.26.2 One (1) portable storage unit may be placed on a residential lot with an active building permit subject to the following conditions:
 - a) Prior to placement of the portable storage unit on the lot, the property owner shall apply for a Temporary Development Permit from the Development Officer;
 - b) The permit for the portable storage unit shall be a temporary permit limited to a period of time set by Council;
 - c) The portable Storage unit shall not exceed 28.21 m³ (996 ft³); and
 - d) The portable Storage Unit shall be set back a minimum of 3 metres (9.85 feet) from the front property line and 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property.

4.27 Intermodal Freight Containers (Trailers, Sea and Rail Containers)

- 4.27.1 No person shall park or store on any part of a site, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising within any Zoning District.
- 4.27.2 Intermodal storage containers may be accommodated as a Temporary Use at Council's Discretion under the following conditions:
 - a) Development Permits from the Resort Village are required by the property owner before containers are parked or stored on site.
 - b) The permit for the intermodal storage container shall be a temporary permit limited to a period of time set by Council, to a maximum of one (1) year. A deposit of \$1,000 will be required at the time of application.
 - c) Containers shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building;
 - d) Containers determined by Council to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Resort Village.

4.28 Campgrounds

- 4.28.1 The operator of a campground shall provide the development officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 4.28.2 The following conditions apply:
- a) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.58 metres (15 feet) which shall contain no buildings.
 - b) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150.04 m² (1615 ft²) in area with its corners clearly marked.
 - c) One permanent sign located on site advertising the campground is permitted per site;
 - d) No portion of any campsite shall be located within a roadway or required buffer area.
 - e) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
 - f) Each trailer coach shall be located at least 3.05 metres (10 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
 - g) The space provided for roadways within a campground shall be at least 7.62 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
 - h) 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.
 - i) *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

5 ZONING DISTRICTS AND ZONING MAPS

5.1 Zoning Districts

For the purpose of this Bylaw, the Resort Village of Sun Valley is divided into several Zoning Districts that may be referred to by the appropriate symbols.

R1	Residential	CS	Community Service
R1L	Limited Development Residential	FUD	Future Urban Development
RR	Resort Residential		
C	Commercial	NH	Natural Hazards Land Overlay District

5.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 4-2017 adopted by the Resort Village of Sun Valley, signed by the Mayor and by the Resort Village Administrator under the seal of the Resort Village, shall be known as the 'Zoning District' map, and such map is hereby declared to be an integral part of this Bylaw."

5.3 Boundaries of Zoning Districts

- 5.3.1 The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- 5.3.2 Unless otherwise shown, the boundaries of Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.
- 5.3.3 Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- 5.3.4 Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision and rezoning, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

5.4 Holding Designation

- 5.4.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- 5.4.2 Any lands subject to a holding provision shall only be used for the following uses:
 - a) Those uses existing on the land when the "H" is applied; and Public works.

6 RESIDENTIAL DISTRICTS

GENERAL REGULATIONS FOR RESIDENTIAL DISTRICTS

6.1 Modular Homes

- 6.1.1 All modular homes shall be placed on a permanent concrete foundation at a standard comparable to a single detached dwelling.
- 6.1.2 All modular homes shall have architectural features similar or complementary to adjacent and nearby homes with the width approximately equivalent to the length.
- 6.1.3 Modular homes shall be permanently connected to water and sewer services and permanently connected, as available, to other public utilities.

6.2 Recreational Vehicles (RVs)

- a) Recreational Vehicles may be parked on a site where the principal residence has been established.
- b) Recreation Vehicles, which are not a mobile home, may be used from time to time for a period not exceeding thirty (30) consecutive days from April 1st to October 31st. This summer use is intended to provide temporary sleeping accommodation for guests of the principal dwelling.
- c) Recreation Vehicles shall not be rented as a tourist home.
- d) The facilities and amenities of the principal dwelling shall be available for use at all times by the occupants of the Recreation Vehicle.
- e) Recreation Vehicles shall be connected to any permanent piped water supply or waste disposal system on any lot.
- f) All Recreation Vehicles must be situated within the boundaries of the property and adhere to the setbacks required for Accessory buildings.

6.3 Accessory Buildings and Uses

- a) Subject to all other requirements of this Bylaw, any accessory building, use or structure is permitted in when accessory to an established principal use, and for which a Development Permit has been issued.
- b) No accessory building may be constructed, erected or moved on to any site prior to the construction of the principal building to which it is accessory.
- c) Recreational Vehicles will not be permitted as a Residential dwelling on a developable residential lot. Any existing Recreational Vehicles in use as Residential dwelling at the passing of this Bylaw will be considered a non-conforming use.
- d) In the Limited Development Residential District (R1L), a Recreation Vehicle or Park Model Trailer may constitute a Principal Residential Use. This principal use shall be established before any accessory buildings are built or moved on site. An Occupancy Tax /licencing fee will be applied to these parcels.

