

RESORT VILLAGE OF FORT SAN

ZONING BYLAW

Prepared For:

THE RESORT VILLAGE OF FORT SAN

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May 2009

The Resort Village of Fort San

Bylaw No. _____

A Bylaw of the Resort Village of Fort San to adopt a Zoning Bylaw.

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

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Resort Village of Fort San hereby adopts the Resort Village of Fort San Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Mayor and Resort Village Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. _____, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of this Bylaw this _____ day of _____, _____

(Mayor)

SEAL

(Resort Village Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council
On the _____ day of _____, of the year _____

(signature) _____, (date) _____
A Commissioner for Oaths in the Province of Saskatchewan
My appointment expires _____

THE RESORT VILLAGE OF FORT SAN

ZONING BYLAW

Being Schedule "A" to Bylaw No. _____
of the Resort Village of Fort San

(Mayor)

SEAL

(Resort Village Administrator)

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Section 1 Introduction

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. _____, the Official Community Plan of the Resort Village of Fort San, the Council of the Resort Village of Fort San in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

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

1.2 SCOPE

Development shall be permitted within the limits of the Resort Village of Fort San only when in conformity with the provisions of this Bylaw subject to the right of appeal provisions of the Act.

1.3 SEVERABILITY

If any section, clause or provision of this Bylaw, including anything shown on the **Zoning District Map**, is for any reason declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or in part, other than the section, clause, provision or anything shown on the Zoning District Map, declared to be invalid.

Section 2 Interpretation

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

Accessory Building or Use - Shall mean a building or use which:

- (a) is subordinate to and serves the principal building or principal use;
- (b) is subordinate in area, 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 principal use served; and,
- (d) is located on the same site as the principal building or principal use served.

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

Administrator - Shall mean the Administrator of the Resort Village of Fort San.

Adult Day Care - Shall mean an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Day Care - Type I - Shall mean an adult day care with up to five persons under supervision at any one time.

Adult Day Care - Type II - Shall mean an adult daycare with more than five persons under supervision at any one time.

Alteration - Shall mean any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

Ambulance Station - Shall mean a facility for receiving requests for ambulance service and for the stationing of one or more ambulances until dispatched in response to calls for service, which is operated by a person or corporation having a valid and subsisting ambulance licence issued pursuant to *The Ambulance Act* and having a current contract with the Regional Health Authority.

Ancillary Use - Shall mean a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

Animal Hospital - Shall mean a place used for the care and treatment of small and large animals involving out-patient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Apartment House - Shall mean a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, as distinct from a hotel or motel.

Bare Land Condominium - Shall mean a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

Bare Land Unit - Shall mean a bare land unit as defined within *The Condominium Property Act*.

Bed and Breakfast Home - Shall mean a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which:

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- (b) the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,
- (c) the meal which is provided is served before noon each day.

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

Building Bylaw - Shall mean any Bylaw of the Resort Village of Fort San regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

Building Height - Shall mean the vertical distance of a building or structure measured from the lot's average grade level to the highest point of the building or structure.

Building Line, Established - Shall mean a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

Building Permit - Shall mean a permit issued under a Building Bylaw of the Resort Village of Fort San authorizing the construction of all or part of a building or structure.

Building, Principal - Shall mean the building in which is conducted the main or primary use of the site on which said building is situated.

Building Rear Line - Shall mean the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

Building Side Line - Shall mean the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which faces the side site line.

Carport - Shall mean a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

Car Wash - Shall mean a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery - Shall mean property used for the interment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

Club - Shall mean a group of people organized for a common purpose, to pursue common goals, interests or activities, usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws; and shall include lodges and fraternal organizations.

Community Centre - Shall mean a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

Construction Trades - Shall mean offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

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

Corner Site - Shall mean a site at the intersection or junction of two or more streets.

Council - Shall mean the Council of the Resort Village of Fort San.

Cultural Institution - Shall mean an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility - Shall mean either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act* (Canada) or *The Summary Offences Procedure Act, 1990* (Saskatchewan); or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

in which the number of persons in detention, custody or residence does not exceed five.

Day Care Centre - Shall mean a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

Deck - Shall mean a raised open platform, with or without rails, attached to a principal building

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

Development Permit - Shall mean a document authorizing a development, issued pursuant to this Zoning Bylaw.

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

Dwelling - Shall mean a building used or intended for residential occupancy

Dwelling Group - Shall mean a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

Dwelling, Multiple Unit - Shall mean a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartment houses but not hotels, or motels.

Dwelling, Semi-Detached - Shall mean a dwelling unit on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached - Shall mean a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home or modular home as herein defined.

Dwelling, Street Townhouse - Shall mean a dwelling unit on its own site, attached to two or more other dwelling units, each on their own sites, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Two-Unit - Shall mean a detached building divided into two dwelling units.

Dwelling Unit - Shall mean a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

Educational Institution - Shall mean a post-secondary college, university or technical institution, but shall not include a private school.

Efficiency Unit - Shall mean a dwelling unit in a multiple unit dwelling that contains no bedroom separate from a living room or living-dining room.

Estimated Peak Water Level (EPWL) – the EPWL is the calculated water level used to determine the flood hazard area. It is based on the 1:500 peak flow for rivers, and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes.

Face Area, Sign - Shall mean the area of the single face of any sign and is calculated using the illustration in Figure 2-2.

Face Area, Total Sign - Shall mean the total amount of sign face area on a sign including all sides.

Fence - Shall mean an artificially constructed barrier erected to enclose or screen areas of land.

Financial Institution - Shall mean a bank, credit union, trust company, or similar establishment.

Flankage - Shall mean the side site line of a corner site which abuts the street.

Flood Fringe – a zone defined by municipal bylaw within the flood hazard area where some types of development may occur if suitably flood-proofed. The Flood Fringe is typically defined as that portion of the flood hazard area where:

- (a) Depth of inundation above natural ground is less than 1.0 metre;
- (b) Flow velocities are less than 1.0 metre per second; and,
- (c) Encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 metre.

Flood Proofing – techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating building (eg. building on fill or piers), constructing dykes, creating upstream storage, diversions, and channelization.

Floodway - a zone defined by municipal bylaw within the flood hazard area where typically only necessary infrastructure is allowed (eg. water intakes and outfalls, bridge piers and abutments, etc) or development that is of low value and non-obstructive (eg. parks, nature areas, parking lots, and recreational trails). The Floodway contains the deepest, fastest, and most destructive floodwaters and is typically defined as that portion of the flood hazard area where:

- (a) Depth of inundation above natural ground is more than 1.0 meter;
- (b) Flow velocities are greater than 1.0 meters per second; or
- (c) Encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 m.

Flood Hazard Area – the flood hazard area is the area below the EPWL. In municipalities with flood zoning bylaws, the flood hazard area has two zones; the Flood Fringe and the Floodway.

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

Frontage - Shall mean the side of a site abutting a street and, in the case of a corner site, the shorter of the sides is the frontage.

Fuel Storage Tank, Above Ground - Shall mean a storage tank, any portion of which is above grade and containing gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Garage Suite - Shall mean a development consisting of a self - contained dwelling located above or attached to a rear detached garage which is accessory to a single detached dwelling. A garage suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling on the site. The entrance to a garage suite is separate from the detached garage, via a common indoor landing or directly from the exterior of the structure.

Garage, Private - Shall mean a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

Garage, Public - Shall mean any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

Garage, Storage - Shall mean a garage exclusively used for the storage of motor vehicles and where no repair facilities are maintained.

Gas Bar - Shall mean a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

Grade Level - Shall mean the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Hazard Land - Shall mean land which is subject to flooding, ponding, subsidence, landslides or erosion.

Hazardous Material - Shall mean any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:

- (a) Corrosives;
- (b) Explosives;
- (c) Flammable and combustible liquids;
- (d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases;
- (e) Gases, compressed, deeply refrigerated, liquified or dissolved under pressure;
- (f) Oxidizing substances; organic peroxides;
- (g) Poisonous (toxic) or infectious substances;
- (h) Radioactive materials;
- (i) Waste Dangerous Materials; and/or,
- (j) Any other environmentally hazardous substance.

Health Care Clinic - Shall mean a facility or institution engaged in the provision of services for health maintenance, diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

Home Based Business - Shall mean an accessory use of a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence, and does not change the residential character of the buildings or site.

Home Based Business - Type I - Shall mean a home based business owned and operated by a resident or residents of the dwelling unit.

Home Based Business - Type II - Shall mean a home based business owned and operated by a resident or residents of the dwelling unit, but where no more than one non-resident person may be employed on the site.

Hotel - Shall mean a building or part of a building used as a place for sleeping accommodation with or without meals, and which may have a licensed beverage room, but does not include a motel.

Intersection - Shall mean an area where two or more streets or lanes meet or cross at grade.

Junk and Salvage Yards - Shall mean uses including, but not limited to, uses involved in salvaging, storing or selling scrap metal, paper, plastic, glass, wood and other waste material, as well as unlicensed vehicles and used vehicle parts.

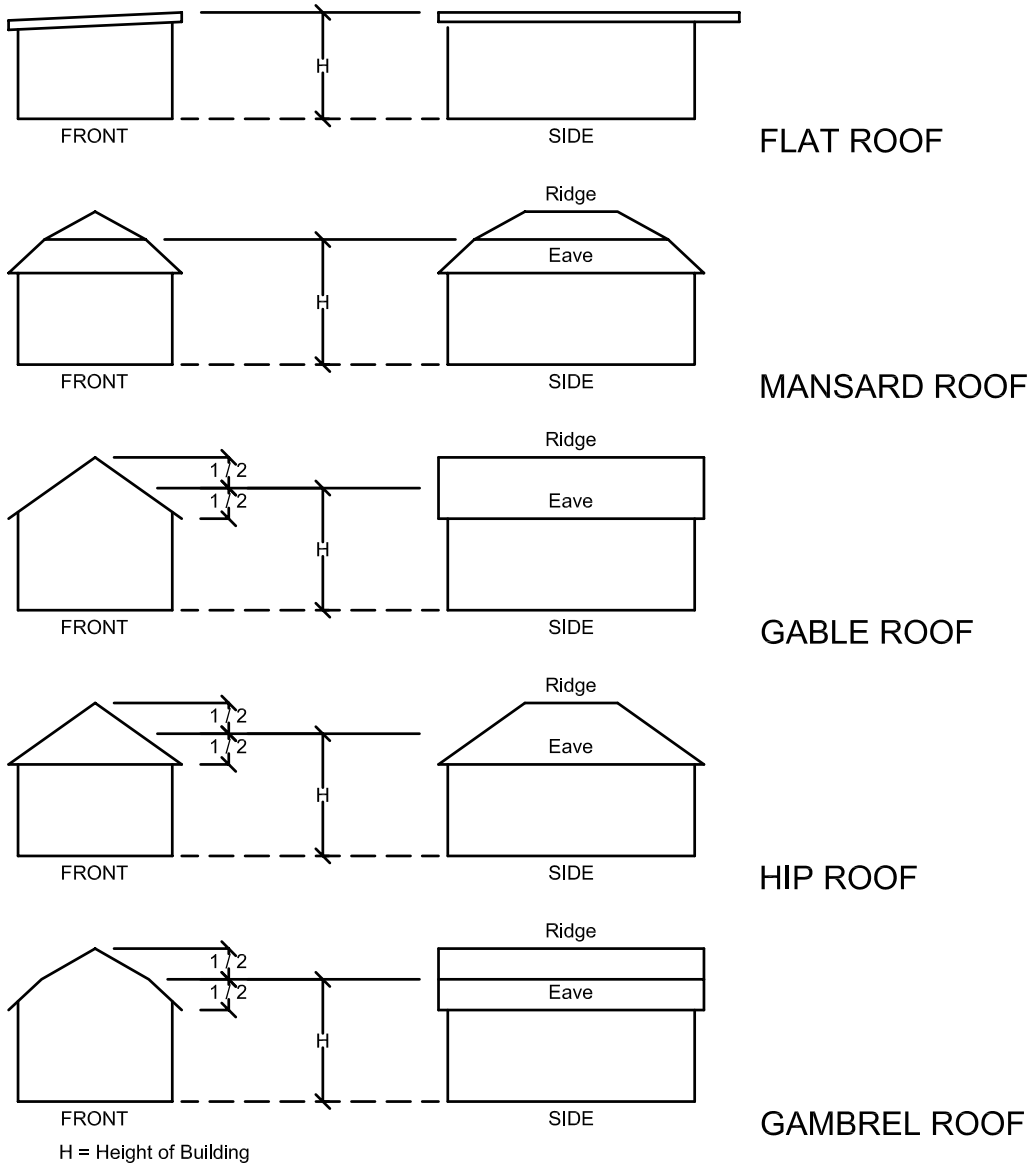


FIGURE 2-1: Interpretation of Building Height Measurement

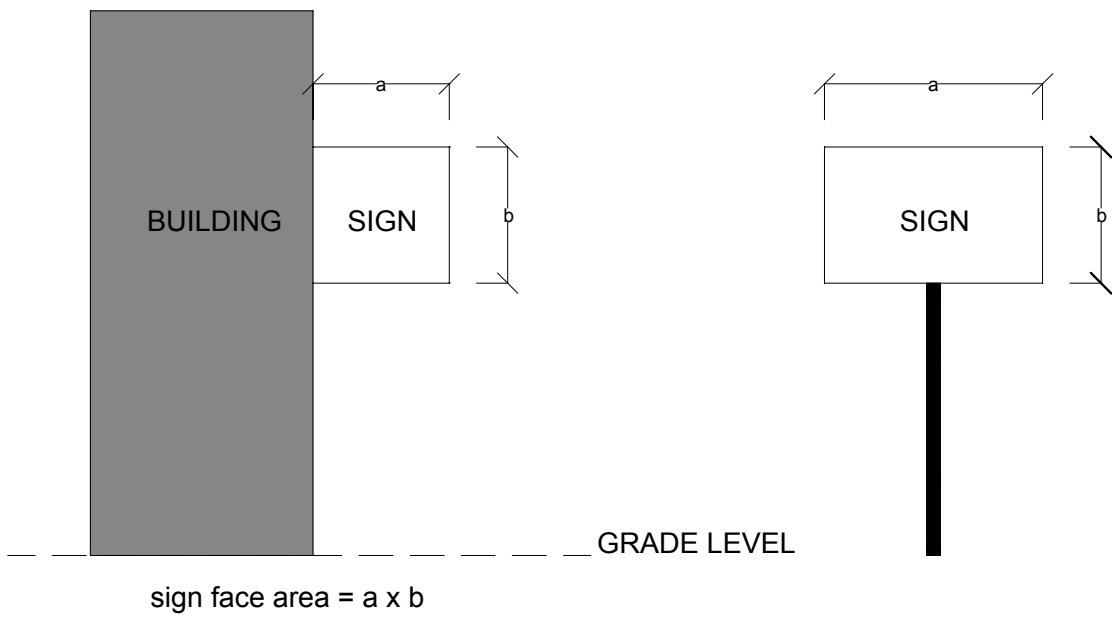


FIGURE 2-2: Calculation of Sign Face Area

Kennel, Boarding - Shall mean the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding - Shall mean the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Landscaping - Shall mean the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

Lane - Shall mean a public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Light Manufacturing - Shall mean a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewellery, instruments, computers, electronic devices.

