

RESORT VILLAGE OF KANNATA VALLEY

ZONING BYLAW

BYLAW NO. 05-2024

FEBRUARY 2024

FINAL DRAFT



SCATLIFF + MILLER + MURRAY

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The Resort Village of Kannata Valley

Zoning Bylaw No. 05-2024

1. Pursuant to *Section 45 of The Planning and Development Act, 2007*, the Council of the Resort Village of Kannata Valley hereby adopts the Zoning Bylaw, identified as Schedule "A" to this Bylaw.
2. The Mayor and Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
3. Bylaw No. 72, known as the Zoning Bylaw and any amendments thereto is hereby repealed.
4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the _____ day of _____ , _____

Read a Second Time the _____ day of _____ , _____

Read a Third Time and Adopted the _____ day of _____ , _____

Mayor

RESORT VILLAGE SEAL

Administrator

Certified a True Copy of the Bylaw adopted by Resolution of Council

on the _____ day of _____ , _____ .

ZONING BYLAW

RESORT VILLAGE OF KANNATA VALLEY

SCHEDULE "A" TO BYLAW No. 05-2024

February 2024



SCATLIFF + MILLER + MURRAY

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1.0 INTRODUCTION

Under the authority provided by *The Planning and Development Act, 2007 (The Act)*, the Council of the Resort Village of Kannata Valley, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1.1 TITLE

This Bylaw No. 05-2024 shall be known and may be cited as the Zoning Bylaw of the Resort Village of Kannata Valley (The Village).

1.2 PURPOSE

The purpose of this Bylaw is to regulate land use and development within the Village in accordance with the *Resort Village of Kannata Valley Official Community Plan Bylaw No. 04-2024 (OCP)*.

1.3 SCOPE

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

1.4 SEVERABILITY

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

1.5 ORGANIZATION OF THIS BYLAW

1.5.1 Administration

The application requirements, processes, and evaluation criteria for all types of development applications are contained in **Section 2.0**.

1.5.2 Regulations

General regulations that apply to all forms of development are contained in **Section 3.0** while additional regulations that apply to specific uses are contained in **Section 4.0**.

1.5.3 The Zoning District Schedules and Map

The Zoning District Schedules and Map are explained in and follow **Section 5.0**.

1.5.4 Definitions

The definitions contained in **Exhibit A** shall apply to both this Bylaw and the OCP.

1.5.5 Interpretation

(a) Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

(b) All measurements in this Bylaw shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines for reference.

2.0 ADMINISTRATION

2.1 DEVELOPMENT OFFICER & COUNCIL

2.1.1 Development Officer

The Administrator of the Resort Village of Kannata Valley shall be the Development Officer responsible for the administration of this Bylaw. The Development Officer shall:

- (a) Receive, record, and review development permit applications.
- (b) Issue a decision on development permits for permitted uses.
- (c) Assist Council with issuing a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements.
- (d) Administer any Public Notification process as required by this Bylaw or any other Bylaw adopted by the Village.
- (e) Collect development application fees according to the fee schedule established in this Bylaw or any other Bylaw adopted by the Village.
- (f) Maintain for inspection by the public during regular office hours, a copy of this Bylaw, the Zoning District Map, and any amendments.
- (g) Perform other duties as determined by Council.

2.1.2 Council

The Resort Village of Kannata Valley Council shall:

- (a) Issue a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements in accordance with *The Act*, the OCP, and this Bylaw.
- (b) Review all proposed subdivision applications received from the Saskatchewan Ministry of Government Relations, and endeavour to submit, to the Ministry, a recommendation within the prescribed time period.

2.2 DEVELOPMENT PERMITS

2.2.1 No person shall commence a new use or undertake development, including repairs and renovations involving structural alterations, without first obtaining a development permit, unless exempt under **Section 2.3**.

2.2.2 A development permit shall not be issued for any structure or use in contravention of any provisions of this Bylaw or the OCP, except as provided in an appeal pursuant to *The Act*.

2.2.3 Frontage on Road

A development permit shall not be issued unless the site abuts or has frontage on a public road.

2.2.4 Building Permit

A building permit shall not be issued in accordance with the Village Building Bylaw unless a development permit, where required, has also been issued. Applications for a development permit and building permit may be reviewed concurrently.

2.2.5 Development Permit Validity

A development permit is valid for a period of 24 months. This period may be extended by the Development Officer before the development permit expires for an additional 12 months if requested in writing by the permit holder. A development permit shall be considered void if:

- (a) The use is not commenced while the development permit is valid;
- (b) A building permit, if required, is not obtained while the development permit is valid; or
- (c) The building permit expires while the development permit is no longer valid.

2.2.6 Cancellation of a Development Permit

The Development Officer or Council may cancel a Development Permit if:

- (a) It is revealed that the development permit was issued based on false or mistaken information;
- (b) The permit holder requests a modification to the original development permit.

2.2.7 Buildings to be Moved

No building shall be moved within or into the Village without the issuance of a development permit, unless exempt under **Section 2.3**.

2.2.8 Demolition of Buildings

No building or structure larger than 100 ft² shall be demolished within the Village without the issuance of a demolition permit in accordance with the Village Building Bylaw.

2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

2.3.1 The following developments shall be exempt from development permit requirements, but shall conform to all other Bylaw requirements:

- (a) Any use, building, or structure owned and operated by the Municipality.
- (b) Any public work or public utility.
- (c) Building maintenance and repairs that do not include structural alterations.
- (d) A temporary building or structure where the sole purpose is incidental to the construction or alteration of a building for which a building permit has been granted.
- (e) Accessory buildings and structures equal or less than 9.3 m² (100 ft²) in area though **Section 3.4** of this Bylaw still applies.
- (f) Any fence or similar structure though **Section 3.7** of this Bylaw still applies.
- (g) Any accessory signs though **Section 3.9** of this Bylaw still applies.
- (h) Landscaping though **Section 3.12** of this Bylaw still applies.
- (i) Home offices though **Section 4.1** of this Bylaw still applies, though signage for home offices are prohibited and are excluded from **Section 3.9.2(a)i**.
- (j) Resurfacing of existing driveways on private property, provided the natural or designed drainage pattern of the site and adjacent properties is not impacted. Major excavations, filling or drainage alteration shall require a permit.

2.4 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

2.4.1 The requirements included in this Section apply to applications for development permits for permitted uses and discretionary.

2.4.2 The completed development permit application shall include:

- (a)** The names, signatures, and contact information of the applicant, the property owner, and the person who prepared the application and / or supporting material;
- (b)** The civic address and legal description (lot, block, plan) of the subject property;
- (c)** A description of the proposed development or use on the subject property;
- (d)** Estimated commencement and completion dates for construction.
- (e)** A Site Plan that should include:
 - i.** A north arrow, the subject site property boundaries and dimensions, and all adjacent properties, streets, and lanes;
 - ii.** The location and setback to property line(s) of any existing buildings, structures, utility poles, underground utilities, easements, and trees;
 - iii.** The location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions;
 - iv.** The location of any entrances or exterior doorways, walkways, and pedestrian circulation areas;
 - v.** The location and size of all proposed parking spaces, driveways, vehicle circulation areas, and loading spaces;
 - vi.** Landscaping details (existing trees, removal of trees, proposed plantings, berms, water features, grade elevations, etc.); and
 - vii.** The location and size of any proposed signs.
- (f)** Floor plans and building elevations of the proposed development, if applicable;
- (g)** An accompanying geotechnical analysis report, if required, pursuant to **Section 2.6** of this Bylaw below; and
- (h)** A drainage or grading plan pursuant to **Section 3.13** of this Bylaw if this is not adequately addressed by the site plan or the geotechnical analysis report.
- (i)** Any other required information or supporting studies as determined to be relevant by the Development Officer or Council.

2.5 GEOTECHNICAL ANALYSIS REQUIRED

2.5.1 In accordance with *Section 3.1.2(2)* of the OCP, all new development within the Village shall be accompanied by a geotechnical analysis report, which shall be completed and approved by a qualified Registered Engineer in the Province of Saskatchewan a maximum five (5) years prior to submission of the development permit application. The analysis shall indicate topography, surface drainage, and the geological and geotechnical conditions at the site of the proposed development as they relate to slope instability and erosion hazards. The report shall indicate the suitability of the site for development, any remedial measures that may be required to ensure the natural resource base is not irreparably altered and shall identify safe building sites and recommended foundation types.

2.5.2 Any remedial measures or actions identified in a report prepared pursuant to **Section 2.5.1** above may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.

- 2.5.3** The Development Officer or Council shall refuse a permit for any proposed development for which the proposed actions are inadequate to address the conditions present on the hazard land or that will result in excessive municipal costs.