- e) Where an application for the development of a principal building has been approved, Council, at its discretion, may allow for the prior development of an Accessory building where such a building is required for storage of construction materials or equipment. If the principal building is not completed within the time period required, the Accessory building is to be removed.
- f) One (1) garage attached to the principal dwelling unit is allowed per residential site. Where a building is attached to a principal building by a solid roof or by structural rafters, the building is deemed to be part of the principal building.
- g) No Accessory building or structure shall exceed the height of the principal building other than two (2) story Accessory building which accommodates a Guest Cottage. (See Section 6.10).
- h) **Location of Accessory Buildings:**
 - i. No Accessory building may be located in a required/legal Road Allowance. The only exception is for Water Pump houses.
 - ii. Accessory buildings shall be subordinate to and located on the same lot as the principal permitted use;
 - iii. Accessory buildings on corner lots shall be subject to the side and front yard requirements of the principal building on those lot sides which abut streets;
 - iv. Detached Accessory buildings shall not be permitted in any required front yard.
 - v. Tree and shrub plantings, portable structures, recreational equipment, boat lifts, machinery and earth, gravel or wood piles shall comply with the same setback requirement as for Accessory buildings.

Detached Accessory Buildings: less than 9.29m² (100.0 ft²)	
SETBACKS	
From the Principal Building	1.0 metre (3.29 feet)
Front Yard	4.58 metres (15.0 feet) from the front site line (Street Address)
Side Yard	.31 metres (1 foot)
Rear Yard	.31 metres (1 foot) Where a municipal or environmental reserve exists adjacent to the rear yard, no setback will be required.
Maximum Floor Area	All detached accessory buildings, cumulatively, shall not exceed 111.5m ² (1200ft ²) or 75% of the residence, whichever is greater in area.
Maximum Height	n/a

Detached Accessory Buildings: greater than 9.29m² (100.0 ft²)	
SETBACKS	
From the Principal Building	1.3 metres (4.27 feet)
Front Yard	4.58 metres (15.0 feet) from the front site line (Street Address)
Side Yard	1.53 metres (5.0 feet) from the side site line
Rear Yard	4.58 metres (15.0 feet) from the rear site line. Where a municipal or environmental reserve exists adjacent to the rear yard, no setback will be required.
Maximum Floor Area	All detached Accessory buildings, cumulatively, shall not exceed 111.5m ² (1200 ft ²) or 75% of the residence, whichever is greater in area
Maximum Wall Height	4.26 metres (14.0 feet)
Maximum Height	6.10 metres (20.0 feet)
Guest Cottage Above a Garage	A 2-storey accessory building, which accommodates a Guest Cottage, may at Council's discretion be increased to 9.0 metres (29.53 feet) in height measured from the from the average grade at the perimeter of the building to the ridge of the roof.

6.4 Parking Requirements in Residential Districts

Minimum Parking Spaces	
Principal Dwelling	2 Spaces
Guest House or Garage Suite	1 Additional space
Bed and Breakfast Home	1 Additional space per Bedroom

- Driveways, accessed from the street, shall have a durable, dust-free hard surface of asphalt, concrete, brick or other similar material including gravel or slag.
- Up to two (2) dedicated recreational vehicle parking areas may be provided on a driveway.
- Recreational vehicles may be parked in the front driveway of a residential site, from May 1 to September 15 only and may be stored in the rear or side yard driveway at any time.

6.5 Outside Storage

- No exterior storage of materials, goods, or waste products is permitted, except a waste disposal bin for collection in a required front yard.

- b) No yard shall be used for the storage or collection of hazardous material.
- c) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- d) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- e) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the residential property.
- f) The owner of the property may temporarily display a maximum of either one (1) motor vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

6.6 Off-Season Storage

- a) Recreational Vehicles (Vacation Trailers, Campers) may be stored in a required rear or side yard when they are not visible from the road.
- b) No motor vehicles or equipment may be stored or located in a required/legal Road allowance.
- c) The storage of fishing shacks, recreational equipment or cargo trailers shall be in a proper manner so as not to create a nuisance or obstruct views of adjacent property owners.
- d) Empty developable lots without an established Residential use are restricted from the temporary storing of recreational equipment, recreational vehicles, motor vehicles or fishing shacks. Lots in the R1L District (Limited Development Residential) are exempt from this requirement.