Linear Park - Shall mean dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Loading Space - Shall mean a space, measuring at least 3.0 metres in width and 7.5 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

Lot - Shall mean an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

Lounge - Shall mean a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mall - Shall mean a single story commercial building in which, up to six (6) permitted or discretionary commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

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

Mayor - Shall mean the Mayor of the Resort Village of Fort San.

Medical, Dental and Optical Laboratories - Shall mean a place fitted with medical and scientific equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices, but does not include the manufacture of industrial chemicals.

Membrane Covered Structures - Shall mean a structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or partially covered, but does not include gazebos.

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

Mobile Home - Shall mean a trailer coach:

- (a) that is used as a dwelling all year round;
- (b) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system;
- (c) that has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and,
- (d) that conforms to Canadian Standards Association, Construction Standard No. Z240.2.1-1979 and amendments thereto.

Mobile Home Court - Shall mean any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

Mobile Home, Double Wide - Shall mean a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide - Shall mean a mobile home designed to be towed as a single load and less than 6.09 metres wide.

Mobile Home Site - Shall mean an area of land in a mobile home court for the placement of a mobile home.

Mobile Home Subdivision - Shall mean any residential subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating mobile homes in such a manner that each mobile home is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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

Modular Home - Shall mean a factory built home that is manufactured on as a whole or modular unit and is designed to be moved on removable chassis to be used as a one unit dwelling, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA - A277 standard.

Modular Home, Single Wide - Shall mean a modular home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres in width.

Modular Home, Double Wide - Shall mean a modular home that is designed to be moved and placed onto a permanent foundation in two or more modular units that, when joined together exceed 8 metres in width.

Motel - Shall mean an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or site and designed for use by the public, and may include a restaurant or licensed dining room.

Municipal Facility - Shall mean land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

- (a) Office and/or meeting space;
- (b) Storage of municipal equipment and/or supplies;
- (c) Recreation; and/or
- (d) Other institutional purposes.

Municipality - Shall mean the Resort Village of Fort San.

Night Club - Shall mean a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing during certain hours of operation may also be provided.

Non-Conforming Building - Shall mean a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective; and,
- (b) that on the date this Bylaw or any amendment hereto becomes effective does not or when constructed will not comply with this Bylaw.

Non-Conforming Site - Shall mean a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use - Shall mean a lawful specific use:

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

Office and Office Building - Shall mean a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, transhipped, sold or processed.

Official Community Plan - Shall mean the Official Community Plan for the Resort Village of Fort San.

Parking Lot - Shall mean an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether free, for charge, or for accommodation of clients or customers.

Parking, Off-Street - Shall mean accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle - Shall mean a space within a building or parking lot for the parking of one vehicle and which has access to a developed street or lane, having minimum dimensions of 2.7 metres wide by 6.7 metres deep with direct lane access; 3.0 metres wide by 6.7 metres deep for a parallel space; and 2.7 metres wide by 6.0 metres deep for all other.

Permitted Use - Shall mean any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Personal Care Home - Shall mean a facility licensed under the *Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Personal Service Shops - Shall mean establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

Photography Studio - Shall mean a place used for portrait or commercial photography, including the developing and processing of film, and the repair or maintenance of photographic equipment.

Place of Worship - Shall mean a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Preschool - Shall mean a facility which provides a program for preschool aged children.

Public Hospital - Shall mean a hospital operated by the Regional Health Authority.

Public Utility - Shall mean a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Public Work - Shall include:

- (a) systems for the production, distribution or transmission of electricity;
- (b) systems for the distribution, storage or transmission of natural gas or oil;
- (c) facilities for the storage, transmission, treatment, distribution or supply of water; and/or,
- (d) facilities for the collection, treatment, movement or disposal of sanitary sewage.
- (e) telephone, internet, cable television or light distribution or transmission lines; and,
- (f) facilities for the collection, storage, movement and disposal of storm drainage.

Recreational Facility, Commercial - Shall mean a recreation or amusement facility operated as a business and open to the general public for a fee.

Recreational Facility, Public - Shall mean a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public.

Recreation Vehicle - Shall mean a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

Recycling Collection Depot - Shall mean a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be allowed at a recycling collection depot:

- (a) processing of recyclable material other than compaction;
- (b) collection and storage of paints, oil, solvents or other hazardous material(s); nor,
- (c) outdoor compaction.

Residential Care Facility - Shall mean a licensed or approved group care facility governed by Provincial regulations that provides, 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 Care Facility - Type I - Shall mean a residential care facility in which the number of residents, excluding staff, does not exceed four.

Residential Care Facility - Type II - Shall mean a residential care facility in which the number of residents, excluding staff, is more than four.

Restaurant - Shall mean a place where food and beverages are prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service window.

Retail Store - Shall mean a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Rooming House - Shall mean a building that contains more than one rooming unit, including a boarding or lodging house.

Rooming Unit - Shall mean a room or rooms for accommodation, other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, with sleeping facilities but without private toilet facilities.

Safe Building Elevation (SBE) – the SBE is level defined by Municipal Affairs at time of subdivision and by municipal bylaw to which flood-proofing must be done for developments in the flood hazard area. The SBE is calculated as the EPWL plus a freeboard value. The freeboard allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Saskatchewan Watershed Authority usually recommends a freeboard of 0.5 m for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m may be recommended.

School, Private - Shall mean a facility which meets Provincial requirements for elementary, secondary, or higher education, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public - Shall mean a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

Screening - Shall mean a fence, wall, berm or planted vegetation located so as to visually shield or obscure one abutting area of use from another.

Service Station - Shall mean a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, rental, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed, but not including painting, body work and major repairs.

Shopping Centre - Shall mean a building, or group of buildings, located on the same site and managed as a single unit, in which individual spaces are leased to permitted or discretionary commercial uses for their mutual benefit, including the use of off-street parking and other joint facilities.

Sight Triangle - Shall mean the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distance along said site lines (refer to Figure 2-3).

Sign - Shall mean any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization or business; and which is visible on a street or public thoroughfare.

Sign, Awning - Shall mean a sign made from canvas, plastic or similar non-rigid material affixed to a frame and attached to a building wall (refer to Figure 2-4 (a)).

Sign, Canopy - Shall mean a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-4 (b)).

Sign, Directional / Information - Shall mean a sign giving directions, instructions or facility information but not including any advertising copy.

Sign, Fascia - Shall mean 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 0.25 metres from such building or structure.

Sign, Free-Standing - Shall mean a non-movable sign, not affixed to a building, and which is supported by a pole or similar structure.

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

Sign, Portable - Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4 (c)).

Sign, Projecting - Shall mean a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-4 (d)).