2.6 DEVELOPMENT PERMIT APPLICATION PROCEDURES

2.6.1 General Development Permit Application Procedures

In addition to those listed for permitted uses in **Section 2.6.2** and discretionary uses in **Section 2.6.3**, the following procedures apply to all development permit applications (see **FIGURE 1**):

- (a)** Upon receiving the development application, the Development Officer will examine the application for conformity with the OCP, this Bylaw, and any other applicable policies, regulations, or standards.
- (b)** Prior to making a decision or conducting public notice and referring the application to Council, the Development Officer may circulate the application to appropriate government agencies or interested groups for comment.
- (c)** The applicant shall be notified in writing of the decision on their application and shall be advised of their right to appeal in accordance with **Section 2.10** of this Bylaw and *The Act*.
- (d)** A copy of all approved development permit applications involving the installation of water and sanitary services shall be sent to the Health Authority.

2.6.2 Permitted Use Development Permit Application Procedures (FIGURE 1)

In addition to the general development applications procedures in **Section 2.6.1**, the following procedures apply to all development permit applications for permitted uses:

- (a)** If a person applies for a development permit for a development or use that is permitted in its zoning district and conforms to all provisions of this Bylaw and the OCP, then the Development Officer shall issue a development permit.
- (b)** Performance standards, development standards, or conditions may be applied in accordance with *The Act* (s. 62.4), however they must be consistent with the standards or conditions of this Bylaw.

2.6.3 Discretionary Use Development Permit Application Procedures (FIGURE 1)

In addition to the general development application procedures in **Section 2.6.1**, the following procedures apply to all development permit applications for discretionary uses in accordance with *The Act* (s. 54-58):

- (a)** If a person applies for a development permit for a development or use that is listed as a discretionary use in its zoning district, then the Development Officer shall give public notice of the application in accordance with *The Act* (s. 55).
- (b)** The Public Notice shall be distributed to the assessed owners of property within a minimum 75 metres of the site of the application and shall indicate the date of the Council meeting at which the discretionary use application will be considered.
- (c)** The Development Officer shall prepare a report for Council concerning the discretionary use application that may contain recommendations for conditions of approval to be applied in accordance with *The Act* (s. 56.3 & 62.3) to ensure the development or use satisfies the evaluation criteria in **Section 2.11**.

- (d) Council shall consider the application together with the Development Officer's report and any written submissions received or delegations heard from the public before issuing a decision by Council resolution to either:
 - i. Approve the discretionary use application as is;
 - ii. Approve the discretionary use application with performance standards, development standards, or conditions according to *The Act* (s. 56.3) to ensure the development or use satisfies the evaluation criteria in **Section 2.11**; or
 - iii. Reject the discretionary use application.

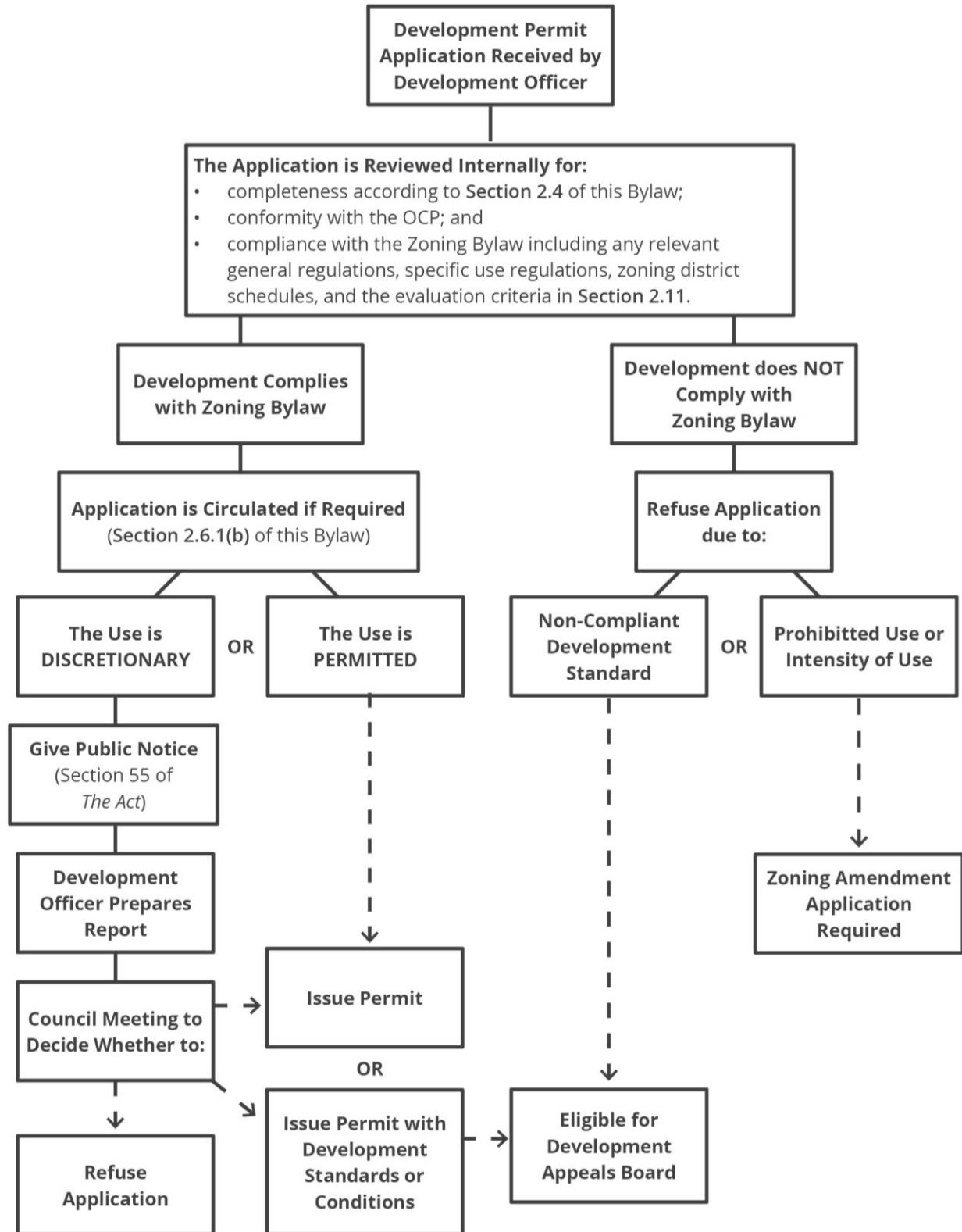
2.7 DEVELOPMENT PERMIT FOR A TEMPORARY USE

- 2.7.1** The Development Officer may issue a development permit for a temporary use, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, or other temporary uses deemed appropriate by the Development Officer and Council.
- 2.7.2** Every temporary use shall be approved for a specified period of time. Unless otherwise stated on the development permit or in this Bylaw, a temporary use shall not exceed twelve (12) months.
- 2.7.3** Where a development permit for a temporary use has expired, the permit may be renewed
 - (a) In the case of a permitted use, at the discretion of the Development Officer
 - (b) In the case of a discretionary use, at Council's discretion for another period of not more than twelve (12) months. A permit for a temporary use may not be renewed more than once in a two (2) year period.
- 2.7.4** Upon expiration of the period for which the temporary use was approved, the use shall be discontinued, and all temporary structures removed.
- 2.7.5** A temporary use must meet all other requirements of this Bylaw.

2.8 MINOR VARIANCES

- 2.8.1** Applications for a minor variance shall be made to the Development Officer, who shall review the application and issue a decision in accordance with *The Act* (s. 60).
- 2.8.2** If the application does not injuriously affect neighbouring properties, the Development Officer or Council may grant a minor variance of up to 10% of any minimum yard setback or minimum distance between buildings or structures for either a permitted or discretionary use as specified by this Bylaw.
- 2.8.3** Council shall be notified of any Minor Variance applications at the next regular Council Meeting and the Development Officer shall maintain a registry of all minor variance applications.

FIGURE 1. THE DEVELOPMENT PERMIT APPLICATION REVIEW PROCESS



2.9 AMENDING THE PLANNING BYLAWS

2.9.1 Planning Bylaw Application Requirements

Any person who seeks to amend the OCP or the Zoning Bylaw (including a rezoning of their property) must file, with the Development Officer, the prescribed application form, a site plan, any other supplementary information as required by the Development Officer, and pay the required fees.