6.7 Signage

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m² (5.38 ft²).
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- c) Temporary signs not exceeding 1.0 m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- d) No person shall park or store on any part of a site, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising.

6.8 Fence and Hedge Heights

- a) No hedge, fence or other structure shall be erected past any property line.
- b) No hedge, fence, or other structure not otherwise permitted shall be erected in a required front yard, to a height more than 1.0 metres (3.28 feet.) above grade level.

- c) No hedge, fence, or other structure not otherwise permitted shall be erected in a rear yard on a lakeside site, to a height more than 1.0 metres (3.28 feet) above grade level.
- d) No hedge, fence, screen, wall or similar structure, excepting permitted Accessory buildings, shall be erected to a height of more than 2.0 metres (6.57 feet) in a side yard.

6.9 Bed and Breakfast Homes

- a) A bed and breakfast home may be located in a single detached residential dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- b) Bed and breakfast homes shall be located in a dwelling used as the operator's principal residence and shall be licensed by the Ministry of Health.
- c) Additional parking spaces may be permitted in a required front yard.
- d) One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m² (5.39 ft²).

6.10 Guest Cottages (Without Cooking Facilities)

A single Guest Cottage may be allowed under the following conditions if located on a site containing a single detached dwelling at Council's discretion to assure that conflict with neighbouring uses is avoided:

- a) A Guest cottage may be constructed within an attached or detached garage and must have a separate entrance directly from the exterior of the building or from the entrance to the detached garage.
- b) Only one Guest cottage is permitted on each residential site and it may not interfere with the site line of either of the adjoining properties.
- c) Guest Cottages must contain living, sleeping, may contain sanitary facilities and shall not contain cooking facilities.
- d) On-site parking shall be provided for the Guest Cottage in addition to the number of parking spots required for the principal building.
- e) Guest cottage exteriors shall relate to the house exterior by utilizing similar design elements, colour and finish materials.
- f) A Guest Cottage shall not be rented as a tourist home.
- g) A Guest Cottage shall not exceed 50 m² (538 ft²) and may not have more than two (2) bedrooms.
All Guest Cottages shall comply with the National Building Code of Canada and Provincial Fire Code.
- h) Two (2) Story Accessory Buildings, which accommodate a Guest Cottage, shall meet the following requirements:
 - i. Council shall consider whether the building will unduly block the view of the lake for neighbouring properties.
 - ii. The maximum height shall be measured from the average grade at the perimeter of the building to the ridge of the roof. There will be no consideration for any excess of the maximum height requirement.

6.11 Garden Suites

- a) One (1) Garden Suite may be constructed within the parcel of a principal single detached dwelling on parcels greater than 1 acre (4,046 m²) in area at Council's discretion with conditions to assure that conflict with neighbouring uses are avoided.
- b) All Garden Suites require a Development Agreement (Refer to Section 3.26).
- c) All Garden Suites must contain cooking, eating, living, sleeping and sanitary facilities and must meet National Building Code standards and Provincial Fire Code.
- d) Garden suites may not exceed 75m² (807.3 ft²) and may not have more than two (2) bedrooms.
- e) Garden Suites shall not be higher than the principal dwelling.
- f) Council shall consider whether the building will unduly block the views of the adjoining properties.
- g) Garden Suites will be included in the calculation of parcel coverage and the total floor area for detached Accessory buildings.
- h) Garden Suites may be connected to or serviced separately from the principal dwelling with private septic system sewer and potable water services.

6.12 Home Occupations (Home Based Businesses)

- a) Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size or that provide services or products that would detrimentally affect the viability of the neighborhood.
- b) One (1) home occupation shall be allowed per dwelling unit and shall be conducted entirely within the dwelling or accessory building.
- c) One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted is permitted. Freestanding signs must be located at least 3.05 metres (10 feet) in from any lot line. No neon or LED signs shall be permitted.
- d) The storage of any merchandise or material relating to the home occupation shall not be exposed to the public view from the street and adjoining properties, nor shall such storage involve a change in appearance of the residence or its accessory buildings.
- e) No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation is located.
- f) No persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer.
- g) Parking:
 - i. The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.
 - ii. No more than one business vehicle in connection with the home occupation shall be parked on the residential site and that vehicle must weigh less than 3500 kg (7716 lbs).