Sign, Roof - Shall mean a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

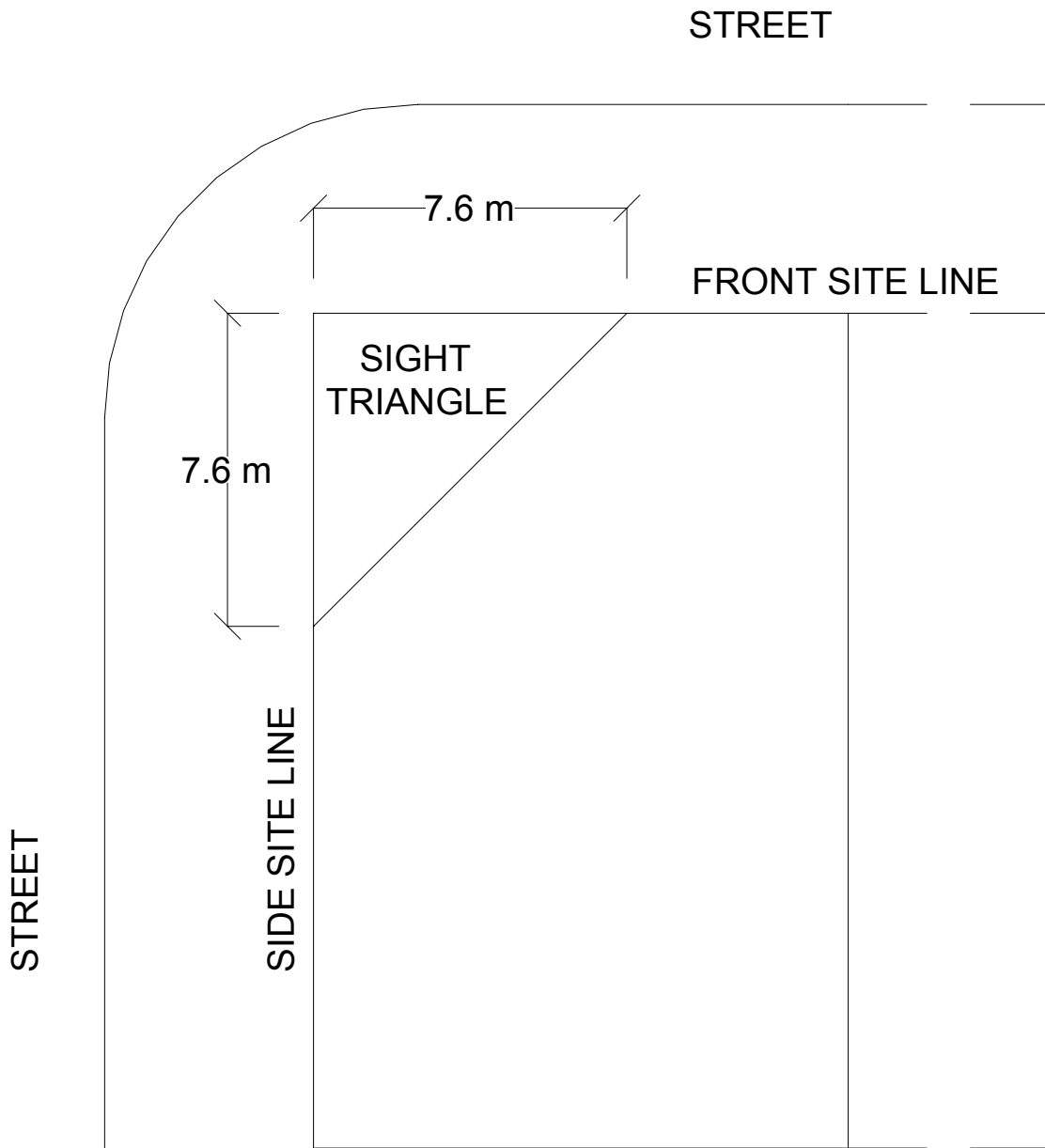


FIGURE 2-3: Sight Triangle

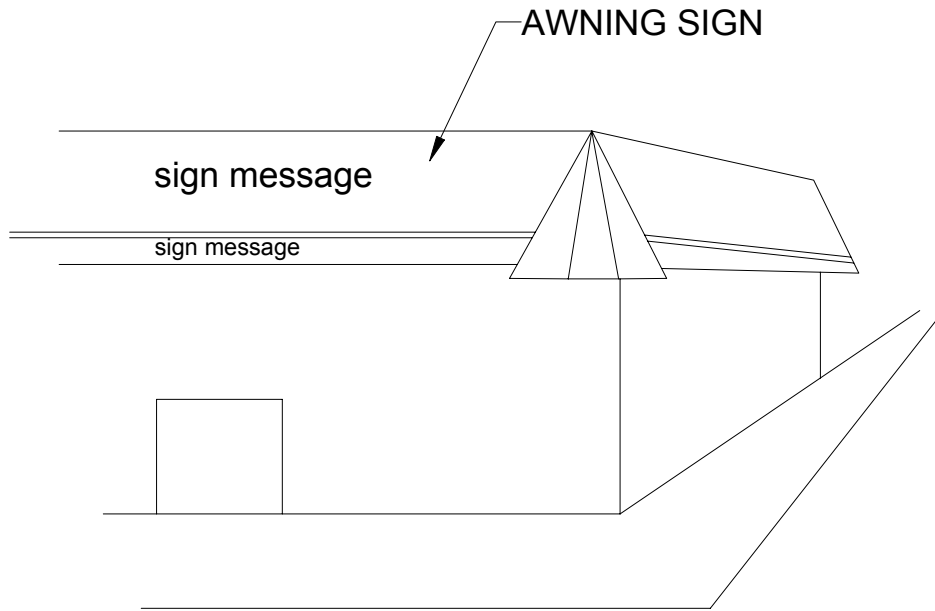


FIGURE 2-4(a): Illustration of Awning Sign

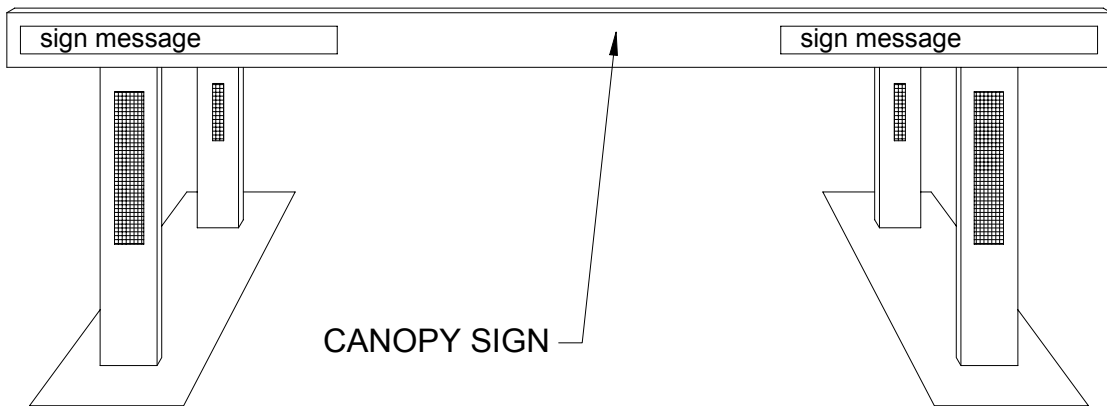


FIGURE 2-4(b): Illustration of a Canopy Sign

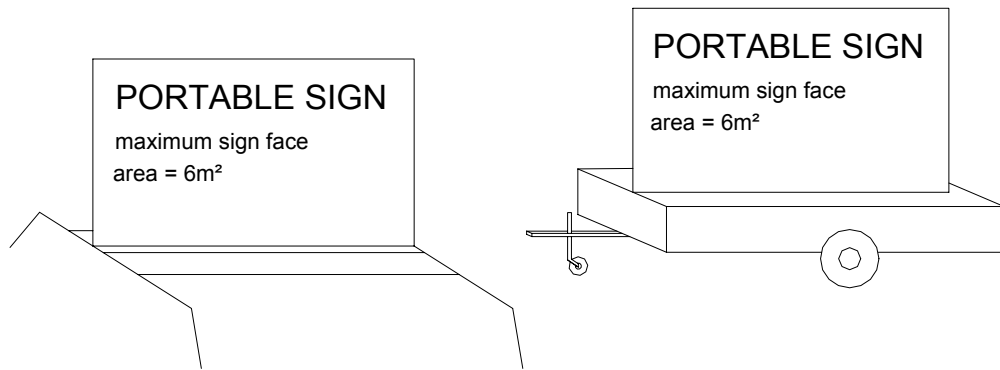


FIGURE 2-4(c): Illustration of Portable Signs

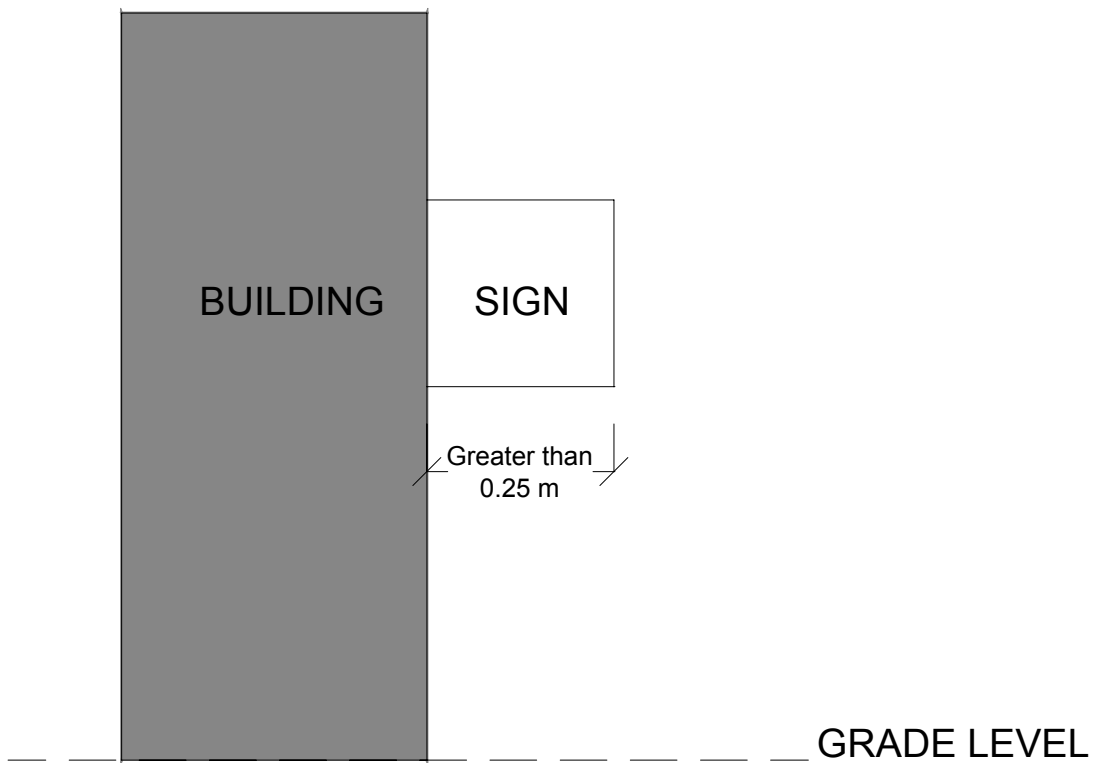


FIGURE 2-4(d): Illustration of a Projecting Sign

Sign, Portable - Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4(c)).

Sign, Projecting - Shall mean a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-4(d)).

Sign, Roof - Shall mean a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Portable - Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4(c)).

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Sign, Roof - Shall mean a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary - Shall mean a removable sign erected for a period of time not exceeding six months.

Site - Shall mean one or more contiguous lots under one ownership and used, or intended to be used, by a single principal use or principal building.

Site, Corner - Shall mean a site at the intersection of two or more streets (refer to Figure 2-5).

Site, Interior - Shall mean a site other than a corner site.

Site Coverage - Shall mean that portion of the site that is covered by principal and accessory buildings.

Site Line, Front - Shall mean the line that divides the site from the street. In the case of a corner site, the front site line shall mean the line separating the narrowest street frontage of the site from the street.

Site Line, Rear - Shall mean the line at the rear of the site and opposite the front site line.

Site Line, Side - Shall mean a site line other than a front or rear site line.

Site, Through - Shall mean a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-5).

Site Width - Shall mean for rectangular sites, the horizontal distance between the side boundaries of the site measured along the front site line. For non-rectangular sites, the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines (refer to Figure 2-6).

Storey - Shall mean that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

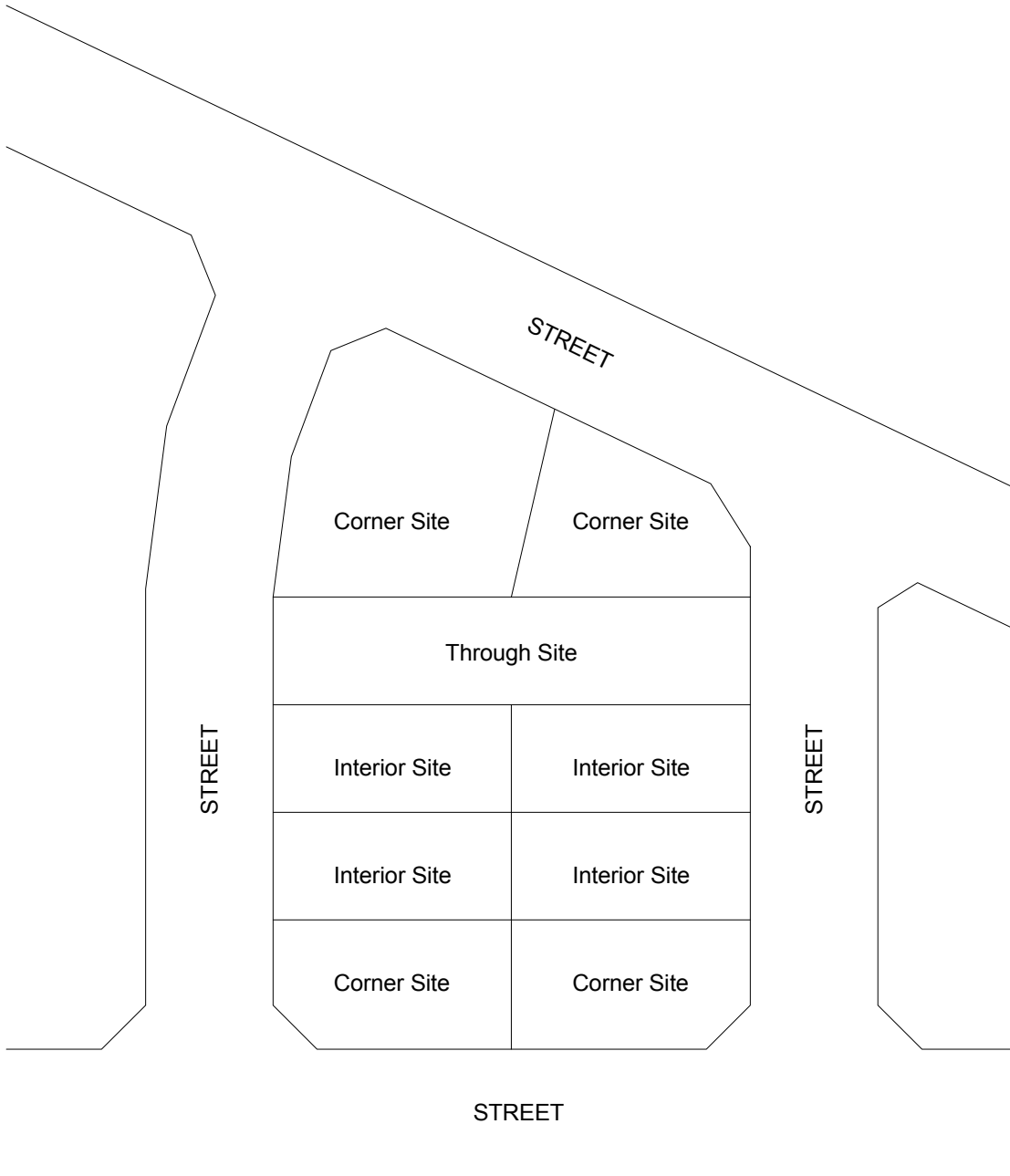


FIGURE 2-5: Illustration of Site Definition

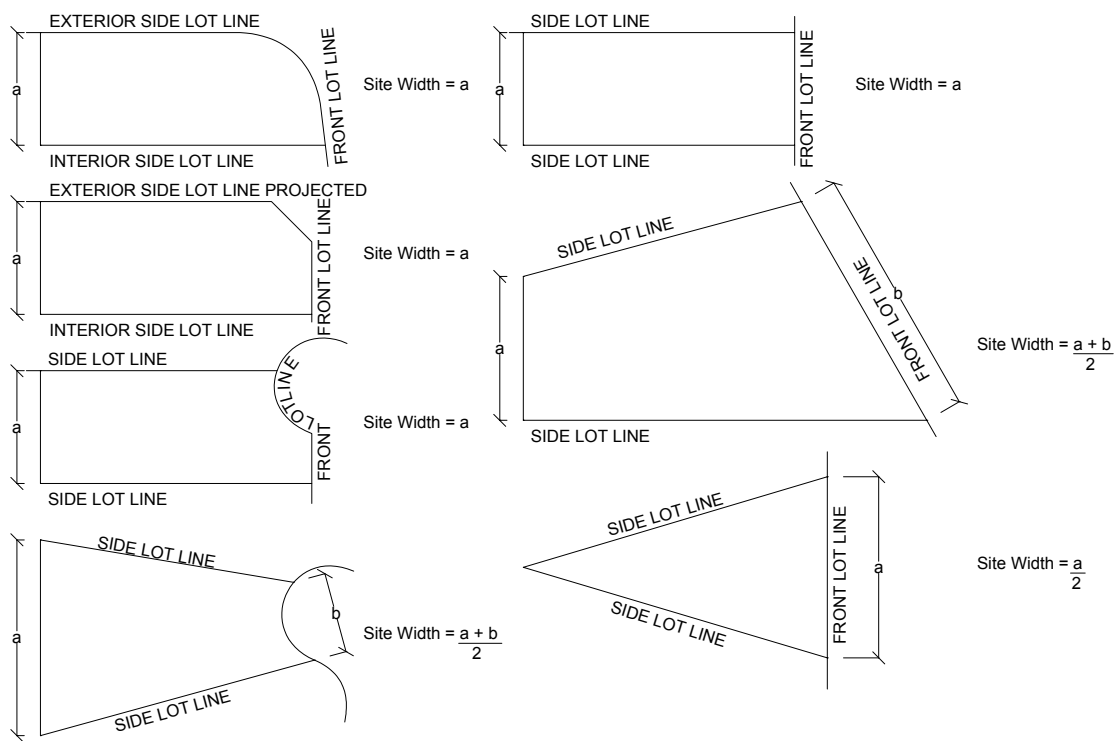


FIGURE 2-6: Illustrations of Site Width

Street - Shall mean a public thoroughfare which affords the principal means of access to the abutting property.

Structural Alteration - Shall mean the construction or reconstruction of supporting elements of a building or other structure.

Structure - Shall mean anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Tavern - Shall mean a building or portion thereof where beer, wine, or spirits are served to patrons for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted.

Temporary Building - Shall mean a building under 34 square metres in floor area without a foundation or footing, and that is to be removed upon expiration of a designated time period.

Temporary Use - Shall mean a use established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified for that use.

Terrace - Shall mean a level, artificially surfaced area adjacent to a principal building, not covered by a roof, at or within 0.6 metres of the finished grade; including patios.

Theatre - Shall mean a place devoted to showing motion pictures or dramatic, dance, musical or other live performances.

Tourist Campground - Shall mean a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

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

Use - Shall mean the purpose or activity for which a piece of land, or its building is designed, arranged, intended, occupied or maintained.

Use, General Industrial - Shall mean any of the following activities:

- (a) the processing of raw or finished materials;
- (b) the manufacturing of assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
- (d) the storage or transshipping of materials, goods and equipment, including warehouses;
- (e) the training of personnel in general industrial operations; and/or,
- (f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

Veterinary Clinic - Shall mean a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

Village - Shall mean the Resort Village of Fort San.

Warehouse - Shall mean a building used primarily for the storage of goods and materials.

Wholesale Establishment - Shall mean the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

Yard - Shall mean an unoccupied space open to the sky on the same site with a building or structure

Yard, Front - Shall mean the area between the side site lines and the front site line to the front building line.

Yard, Rear - Shall mean the area between the side site lines, and the rear site line to the rear building line.

Yard, Required - Shall mean a yard or yards required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

Yard, Side - Shall mean the area between the front and rear yards and between the side site line and the side building line.

Zoning District - Shall mean a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.

Section 3 Administration

3.1 DEVELOPMENT OFFICER

- 3.1.1 The Development Officer shall administer this Bylaw.
- 3.1.2 The Development Officer shall be the Administrator of the Resort Village of Fort San and any other person authorized, in writing, by the Administrator to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMIT

- 3.2.1 Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.
- 3.2.2 A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed for:
- (1) the maintenance of a public work by the municipality or a public utility;
 - (2) the construction of a public work by the municipality;
 - (3) the installation of a public work on any street or other public right-of-way by the municipality;
 - (4) maintenance and repairs that do not include structural alterations;
 - (5) accessory buildings under 9.3 square metres; and,
 - (6) fences.
- 3.2.3 If the development or use authorized by a development permit is not completed within twenty-four months of its issue, the permit is deemed void unless an extension to the approval period has been granted.
- 3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.
- 3.2.5 An application for a development permit shall be processed concurrently with an application for a sign permit. The development permit shall take the form of a stamp affixed to the required sign permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.3.1 Except in the case of applications for a sign permit, a portable sign license or a home based business, every application for a development permit shall be accompanied by the following:

- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person;
- (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations;
- (3) the complete legal description and civic address of the subject property;
- (4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing trees.
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas.
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site.
- (5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.15, where relevant.