2.9.2 Planning Bylaw Amendment Application Procedures (FIGURE 2)

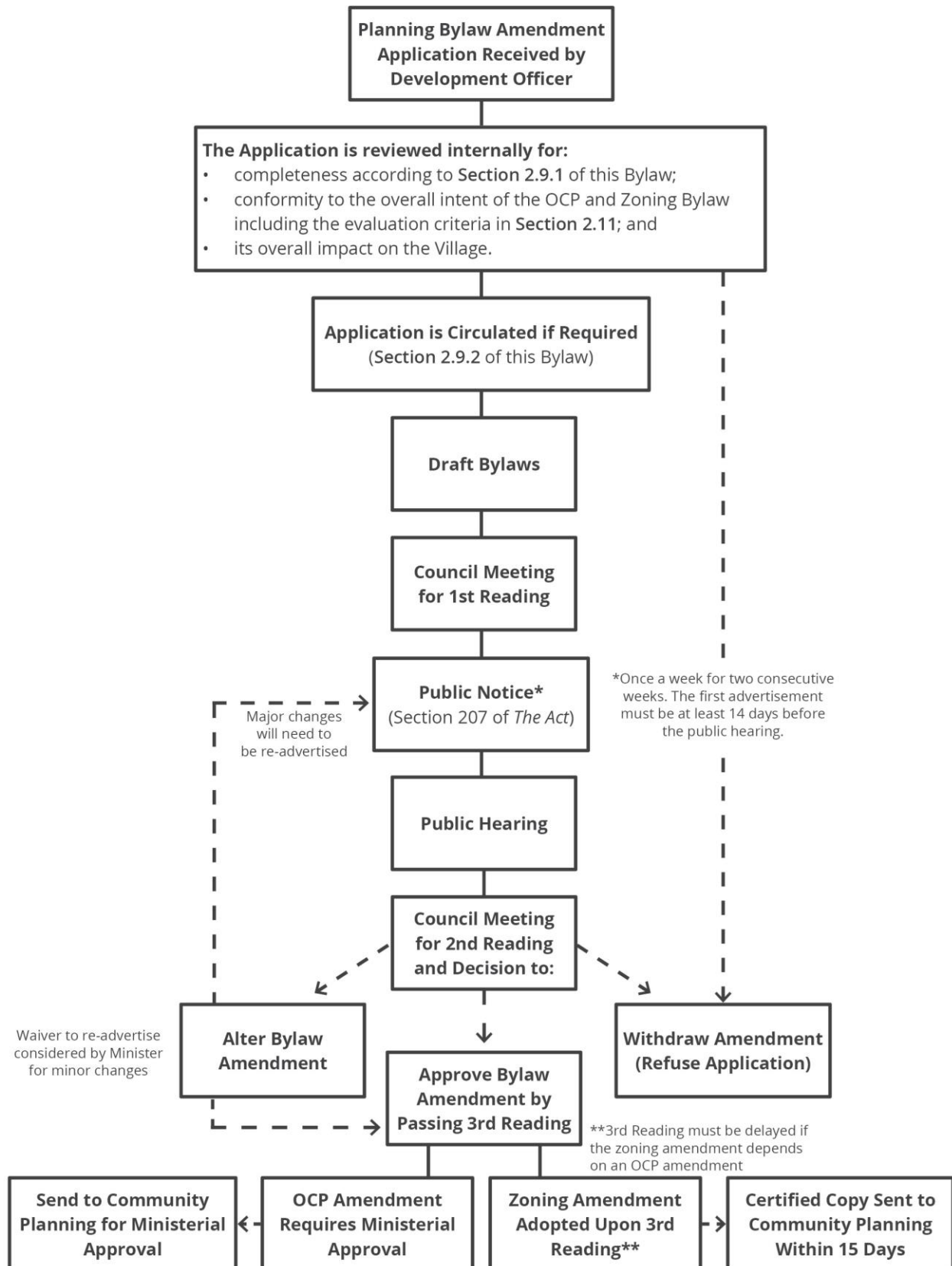
The Development Officer may refer an application to amend the OCP or Zoning Bylaw to any internal or external department or organization for review or comment prior to referring the application to Council.

2.9.3 If it is determined upon review by the Development Officer that the application is in general compliance with the OCP and is in the best interest of the Village, then Council may decide to consider the application by passing a resolution authorizing the Development Officer to proceed with the application as follows:

- (a)** Council shall give the bylaws first reading only and shall publish a public notice of its intent to amend the OCP or Zoning Bylaw, once a week for two consecutive weeks in accordance with *The Act* (s. 207). The first advertisement must be at least two weeks before the date of the public hearing.
- (b)** The public hearing shall be held before the second reading by Council. The hearing may be held during a Council meeting if Council resolves to suspend the meeting for the hearing. The hearing may be closed once all representations are heard and all written submissions are accepted. If objections are received, Council may decide to either:
 - i.** Alter the bylaw to address concerns or objections;
 - ii.** Approve the bylaw amendment as is; or
 - iii.** Refuse the application by withdrawing the Bylaw.
- (c)** If a zoning amendment complies with the OCP, the amendment takes effect when Council gives the bylaw and passes 3rd Reading. The Development Officer shall send a copy of the zoning bylaw amendment to the Ministry of Government Relations within 15 days of the date the bylaw is passed.
- (d)** An OCP amendment requires Ministerial Approval from the Community Planning branch before it can come into effect.
- (e)** If an amendment to the OCP is required to allow a zoning amendment or rezoning, 3rd Reading of the zoning amendment or rezoning must be delayed as the amendment can only come into effect after the OCP amendment receives ministerial approval.
- (f)** Separate bylaws are needed to amend an OCP and a Zoning Bylaw, but they may be prepared and reviewed in conjunction.

2.9.4 If Council decides not to proceed with considering the amendment, or rejects the amendment by resolution, then the applicant shall be notified in writing of the decision.

FIGURE 2. THE PLANNING BYLAW AMENDMENT APPLICATION REVIEW PROCESS



2.10 DEVELOPMENT APPEALS BOARD

- 2.10.1** Council shall appoint a Development Appeals Board (DAB) within 90 days of the adoption of this Bylaw to hear and issue decisions on development appeals in accordance with *The Act* (s. 213-227).
- 2.10.2** A person who wishes to make an appeal to the DAB shall do so in writing to the Development Officer within 30 days of the date of issuance or refusal of a development permit application.
- 2.10.3** The DAB has the authority under *The Act* (s. 219) to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted or discretionary use.
- 2.10.4** The DAB does not have the authority to vary and will not hear appeals based on a decision by the Development Officer or Council to:
- (a)** Refuse a use or intensity of use not permitted in a zoning district.
 - (b)** Refuse a discretionary use or intensity of a discretionary use.
 - (c)** Refuse a rezoning of the person's land.
- 2.10.5** A decision by the DAB may be appealed to the Saskatchewan Municipal Board in accordance with *The Act* (s. 226).

2.11 DEVELOPMENT APPLICATION EVALUATION CRITERIA

- 2.11.1** When evaluating applications for development permits for permitted uses and discretionary uses, as well as for proposed zoning amendments and OCP amendments, the Development Officer and Council shall consider whether such proposals:
- (a)** Conform with all relevant provisions of the OCP, this Bylaw, and any other applicable policies and regulations;
 - (b)** Can be economically serviced by community infrastructure including roadways, water and sewer, solid waste disposal, parks, schools, community facilities, and utilities;
 - (c)** Create no undue burden on Village finances;
 - (d)** Are compatible with neighbouring properties and the overall land use patterns and community character of the Village;
 - (e)** Can be suitably drained in accordance with **Section 3.13** of this Bylaw;
 - (f)** Are suitable for the proposed site and are not detrimental to the health, safety, convenience, and general welfare of Village residents and visitors;
 - (g)** Provide adequate on-site parking that is designed to minimize congestion and hazards;
 - (h)** Result in no excess traffic, particularly heavy truck traffic, on local roads through residential areas;
 - (i)** Give consideration to pedestrian safety and convenience both within the site, and in terms of its connectivity to the surrounding area; and
 - (j)** Provide sufficient landscaping, and wherever possible, shall preserve existing vegetation.

2.12 DEVELOPMENT APPLICATION FEES & ADVERTISING

2.12.1 An applicant of a development application shall pay a fee according to the following schedule:

- (a)** Development Permit:
 - i.** Permitted Use: \$100
 - ii.** Discretionary Use: \$150
- (b)** Minor Variance: \$50
- (c)** Development Appeal: \$200
- (d)** Zoning Amendment: \$300
- (e)** OCP Amendment: \$300

2.12.2 Costs of Advertising

In addition to the above fees schedule, the applicant shall be responsible for the costs of any required public advertising in accordance with this Bylaw and *The Act*.

2.12.3 Municipal Agreements

Applicants may be subject to additional fees, levies, and securities in accordance with **Section 2.17** of this Bylaw and *The Act*.

2.13 NON-CONFORMING USES, BUILDINGS, & SITES

2.13.1 Any use of land, building, structure, or site lawfully existing at the time of passing of this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with the provisions of *The Act* (s. 88 to 93).

2.13.2 A non-conforming use pursuant to **Section 2.13.1** may not be continued if the use has been discontinued for a period of more than 12 consecutive months on that site.

2.13.3 A non-conforming use or building pursuant to **Section 2.13.1** may be enlarged, reconstructed, repaired or renovated provided that the element of nonconformity is not increased and all other applicable provisions of this Zoning Bylaw are satisfied.

2.13.4 The Development Officer may require an interest or caveat to be registered against non-conforming uses, buildings, or sites.