7 RESIDENTIAL DISTRICT (R1)

R1

Purpose: To provide an area residential development in the form of single detached dwellings and compatible uses. No person shall, within any R1-Residential District, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

Permitted Uses	Discretionary Uses	Prohibited Uses
a) One single detached dwelling, Ready-to-Move (RTM), or Modular home; b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use; c) Mobile Homes in existence as the passing of this Bylaw; d) Playgrounds; e) Public works.	The following uses may be permitted in the R1-Residential District only by resolution of Council and only in locations specified by Council: a) Detached Accessory Buildings where the Floor Area is more than 70 m² (753.5 ft²); b) Two-Story Accessory Building; c) Home Occupations; d) One Guest Cottage; e) Temporary Garage; f) Bed and Breakfast homes; g) Recreational Vehicles used as a temporary residence during construction only; h) One Intermodal Shipping Container; i) Portable Storage Unit during construction only.	a) Salvage or vehicle storage yard; b) The keeping of livestock; c) Wind Turbines;

SITE DEVELOPMENT REGULATIONS FOR SINGLE DETACHED DWELLINGS

Minimum Site Area	600 m ² (4951.57 ft ²)
Minimum Floor Area	The Principal building shall be a minimum of 65.0m ² (699.68 ft ²)
Minimum Site Frontage	20 metres (60.0 feet) 15 metres with a mean width of 20 metres for non-rectangular sites
Minimum Front Yard	6 metres (20 feet)
Minimum Rear Yard	4.58 metres (15 feet) from the Principal building
Minimum Side Yard	1.53 metres (5.0 feet) , on a corner lot 3.05 metres (10 feet) or in accordance with current National Building Code of Canada and Provincial Fire Code.
Maximum Site Coverage	Building coverage (including all accessory buildings) may not exceed 60% of the site area
Maximum Building Height	9.00 metres (29.53 feet) for the Principal building
Minimum Lot Elevation	512.7 metres (1,682 feet)
Minimum Building Elevation	Minimum is 513.2 metres (1,683.7 feet) to bottom of the house floor joists or floor slab and the Maximum is 513.7 metres (1,685feet) to the bottom of the house floor joists or floor slab. Garage pads shall be at 512.7 metres (1,682 feet)

8 LIMITED DEVELOPMENT RESIDENTIAL DISTRICT (R1L)



Purpose: To acknowledge the limited development options by providing for alternative residential development options and compatible uses. No person shall, within any R1L- Limited Development Residential District, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

Permitted Uses	Discretionary Uses	Prohibited Uses
a) One single detached dwelling, Ready-to-Move (RTM), or Modular home; b) Recreational Vehicle or Park Model; c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use; d) Playgrounds; e) Public works.	The following uses may be permitted in the R1L- Limited Development Residential District only by resolution of Council and only in locations specified by Council: a) Detached Accessory Buildings where the Floor Area is more than 70 m² (753.5 ft²); b) Home Occupations; c) Temporary Garage; d) Portable Storage Unit during construction only; e) One Intermodal Shipping Container.	a) Salvage or vehicle storage yard; b) The keeping of livestock; c) Wind Turbines.

SITE DEVELOPMENT REGULATIONS

Minimum Site Area	600 m ² (4951.57 ft ²)
Minimum Floor Area	The Principal building shall be a minimum of 45.4 m ² (500 ft ²)
Minimum Site Frontage	20 metres (60.0 feet) 15 metres with a mean width of 20 metres for non-rectangular sites
Minimum Front Yard	6 metres (20 feet)
Minimum Rear Yard	4.58 metres (15 feet) from the Principal building
Minimum Side Yard	1.53 metres (5.0 feet) , on a corner lot 3.05 metres (10 feet) or in accordance with current National Building Code of Canada and Provincial Fire Code.
Maximum Site Coverage	Building coverage (including all accessory buildings) may not exceed 60% of the site area
Maximum Building Height	9.00 metres (29.53 feet) for the Principal building
Minimum Lot Elevation	512.7 metres (1,682 feet)
Minimum Building Elevation	Minimum is 513.2 metres (1,683.7 feet) to bottom of the house floor joists or floor slab and the Maximum is 513.7 metres (1,685feet) to the bottom of the house floor joists or floor slab. Garage pads shall be at 512.7 metres (1,682 feet)
Geo-Technical Report	Required for all Single Detached Residential Dwellings

9 RESORT RESIDENTIAL DISTRICT (RR)

RR

Purpose: To provide an area for multi-parcel residential resort-related development. No person shall, within any RR- Resort Residential District, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

Permitted Uses	Discretionary Uses	Prohibited Uses
a) One single detached dwelling, Ready-to-Move(RTM), or Modular home; b) Multi-Unit, Townhouse and Semi-Detached Dwellings; c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use; d) Playgrounds; e) Public works.	The following uses may be permitted in the RR-Resort Residential District only by resolution of Council and only in locations specified by Council: a) Detached Accessory Buildings where the Floor Area is greater than 70 m² (753 ft²). b) Bareland Condominium Dwellings; c) Home Occupations; d) Guest Cottages or Tiny Home; e) Bed and Breakfast homes; f) One Intermodal Shipping Container; a) Portable Storage Unit during construction only.	a) Salvage or vehicle storage yard; b) The keeping of livestock; c) Wind Turbines.