3.4 DEVELOPMENT PERMIT APPLICATION PROCESS

3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.

3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the Official Community Plan and *The Act*.

- 3.4.3 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.
- 3.4.4 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.4.5 The Development Officer may revoke a development permit where:
- (1) the development permit has been issued in error;
 - (2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;
 - (3) the approval of a proposed development for a discretionary use is deemed to be invalid; and/or,
 - (4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.
- 3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT PERMIT APPLICATION FEES

- 3.5.1 An applicant seeking the approval of a development permit application shall pay a fee of \$25.00.
- 3.5.2 There shall be no development permit application fee for sign permits. Sign permit fees are set out in Section 4.10.4.

3.6 DEVELOPMENT APPEALS BOARD

- 3.6.1 A Development Appeals Board of the Resort Village of Fort San shall be appointed in accordance with Sections 213 to 227 of *The Act*.

3.7 RIGHT OF APPEAL

- 3.7.1 Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Resort Village of Fort San.

- 3.7.2 Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Resort Village of Fort San.
- 3.7.3 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.
- 3.7.4 An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.2 as though the application had been refused at the end of the period specified in this subsection.
- 3.7.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with a sum of not more than \$50.00 that the Board may specify to be applied to the expenses of the appeal.

3.8 MINOR VARIANCES

- 3.8.1 The Development Officer may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in this Bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.8.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.
- 3.8.3 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$50.00.

3.9 NON-CONFORMING USES, NON-CONFORMING BUILDINGS AND NON-CONFORMING SITES

- 3.9.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to Sections 88 - 93 inclusive of *The Act*.
- 3.9.2 No existing building, site or use shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.10 DISCRETIONARY USE APPLICATIONS

3.10.1 Discretionary Use Application Fees

- (1) An applicant seeking a discretionary use approval shall pay the following fees:
 - (a) an application fee of \$50.00 (for a discretionary principal use); and,
 - (b) when a public hearing is held respecting the application, the costs of advertising associated with the application.

The application fees referred to in (a) and (b) above relate to application for both discretionary use approval and issuance of a development permit.

- (2) An applicant seeking the renewal of a discretionary use that was previously approved by Council for a limited time shall pay the following fees:
 - (a) an application fee of \$50.00; and,
 - (b) when a public hearing is held respecting the application, the costs of advertising associated with the application.

3.10.2 Discretionary Use Application Process

- (1) Application Procedure:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees.
 - (b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations.
 - (c) The Development Officer may request comments from other government agencies where applicable.
 - (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval.
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to all assessed owners of property within Village boundaries. The Development Officer will prepare on-site notification posters which must be placed on the site by the applicant and must remain on the site until the application is considered by Council.

- (f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.
 - (g) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
 - (h) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (2) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. 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 including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties; and/or,
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs.
- (3) Council's approval of a discretionary use application is valid for a period of two years from the date of the approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines ,within the two year approval period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant when an approval is no longer valid and shall revoke the associated development permit.
- (4) If an approved discretionary use or form of development ceases to operate for a period of six (6) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

3.10.3 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria and where applicable the use specific criteria in Section 3.10.4 in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

- (1) The proposal must be in conformance with all relevant sections of the Official Community Plan and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (4) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- (8) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- (9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.10.4 Use Specific Discretionary Use Evaluation Criteria

The Council shall apply the following use specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development:

- (1) Community Service Uses, Public and Commercial Recreation Facilities:
 - a) Schools and places of worship should, where possible, be located on corner sites to facilitate access;
 - (b) Public elementary and secondary schools should, where possible, be located adjacent to public open space;
 - (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads;
 - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units; and,
 - (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.

- (2) Dwelling Groups:
 - (a) All parking areas, private garages or vehicular access to units or sites within a dwelling group should be from a roadway which is common property internal to the parcel; and,
 - (b) All dwelling groups should have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in case of emergency.
 - (c) The suitability of a proposal will be considered with respect to:
 - i) the capacity of the adjoining street system to handle the size and location of the development. The development will not cause excessive traffic to pass through adjoining low density residential development;
 - ii) the density of a dwelling group and building separations will be consistent with similar residential structures on separate subdivided parcels; and,
 - iii) bareland condominium proposals for dwelling groups will only be considered if there is provision for adequate common property on the parcel.

(3) Multiple Unit Dwellings:

- (a) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, café and personal service use on the main floor; and,
- (b) The parking required for multiple unit dwellings is additional to the parking required for the commercial uses.
- (c) The suitability of a proposal will be considered with respect to:
 - i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
 - ii) the convenience of parking; and,
 - iii) an appropriate size and quality of proposed dwelling units.

3.11 AMENDING THE ZONING BYLAW

3.11.1 Zoning Bylaw Amendment Application Fees

- (1) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Sections 207 to 211 of The Act.
- (2) An applicant seeking amendment to the Zoning Bylaw shall pay the following fees:
 - (a) The costs of advertising associated with the application.
 - (b) The following fees, where applicable:
 - i) Text amendments: \$200
 - ii) Map amendments:
 Class 1 Districts: PR, FUD, CS
 Class 2 Districts: MU, LR
 Class 3 Districts: R1, R2

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$100	\$200	\$500
	Class 2	\$100	\$200	\$300
	Class 3	\$100	\$200	\$200

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for a text amendment, if applicable.

3.11.2 Special Provisions for Contract Zoning Agreements

- (1) A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* shall be indicated on the Zoning District Map by the addition of the Bylaw number authorizing agreement after the zoning district designation.

3.12 OFFENSES AND PENALTIES

Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Act*.

Section 4 General Regulations

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements and from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 BUILDING LINES

Where a building line in a residential district has been established by existing buildings in a block having at least one half the lots built upon, the front yard requirement for the applicable zoning district will be considered to be the existing building line.

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, health care clinics, recreation facilities, schools, hospitals, senior citizens' homes, personal care homes and public works.

4.4 HEIGHT RESTRICTIONS

Any height limitations or regulations shall not apply to spires, belfries, cupolas, antennae, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS

On a corner lot, in any residential district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of 1 metre or greater above the elevation of the centre of the abutting street within a triangular area formed by the intersecting lot lines abutting the streets and a straight line joining said lot lines at points 4.5 metres distant from the intersection of the lot lines.

4.6 REQUIRED YARDS AND OPEN SPACE

4.6.1 Minimum Yards Required

No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.6.2 Permitted Obstructions in Required Yards

The following shall not be considered to be obstructions and shall not be considered in the determination of yard dimensions or site coverage:

- (1) In all yards: steps or ramps of 1.6 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane; trees; shrubs; walks; uncovered driveways; fences; trellises; flag poles and wheelchair ramps.
- (2) In front yards:
 - (a) Overhanging eaves and gutters projecting not more than 1 metre;
 - (b) Lighting fixtures, lamp posts, raised patios, decks, canopies or balconies having a projection of not more than 1.8 metres; and,
 - (c) Sills, belt cornices, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres.
- (3) In rear yards:
 - (a) Raised patios and decks measuring more than 0.6 metres in height above grade, and canopies and balconies provided they do not project to within 3 metres of the rear site line;
 - (b) Raised patios, terraces and decks measuring 0.6 metres or less in height above grade, having a projection of not more than 3 metres;
 - (c) Overhanging eaves and gutters, sills, belt courses, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1 metre into the yard;
 - (d) On interior sites, enclosed private swimming pools when attached to the principal building, projecting not more than 3 metres into the yard; and,
 - (e) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.
- (4) In side yards:
 - (a) Raised patios, terraces and decks measuring 0.6 metres or less in height above grade;
 - (b) Raised patios and decks measuring more than 0.6 metres in height above grade and canopies and balconies provided they do not project more than 1.2 metres into the required yard;

- (c) Sills, belt courses, pilasters or other similar vertical columns, cornices, eaves and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the yard; and,
- (d) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

4.7 FENCES

- 4.7.1 No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.
- 4.7.2 No wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level.
- 4.7.3 Paragraphs 4.7.1 and 4.7.2 (above) do not apply in MU or FUD Districts, except that in the case of a corner site, no wall, fence, screen, hedge or other structure shall be placed so as to create a visual obstruction in an established intersection sight triangle.

4.8 ACCESSORY BUILDINGS AND STRUCTURES

- 4.8.1 Accessory buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

4.8.2 Time of Construction

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following cases:

- (1) Where a Development Permit has been issued for a principal building, Council shall allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.8.3 Height of Accessory Buildings

- (1) In any, Community Service, Mixed Use, Parks and Recreation or Future Urban Development District accessory buildings are not to exceed the height of the principal building.
- (2) In any Residential District accessory buildings are not to exceed the height of the principal building and in no case shall the height of an accessory building exceed 5 metres.

4.8.4 Private Garages and Carports

- (1) Private garages and carports attached to the principal building by a substantial roof structure are considered as part of the principal building and subject to the regulations governing the principal building.
- (2) On any site in any residential zoning district only one detached garage, not exceeding 100 square metres in area, subject to Sections 4.8.5 and 4.8.6 (below), is allowed.
- (3) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 6.0 metres of the front site line faced by the door.
- (4) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 3.0 metres of the side site line faced by the door.

4.8.5 Location and Size of Accessory Buildings

(including private garages, carports and guest houses)

- (1) Detached accessory buildings in all Residential Districts are subject to the following regulations:
 - (a) Yard, side: except as provided for in Section 4.8.4(4), minimum - 0.6 metres where the accessory building is over 1.8 metres behind the rear wall of the principle building, otherwise 1.2 metres;
 - (b) Accessory buildings located in a required rear yard shall not occupy more than forty (40) per cent of the required rear yard, and shall not obstruct access to any lane; and,
 - (c) Detached accessory buildings shall be located at least one metre from the principal building.

4.8.6 Number of Accessory Buildings

In any Residential District, there shall be no more than three (3) accessory buildings on a site.

4.8.7 Satellite Dishes, Solar Collectors and Wind Generators

- (a) Satellite Dishes and Solar Collectors

The installation and operation of a free standing satellite dish, solar collector, and their supporting structures shall be permitted in all zoning districts, subject to the following:

- i) In any District such structures shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within three (3) metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
- ii) In any District such structures, if freestanding, shall not exceed a height of ten (10) metres above grade level;
- iii) In any District such structures if attached to a principal building, shall not exceed a height of ten (10) metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and,
- iv) In any District such structures, if attached to or erected upon an accessory building, shall not exceed the maximum permitted height of the accessory building upon which such structure is attached or erected.

(b) Wind Generators / Turbines

- i) Wind generators and/or wind turbines are limited in all zones and districts to a maximum height of fifteen (15) metres from the ground. This is to be measured from the furthest point from the ground and includes all supports, towers or structures which raise and/or support them.
- ii) Wind generators and/or wind turbines require a development permit which will not be considered until the developer of the wind turbine can prove to the satisfaction of the Development Officer, by the validation of a structural professional or by meeting certified manufacturing specifications, that the development is structurally sound.
- iii) Wind chargers and wind turbines are not permitted in the area designated in the Official Community Plan as the Lakefront Recreational District.

4.8.8 Permanent Membrane Covered Structures

- (a) In all residential and mixed use districts anchored membrane covered structures up to 18.5m² are allowed.

4.8.9 Temporary Membrane Covered Structures

- (a) In any district, temporary membrane covered structures shall be allowed for a period not to exceed seven (7) days in a calendar year.

4.9 OFF STREET PARKING AND LOADING

4.9.1 Parking and Loading Spaces Required With Development

- (1) No person shall erect, enlarge, or extend any building or structure permitted under this Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.
- (2) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.
- (3) Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.
- (4) All required parking facilities shall be located on the same site as the principal building or use.
- (5) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

4.9.2 Payment in Lieu of Required Off Street Parking Facilities

- (1) Council may exempt any applicant for a use permitted in the MU - Mixed Use District from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay the Council the sum of money calculated by multiplying the number of off street parking spaces that would otherwise be required by \$2,000.00.
- (2) The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.

4.9.3 General Regulations for Off Street Parking and Loading

- (1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, signage, sale or storage of goods of any kind.

- (2) Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:
- (a) All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities;
 - (b) Where warranted, on-site traffic signs shall be provided;
 - (c) In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes;
 - (d) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the following minimum dimensions:

TABLE 4-1 PARKING AND LOADING SPACE REQUIREMENTS		
Type of Space	Minimum Dimensions	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.7 by 6.7 m	2.0 m
Parallel parking spaces	3.0 by 6.7 m	2.0 m
Parking spaces other than those described above	2.7 by 6.0 m	2.0 m
Loading space	3.0 by 7.5 m	4.0 m

- (e) All required parking and loading spaces shall, without excessive vehicular manoeuvring, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

<u>Parking Angle in Degrees</u>	<u>Width of Aisle or Driveway</u>
75 to 90	6.0 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)
49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle;

- (f) All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets;

- (g) Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles; and,
- (h) For multiple-unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

4.9.4 Required Off Street Parking and Loading in Residential and Community Service Districts

- (1) The minimum off street parking requirements for all Residential and the Community Service Districts are set out in Table 4-2.
- (2) In all R - Residential Districts, required off-street parking shall not be located in any required front yard.
- (3) Each non-residential principal building with a building floor area greater than 500m² shall provide one off-street loading space.

4.9.5 Required Off Street Parking and Loading in the Mixed Use and Lakefront Recreational Districts

- (1) The minimum off street parking requirements for the Mixed Use and Lakefront Recreational Districts are set out in Table 4-3.
- (2) In the Mixed Use and Lakefront Recreational Districts, required off-street parking for residential uses shall not be located in any required front yard.
- (3) Each non-residential principal building with a building floor area greater than 500m² shall provide one off-street loading space.

4.9.6 Required Off Street Parking and Loading in Parks and Recreation and Future Urban Development Districts

- (1) The minimum off street parking requirements for all Parks and Recreation and Future Urban Development Districts are set out in Table 4-4.
- (2) Each non-residential principal building with a building floor area greater than 500m² shall provide one off-street loading space.