2.14 PERMITS, LICENSES, & COMPLIANCE WITH OTHER BYLAWS

2.14.1 In the event of a conflict between this Bylaw and the OCP, the provisions of the OCP shall prevail.

2.14.2 Nothing in this Bylaw shall exempt any person from complying with any other federal, provincial, or municipal requirement. Developers are responsible for obtaining all applicable federal and provincial approvals.

2.14.3 Where the requirements of this Bylaw conflict with those of any other federal, provincial, or municipal requirement, the more stringent requirement shall apply.

2.15 BYLAW ENFORCEMENT, OFFENCES, & PENALTIES

- 2.15.1** Pursuant to *The Act* (s. 242-245), the Development Officer may issue a stop order for development that contravenes this Bylaw or the standards and conditions specified in a development permit in order to achieve compliance.
- 2.15.2** Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Act*.
- 2.15.3** Errors and / or omissions by the Development Officer or someone acting under their direction while administering this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

2.16 RESTORATION TO A SAFE CONDITION

- 2.16.1** Nothing in this Bylaw shall prevent the strengthening, or the restoration to a safe condition, of any building or structure, provided such strengthening or restoration will not increase the height, area or volume so as to contravene the provisions of this Bylaw.
- 2.16.2** Repairs, renovations, and restorations shall be subject to development permit requirements if the building use, size, or setbacks are proposed to change.

2.17 MUNICIPAL AGREEMENTS

2.17.1 Servicing Agreements

Where a development proposal involves subdivision, the Village may require the applicant to enter into a servicing agreement to ensure appropriate servicing. In accordance with *The Act*, the agreement may provide for:

- (a)** The undertaking to install or construct of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
- (b)** The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading those services listed in **Section 2.17.1(a)** above that directly or indirectly serve the proposed subdivision.
- (c)** Time limits for the completion of any work or the payment of any fees specified in the agreement;
- (d)** Provisions for the applicant and the Village to share the costs of any work specified in the agreement; and
- (e)** Any assurances as to performance that Council may consider necessary.

2.17.2 Development Levy Agreements

Where a development requiring a Development Permit is proposed in the absence of subdivision that results in additional capital costs incurred by the Village and Council has passed a Development Levy Bylaw in accordance with *The Act*, the Village may require the applicant to enter into a Development Levy Agreement and pay any applicable levies in accordance with that Bylaw.

2.17.3 Performance Security

As a condition of a Development Permit, Council may require the applicant to post and maintain a Performance Security, which may be a performance bond or letter of credit, to ensure that the development is constructed and completed in accordance with the time frames and development standards required in the approval.

2.17.4 Liability Insurance

As a condition of a Development Permit, Council may require the applicant to provide and maintain liability insurance to protect municipal and public interests.

2.17.5 Interest Registration

Council may require Development Levy Agreements, Servicing Agreements, easements and other documents to be registered or caveated against affected lands, to protect municipal and public interests. The cost of the registration of an interest or caveat will be the responsibility of the applicant.

3.0 GENERAL REGULATIONS

3.1 PROHIBITED & NOXIOUS USES

3.1.1 Prohibited Uses

Any land use, unless exempt under **Section 3.2** below or elsewhere in this Bylaw, that is not listed as either permitted or discretionary in its current zoning district shall be prohibited and will not be accommodated without an amendment in accordance with **Section 2.9**.

3.1.2 Noxious Uses

No land shall be used for any purpose that is noxious.

3.2 USES PERMITTED IN ALL ZONING DISTRICTS

3.2.1 Nothing in this Bylaw shall prevent the use of any land for:

- (a) A public street or public park; and/or
- (b) Municipal facilities and public utilities, excluding solid and liquid waste disposal sites.

3.2.2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.

3.2.3 Nothing in this Bylaw shall prevent the use of land, or the erection or use of any tool shed, scaffold, or other similar building or structure incidental to and necessary for approved construction work on the premises, but only for so long as such use, building, or structure is necessary until such construction work is complete or abandoned.

3.3 PRINCIPAL BUILDINGS, STRUCTURES, & USES

3.3.1 Only one principal building or use shall be permitted on any one site except the following in accordance with all applicable provisions of this Bylaw: parks; schools; public recreation facilities; and municipal facilities.

3.3.2 In any zoning district, the principal use of the land must be established prior to the establishment of any accessory buildings, structures, or uses.

3.3.3 In the **Residential (R1)** zoning district, the principal building shall be a detached dwelling.

3.3.4 **Minimum Principal Building Size in the Residential Zoning District:**

The minimum floor area of a principal dwelling in the **Residential (R1)** zoning district is 74.3 m² (800 ft²).

3.4 ACCESSORY BUILDINGS, STRUCTURES, & USES

3.4.1 Accessory buildings, structures, and uses shall be subordinate to, used in conjunction with, and located on the same lot as the principal building or use.

3.4.2 Subject to all other requirements of this Bylaw, an accessory building, structure, or use is permitted in any zoning district when accessory to an established principal building, structure, or use.

3.4.3 Maximum Number of Accessory Buildings on a site in the Residential Zoning District excluding holding tanks:

(a) Three (3) accessory buildings over 100 ft² in area that require a Development Permit.

(b) Three (3) accessory buildings equal or less than 100 ft² in area that are exempt from a Development Permit under Section 2.3.1(e).

3.4.4 Excluding holding tanks (Section 3.16.2) or unless otherwise specified in this Bylaw, Accessory buildings or structures shall comply with the following minimum setbacks:

(c) Front yard setback (roadside): 3.0 metres (9.84 ft)

(d) Side yard setback: 1.2 metres (3.94 ft)

(e) Rear yard setback (hillside or lakeside): 1.5 metres (4.92 ft)*

(f) Distance to principal building: 1.5 metres (4.92 ft)

***Shoreline Setback**

Unless a greater setback from the shoreline of Last Mountain Lake is required by the Water Security Agency in accordance with Section 3.14 of this Bylaw.

3.4.5 Private garages, carports, and other accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of, and are therefore subject to the regulations governing the principal building.

3.4.6 The area of accessory buildings or structures shall be combined with the area of the principal building to determine the overall site coverage.

3.5 EXCEPTIONS TO DEVELOPMENT STANDARDS

3.5.1 Permitted Yard Projections

The following yard encroachments are permitted provided they comply with the National Building Code:

Structure	Permitted Yard	Maximum Projection	Minimum Setback
(a) Roof overhangs, eaves, gutters, window sills, etc.	Front Yard	0.6 m	0.45 m
	Side Yard		
	Rear Yard		
(b) Cantilevered portion of a building no greater than 2.4 m ² in floor area.	One Side Yard	0.6 m	0.45 m
(c) Porch	Front Yard	1.5 m	3.0 m
	Rear Yard		

(d)	Uncovered balcony, deck, or platform that is 0.6 m in height or higher	Front Yard Rear Yard	1.5 m	3.0 m
(e)	Uncovered balcony, deck, or platform that is under 0.6 m in height	Front Yard Side Yard Rear Yard	Unrestricted	Unrestricted
(f)	Steps, landings, and accessibility ramps	Front Yard Side Yard Rear Yard	Unrestricted	Unrestricted
(g)	Children's play equipment, fences, retaining walls, or other landscape features	Front Yard Side Yard Rear Yard	Unrestricted	Unrestricted

3.5.2 Front Yard Reduction

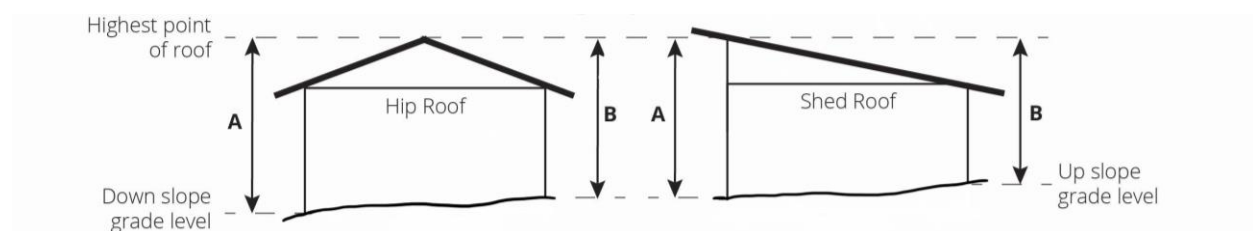
Where a site is situated between two sites that each contain a principle building which project beyond the minimum front yard setback as required by this Bylaw, then the front yard setback on the middle site may be reduced to an average of the two established front yards on the adjacent sites.

3.6 BUILDING HEIGHTS

3.6.1 Building height shall be measured from average grade level to the highest point of the roof structure exclusive of any chimney, antenna, satellite dish, solar panel, or any other similar protrusions that are separate from the roof structure.

3.6.2 As demonstrated by **FIGURE 3**, the average grade level is determined by taking the average between the height measured at two sides of the building, the down slope grade level of the building, and the up slope grade level of the building.