SITE DEVELOPMENT REGULATIONS

Minimum Site Area	1 acre (4046.86 m ²)
Minimum Floor Area	Principal Building: 90m ² (969 ft ²)
Minimum Site Frontage	50 metres for rectangular sites. 17 metres with a mean width of 40 metres for non-rectangular sites
Minimum Front Yard	6 metres (20 feet)
Minimum Rear Yard	10 metres (33 feet) from the Principal Building
Minimum Side Yard	3.05 metres (10 feet) or in accordance with current National Building Code of Canada and Provincial Fire Code.
Maximum Site Coverage	Building coverage may not exceed 60% of the site area
Maximum Building Height	9.00 metres (29.53 feet) for the Principal building
Minimum Lot Elevation	512.7 metres (1,682 feet)
Minimum Building Elevation	Minimum is 513.2 metres 1,683.7 feet) to bottom of the house floor joists or floor slab and the Maximum is 513.7 metres (1,685feet) to the bottom of the house floor joists or floor slab. Garage pads shall be at 512.7 metres (1,682 feet)

10 COMMERCIAL DISTRICT (C)



Purpose: To provide an area for Resort Village recreation-related commercial development. No person shall, within any C – Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses	Discretionary Uses
a) Convenience Stores; b) Cafes, coffee shops; c) Restaurant, Lounge, Tavern; d) Tourist Rental Cabins; e) Self-Service Storage (Mini Storage); f) Recreational Vehicle Campgrounds; g) Marina with/without fuel station; h) Gas bar; i) Buildings, structures or uses accessory to and located on the same site as the principal building or permitted use.	The following uses may be permitted in the C-Commercial District but only by resolution of Council and only in locations specified by such resolution of Council. a) Other innovative recreation-related commercial uses consistent with the Resort Village character; b) Mobile Vendors; c) Billboards.

SITE DEVELOPMENT REGULATIONS

Minimum Site Area	290 m ² (3121.5 ft ²)
Minimum Site Frontage	15.0 metres
Minimum Front Yard	6.0 metres
Minimum Rear Yard	9.0 metres where off-street parking and loading facilities are provided in the rear of the lot or 6.0 metres if the rear site line is an abutting street. Where a public or environmental reserve exists adjacent to the rear yard, no set back will be required
Minimum Side Yard	3.0 metres. unless the side site line is an abutting street then the side or rear yard shall be 6.10 metres (20 feet).
Maximum Site Coverage	75%
Maximum Building Height	Principal building 9.0 metres. Accessory Buildings 5.0 metres
Minimum Lot Elevation	512.7 metres (1,682 feet)
Minimum Building Elevation	Minimum is 513.2 metres (1,683.7 feet) to bottom of the building joists or floor slab and the Maximum is 513.7 metres (1,685feet) to the bottom of the building floor joists or floor slab. Storage sheds/ accessory building pads shall be at 512.7 metres (1,682 feet)
Accessory Buildings	Shall be located 0.3 metres (4.27 feet) from the principal building , otherwise the same requirements as required for the principal use or building.

10.1.1 Signage

- a) Signs in the Commercial District shall advertise the principal use of the premises or the principal products offered for sale on the premises.
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- c) Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site and shall be located within the lot lines of the lot in which they are located.
- d) The facial area of an individual sign shall not exceed 2.0 m².

10.1.2 Parking Lots

- a) One (1) parking space shall be provided for each ten (10) patrons or seats or 50 m² of floor area whichever is greater.
- b) Parking lots, when accessed from the street, shall have a durable, dust-free hard surface of asphalt, concrete, brick or other similar material including gravel or slag.
- c) Where a parking lot/area abuts any Residential District without an intervening lane there shall be a fence at least 1.0 metres in height and a strip of land adjacent to the abutting site line of not less than 1.5 metres in width throughout which shall not be used for any purpose except landscaping.

10.1.2 Landscaping

- a) A landscaped strip of not less than 3.0 metres (9.85 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

10.1.3 Gas Bar/Service Station

- a) Where gas bars occupy a corner site, only one access point shall be located on the side lot line(flankage), located a minimum of 6.0 metres from the intersection.
- b) Fuel pumps and other apparatus for dispensing or storage of fuel, located above ground level, are to be at least 6.0 metres from any lot line or street.
- c) Gas bars shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- d) Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations
- e) Access/egress points shall not be continuous along a street and shall be at least 10.0 metres apart
- f) Parking areas are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff.