**TABLE 4-2
OFF-STREET PARKING REQUIREMENTS IN RESIDENTIAL AND COMMUNITY SERVICE DISTRICTS**

Use	All R - Residential Districts	CS - Community Service District
Adult day care	1 space plus 1 space per 5 persons enrolled in the facility	1 space plus 1 space per 5 persons enrolled in the facility
Ambulance stations	1 space per 28 ² of gross floor area, excluding garage area	1 space per 28 m ² of gross floor area, excluding garage area
Bed and breakfast homes	1 space plus 1 space for each guest room	1 space plus 1 space for each guest room
Cemeteries	---	no requirement
Clubs	1 space per 50 m ² of gross floor area	1 space per 50 m ² of gross floor area
Commercial recreation facilities	---	1 space per 50 m ² of gross floor area or (for primarily outdoor recreational uses) 1 space per 8 patrons at design capacity
Community centres	1 space per 50 m ² of gross floor area	1 space per 50 m ² of gross floor area
Convenience stores	---	1 space per 28 m ² of gross floor area
Cultural institutions	1 space per 50 m ² of gross floor area	1 space per 50 m ² of gross floor area
Custodial care facilities	1 space plus 1 space per 5 persons enrolled in the facility	1 space plus 1 space per 5 persons enrolled in the facility
Day care centres and pre-schools	1 space plus 1 additional space for every 10 persons enrolled in the facility per day	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
Dwelling groups	1 space per dwelling unit plus 0.1 spaces per dwelling unit for visitors	1 space per dwelling unit plus 0.1 spaces per dwelling unit for visitors
Dwelling units, except multiple units	1 space per dwelling unit	1 space per dwelling unit plus 0.1 spaces per dwelling unit for visitors
Dwelling units, multiple unit including street townhouse units	1 space per dwelling unit plus 0.1 spaces per dwelling unit designated for visitors	1 space per dwelling unit plus 0.1 spaces per dwelling unit designated for visitors
Educational institutions	---	1.2 spaces per classroom plus 1 space per 8 students at design capacity
Federal, Provincial and Municipal buildings and uses, excluding warehouses and storage yards	---	1 space per 28 m ² of gross floor area
Financial Institutions	---	1 space per 28 m ² of gross floor area
Funeral homes	---	1 space per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 7.5 m ² of gross floor area devoted to main assembly area

**TABLE 4-2
OFF-STREET PARKING REQUIREMENTS IN RESIDENTIAL AND COMMUNITY SERVICE DISTRICTS**

Use	All R - Residential Districts	CS - Community Service District
Health care clinics	---	1 space per 28 m ² of gross floor area
Home based business - type II	1 space per non-resident employee	1 space per non-resident employee
Laundromats	1 space per 28 m ² of gross floor area	1 space per 28 m ² of gross floor area
Medical, dental and optical laboratories	---	1 space per 28 m ² of gross floor area
Mobile home courts	1 space per dwelling unit	---
Mobile homes	1 space per dwelling unit	---
Parking lots	no requirement	no requirement
Parks and playgrounds	no requirement	no requirement
Personal care homes	1 space per 4 beds plus 1 space per 4 employees	1 space per 4 beds plus 1 space per 4 employees
Places of worship	3 spaces per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area	3 spaces per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area
Private schools	1.2 spaces per classroom plus 1 space per 4 students at design capacity	1.2 spaces per classroom plus 1 space per 4 students at design capacity
Public elementary schools	1 space per staff member	1 space per staff member
Public secondary schools	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
Public works and municipal facilities	no requirement	no requirement
Public hospitals	---	1 space per 4 beds plus 1 space per 4 employees
Public recreational facilities	1 space per 50 m ² of gross floor area or (for primarily outdoor recreational uses) 1 space per 8 patrons at design capacity	1 space per 50 m ² of gross floor area or (for primarily outdoor recreational uses) 1 space per 8 patrons at design capacity
Residential Care Facilities	1 space plus 1 space for each non-resident staff member in the facility	1 space plus 1 space for each non-resident staff member in the facility
Restaurants	---	1 per 4 seats intended for patrons' use
All other uses	1 space per 28 m ² of gross floor area	1 space per 28 m ² of gross floor area

**TABLE 4-3
OFF-STREET PARKING REQUIREMENTS IN THE MU - MIXED USE AND LR - LAKEFRONT RECREATIONAL DISTRICT**

Use	MU - Mixed Use District	LR - Lakefront Recreational District
Adult day care and custodial care facilities	1 space plus 1 space per 5 persons enrolled in the facility	--
Ambulance stations	1 space per 28 m ² of gross floor area, excluding garage area	--
Bakeries with retail sales	no requirement	--
Beaches	--	
Bed and breakfast homes	1 space plus 1 space for each guest room	--
Clubs	1 space per 28 m ² of gross floor area	--
Commercial recreation facilities	1 space per 50 m ² of gross floor area	--
Community centres	1 space per 50 m ² of gross floor area	--
Convenience stores	no requirement	no requirements
Cultural institutions	no requirement	no requirements
Custodial care facilities	1 space plus 1 space per 5 persons enrolled in the facility	--
Day care centres and preschools	1 space plus 1 additional space for every 10 persons enrolled in the facility per day	--
Dwelling groups	1 space per dwelling unit plus 0.1 spaces per dwelling unit for visitors	--
Dwelling units, except multiple units	1 space per dwelling unit	--
Dwelling units, multiple units incl. Street Townhouses	1 space per dwelling unit plus 0.1 spaces per dwelling unit for visitors	--
Educational institutions	1.2 spaces per classroom plus 1 space per 8 students at design capacity	--
Financial institutions	no requirement	--
Health care clinics	no requirement	--
Home based businesses - type II	1 space per non-resident employee	--
Laundromats	1 space per 28 m ² of gross floor area	--
Marinas	--	no requirements

**TABLE 4-3
OFF-STREET PARKING REQUIREMENTS IN THE MU - MIXED USE AND LR - LAKEFRONT RECREATIONAL DISTRICT**

Use	MU - Mixed Use District	LR - Lakefront Recreational District
Medical, dental and optical laboratories	no requirement	--
Offices and office buildings	no requirement	--
Parking lots	no requirement	no requirements
Parks and playgrounds	no requirement	--
Personal care homes	1 space per 4 beds plus 1 space per 4 employees	--
Personal service shops	no requirement	--
Photography studios	no requirement	--
Places of worship	3 spaces per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area	--
Private schools	1.2 spaces per classroom plus 1 space per 4 students at design capacity	--
Public recreational facilities	1 space per 50 m ² of gross floor area	1 space per 50 m ² of gross floor area
Public elementary schools	1 space per staff member	--
Public secondary schools	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard	--
Public works and municipal facilities	no requirement	--
Repair services	no requirement	--
Residential care facilities	1 space plus 1 space for each non-resident staff member in the facility	--
Restaurants	1 per 4 seats intended for patrons' use	1 per 4 seats intended for patrons' use
Retail stores	no requirement	--
Veterinary clinics	1 space per 28 m ² of gross floor area	--
All other uses	1 space per 28 m ² of gross floor area	--

TABLE 4-4
OFF-STREET PARKING REQUIREMENTS IN THE PR - PARKS AND RECREATION AND FUD - FUTURE URBAN DEVELOPMENT DISTRICTS

Use	PR - Parks and Recreation District	FUD - Future Urban Development District
Agricultural uses including fair grounds	no requirement	no requirement
Cemeteries	no requirement	---
Community centres	1 space per 50 m ² of gross floor area	---
Cultural institutions	1 space per 50 m ² of gross floor area	---
Dwelling units	---	1 space per dwelling unit
Golf courses	no requirement	no requirement
Home based businesses - type II	---	1 space per non-resident employee
Municipal Facilities	no requirement	no requirement
Nature interpretation trails and associated facilities	no requirement	---
Nurseries, greenhouses and garden centres	--	1 space per 28 m ² of gross floor area
Parks and playgrounds	no requirement	no requirement
Public recreational facilities	1 space per 50 m ² of gross floor area	---
Public works and municipal facilities	no requirement	no requirement
Radio, television and telecommunication towers and ancillary facilities	---	no requirement
Sand and gravel operations	---	1 space per 50 m ² of gross floor area or 1 space per 3 employees, whichever is greater
Sports fields	no requirement	no requirement
Tourist campgrounds	no requirement	---
Tourist information centres and booths	no requirement	---
Walking, hiking and ski trails and associated facilities	no requirement	---

4.10 SIGNS

All signs shall be subject to the following regulations:

4.10.1 General

- (1) In addition to signs permitted as set out below, temporary signs bearing notice of sale or lease, or other information relating to a temporary condition affecting the property, are permitted.
- (2) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety.
- (3) Except as otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (4) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.
- (5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m² in area, identifying the name of the home based business. Such sign shall not be illuminated and shall be affixed to the principal building. (Note: On multiple unit residential buildings, owner may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw.)

4.10.2 Application for Permits

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.
- (2) Prior to issuing a sign permit for a free standing, projecting or roof sign, the Development Officer may require that the supplementary documentation described in (1) above, contain the professional stamp of a certified professional engineer qualified to certify that the sign design satisfies all relevant legislation, codes and Bylaws.

4.10.3 Licensing of Portable Signs

- (1) Portable signs intended for rental or lease at more than one site during a one-year period, or located at more than one site during a one-year period must be licensed.
- (2) The annual license shall be in the form of a license sticker which must be affixed anywhere on the top one-third of the sign on the end or face closest to the street.
- (3) A license sticker is not transferable from one portable sign to another.

4.10.4 **Permit and License Fees**

- (1) Permanent signs - \$30.00 for the first \$5,000 of sign construction value; and
\$5.00 for every \$1,000 of sign construction value in excess of \$5,000.
- (2) Portable signs - an annual license fee of \$25.00

4.10.5 **Denying or Revoking Permits**

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
 - (a) erection of the sign has not commenced within three months from the date of issue of the permit;
 - (b) the sign does not conform to all relevant provisions of this Bylaw;
 - (c) the sign being constructed or erected does not conform to the approved drawings; and/or
 - (d) the sign is not in a proper state of repair.

4.10.6 On any site in any **Parks and Recreation District, Future Urban Development District or Residential District**, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any Residential district, the Future Urban Development District or the Parks and Recreation District are set out in Table 4-5. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;and
 - (c) Signs applying to community service uses must not display advertising of any commercial service or product.
 - (d) Signs applying to community service uses must not be illuminated between the hours of 11:00 p.m and 7:00 a.m.

TABLE 4-5
SIGN REGULATIONS IN PARKS AND RECREATION, FUTURE URBAN DEVELOPMENT,
LAKEFRONT RECREATION, AND RESIDENTIAL DISTRICTS

Use	Maximum Number of Signs	Maximum Total Sign Face Area (m ²)	Maximum Number of Free Standing Signs	Maximum Height of Free Standing Signs (m)	Maximum Free Standing Sign Face Area (m ²)	
					per face	total
All permitted principal community service uses	2	10	1	3	2.5	5
All permitted principal residential uses	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All permitted principal commercial uses	2	6	1	2.5	2	4

⁽¹⁾
Notes: Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group

4.10.7 On any site in any **Community Service District or Mixed Use District**, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal community service uses, residential uses and commercial uses in the Community Service District or Mixed Use District are set out in Table 4-6. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;
 - (c) Signs applying to community service uses must not display advertising of any commercial service or product.
 - (d) Signs applying to community service uses must not be illuminated between the hours of 11:00 p.m and 7:00 a.m.

TABLE 4-6 SIGN REGULATIONS IN COMMUNITY SERVICE AND MIXED USE DISTRICTS						
Use	Maximum Number of Signs	Maximum Total Sign Face Area (m²)	Maximum Number of Free Standing Signs	Maximum Height of Free Standing Signs (m)	Maximum Free Standing Sign Face Area (m²)	
					per face	total
All permitted principal community service uses	3	18	1	3	6	12
All permitted principal residential uses	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All permitted principal commercial uses	2	18	1	6	6	12

⁽¹⁾
Notes: Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group

4.11 HOME-BASED BUSINESSES

- 4.11.1 All applications for home based businesses must be considered as a Type I or Type II Home Based Business. The development standards for Type I and Type II home based businesses are contained in Sections 4.11.4 and 4.11.5.
- 4.11.2 Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards contained within Sections 4.11.4 and 4.11.5:
- (1) dressmaker, seamstress, or tailor;
 - (2) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
 - (3) music, dancing, or art instruction, limited to no more than three students at a time;
 - (4) the creation of home crafts for sale off site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
 - (5) art restoration;
 - (6) electrology, acupuncture, reflexology, and massage therapy;
 - (7) typing, word processing, and computer programming services; and/or,
 - (8) beauty parlours, barber shops, photographer's studios.
- 4.11.3 Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:
- (1) restaurants or tea rooms;
 - (2) health or fitness clubs;
 - (3) laundry services;
 - (4) veterinary services, boarding, grooming or care of animals;
 - (5) motion picture studios;
 - (6) rental services;
 - (7) hotels and hospitals;
 - (8) headquarters or base of operations of a trucking, delivery, or towing operation;

- (9) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
- (10) upholstery services;
- (11) welding or metal works; and,
- (12) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products.

4.11.4 Type I Home Based Business Development Standards

The following development standards shall apply to all Type I Home Based Businesses:

- (1) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 30 m², may be occupied by home based businesses.
- (3) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 30 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property except for one permitted sign.
- (5) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (6) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (7) Regardless of the number of home based businesses that may be located on any one site, a total of no more than seven (7) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (8) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to

home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.11.5 **Type II Home Based Business Development Standards**

The following development standards shall apply to all Type II Home Based Businesses:

- (1) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m², may be occupied by home based businesses.
- (3) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 40 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property except for one permitted sign.
- (5) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (6) One off-street parking space shall be required for a non-resident employee, and this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of Council.
- (7) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (8) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.

- (9) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.12 SPECIAL REGULATIONS AND STANDARDS

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.

4.12.1 Adult Day Care Facilities

- (1) Adult day care facilities may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) In addition to the development standards of the zoning district, adult day care facilities that are listed as discretionary uses shall be evaluated and developed in accordance with Section 3.10.

4.12.2 Bed and Breakfast Homes

- (1) A bed and breakfast home may be located in a detached one unit dwelling or in a two-unit dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- (2) Notwithstanding sections 4.11.4.(2) and 4.11.6 (2), required parking spaces may be permitted in a front yard.
- (3) Section 3.10 shall apply to the review and approval of bed and breakfast homes.
- (4) The operator of the bed and breakfast lodging may advertise with a sign subject to section 4.8.

4.12.3 Custodial Care Facilities, Residential Care Facilities and Personal Care Homes

- (1) Custodial care facilities, residential care facilities and personal care homes may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a

residential care facility shall also be used for the purpose of keeping boarders or lodgers.