FIGURE 3. BUILDING HEIGHTS: $(A+B) \div 2$



3.6.3 The height of any principal buildings or structures shall not exceed 10.5 metres (34.45 ft), unless otherwise specified in this Bylaw.

3.6.4 The height of any accessory buildings or structures shall not exceed 5.25 metres (17.23 ft), unless otherwise specified in this Bylaw.

3.6.5 Communication towers, wind turbines, and other similar structures may be considered that exceed the maximum height requirements in **Sections 3.6.3** and **3.6.4** above provided they comply with all other provisions of this Bylaw.

3.7 FENCES

- 3.7.1** The height of any residential fence or similar structure shall not exceed 1.83 m (6.0 ft) above grade.
- 3.7.2** No fence shall interfere with traffic sightlines and shall not be located in a required sight triangle according to **Section 3.15.1** of this Bylaw.
- 3.7.3** Barbed-wire, razor wire, or electrified fences shall be prohibited.

3.8 RETAINING WALLS

- 3.8.1** Retaining walls may be incorporated into the site and landscaping design to address specific topographic, drainage, geotechnical, or structural site conditions provided they do not negatively impact neighbouring properties. New retaining walls shall not be erected without a Development Permit.
- 3.8.2** Proposed lakeside retaining walls shall require a permit from the Water Security Agency.
- 3.8.3** No retaining wall shall interfere with traffic sightlines and shall not be located in a required sight triangle according to **Section 3.15.1** of this Bylaw.
- 3.8.4** All retaining walls shall be designed and constructed in accordance to the manufacturer's specifications. Any retaining wall attached to a dwelling or with a total height of 0.6 metres (2 ft) or that is of any height on land considered to be potentially hazardous pursuant to **Section 3.14** shall be designed by a certified engineer.

3.9 SIGNAGE

3.9.1 General (in all Zoning Districts):

- (a)** Proposed signs for new developments shall be demonstrated on the development permit application according to **Section 2.4.2(e)vii**.
- (b)** No sign shall project beyond the property lines of the site to which it pertains.
- (c)** No sign shall be mounted or located in any manner that jeopardizes public safety and shall not be located within a sight triangle pursuant to **Section 3.15.1**.
- (d)** Wayfinding signs, plaques, or other commemorative signs or monuments will be encouraged that identify areas of the Village or properties with significant natural or human heritage resources, with consent of the property owner, provided the signage is appropriate in scale, design, placement and does not cause any safety concerns.
- (e)** Billboard signs advertising a business, service, or product not affiliated with the property for which it is located shall be prohibited.
- (f)** The Village may issue an order to remove signs that are either no longer relevant, in a state of disrepair, potentially offensive in nature, or represent a potential safety hazard.
- (g)** Council may waive any and all sign requirements for signs owned by the Village or any non-profit community group.

3.9.2 In the Residential (R1) Zoning District:

- (a)** With the exception of signs with the property name, family name, or property number, no signs shall be permitted for residential uses unless otherwise provided below.
 - i.** Notwithstanding **Section 3.9.2(a)** above, an approved home-based business, bed and breakfast operation, or other similar use may display one (1) fascia sign, not exceeding 0.46 m² (5.0 ft²), that shall not be illuminated and shall be affixed to the principal building or located as close to the dwelling as possible.

3.10 OFF-STREET PARKING

3.10.1 General (in all Zoning Districts):

- (a)** All required parking spaces shall be a minimum 2.75 m (9.02 ft) in width and 5.75 m (18.86 ft) in length.
- (b)** Parking spaces shall not be located in a required front yard unless located on a designated parking pad or driveway.
- (c)** Vehicle access and egress must be clearly defined and shall not be continuous along any site with the exception of the Community Service zoning district.
- (d)** The location and design of driveways and vehicle access / egress points shall have regard for pedestrian and vehicle safety; the location of servicing and utility infrastructure; and the retention of existing trees, where possible.
- (e)** All required parking lots, parking spaces, and loading spaces shall be surfaced in a suitable material that can be used year round.

3.10.2 In the Residential (R1) Zoning District:

- (a)** One (1) off-street parking space, indoors or outdoors, shall be provided per dwelling unit, which shall be located on the same site as the dwelling unit.
- (b)** Tandem parking spaces shall be permitted when more than one parking space is required by this Bylaw due to an approved principal or accessory use.
- (c)** No additional off-street parking or loading spaces are required for home based businesses unless the Development Officer or Council determines that not providing off-street parking spaces would result in traffic congestion or parking spill out on to public roads or neighbouring areas.

3.10.3 Travel Trailer Parking and Temporary Sleeping Accommodation

- (a)** Parking of Travel Trailers or other similar vehicles is prohibited in the front yard of a residential site from November 1 to March 31, inclusive.
- (b)** Where a residential site provides parking for Travel Trailers or other similar vehicles from in the front yard from April 1 to October 31, the number of vehicles shall not exceed two (2) including a maximum of one trailer, and shall be setback a minimum 0.61 m (2.0 ft) from the front site line.
- (c)** Travel trailers or other similar vehicles may be parked in any side or rear yard for an indefinite period subject to the provisions of this Bylaw and all other Village Bylaws.
- (d)** One (1) of the maximum two (2) vehicles referred to in **Section 3.10.3(b)** above may be an occupied motorhome, camper trailer, or similar vehicle so long as:
 - i.** The period of occupation does not exceed 14 days; and once the 14 day period has expired, it cannot be occupied again on the site for a period of 7 days;
 - ii.** It is for the exclusive use of non-paying short term guests of the occupant of the principal dwelling located on the same site; and

- (e) Notwithstanding the above, one motorhome, travel/camper trailer, or similar vehicle may be used as a temporary dwelling unit in accordance with the Trailer Bylaw if the principle dwelling is under construction, or undergoing renovations to an extent that renders it temporarily unliveable.
- (f) No Travel Trailers or other similar vehicles shall be used for permanent habitation, whether or not the vehicle is mounted on wheels.
- (g) Occupying Travel Trailers or other similar vehicles is prohibited on public property.

3.11 OUTDOOR STORAGE

- 3.11.1** When permitted in association with any approved use, all outside storage of vehicles, equipment, machinery, waste, etc. is subject to the following regulations:
- (a) Unsightly outdoor storage of materials, equipment, or rubbish shall be prohibited.
 - (b) The customary display of neatly arranged items for sale shall be permitted in any front yard for a period of less than 72 hours.
 - (c) Outdoor storage is permitted in a side or rear yard only when clearly accessory and incidental to the principal residential use.
 - (d) Garbage and waste material shall be stored in weatherproof and animal-proof containers.
 - (e) No yard shall be used for the storage or collection of hazardous material.
 - (f) The outdoor storage of junked vehicles is prohibited on any site within the Village.
 - (g) Council may establish additional standards for the location and screening of any area devoted to outdoor storage.

3.12 LANDSCAPING

- 3.12.1** Developers and landowners shall, wherever possible, practice landscaping strategies that:
- (a) Uses native species;
 - (b) Avoids the removal of existing trees and vegetation; and
 - (c) Integrate stormwater management to avoid disrupting natural drainage patterns.
- 3.12.2** Landscaped areas must not be completely hardscaped with impermeable material in order to reduce stormwater runoff and flooding during high rainfall or snow melt events.
- 3.12.3** No person shall cut or remove any tree that is not located on their own property including Village property without being granted permission by the landowner.
- 3.12.4** Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel within an adjacent public right-of-way.
- 3.12.5** As a condition of approval for a development permit, the Development Officer or Council may impose additional landscaping requirements or may require a landscape plan to be submitted that demonstrates a suitable degree of landscaping to enhance the site or provide a visual screen from an adjacent use or public right-of way, if required.
- 3.12.6** Any landscaping, including subsequent planting, which is required by this Bylaw or as a condition of approval for a development permit shall be maintained in a healthy growing condition or shall otherwise be replaced.

3.13 SITE GRADING, LEVELLING, & DRAINAGE

- 3.13.1** In accordance with *Section 3.4.2(7)* of the OCP, every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent properties, a public right-of-way, or the stability of the land.
- 3.13.2** If Development Officer or Council determines that the approach to grading and levelling the land for drainage purposes is not adequately demonstrated by the site plan or the required geotechnical analysis report submitted according to **Section 2.5** of this Bylaw, then a separate drainage or grading plan shall be required.
- 3.13.3** All excavations or fills shall be re-vegetated as soon as it is practical after other construction activities permit. The new vegetation shall provide a suitable ground cover so as to prevent erosion.
- 3.13.4** Significant filling, raising, excavating or sloping of sites, which could potentially impact neighbouring properties, with respect to drainage or stability shall be strictly prohibited.