11 COMMUNITY SERVICE DISTRICT (CS)



Purpose: To provide an area for the development of public land for recreational development, related uses and public works. No person shall, within any CS – Community Service District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses	Discretionary Uses
a) Natural and nature-like open areas, Pedestrian trails and bicycle pathways; b) Public Lake Accesses; c) Community hall; d) Commercial use accessory to a Community Service Use; e) Recreational - sports fields, parks, playgrounds, marina, boat launches, and other similar uses. More than one recreational use may be permitted per site; f) Accessory Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principal use; g) Public Works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts, and other drainage works h) Water reservoirs and sewage treatment facilities.	The following uses may be permitted in the Community Service District but only by resolution of Council and only in locations specified in such resolution of Council: a) Communication towers; b) Seasonal operations (i.e. beach concession). c) Boat lift storage; d) Commercial recreation establishments; e) Solar Panels; f) Wind Turbines;

SITE DEVELOPMENT REGULATIONS

Minimum Site Area	Recreational uses – 1.01 hectares (2.5 acres) Golf course – 32.38 hectares (80 acres)
Minimum Site Frontage	20.0 metres (65.6 feet)
Minimum Front Yard	6.10 metres (20 feet)
Minimum Rear Yard	6.10 metres (20 feet)
Minimum Side Yard	Not less than half the height of the building or 3.0 metres (9.85 feet), whichever is greater.
Parks, Playgrounds and Public Works	No minimum requirements
Parking	1 parking space for each ten (10) patrons or seats or 50 m ² of floor area whichever is greater.
Accessory Buildings	Shall be setback 0.3 metres (4.27 feet) from the principal building , otherwise the same requirements as required for the principal use or building.

11.1.1.1 **Signage**

- a) The facial area of a sign shall not exceed 0.5 m² (5.4 ft²).
- b) Signs and billboards are prohibited except for one information sign for each building or use and those bearing notices of special events and activities, or other information, relating to a temporary condition affecting the site and shall not exceed 1.0 m² (10.77 ft²) in size.

11.1.1.2 **Landscaping**

- a) A landscaped strip of not less than 3.0 metres (9.85 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping.

11.1.1.3 **Public Access Roads**

- a) Any Pump House built on a Public Access Road must receive a Development Permit approved by Council, and will be limited to one (1) pump house per access road to ensure non-lakefront properties have access to Buffalo Pound Lake.
- b) No temporary buildings may be located on Public Access Roads.
- c) The winter storage of Boat Lifts on Public Access Roads is permitted, but they must be removed by June 1st of each year.

11.1.1.4 **Leased Municipal Reserve/Crown Land**

- a) Development Permits are required for all buildings and structures.
- b) Permitted Uses include: Uses: Playgrounds, Boat houses, Non-permanent Accessory Buildings <9.29 m²
- c) Temporary Buildings located below required elevation must meet floodproofing standards and be built on skids. Temporary buildings must be located between the property owners site boundaries
- d) Fences are prohibited.



12 FUTURE URBAN DEVELOPMENT DISTRICT – (FUD)

Purpose: To identify and reserve areas of land for future development in the Resort Village. No person shall, within any FUD District, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

Permitted Uses	Discretionary Uses
a) Agricultural crop production and horticultural uses and buildings and structures accessory to the use including the application of manure on agricultural land; b) Uses, buildings and structures accessory to the foregoing permitted uses; c) Recreational uses and sports grounds; d) Public works; e) Natural Areas; f) Uses in existence when this Bylaw comes into force.	The following uses may be permitted in the Community Service District but only by resolution of Council and only in locations specified in such resolution of Council: a) Large accessory buildings (>1,000ft²??) b) Recreational Vehicle Storage Compounds; c) Billboards.

SITE DEVELOPMENT REGULATIONS

Minimum Site Area	Existing - no subdivision Agricultural – 8.1 hectares (20 acres) Public Works – no minimum except municipal storage building 1,000 m ² (10,764 ft ²)
Minimum Site Frontage	Existing site frontages permitted.
Maximum Site Coverage	60%
Front Yard	Agriculture - 7.6 metres (24.94 feet) only where a residential zone abuts Public Works - 7.6 metres (24.94 feet)
Side Yard	Agriculture - 7.6 metres (24.94 feet) where it abuts a Residential District Public Works– 3.0 metres (9.85 feet)
Rear Yard	Agriculture – None Public Works - 7.6 metres (24.94 feet)
Minimum Setback from The Centerline of a Municipal Road	60 metres
Accessory Buildings	A minimum of 1.53 metres (5.0 feet) setback from the rear site line and/or 1.53 metres (5.0 feet) from the side site line; No quantity of volatile or hazardous material shall be stored in an Accessory building or structure other than the amount permitted by the Provincial Fire Regulations which govern hazardous substances.