- (5) In addition to the development standards of the zoning district, custodial care facilities and residential care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.10.

4.12.6 Day Care Centres and Pre-Schools

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (2) Required parking spaces shall not be located in a required front yard.
- (3) In addition to the development standards contained within the zoning district, Section 3.10 shall apply to the review and approval of day care centres and pre-schools which are listed as discretionary uses.

4.12.7 Dwelling Groups

- (1) The minimum side yard of 3.5 m or ½ the building height shall be measured from the closest main wall of the principal building closest to the side site line.
- (2) All principal buildings forming part of the group shall be located at least 3.5 m from any other principal building in the group.
- (3) The site area shall provide at least 370 square metres for each dwelling unit in the group located at grade level plus 65 square metres for any dwelling unit located above the main floor.
- (4) Council may apply special development standards regarding “yard requirements” to reduce conflict with neighbouring uses.

4.12.8 Parking Lots

- (1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.
- (2) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.
- (3) A durable surface must be provided and maintained and the lot must be graded to dispose of all surface water.
- (4) Parking lots shall be landscaped to improve the visual appearance of the site.
- (5) Where parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 metres shall be provided.

4.13 SERVICING

- 4.13.1 Holding or septic tanks are not allowed in the areas of the Resort Village which can be serviceable from existing municipal water and sewer lines.
- 4.13.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994*.

4.14 STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE MOTOR VEHICLES IN RESIDENTIAL DISTRICTS

In any Residential District:

- 4.14.1 No front yard shall be used for the storage of unlicensed motor vehicles or of materials or goods of any type.
- 4.14.2 No yard shall be used for storage or collection of hazardous material.
- 4.14.3 No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.
- 4.14.4 Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- 4.14.5 Only one unlicensed motor vehicle may be stored outdoors on a residential site.

4.15 DEVELOPMENT ON HAZARD LANDS

- 4.15.1 Where a proposed development of a building is to be located on land within the Potential Flood and Slump Area or within the Potential Slump Risk Area as indicated on Map 2 - Potential Hazard Land in Section 6 of the Official Community Plan, or a proposed development which is on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed "hazardous" and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of:

- any slope(s) that may be unstable;
- any river or stream flood plain; and/or,
- any other land that may be subject to flooding.

- 4.15.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in 4.15.1 and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:
- (a) the potential for flooding up to the Safe Building Elevation, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use.
 - (b) the potential for slope instability.
 - (c) the required mitigation measures for construction on areas of high water tables if any.
- 4.15.3 Actions identified in an assessment prepared pursuant to 4.15.2 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

4.16 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.17 EXISTING NONCONFORMING BUILDINGS AND SITES

Where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum site width or area, or having less than the minimum front yard, side yard or rear yard required or more than the maximum site coverage permitted in this Zoning Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard, side yard or rear yard or further increase the site coverage that does not conform to this Zoning Bylaw.
- (2) all other applicable provisions of this Zoning Bylaw are satisfied.

4.18 FRONTAGE ON ROAD

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

4.19 BUILDING TO BE MOVED

No building shall be moved within or into the Resort Village of Fort San without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Zoning Bylaw.

4.20 DEMOLITION OF BUILDINGS

No building shall be demolished within the Resort Village of Fort San without the issuance of a demolition permit.

4.21 GRADING AND LEVELLING OF SITES

Any site for which a development permit has been issued shall be graded and levelled at the applicant's expense to provide for surface drainage which does not adversely affect adjacent property.

4.22 GARAGE AND YARD SALES

- (1) Garage or yard sales may be undertaken on any site in a Residential or Community Service zoning district provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.
- (2) No more than four (4) sales may be conducted from one site in one calendar year, and any one sale may not last for more than three consecutive days.

4.23 WATER

No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority and the Saskatchewan Watershed Authority.

Section 5 Zoning Districts

5.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions, the Village is divided into the following Zoning Districts, the boundaries of which are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

Districts	Symbols
Low Density Residential	R1
Medium Density Residential	R2
Community Service	CS
Lakefront Recreation District	LR
Mixed Use	MU
Parks and Recreation	PR
Future Urban Development	FUD

5.2 THE ZONING DISTRICT MAP

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

5.3 BOUNDARIES OF ZONING DISTRICTS

- 5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".
- 5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.3.3 Streets, lanes, and road allowances which are shown on the Zoning District Map and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the Zoning District Map.

5.4 ZONING DISTRICTS

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

5.5 TRANSITIONAL ZONING PROVISIONS

Buildings lawfully existing at the time of the approval of this Bylaw shall be limited in terms of site width, front and rear yard setback, site coverage and off-street parking and loading requirements to the regulations of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

5.6 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to section 4.3 herein.

Section 6 District Schedules

6.1 R1 - LOW DENSITY RESIDENTIAL DISTRICT

6.1.1 Purpose

The objective of the **R1** - Low Density Residential District is to provide for residential development in the form of single detached dwellings and for other compatible uses.

6.1.2 Permitted Uses

The following uses are permitted in the **R1** - Low Density Residential District:

Residential:

- (1) single detached dwellings
- (2) semi-detached dwellings

Commercial:

- (1) adult day care - type I subject to Section 4.12.1
- (2) home based businesses - type I subject to Section 4.11

Community Service:

- (1) places of worship

Other:

- (1) parks and playgrounds
- (2) public works excluding offices, warehouses, storage yards and sewage lagoons
- (3) municipal facilities

6.1.3 Discretionary Uses

The following uses are discretionary in the **R1** - Low Density Residential District:

Commercial:

- (1) adult day care - type II
- (2) bed and breakfast homes
- (3) clubs
- (4) day care centres and preschools
- (5) home-based businesses - type II
- (6) personal care homes
- (7) residential care facilities - type I

Community Service:

- (1) community centres
- (2) public elementary and secondary schools

6.1.4 Accessory Uses

- (1) Accessory buildings and uses, including guest houses, shall be permitted subject to Section 4.8.

6.1.5 Regulations

- (1) Site Requirements

The minimum site size, yard, building floor area and maximum site coverage requirements are shown in Table 6-1.

6.1.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R1** - Low Density Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section:

- (1) Adult day care - type II subject to Section 4.12.1.
- (2) Bed and breakfast homes subject to Section 4.12.2.
- (3) Community service uses subject to Section 3.10.4 (1).
- (4) Day care centres and preschools subject to Section 4.12.6.
- (5) Home-based businesses - type II subject to Section 4.11.
- (6) Personal care homes subject to Section 4.12.3.
- (7) Residential care facilities - type I subject to Section 4.12.3.
- (8) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.1.7 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

**TABLE 6-1
R1 - LOW DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS**

Principal Use	Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Single detached dwellings	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Semi-detached dwellings	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ^{(3) (5)}	65	40
Adult day care	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Places of worship	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	3 ⁽⁴⁾	no minimum	40
Municipal facilities	no minimum	no minimum	no maximum	no minimum	no minimum	no minimum	no minimum	no maximum
Parks and playgrounds	no minimum	no minimum	no maximum	no minimum	no minimum	3 ⁽⁴⁾	no minimum	10
Public works	no minimum	no minimum	9 ⁽¹⁾	no minimum	no minimum	no minimum	no minimum	no maximum
Bed and breakfast homes	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Clubs	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	3 ⁽⁴⁾	no minimum	40
Day care centres and preschools	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Personal care homes	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Residential care facilities	2000	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	1.2 ⁽³⁾	65	40
Community centres	450	30 ^{(2) (6)}	9 ⁽¹⁾	6	6	3 ⁽⁴⁾	no minimum	40
Public elementary and secondary schools	no minimum	no minimum	no maximum	no minimum	6	3 ⁽⁴⁾	no minimum	40

Special limitations and exceptions to standards in Table 6-1

- (1) buildings shall not exceed 2 storeys
- (2) where the site is served by a lane; otherwise 33 metres
- (3) except for corner sites, where it shall be 3 metres along the flanking street
- (4) or ½ the average building height, whichever is greater
- (5) except that no side yard shall be required where a common wall divides two dwelling units
- (6) unless the lot is not rectangular, in which case the minimum site width is 18 metres

6.2 R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT

6.2.1 Purpose

The objective of the **R2** - Medium Density Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit, street town house and multiple-unit dwellings, and dwelling groups and for other compatible uses.

6.2.2 Permitted Uses

The following uses are permitted in the **R2** - Medium Density Residential District:

Residential:

- (1) single detached dwellings
- (2) semi-detached dwellings
- (3) two-unit dwellings

Commercial:

- (1) adult day care - type I subject to Section 4.12.1
- (2) home based businesses - type I subject to Section 4.11
- (3) residential care facilities - type I subject to Section 4.12.3

Community Service

- (1) places of worship

Other:

- (1) parks and playgrounds
- (2) public works excluding offices, warehouses, storage yards and sewage lagoons
- (3) municipal facilities

6.2.3 Discretionary Uses

The following uses are discretionary uses in the **R2** - Medium Density Residential District:

Residential:

- (1) street townhouse and multiple-unit dwellings
- (2) dwelling groups

Commercial:

- (1) adult day care - type II
- (2) bed and breakfast homes
- (3) clubs
- (4) day care centres and preschools
- (5) health care clinics
- (6) home-based businesses - type II
- (7) parking lots
- (8) residential care facilities - type II

Community Service:

- (1) community centres
- (2) cultural institutions
- (3) custodial care facilities
- (4) private schools
- (5) public elementary and secondary schools
- (6) public recreational facilities

6.2.4 Accessory Uses

- (1) Accessory buildings and uses, including guest houses, shall be permitted subject to Section 4.8.

6.2.5 Regulations

- (1) Site Requirements

The minimum site size, yard, building floor area and maximum site coverage requirements are shown in Table 6-2.

6.2.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R2** - Medium Density Residential District with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Adult day care - type II subject to Section 4.12.1.
- (2) Bed and breakfast homes subject to Section 4.12.2.
- (3) Community service uses subject to Section 3.10.4 (1).
- (4) Custodial care facilities subject to Section 4.12.3.
- (5) Day care centres and preschools subject to Section 4.12.6.
- (6) Dwelling groups subject to Section 4.12.7.
- (7) Home-based businesses - type II subject to Section 4.11.

- (8) Multiple unit dwellings and street townhouses subject to Section 3.10.4(3).
- (9) Parking lots subject to Section 4.12.8.
- (10) Personal care homes subject to Section 4.12.3.
- (11) Residential care facilities - type I subject to Section 4.12.3.
- (12) Off street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.2.7 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

TABLE 6-2
R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Principal Use	Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Semi-detached dwellings	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ^{(3) (6)}	65	40
Single detached dwellings	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	65	40
Two unit dwelling	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	65	40
Adult day care	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	65	40
Residential care facilities	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	65	40
Places of worship	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	no maximum	40
Municipal facilities	no minimum	no minimum	no minimum	no minimum	no minimum	no minimum	no minimum	no maximum
Parks and playgrounds	no minimum	no minimum	no minimum	no minimum	no minimum	3 ⁽⁵⁾	no minimum	10
Public works	no minimum	no minimum	no minimum	no minimum	no minimum	no minimum	no minimum	no maximum
Dwelling groups	4000	no minimum	no minimum	no minimum	no minimum	3.5 ⁽⁵⁾	50 per unit	40
Multiple-unit dwellings (apartment buildings)	185 per unit	6 per unit ^{(8) (9)}	6 per unit ⁽¹⁰⁾	6	no minimum	⁽⁷⁾	40 per unit	40
Multiple-unit dwellings (town houses)	255 per unit ⁽¹⁾	12 ⁽⁹⁾	9 ⁽¹⁰⁾	6	no minimum	^{(6) (7)}	46 per unit	40
Street townhouse dwellings	255 per unit ⁽¹⁾	8.5 ^{(9) (11)}	9 ⁽¹⁰⁾	6	6	1.2 ^{(3) (6)}	46 per unit	40
Bed and breakfast homes	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	65	40
Clubs	375 ⁽⁴⁾	12 ⁽⁹⁾	9 ⁽¹⁰⁾	6	6	3 ⁽⁵⁾	no minimum	40
Day care centres and preschools	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	no minimum	40
Health care clinics	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	3 ⁽⁵⁾	no minimum	40
Parking lots	no minimum	no minimum	no minimum	3	3	3	no minimum	no maximum
Community centres	375	12 ⁽⁹⁾	9 ⁽¹⁰⁾	6	6	3 ⁽⁵⁾	no minimum	40
Cultural institutions	375	12 ⁽⁹⁾	9 ⁽¹⁰⁾	6	6	3 ⁽⁵⁾	no minimum	40
Custodial care facilities	375 ⁽⁴⁾	12 ^{(2) (9)}	9 ⁽¹⁰⁾	6	6	1.2 ⁽³⁾	70	40
Private schools	no minimum	no minimum	no minimum	no minimum	6	3 ⁽⁵⁾	no minimum	no maximum
Public elementary and secondary schools	no minimum	no minimum	no minimum	no minimum	6	3 ⁽⁵⁾	no minimum	no maximum
Public recreational facilities	no minimum	no minimum	no minimum	no minimum	6	3 ⁽⁵⁾	no minimum	no maximum

Special limitations and exceptions to standards in Table 6-2

- (1) where the site is served by a lane; otherwise 315 metres
- (2) where the site is served by a lane; otherwise 15 metres
- (3) except for corner sites where it shall be 3 metres along flanking street
- (4) where the site is served by a lane; otherwise 450 metres
- (5) or ½ the average building height, whichever is greater
- (6) no side yard shall be required where a common wall divides two dwelling units
- (7) for one storey multiple unit dwellings, the side yard shall be 1.8 metres; for two storey multiple unit dwellings, the side yard shall be 3m; on corner sites, the side yard shall never be less than 3 metres along the flanking street
- (8) to a maximum requirement of 21 metres
- (9) unless the lot is not rectangular, in which case the minimum site width is 11 metres and the average site width must exceed 12 metres
- (10) building shall not exceed 2 storeys
- (11) where the site is served by a lane; otherwise 10.5 metres

6.3 CS - COMMUNITY SERVICE DISTRICT

6.3.1 **Purpose**

The objective of the **CS** - Community Service District is to provide for development in the form of a range of community services and other compatible uses.