3.14 DEVELOPMENT WITHIN POTENTIALLY FLOOD PRONE LANDS

- 3.14.1** In accordance with *Section 3.1.2(2)* of the OCP, the applicant of a development permit on any parcel of land shall be required to consult with the Saskatchewan Water Security Agency (WSA) to determine the 1:500 year flood elevation, whether the proposed development may be prone to flooding issues, require flood proofing measures, and if further studies or technical investigations should be required.
- 3.14.2** Development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of Last Mountain Lake shall be prohibited.
- 3.14.3** Development of new buildings and additions to buildings in the flood fringe of the 1:500 year flood elevation of Last Mountain Lake shall be flood proofed to an elevation of 0.5 metres above the 1:500 year flood elevation.
- 3.14.4** Existing buildings or structures within the flood fringe of the 1:500 year flood elevation may be repaired, replaced, or expanded subject to appropriate flood proofing measure being provided in accordance with **Section 3.14.3** above.
- 3.14.5** For the purpose of this Bylaw, appropriate flood proofing measure shall mean that:
- (a)** All buildings shall be designed to prevent structural damage by flood waters;
 - (b)** The first floor of all buildings shall be constructed above the designated flood design elevation; and
 - (c)** All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.
- 3.14.6** Any required flood proofing measures as described above may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.

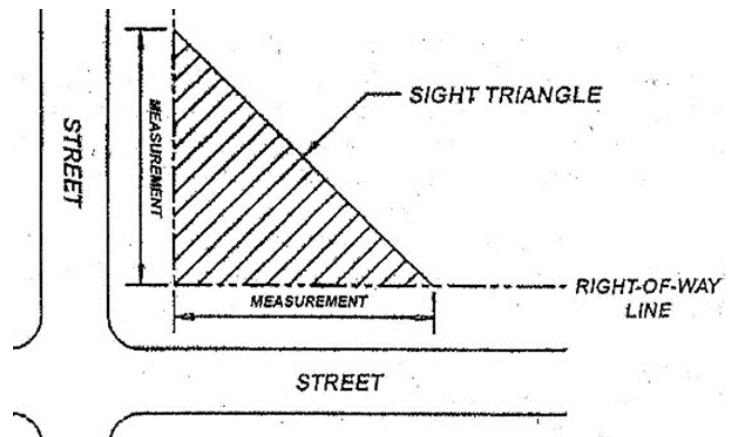
3.15 DEVELOPMENT IN SIGHT TRIANGLES OR IN PROXIMITY TO PROVINCIAL HIGHWAYS & THE RAILWAY

3.15.1 Development in Sight Triangles

No building, structure, earth pile or vegetation in any zoning district shall obstruct sightlines within a sight triangle according to the following measurements as demonstrated in FIGURE 4:

- (a) Intersection of two municipal roads:
A sight triangle with a measurement of 2.0 m (6.56 ft) from the intersection of the lot boundaries.
- (b) Intersection of a municipal road and a lane: A sight triangle measuring 1.0 m (3.28 ft) from the intersection of the lot boundary and the lane.
- (c) Sight triangles involving a provincial highway or the railway shall be determined by MHI.

FIGURE 4: SIGHT TRIANGLE



3.15.2 Development in Proximity to the Railway

- (a) The minimum setback from the railway to buildings or structures shall be 30 metres, unless a greater or lesser amount is established through consultation with MHI and the railway company, and is subsequently approved by Council.
- (b) As a condition of development permit approval, Council may require any additional safety or nuisance mitigation deemed necessary to protect public and environmental safety and to ensure efficient operation of the railway.
- (c) Safety and nuisance mitigation measures noted in **Section 3.15.2(b)** above may include, but shall not be limited to: separation distances, berms, soundproof and privacy fencing, and landscaping.
- (d) All development in proximity to a railway shall conform to the regulations contained within Transport Canada's Standards Respecting Railway Clearances (pursuant to the Railway Safety Act), and other relevant regulations as described in the OCP.

3.15.3 Development in Proximity to Provincial Highways

- (a) Any proposed development within 90 metres of a provincial highway right-of way requires a roadside development permit from the Ministry of Highways and Infrastructure (MHI).
- (b) Any development, including buildings, trees/shrubs, granaries, dugouts, wells, etc., may be subject to minimum setbacks from a provincial highway. Setbacks vary depending on the highway classification and shall be confirmed through correspondence with MHI.

3.16 WATER, WASTEWATER, & WASTE DISPOSAL

3.16.1 Water

- (a) Every residence or other use that requires water supply shall be connected to the Village water supply system at the owner's expense.
- (b) Private water wells shall be prohibited.

3.16.2 Wastewater

- (a) Every residence or other use that requires wastewater supply shall require a holding tank subject to the Saskatchewan Onsite Wastewater Disposal Guide issued by Saskatchewan Ministry of Health.
- (b) New holding tanks shall require a Development Permit and shall be setback a minimum 3.0 metres from any site line.
- (c) Holding tanks shall only be emptied by a licensed septic hauler.

3.16.3 Waste Disposal

In accordance with provincial regulations administered by the Ministries responsible for Health and Environment, no liquid, solid, or gaseous wastes shall be discharged onto any land, into the air, or into any stream, creek, river, lake, pond, slough, drainage channel, and/or any other body of water.

4.0 REGULATIONS FOR SPECIFIC USES

4.1 HOME-BASED BUSINESS

- 4.1.1** Home-based businesses may be accommodated as an accessory use within a dwelling used as the owner's residence, or building accessory to the dwelling, provided they are clearly secondary to the principal residential use, compatible with the surrounding residential area, and do not create any conflict with neighbouring properties or detract from the residential character of the area.
- 4.1.2** The owner and operator(s) of the home-based business shall be full-time residents of the dwelling. No person other than a resident of the dwelling unit shall be engaged in the operation of the home-based business as an employee or volunteer.
- 4.1.3** If the property where the home-based business is located is not owned by the home-based business owner, then a letter from the property owner to the Development Officer authorizing the operation of the home-based business is required.
- 4.1.4** No more than two (2) home-based businesses shall be allowed per dwelling unit.
- 4.1.5** The approval of a home-based business does not exempt the property regulations for outdoor storage in **Section 3.11** or any other part of this Bylaw. There shall be no exterior display or storage of any merchandise or material related to the home-based business.
- 4.1.6** No equipment or process used in the home-based business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable beyond the premises for which the home-based business is conducted.
- 4.1.7** Any business vehicle associated with the home-based business shall require an off-street parking space. No more than one (1) business vehicle associated with the home-based business shall be stored on the premises.
- 4.1.8** Long-term parking of vehicles of clients or employees hired for off-site jobs shall not be allowed on or near the premises for which the home-based business is conducted.
- 4.1.9** Signage shall be provided in accordance with **Section 3.9.2(a)i** of this Bylaw.
- 4.1.10** In addition to the information listed in **Section 2.4**, applications for home-based businesses shall include: a description of the proposed business; an indication of the number of business related visits per day; parking provision details; and the number of off-site employees.
- 4.1.11** Approval for the home-based businesses may be revoked at any time, if in the opinion of the Development Officer or Council, the use is or has become detrimental to the amenity of the area.

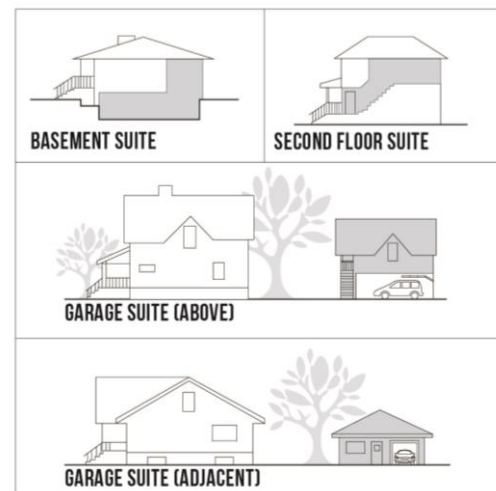
4.2 SECONDARY SUITES

- 4.2.1** A secondary suite may be constructed within a principal, single-detached dwelling. Only one secondary suite shall be permitted per principal dwelling.
- 4.2.2** Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.
- 4.2.3** Secondary suites must contain cooking, eating, living, sleeping, and private sanitary facilities.
- 4.2.4** Secondary suites shall have a minimum floor area of 32.5 m² (350 ft²).
- 3.5.2** Secondary suites shall have a maximum of two (2) bedrooms and shall not exceed 74.3 m² (800 ft²) or 40% of the total gross floor area of the principal dwelling, whichever is less.
- 3.5.3** Secondary suites shall require one additional on-site parking space in accordance with **Section 3.10**.