12.1.1.1 Signage

- a) One permanent sign is permitted per site and the facial area of a sign shall not exceed 1.0 m² (6.8 ft²);
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- c) Temporary signs not exceeding 1.0 m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

12.1.1.2 Supplementary Regulations

- a) Council will consider the applications for discretionary uses with respect to the following criteria:
 - i. The proposed development will be consistent with any Concept Plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan.
 - ii. The development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Official Community Plan and that the proposal is not premature.
- b) Where a development is proposed, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements.
- c) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.0 metres (249.35 feet) from an occupied dwelling situated on an adjoining site.

13 NATURAL HAZARD LANDS OVERLAY (NH)



The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of ground instability or erosion and areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in natural hazard areas.

A Reference Map is provided in the Official Community Plan, and may be updated periodically, to reflect any new hazard areas.

No person shall within a Natural Hazard Lands Overlay District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

13.1.1 Unstable Slopes Site Development Regulations

- 13.1.1.1 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- 13.1.1.2 For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of Buffalo Pound Lake and its tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of forty (40) metres and/or based on examples of unstable slope conditions or associated geotechnical reports.
- 13.1.1.3 Any application for a Development Permit on any parcel of land that lies wholly or partially within an area designated in the “Natural Hazard Lands Overlay” area must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.
- 13.1.1.4 The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- 13.1.1.5 A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual

hazard. If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

13.1.2 Flood Hazard Areas Site Development Regulations

- 13.1.2.1 A Development Permit shall not be issued for any land use, erection, alteration or use of any building or structure within a Flood Hazard Area unless the site/development meets approved flood proofing measures to the 1:500 Estimated Peak Water Level , plus an additional ½ metre freeboard elevation.
- 13.1.2.2 No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands.
- 13.1.2.3 For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevations. The Saskatchewan Water Security Agency will assist and provide when possible or the developer shall be responsible for the cost.
- 13.1.2.4 Notwithstanding any other portion of this Bylaw, the development of new buildings and/or additions to buildings in the flood way of the 1:500 year flood way elevation of any watercourse or water body is prohibited.
- 13.1.2.5 In addition, development in the 1:500 year flood fringe is not allowed unless flood proofed up to an elevation of 0.5 metres above the 1:500 estimated peak water level to be determined by a qualified hydraulic engineer or as established by the Saskatchewan Water Security Agency.
- 13.1.2.6 Any existing buildings may be replaced or expanded subject to appropriate flood proofing measures being provided.
- 13.1.2.7 For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
 - a) That all buildings shall be designed to prevent structural damage by flood waters;
 - b) The first floor of all buildings shall be constructed above the designated flood design elevation; and
 - c) All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.
- 13.1.2.8 “Hazardous Substances and Waste Dangerous Goods” are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the Environmental Management and Protection Act of Saskatchewan.

14 REPEAL AND ADOPTION

Bylaw No. 2-88 as amended shall be repealed upon Bylaw 4-2017, the Zoning Bylaw, coming into force and effect.

MINISTERIAL APPROVAL

This Bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister of Government Relations.

COUNCIL READINGS AND ADOPTION

Read a first time this	day of	2017
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Read a second time this	day of	2017
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Read a third time this	day of	2017
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Adoption of Bylaw this	day of	2017
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Mayor

SEAL

Administrator

Ministerial Approval

SEAL

Ministerial Approval Date

APPENDIX “A” ZONING MAP

APPENDIX “B” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

Every Development Permit application shall include:

1. Application Form

A completed application form.

2. Site Plan

Two copies of a proposed development site plan.

3. Building Plan

A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

4. Landscape Plan

A landscape plan showing, with labels, the following:

- a) The existing topography,
- b) The vegetation to be retained and/or removed,
- c) The type and layout of;
 - i) hard (e.g., structures) and soft (e.g., vegetation) landscaping,
 - ii) the open space system, screening, berms, slopes,
 - iii) other, as required, to effectively administer this Bylaw;
- d) The types, sizes and numbers of vegetation materials;
- e) Areas to be damaged or altered by construction activities and proposed methods of restoration;
- f) A schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
- g) Historical and archaeological heritage resources and management areas (a heritage resource assessment as prescribed under *the heritage property act* may be required).

5. Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to adjacent lands:

- a) Nearby municipal roads, highways and railways;
- b) Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses;

- c) Critical wildlife habitat and management areas;
- d) Mineral extraction resources and management areas, and
- e) Other as required, to effectively administer this Bylaw.

6. Certificate of Title and Surveyors Certificate

A copy of the Certificate of Title, indicating ownership and all encumbrances.

7. Valid Interest

Development Permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development.

Proof of current valid interest may include:

- a) Proof of ownership;
- b) An agreement for sale;
- c) An offer or option to purchase;
- d) A letter of purchase;
- e) A lease for a period of more than 10 years; and
- f) Other, as determined and accepted by council, or the development officer.

8. Site Description for Subdivision Applications

- a) A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered site owner or appointed agent;
- b) A metes and bounds description prepared by the Information Services Corporation, which is accompanied by an accurate sketch;
- c) Photographic Information; and/or
- d) Photographs showing the site in its existing state.

9. Professional Reviews

Prior to making a decision on a subdivision, permitted or discretionary use, Council may refer the application to whichever Government Agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.

APPENDIX "C" APPLICATION FOR A DEVELOPMENT PERMIT

1. Applicant:

a) Name: _____

b) Address: _____ Postal Code: _____

c) Telephone Number: _____ Cell phone: _____

2. Registered Owner: as above, or:

a) Name: _____

b) Address: _____ Postal Code: _____

c) Telephone Number: _____ Cell phone: _____

3. Property: Legal Description

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

4. Lot Size:

Dimensions _____ Area _____

5. Existing Land Use:

6. Proposed Land Use/description of Proposed Development:

7. Proposed date of Commencement: _____

Proposed date of Completion: _____

8. Other Information:

10. FOR NEW CONSTRUCTION PROVIDE A DETAILED SITE PLAN, drawn to scale on a separate sheet showing, with labels, the following existing and proposed information:

- a) A scale and north arrow;
- b) A legal description of the site;
- c) Mailing address of owner or owner's representative;
- d) Site lines;
- e) Bylaw site line setbacks;
- f) Front, rear, and side yard requirements;
- g) Site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- h) The location of any buildings, structures, easements, and dimensioned to the site lines;
- i) The location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth;
- j) Proposed on-site and off-site services;
- k) Landscaping and other physical site features;
- l) A dimensioned layout of parking areas, entrances, and exits;
- m) Abutting roads and streets, including service roads and alleys;
- n) An outline, to scale, of adjacent buildings on adjoining sites;
- o) The use of adjacent buildings and any windows overlooking the new proposal;
- p) Fencing or other suitable screening;
- q) Garbage and outdoor storage areas; and
- r) Other, as required by the development officer or council to effectively administer this Bylaw.

10. Modular/RTM: C.S.A. Z277 Approval Number (from Black and Silver Sticker)

Modular date of Manufacture: _____

11. Declaration of Applicant:

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

I agree to indemnify and hold harmless the Resort Village of Sun Valley from and against any claims, demands, liabilities, costs and damages elated to the development undertaken pursuant to this application.

Date: _____ Signature: _____

APPENDIX “D” NOTICE OF DECISION FOR A DEVELOPMENT PERMIT OR ZONING BYLAW AMENDMENT

To: _____
(Applicant) (Address)

This is to advise you that your application for a:

- ☐ Permitted Use or Form of Development, or
- ☐ Discretionary Use or Form of Development, or
- ☐ Request for a Zoning Bylaw Amendment

Has Been:

- ☐ Approved
- ☐ Approved subject to conditions or Development Standards, as listed in the attached schedule
- ☐ Refused for the following reason:

If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.

Right of Appeal

Please be advised that under Section 59 of *The Planning and Development Act, 2007*:

- ☐ you may NOT appeal the refusal of your application for a use or form of development that is not permitted within the zoning district of the application;
- ☐ you may NOT appeal the refusal of your application for a discretionary use or form of development;
- ☐ you may NOT appeal the refusal of your application for an amendment to the Zoning Bylaw;

- ☐ **you MAY APPEAL those standards** that you consider excessive in the approval of the discretionary use of form of development; or
- ☐ **you MAY APPEAL the refusal** of your application if you feel that the Development Officer has misapplied the Zoning Bylaws in the issuing of this permit.

Your Appeal must be submitted in writing within 30 days of the date of this notice to:

**Secretary, Development Appeals Board
Resort Village of Sun Valley
Box 478
Moose Jaw, SK
S0A 1A0**

(Date)

Development Officer

Note:

This Development Permit expires 12 months from the date of issue.

A Building Permit is also required in addition to a Development Permit for a building construction.