6.3.2 **Permitted Uses**

The following uses are permitted in the **CS** - Community Service District:

Community Service:

- (1) ambulance stations
- (2) cemeteries
- (3) community centres
- (4) cultural institutions
- (5) educational institutions
- (6) Federal, Provincial and Municipal buildings and uses, but excluding warehouses, storage yards and sewage lagoons
- (7) public elementary and secondary schools
- (8) public hospitals
- (9) public recreational facilities
- (10) places of worship

Commercial:

- (1) adult day care - types I and II subject to Section 4.12.1
- (2) clubs
- (3) commercial recreational facilities, including skating and curling rinks, golf courses and tourist campgrounds
- (4) day care centres and pre-schools subject to Section 4.12.6
- (5) health care clinics
- (6) home based businesses - type I subject to Section 4.11
- (7) medical, dental and optical laboratories
- (8) personal care homes
- (9) private schools
- (10) residential care facilities - types I and II subject to Section 4.12.3

Other:

- (1) parks and playgrounds
- (2) public works excluding warehouses, storage yards and sewage lagoons
- (3) municipal facilities

6.3.3 Discretionary Uses

The following uses are discretionary uses in the **CS** - Community Service District:

Community Service:

- (1) custodial care facilities

Commercial:

- (1) restaurants
- (2) parking lots

6.3.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8

6.3.5 Regulations

- (1) Site Requirements

The minimum site size, yard, floor area and maximum site coverage requirements are shown on Table 6-3.

6.3.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **CS** - Community Service District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards noted as follows.

- (1) Custodial care facilities shall comply with Section 4.12.3.
- (2) Parking lots subject to Section 4.12.8.
- (3) Restaurants subject to the following criteria:
 - (a) Restaurants, with or without associated lounges, where possible, should be located near similar community and support facilities.
 - (b) The character of adjacent residential districts, along the zone interface, should, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.

6.3.7 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

TABLE 6-3
CS - COMMUNITY SERVICES DISTRICT DEVELOPMENT STANDARDS

Principal Use	Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Ambulance stations	235	6	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Cemeteries	no minimum	no minimum	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Community centres	450	12	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Cultural institutions	450	12	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Educational Institutions	no minimum	no minimum	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Federal, Provincial and Municipal buildings and uses	no minimum	no minimum	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Public elementary and secondary schools	no minimum	no minimum	9 ⁽⁴⁾	no minimum	4.5	3 ⁽¹⁾	no minimum	no maximum
Public hospitals	no minimum	no minimum	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Public recreation facilities	no minimum	no minimum	9 ⁽⁴⁾	no minimum	4.5	3 ⁽¹⁾	no minimum	no maximum
Places of worship	450	12	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	no maximum
Adult day care	360 ⁽²⁾	12 ⁽³⁾	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Clubs	450	12	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Commercial recreational facilities	235	6	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Day care centres and preschools	360 ⁽²⁾	12 ⁽³⁾	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	65	40
Health care clinics	235	6	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Medial, dental and optical laboratories	235	6	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Personal care homes	360 ⁽²⁾	12 ⁽³⁾	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Private schools	no minimum	no minimum	9 ⁽⁴⁾	no minimum	4.5	3 ⁽¹⁾	no minimum	no maximum
Residential care facilities	360 ⁽²⁾	12 ⁽³⁾	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	65	40
Parks and playgrounds	no minimum	no minimum	9 ⁽⁴⁾	no minimum	no minimum	3 ⁽¹⁾	no minimum	no maximum
Public works	no minimum	no minimum	9 ⁽⁴⁾	no minimum	no minimum	no minimum	no minimum	no maximum
Municipal facilities	no minimum	no minimum	9 ⁽⁴⁾	no minimum	no minimum	no minimum	no minimum	no maximum
Custodial care facilities	360 ⁽²⁾	12 ⁽³⁾	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	65	40
Restaurants	235	6	9 ⁽⁴⁾	6	4.5	3 ⁽¹⁾	no minimum	40
Parking lots	no minimum	no minimum	9 ⁽⁴⁾	3	3	3	no minimum	no maximum

Special limitations and exceptions to standards in Table 6-3

- (1) or ½ of the building height, whichever is greater
- (2) where the site is served by a lane; otherwise 450 metres
- (3) where the site is served by a lane; otherwise 15 metres
- (4) Building shall not exceed 2 storeys

6.4 MU - MIXED USE DISTRICT

6.4.1 **Purpose**

The objective of the **MU - Mixed Use District** is to provide for a mix of land uses, including higher density residential uses, a limited range of commercial and personal service uses, and other compatible uses, in the Village Centre Policy Area designation of the Official Community Plan.

6.4.2 **Permitted Uses**

The following uses are permitted uses in the **MU - Mixed Use District**:

Commercial:

- (1) adult day care - types I and II subject to Section 4.12.1
- (2) bakeries with retail sales
- (3) clubs
- (4) convenience stores
- (5) day care centres and preschools subject to Section 4.12.6
- (6) health care clinics
- (7) home based businesses - type 1 subject to Section 4.11
- (8) medical, dental and optical laboratories
- (9) offices and office buildings
- (10) personal care homes
- (11) personal service shops
- (11) photography studios
- (13) repair services restricted to the repair of household goods and appliances
- (14) residential care facilities - types I and II subject to Section 4.12.3

Community Service:

- (1) community centres
- (2) cultural institutions
- (3) places of worship

Other:

- (1) parks and playgrounds
- (2) public works excluding warehouses, storage yards and sewage lagoons
- (3) municipal facilities

6.4.3 Discretionary Uses

The following uses are discretionary uses in the **MU** - Mixed Use District:

Commercial:

- (1) bed and breakfast homes subject to Section 4.12.2
- (2) commercial recreation facilities, excluding curling or skating rinks or golf courses
- (3) financial institutions
- (4) home based businesses - type II subject to Section 4.11
- (5) laundromats
- (6) parking lots
- (7) restaurants
- (8) retail stores
- (9) veterinary clinics

Community Service:

- (1) custodial care facilities subject to Section 4.12.3
- (2) educational institutions
- (3) private schools
- (4) public elementary and secondary schools
- (5) public recreational facilities

Residential:

- (1) dwelling units in conjunction with and attached to a permitted use
- (2) street townhouse and multiple-unit dwellings

6.4.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.4.5 Regulations

- (1) Site Requirements

The minimum site size and yard requirements are shown in Table 6-4.

- (2) General Regulations

- (a) All business shall be conducted and all goods stored wholly within an enclosed building, except as required in the servicing of motor vehicles.
- (b) All outside storage permitted pursuant to (a), above, shall be fenced, and where the area abuts a Residential District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 1.8 metres in height.

- (3) Accessory Dwelling Units

- (a) Dwelling units attached to commercial establishments shall have a main entrance separate from that of the commercial establishment. An emergency exit must be provided in addition to the main entrance.
- (b) The minimum floor area of each dwelling unit shall be 28 square metres.

6.4.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **MU - Mixed Use District** with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards noted as follows.

- (1) Bed and breakfast homes shall comply with Section 4.12.2.
- (2) Community Service Uses, Public and Commercial Recreation Facilities subject to Section 3.10.4.
- (3) Custodial care facilities shall comply with Section 4.12.3.
- (4) Discretionary residential uses are subject to the following criteria:
 - (a) Dwellings shall maintain the mixed use character, density and purpose of the MU - Mixed Use district.
- (5) Dwelling Groups subject to 4.12.7.
- (6) Home based businesses - type II shall comply with Section 4.11.
- (7) Laundromats are subject to the following criteria:
 - (a) The location of laundromats will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface.
 - (b) Consideration shall be given to the area's municipal servicing capacity.
- (8) Parking lots subject to Section 4.12.8.
- (9) Restaurants, retail stores, financial institutions and veterinary clinics are subject to the following criteria:
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use will have a minimal impact on the amenity of the MU - Mixed Use District and adjacent residential areas and that these areas will not be unreasonably compromised.

- (b) The character of adjacent residential or community service districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
- (10) Off street parking spaces for dwelling groups, day care centres, pre-school nurseries, residential care facilities, cultural institutions, clubs, health care clinics, schools and places of worship, shall be located in a side or rear yard and shall be screened if they abut a site used for residential purposes.

6.4.7 **Exceptions to Development Standards**

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

TABLE 6-4
MU - MIXED USE DISTRICT DEVELOPMENT STANDARDS

Principal Use	Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Adult day care	375 ⁽⁵⁾	12 ⁽⁶⁾⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Bakeries with retail sales	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Clubs	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Convenience stores	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	6	(1)	(2)	no minimum	no maximum
Daycare centres & preschools	375 ⁽⁵⁾	12 ⁽⁶⁾⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Health care clinics	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Medical, dental and optical laboratories	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Offices and office buildings	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Personal care homes	375 ⁽⁵⁾	12 ⁽⁶⁾⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Personal service shops	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Photography studios	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Repair services	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Residential care facilities	375 ⁽⁵⁾	12 ⁽⁶⁾⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Community Centres	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	6	(1)	(2)	no minimum	no maximum
Cultural institutions	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Places of worship	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	6	(1)	(2)	no minimum	no maximum
Municipal facilities	no minimum	no minimum	no maximum	no minimum	no minimum	no minimum	no minimum	no maximum
Parks and playgrounds	no minimum	no minimum	no maximum	no minimum	(1)	(2)	no minimum	no maximum
Public works	no minimum	no minimum	no maximum	no minimum	(1)	(2)	no minimum	no maximum
Bed and breakfast homes	375 ⁽⁵⁾	12 ⁽⁶⁾⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Commercial recreation facilities	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Financial institutions	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Laundromats	375 ⁽⁵⁾	12 ⁽¹³⁾	11 ⁽¹⁴⁾	6	(1)	(2)	no minimum	no maximum
Parking lots	no minimum	no minimum	no maximum	no minimum	(1)	(2)	no minimum	no maximum
Restaurants	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Retail stores	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum
Veterinary clinics	375	12 ⁽¹³⁾	11 ⁽¹⁴⁾	no minimum	(1)	(2)	no minimum	no maximum

Custodial care facilities	375 ⁽⁵⁾	12 ⁽⁶⁾ ⁽¹³⁾	11 ⁽¹⁴⁾	6	4.5	1.2 ⁽⁷⁾	70	40
Educational institutions	no minimum	no minimum	11 ⁽¹⁴⁾	6	⁽¹⁾	3 ⁽³⁾	no minimum	no maximum
Public elementary and secondary schools	no minimum	no minimum	11 ⁽¹⁴⁾	no minimum	4.5	3 ⁽³⁾	no minimum	no maximum
Private schools	no minimum	no minimum	11 ⁽¹⁴⁾	no minimum	4.5	3 ⁽³⁾	no minimum	no maximum
Public recreation facilities	no minimum	no minimum	no maximum	no minimum	⁽¹⁾	⁽²⁾	no minimum	no maximum
Dwelling units in conjunction with and attached to any other permitted use	no minimum	no minimum	11 ⁽¹⁴⁾	no minimum	⁽¹⁾	⁽²⁾	⁽⁴⁾	no maximum
Multiple unit dwellings (apartment buildings)	185 per unit	6 per unit ⁽⁸⁾	11 ⁽¹⁴⁾	6	no minimum	⁽¹⁰⁾	40 per unit	40
Multiple unit dwellings (town houses)	255 per unit ⁽⁹⁾	12 ⁽¹³⁾	11 ⁽¹⁴⁾	6	no minimum	⁽¹²⁾ ⁽¹⁰⁾	46 per unit	40
Street townhouse dwellings	255 per unit ⁽⁹⁾	8.5 ⁽¹¹⁾ ⁽¹³⁾	11 ⁽¹⁴⁾	6	no minimum	⁽¹²⁾ ⁽¹⁰⁾	46 per unit	40

Special limitations and exceptions to standards in Table 6-4

- (1) where the rear line of a site abuts any Residential District or principal residential use without an intervening street or lane, 4.5 metres; otherwise no requirement
- (2) where the side line of a site abuts any Residential District or principal residential use without an intervening street or lane, 3 metres; otherwise no requirement
- (3) or ½ the building height, whichever is greater
- (4) the floor area of all dwelling units shall not exceed the floor area of all other uses which are located in the same building and the minimum floor area of any single dwelling unit shall not be less than 28 m²
- (5) where the site is served by a lane; otherwise 450 metres
- (6) where the site is served by a lane; otherwise 15 metres
- (7) except for corner sites where it shall be 3 metres along flanking street
- (8) to a maximum requirement of 21 metres
- (9) where the site is served by a lane; otherwise 315 metres per unit
- (10) for one storey multiple unit dwellings, the side yard shall be 1.8 metres; for two storey multiple unit dwellings, the side yard shall be 3 metres; on corner sites, the side yard shall never be less than 3 metres along the flanking street
- (11) where the site is served by a lane; otherwise 10.5 metres
- (12) except that no side yard shall be required where a common wall divides two dwelling units
- (13) unless the lot is not rectangular, in which case the minimum site width is 11 metres and the average site width must exceed 12 metres
- (14) building shall not exceed 2 storeys

6.5 LR - LAKEFRONT RECREATIONAL DISTRICT

6.5.1 Purpose

The objective of the **LR** - Lakefront Recreational District is to provide for a limited mix of land uses that would enhance lake-oriented recreation opportunities and serve to draw people to the lake.

6.5.2 Permitted Uses

The following uses are permitted uses in the **LR** - Lakefront Recreational District :

Other:

- (1) parks, playgrounds and beach areas
- (2) public works excluding warehouses, storage yards and sewage lagoons
- (3) municipal facilities

6.5.3 Discretionary Uses

The following uses are discretionary uses in the **LR** - Lakefront Recreational District:

Commercial:

- (1) convenience stores
- (2) parking lots
- (3) restaurants
- (4) marinas

Community Service:

- (1) community centres
- (2) cultural institutions
- (3) public recreational facilities

6.5.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.6.

6.5.5 Regulations

- (1) Site Requirements

The minimum site size and yard requirements are shown in Table 6-5.

- (2) Maximum Height Requirements

The maximum building height requirements are shown in Table 6-5.

- (3) General Regulations

- (a) All business shall be conducted and all goods stored wholly within an enclosed building.

6.5.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **LR** - Lakefront Recreational District with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards noted as follows.

- (1) Community Service Uses, Public and Commercial Recreation Facilities subject to Section 3.10.4.
- (2) Parking lots subject to Section 4.12.8. Additionally, Council will not approve parking lots in the **LR** - Lakefront Recreational District unless the parking lot abuts HWY #727.
- (3) Convenience stores and restaurants are subject to the following criteria:
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use will have a minimal impact on natural amenities and residential areas will not be unreasonably compromised.
 - (b) The character of adjacent community service districts, along the zone interface, shall be protected and maintained through the provision of buffer areas, separation distances and / or screening.