4.3 GARAGE SUITES

- 4.3.1** A garage suite may be allowed as an accessory use to a principal single-detached dwelling that does not already have a secondary suite. Only one garage suite shall be permitted per residential site.
- 4.3.2** The maximum height of a garage suite shall be 6.75 m (22.1 ft).
- 4.3.3** The minimum distance between the principal dwelling and a garage suite is 3.0 m (9.84 ft).
- 4.3.4** Garage suites shall have a minimum gross floor area of 41.8 m² (450 ft²) and a maximum floor area of 83.6 m² (900 ft²).
- 4.3.5** Garage suites shall have a maximum of two (2) bedrooms and shall not exceed a combined 60% site coverage with the principal dwelling.
- 4.3.6** The windows of a garage suite shall be placed in such a way to minimize overlook into yards and windows of abutting properties.
- 4.3.7** Garage suites shall require one additional on-site parking space in accordance with **Section 3.10**.
- 4.3.8** Garage suites shall be connected to Village water and a holding tank for wastewater.

FIGURE 5. TYPES OF SECONDARY SUITES



4.4 ROOMING UNIT (BUNKHOUSE)

4.4.1 A rooming unit or bunkhouse may be allowed as an accessory use to a principal single-detached dwelling.

4.4.2 Rooming units shall have a minimum gross floor area of 13.4 m² (144.0 ft²).

4.4.3 Rooming units may be connected to Village water and wastewater but shall not have cooking facilities.

4.5 BED AND BREAKFASTS & VACATION RENTALS

4.5.1 A bed and breakfast or vacation rental may operate in a detached dwelling, secondary suite, or garage suite provided that it obtains any required licensing from the Ministry of Health or any other Provincial Ministry.

4.5.2 No exterior alterations shall be undertaken to a dwelling that would be inconsistent with the residential character of the building and surrounding area.

4.5.3 Signage shall be provided in accordance with **Section 3.9.2(a)i** of this Bylaw.

4.5.4 Approval for the bed & breakfast or vacation rental operation may be revoked at any time, if in the opinion of the Development Officer or Council, the use is or has become detrimental to the amenity of the area.

4.6 MODULAR DWELLINGS

4.6.1 In any district where a dwelling is allowed, the dwelling may be in the form of a modular dwelling but not a mobile dwelling, park model, or trailer coach.

4.6.2 Modular dwellings shall be placed on a permanent foundation at a standard comparable to a conventional detached dwelling.

4.6.3 Modular dwellings shall complement neighbouring properties and shall not detract from the character of the area.

4.6.4 Modular dwellings shall be connected to Village water and a holding tank for wastewater.

4.6.5 Modular dwellings shall bear the applicable safety certification and shall meet the requirements of the National Building Code and Village Building Bylaw.

4.7 SEA CONTAINERS

4.7.1 Sea containers may only be used temporarily where the sole purpose is incidental to the construction or alteration of a building for which a building or demolition permit has been granted, subject to the following regulations:

(a) Prior to placement of the sea container on the lot, the property owner shall apply for a temporary development permit from the Development Officer.

(b) The minimum setbacks for accessory uses in **Section 3.4.4** of this Bylaw shall apply.

- (c) No sea container may exceed 3.0 metres (9.8 ft.) in height, 2.4 metres (7.9 ft.) in width, and 12.5 metres (41.0 ft.) in length.
- (d) No container shall be used for the purpose of a display or advertising.
- (e) The container shall be removed when the temporary development permit expires or when the construction it is supporting is completed.

4.8 SWIMMING POOLS

4.8.1 Private swimming pools may be approved as a discretionary accessory use to an approved dwelling unit, subject to the following regulations:

- (a) Swimming pools shall only be located in the rear or side yard.
- (b) All swimming pools and related appurtenances shall be setback a minimum 1.5 m (4.9 ft) from the rear and side site lines, and the principal building.
- (c) A yard containing a swimming pool shall be completely enclosed by a fence of 1.8 m (6.0 ft) in height, lockable to prevent unauthorized entry, and constructed in such a manner as to prevent entry from underneath.
- (d) There must be a minimum width of 750 mm surrounding the swimming pool within the enclosure, which may be used as a walkway or deck.
- (e) Any building or structure, including maintenance equipment such as heating, filtering, disinfectant, and re-circulation equipment shall be subject to the provisions of this Bylaw respecting accessory uses, buildings, and structures.
- (f) Any maintenance equipment or lights shall be designed, constructed, and maintained so not to disturb neighbouring properties.
- (g) The pool shall not be drained onto private or public property.

4.8.2 In addition to complying with the above regulations and all other requirements of this Bylaw, development permits for private swimming pools shall require a geotechnical analysis report in accordance with *Section 3.1.2(2)* of the OCP.

4.9 SOLAR COLLECTORS

4.9.1 The installation of solar collectors and their supporting structures may be permitted as an accessory use subject to the following regulations:

- (a) The solar collector must be located on the same site as the principal use;
- (b) The solar collector shall be used solely to produce electricity for uses on the same site, including net metering;
- (c) The solar collector shall be suitably installed and structurally secured according to the manufacturer's or professional engineer's certificate of structural safety;
- (d) Any solar collector not attached to a building shall adhere to the same setbacks as accessory buildings and structures in **Section 3.4.4** of this Bylaw;
- (e) Any solar collector and associated structures attached to a building shall not exceed a height of 1.0 metres above the highest point of the roof upon which it is located.
- (f) The solar collector shall comply with all regulations and standards of this Bylaw and any applicable provincial and federal requirements.

4.10 SATELLITE DISHES

4.10.1 The installation of satellite dishes and their supporting structures may be permitted as an accessory use subject to the following regulations:

- (a)** The satellite dish must be located on the same site as the principal use;
- (b)** The satellite dish shall be suitably installed and structurally secured according to the manufacturer's or professional engineer's certificate of structural safety;
- (c)** Any satellite dish not attached to a building shall adhere to the same setbacks as accessory buildings and structures in **Section 3.4.4** of this Bylaw; and

4.11 COMMUNICATION TOWERS

4.11.1 The development and operation of a communication tower shall comply with all federal and provincial regulations and the Village shall be provided with a copy of all required licenses, permits, and approvals.

4.11.2 The Village will consult with Industry Canada and the proponent to determine a suitable location for new communication towers. In determining the suitability of a proposed communication tower, Council shall consider the:

- (a)** Availability and suitability of the land;
- (b)** Compatibility of neighbouring land uses;
- (c)** Height, design, and structural integrity of the tower;
- (d)** Potential for any detrimental environmental impacts; and
- (e)** The health and safety of the public.

5.0 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

For the purpose of this Zoning Bylaw, the Resort Village of Kannata Valley is divided into the following zoning districts that may be referred to by their corresponding symbols.

ZONING DISTRICT	SYMBOL
Residential	R1
Community Service	CS
Environmental Conservation	EC

5.2 THE ZONING DISTRICT MAP

The map enclosed herein as **Exhibit B**, adopted by Council and signed by the Mayor and Administrator, and under the seal of the Village shall be known as the Resort Village of Kannata Valley Zoning District Map. The Zoning District Map identifies the zoning district that applies to every parcel of land within Village boundaries.

5.3 BOUNDARIES OF ZONING DISTRICTS

5.3.1 The boundaries of the zoning districts referred to in this Bylaw, together with an explanatory legend and notations, are shown on the Zoning District Map.

5.3.2 Unless otherwise shown, the boundaries of the zoning districts are site lines, centre lines of streets, lanes, road allowances or such lines extended, and the boundaries of the municipality.

5.4 ZONING DISTRICT SCHEDULES

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

6.0 RESIDENTIAL | R1

6.1 INTENT

The intent of the **Residential (R1)** zoning district is primarily to accommodate single-detached dwellings. Other building types and uses may be accommodated that can be demonstrated to be complementary and compatible with the surrounding area. The potential for small scale home-based businesses that do not detract from the amenity and character of the area may be accommodated through the discretionary use process.

6.2 PERMITTED & DISCRETIONARY USES

6.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Residential

- i. Single Detached Dwelling (including a Modular Dwelling in accordance with **Section 4.6**).

(b) Municipal, Recreational, Other

- i. Municipal facilities and public utilities, excluding solid and liquid waste disposal sites.
- ii. Parks, sports fields, and playgrounds.
- iii. Wildlife and conservation management areas.
- iv. Nature trails or other passive recreational uses (non-commercial).

(c) Accessory

- i. Other customarily accessory buildings, structures, and uses, excluding a Dwelling or Rooming Unit, in accordance with **Section 3.4**.

6.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Residential

- i. Rooming Unit in a detached accessory building in accordance with **Section 4.4**.
- ii. Secondary Suites in accordance with **Section 4.2**.
- iii. Garage suites in accordance with **Section 4.3**.
- iv. Bed and Breakfast or Vacation Rental Dwelling in accordance with **Section 4.5**.

(b) Commercial

- i. Home-Based Business in accordance with **Section 4.1**.

(c) Other

- i. Swimming Pools in accordance with **Section 4.8**.

6.3 DEVELOPMENT STANDARDS

6.3.1 SUBDIVISION

(a) Access and Services

- i. All uses shall have access and egress to the municipal or provincial road system.
- ii. A geotechnical study shall be required to demonstrate that all parcels created by a proposed subdivision include developable areas in compliance with the OCP and this Bylaw.
- iii. All subdivisions shall be adequately serviced to municipal and provincial standards.
- iv. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or roads.