6.5.7 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

**TABLE 6-5
LR -LAKEFRONT RECREATIONAL DISTRICT DEVELOPMENT STANDARDS**

Principal Use	Minimum Site Area (m ²)	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Parks, playgrounds and beaches	no minimum	no minimum	4.4 ⁽¹⁾	no minimum	no minimum	no minimum	no minimum	10
Public works	no minimum	no minimum	4.4 ⁽¹⁾	no minimum	no minimum	no minimum	no minimum	no maximum
Municipal facilities	no minimum	no minimum	4.4 ⁽¹⁾	no minimum	no minimum	no minimum	no minimum	no maximum
Convenience stores	144	6	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	40
Community centres	300	6	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	40
Cultural institutions	144	6	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	40
Marinas	no minimum	no minimum	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	no maximum
Parking lots	no minimum	no minimum	4.4 ⁽¹⁾	3	⁽²⁾	⁽³⁾	no minimum	no maximum
Restaurants	144	6	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	40
Public recreation facilities	no minimum	no minimum	4.4 ⁽¹⁾	6	⁽²⁾	⁽³⁾	no minimum	no maximum

Special limitations and exceptions to standards in Table 6-5

- (1) building shall not exceed 2 storeys
- (2) where the rear line of a site in any LR - Lakefront Recreational District abuts any Residential District or principal residential use without an intervening street or lane, 4.5 metres; otherwise no requirement
- (3) where the side line of a site in any LR - Lakefront Recreational District abuts any Residential District or principal residential use without an intervening street or lane, 1.5 metres; otherwise no requirement

6.6 PR - PARKS AND RECREATION DISTRICT

6.6.1 Purpose

The purpose of the **PR** - Parks and Recreation District is to provide for parks and recreation development and for other compatible uses.

6.6.2 Permitted Uses

The following uses are permitted in the **PR** - Parks and Recreation District:

- (1) municipal facilities
- (2) nature interpretation trails and associated facilities
- (3) public works, excluding sewage lagoons
- (4) sports fields, parks and playgrounds
- (5) tourist information centres and booths
- (6) walking, hiking and ski trails and associated facilities

6.6.3 Discretionary Uses

The following uses are discretionary uses in the **PR** - Parks and Recreation District:

- (1) cemeteries
- (2) community centres
- (3) cultural institutions
- (4) intensive agricultural uses including vegetable and fruit production but specifically excluding operations related to the raising of livestock or animals and specifically excluding intensive agricultural operations carried on, in whole or in part, within buildings.
- (4) golf courses
- (5) public recreational facilities
- (6) tourist campgrounds

6.6.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.6.5 Regulations

- (1) Site Requirements:

The minimum site size and yard requirements are shown in Table 6-6.

6.6.6 Standards for Discretionary Uses

- (1) Cemeteries are subject to the following criteria:
 - (a) Cemeteries shall maintain the character, density and purpose of the PR - Parks and Recreation district.
 - (b) Consideration shall be given to the need for the proposed cemetery or extension within the Resort Village of Fort San.
 - (c) Council shall also consider the desirability of the proposed location and the cemetery's compatibility with the surrounding area and its effect on adjacent properties, surrounding uses and community facilities.
 - (d) An alternative water system to potable water as well as a water conserving irrigation system will be considered an asset.

- (2) Community Centres, cultural institutions and public recreation facilities are subject to the following criteria:
 - (a) The site shall be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - (b) Consideration shall be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (c) It must be demonstrated, to the satisfaction of Council, that any additional traffic generated by the community centre, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
 - (d) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the residential area.

- (3) Golf courses are subject to the following criteria:
 - (a) Consideration shall be given to the compatibility of the golf course with adjacent land uses.
 - (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainways of the site, and employ minimal clearing of native vegetation.
 - (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility and traffic.

- (d) Council will consider the following as an asset in the development of a golf course:
 - i) maximum use of existing landforms and native grasses and vegetation;
 - ii) an alternative water source to potable water; and
 - iii) water conserving irrigation systems.

- (4) Intensive agricultural uses (excluding livestock) are subject to the following criteria:
 - (a) The location of agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i) municipal servicing capacity
 - ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation
 - iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians
 - iv) utilization of hazardous substances

- (5) Tourist campgrounds are subject to the following criteria:
 - (a) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained.
 - (b) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development.
 - (c) There shall be adequate manoeuvring space on-site.
 - (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.
 - (e) If located in the residential interface, consideration shall be given to controlling any detrimental effects the campground may have on adjacent residential land.

**TABLE 6-6
PR - PARKS AND RECREATION DISTRICT DEVELOPMENT STANDARDS**

Principal Use	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Municipal facilities	no minimum	no minimum	no minimum	no minimum	no minimum
Nature interpretation trails and associated facilities	no minimum	no minimum	6	6 ⁽¹⁾	3 ⁽²⁾
Public works	no minimum	no minimum	no minimum	no minimum	3 ⁽²⁾
Sports fields, parks and playgrounds	no minimum	no minimum	6	6 ⁽¹⁾	3 ⁽²⁾
Tourist information centres and booths	235	6	no minimum	4.5 ⁽¹⁾	3 ⁽²⁾
Walking, hiking and ski trails and associated facilities	no minimum	no minimum	6	6 ⁽¹⁾	3 ⁽²⁾
Cemeteries	no minimum	no minimum	6	4.5 ⁽¹⁾	3 ⁽²⁾
Community centres	450	15	6	4.5 ⁽¹⁾	3 ⁽²⁾
Cultural institutions	450	15	6	4.5 ⁽¹⁾	3 ⁽²⁾
Golf courses	no minimum	no minimum	6	6 ⁽¹⁾	3 ⁽²⁾
Intensive agricultural uses	1000	30	6	6 ⁽¹⁾	3 ⁽²⁾
Public recreational facilities	no minimum	no minimum	6	6 ⁽¹⁾	3 ⁽²⁾
Tourist campgrounds	1000	30	6	6 ⁽¹⁾	3 ⁽²⁾

Special limitations and exceptions to standards in Table 6-6

- (1) or 10% of the depth of the site, whichever is greater
- (2) or ½ the building height, whichever is greater

6.7 FUD - FUTURE URBAN DEVELOPMENT DISTRICT

6.7.1 Purpose

The purpose of the **FUD** - Future Urban Development District is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

6.7.2 Permitted Uses

The following uses are permitted in the **FUD** - Future Urban Development District:

- (1) agricultural uses including crop farming, grazing and pasturage and cultivation of land but not including intensive livestock or poultry operations
- (2) home based businesses - type 1 subject to Section 4.11)
- (3) municipal facilities
- (4) public works excluding sewage lagoons
- (5) recreational sports fields, parks and other similar uses

6.7.3 Discretionary Uses

The following uses are discretionary uses in the **FUD** - Future Urban Development District:

- (1) agricultural fair grounds
- (2) golf courses
- (3) home based businesses - type 2 subject to Section 4.11
- (4) nurseries, greenhouses and garden centres
- (5) radio, television and telecommunications towers and ancillary facilities
- (6) sand and gravel operations
- (7) single detached dwellings

6.7.4 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.7.5 Regulations

- (1) Site area, minimum
 - (a) Single detached dwellings - 450m² where the site is served by a lane; otherwise 360m²
 - (b) Public works, telecommunications facilities, cemeteries - no minimum
 - (c) All other uses: 0.5ha
- (2) Front yard, minimum
 - (a) All uses: 6m

- (3) Single detached residences are also subject to the following development standards:
- (a) Minimum Site Width: 12 m where the site is served by a lane; otherwise 15m.
 - (b) Minimum rear yard: 4.5m.
 - (c) Minimum Side Yard: 1.2m except for corner sites, where it shall be 3m.
 - (d) Minimum Floor Area: 70m²
 - (e) Maximum Site Coverage: 50%

6.7.6 Standards for Discretionary Uses

In addition to other applicable regulations or standards contained in this Bylaw, the following shall apply to discretionary uses in the **FUD** - Future Urban Development District:

- (1) Discretionary uses in the FUD - Future Urban Development District will only be permitted where Council is assured that such development will be compatible with the future use of the area, as indicated in the Official Community Plan Bylaw.

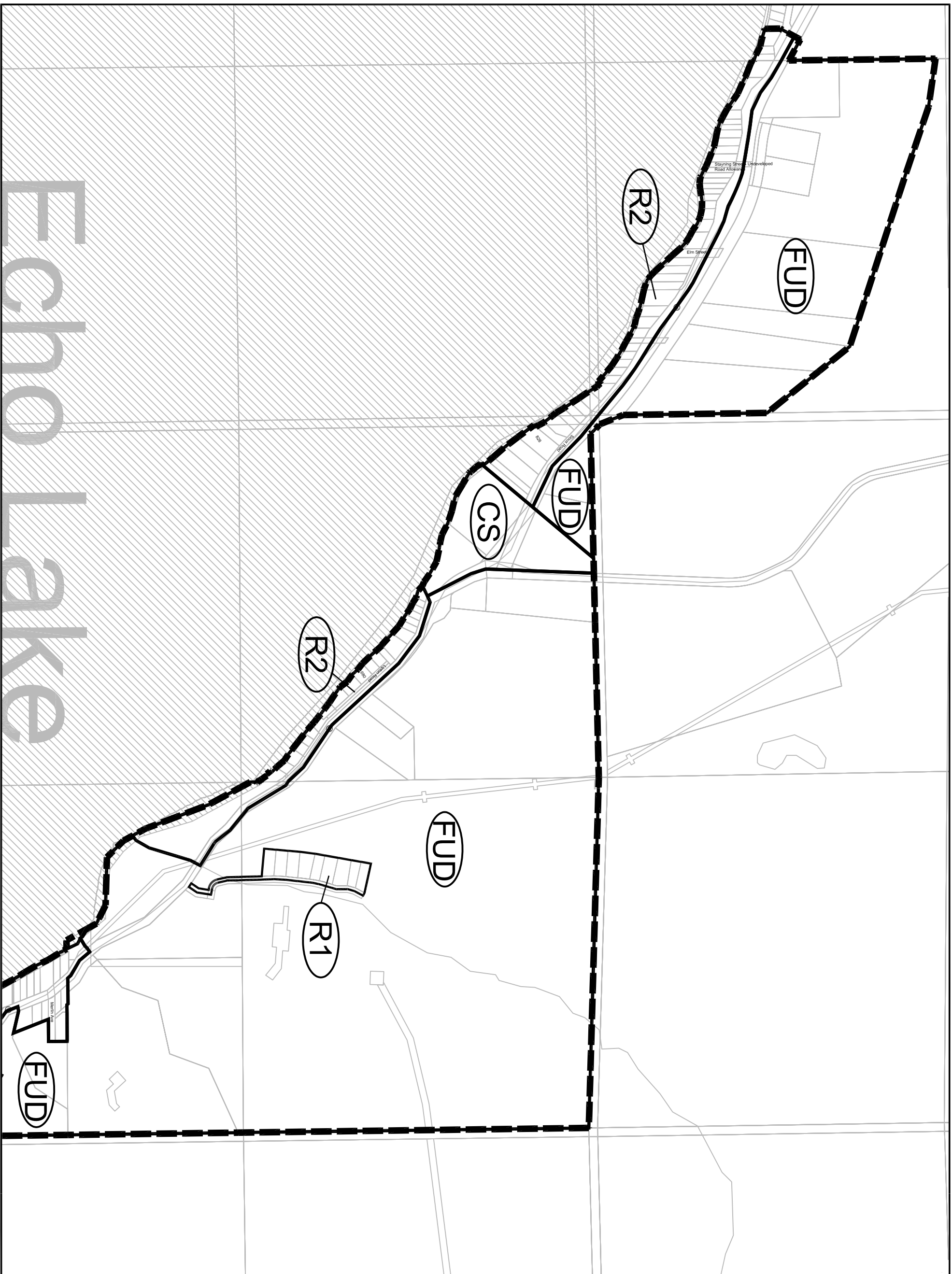
**TABLE 6-7
FUD - FUTURE USE DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS**

Principal Use	Minimum Site Area	Minimum Site Width (m)	Maximum Building Height (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Building Floor Area (m ²)	Maximum Site Coverage (%)
Agricultural Uses including crop farming, grazing and pasturage and cultivation of land but not including intensive livestock or poultry operations	2 hectares	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Home Based Businesses - type I	2,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Municipal Facilities	no minimum	no minimum	no maximum	no minimum	no minimum	no minimum	no minimum	no minimum
Public Works excluding sewage lagoons	no minimum	no minimum	no maximum	no minimum	no minimum	no minimum	no minimum	no minimum
Recreational sports fields, parks and other similar uses	no minimum	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Agricultural fair grounds	2 hectares	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Golf courses	5,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Home based businesses - type II	2,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Nurseries, greenhouses and garden centres	2,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Radio, television and telecommunication towers and ancillary facilities	no minimum	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Sand and gravel operations	2,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40
Single detached dwellings	2,000 m ²	60	9 ⁽¹⁾	6	(2)	(3)	65	40

Special limitations and exceptions to standards in Table 6-7

- (1) building shall not exceed 2 storeys
- (2) where the rear line of a site in any FUD - Future Urban Development District abuts any Residential District or principal residential use without an intervening street or lane, 4.5 metres; otherwise 3 metre
- (3) where the side line of a site in any FUD - Future Urban Development District abuts any Residential District or principal residential use without an intervening street or lane, 4.5 metres; otherwise 3 metre

Section 7 Maps



Resort Village of Fort San

ZONING DISTRICT MAP

ZONING DISTRICTS

- (R1)** LOW DENSITY RESIDENTIAL DISTRICT
- (R2)** MEDIUM DENSITY RESIDENTIAL DISTRICT
- (CS)** COMMUNITY SERVICE DISTRICT
- (LR)** LAKEFRONT RECREATION DISTRICT
- (MU)** MIXED USE DISTRICT
- (PR)** PARKS & RECREATION DISTRICT
- (FUD)** FUTURE URBAN DEVELOPMENT DISTRICT

This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Resort Village of Fort San.

Mayor _____

Resort Village Administrator _____

Approved on the _____ day of _____ in the year _____.

Minister
Saskatchewan Municipal Affairs



CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING

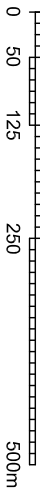
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PROJECT NO.
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Resort Village of Fort San

ZONING DISTRICT MAP

ZONING DISTRICTS

- (R1)** LOW DENSITY RESIDENTIAL DISTRICT
- (R2)** MEDIUM DENSITY RESIDENTIAL DISTRICT
- (CS)** COMMUNITY SERVICE DISTRICT
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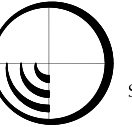
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Mayor

Resort Village Administrator

Approved on the _____ day of _____ in the year _____.

Minister
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