6.3.2 SITE SIZE, SETBACK, AND SITE COVERAGE REQUIREMENTS

- | | |
|--|---|
| (a) Minimum Site Area: | 360 m ² with a lane; 450 m ² without |
| (b) Minimum Site Frontage: | 15.0 metres (49.21 ft); or 12.0 metres (39.37 ft) with a corresponding subdivision and discretionary use application. |
| (c) Minimum Front Yard Setback: | 4.5 metres (14.76 ft) |
| (d) Minimum Rear Yard Setback: | 3.0 metres (9.84 ft)* |
| (e) Minimum Side Yard Setback: | 1.5 metres (4.92 ft) |
| (f) Maximum Site Coverage: | 50%; or 60% with a garage suite under Section 4.3.5. |

***Shoreline Setback**

Unless a greater setback from the shoreline of Last Mountain Lake is required by the Water Security Agency in accordance with Section 3.14 of this Bylaw.

6.3.3 STANDARDS FOR DISCRETIONARY USES

Council will consider development permit applications for discretionary uses in the Residential (R1) zoning district with respect to the intent, uses, and development standards of this schedule and:

- (a)** The Development Application Evaluation Criteria in Section 2.11;
- (b)** Any relevant General Regulations in Section 3.0;
- (c)** Any relevant Regulations for Specific Uses in Section 4.0; and
- (d)** The Vision, Principles, Objectives and Policies of the OCP.

6.3.4 SIGNAGE

Signs are subject to Section 3.9.

6.3.5 OFF-STREET PARKING

Off-street parking requirements are subject to Section 3.10.

6.3.6 OUTDOOR STORAGE

Outdoor storage is subject to Section 3.11.

6.3.7 LANDSCAPING

Landscaping requirements are subject to Section 3.12.

7.0 COMMUNITY SERVICE | CS

7.1 INTENT

The purpose of the **Community Service (CS)** zoning district is to provide areas for a range of community service-related activities including social, recreational, institutional, parks, and public services.

7.2 PERMITTED & DISCRETIONARY USES

7.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Community Service & Institutional

- i. Government offices, libraries, community halls, & other public facilities.
- ii. Public works buildings and facilities.

(b) Recreational

- i. Parks, sports fields/facilities, picnic sites, and playgrounds.
- ii. Beaches, piers, and boat launches.
- iii. Pathways and nature trails or other passive recreational uses (non-commercial).

(c) Accessory

- i. Customarily accessory buildings, structures, and uses, excluding a dwelling, in accordance with **Section 3.4**.

7.2.2 DISCRETIONARY USES

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Principal Uses

- i. Places of worship.
- ii. Community gardens.
- iii. Social clubs & lodges.

7.3 DEVELOPMENT STANDARDS

7.3.1 SUBDIVISION

(a) Access and Services

- i. All uses shall have access and egress to the municipal or provincial road system.
- ii. A geotechnical study shall be required to demonstrate that all parcels created by a proposed subdivision include developable areas in compliance with the OCP and this Bylaw.
- iii. All subdivisions shall be adequately serviced to municipal and provincial standards.
- iv. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or roads.

7.3.2 SITE SIZE, SETBACK, AND SITE COVERAGE REQUIREMENTS

- | | |
|--|-----------------------|
| (a) Minimum Site Area: | No minimum. |
| (b) Minimum Site Frontage: | No minimum. |
| (c) Minimum Front Yard Setback: | 3.0 metres (9.84 ft) |
| (d) Minimum Rear Yard Setback: | 3.0 metres (9.84 ft)* |
| (e) Minimum Side Yard Setback: | 1.2 metres (3.94 ft) |
| (f) Maximum Site Coverage: | No minimum. |

***Shoreline Setback**

Unless a greater setback from the shoreline of Last Mountain Lake is required by the Water Security Agency in accordance with **Section 3.14** of this Bylaw.

7.3.3 STANDARDS FOR DISCRETIONARY USES

Council will consider development permit applications for discretionary uses in the **Community Service (CS)** zoning district with respect to the intent, uses, and development standards of this schedule and:

- (a)** The Development Application Evaluation Criteria in **Section 2.11**;
- (b)** Any relevant General Regulations in **Section 3.0**;
- (c)** Any relevant Regulations for Specific Uses in **Section 4.0**; and
- (d)** The Vision, Principles, Objectives and Policies of the OCP.

7.3.4 SIGNAGE

Signs are subject to **Section 3.9**.

7.3.5 OFF-STREET PARKING

Off-street parking requirements are subject to **Section 3.10**.

7.3.6 OUTDOOR STORAGE

Outdoor storage is subject to **Section 3.11**.

7.3.7 LANDSCAPING

Landscaping requirements are subject to **Section 3.12**.

8.0 ENVIRONMENTAL CONSERVATION | EC

8.1 INTENT

The intent of the **Environmental Conservation (EC)** zoning district is to protect environmentally sensitive and ecologically valuable lands including the Kannata Highlands. The EC zoning district may also be applied to hazardous lands, such as those prone to instability, flooding, or in close proximity to hazardous uses.

8.2 PERMITTED & DISCRETIONARY USES

8.2.1 PERMITTED USES

The Development Officer shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Principal

- i. Native grassland, wildlife, and wildfowl habitat and conservation management.
- ii. Historical and archaeological sites.
- iii. Nature trails or other passive recreational uses (non-commercial).

(b) Accessory

- i. Customarily accessory buildings, structures, and uses, excluding a dwelling, in accordance with **Section 3.4**.

8.2.2 DISCRETIONARY

Council shall consider a development permit for the following uses subject to the application process in **Section 2.0** of this Bylaw:

(a) Discretionary Uses

- i. Public utilities, excluding solid and liquid waste disposal sites.

8.3 DEVELOPMENT STANDARDS

8.3.1 SUBDIVISION

- (a) The subdivision of lands within the EC zoning district shall be prohibited without an accompanying OCP and Zoning Bylaw amendment.

8.3.2 SITE SIZE REQUIREMENTS

- | | |
|----------------------------|-------------|
| (a) Minimum Site Area: | No minimum. |
| (b) Minimum Site Frontage: | No minimum. |

8.3.3 DEVELOPMENT RESTRICTED

- (a) Other than transparent fences, no person shall plant non-native trees or shrubs, or place stone, earth piles, sumps, pits, portable structures, machinery, or other structures or buildings on land within the **Environmental Conservation (EC)** zoning district unless legitimately required for the operation of an approved permitted or discretionary use.

8.3.4 STANDARDS FOR DISCRETIONARY USES

Council will consider development permit applications for discretionary uses in the **Environmental Conservation (EC)** zoning district with respect to the intent, uses, and development standards of this schedule and:

- (a)** The Development Application Evaluation Criteria in **Section 2.11**;
- (b)** Any relevant General Regulations in **Section 3.0**;
- (c)** Any relevant Regulations for Specific Uses in **Section 4.0**; and
- (d)** The Vision, Principles, Objectives and Policies of the OCP including *Section 3.1* in particular.

EXHIBIT A: DEFINITIONS

Whenever the following words or terms are used in this Bylaw and/or the *Resort Village of Kannata Valley Official Community Plan Bylaw No. 04-2024*, they shall have the following meaning unless provided otherwise.

A

Accessory: A use, building, or structure customarily associated with, incidental to, subordinate to, and located on the same lot as the principal use, building or structure.

Act, The: *The Planning and Development Act, 2007*, Province of Saskatchewan.

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

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

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

Alteration or Altered: Any structural change or addition to a building or structure, and includes a change from one type of use to another.

Applicant: A developer or person applying for a development permit under this Bylaw or for a subdivision approval to an approving authority under *The Act*.

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half (1/2) storey.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has two (2) to four (4) wheels, an internal-combustion engine, alternate energy sources such as electrical, fuel cell, and is used for land transport.

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

B

Bare Land Condominium: A bare land condominium involves dividing a parcel of land into individually owned 'bare land units. A proposed plan of survey to create a bare land condominium requires the subdivision of the land and subdivision approval pursuant to *The Act*. Buildings on each bare land unit are owned by the individuals. The balance of the parcel around the units is common property. Generally, buildings on private units or common property are not constructed until after the bare land condominium plan has been registered. To ensure compliance with municipal bylaws,

the municipality should discuss with the developer, any proposed construction of buildings prior to registration of the condominium plan. All buildings and improvements on common property are owned by the condominium corporation. Bare land condominiums are sometimes managed as exclusive communities, with control over local access.

Bare Land Condominium Unit: A bare land unit as defined by *The Condominium Property Act, 1993*.

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

Bed and Breakfast: a dwelling unit, licensed as an itinerant use accommodation under *The Public Accommodation Regulations*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

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

Buffer: A strip of land, vegetation or land use that physically separates two (2) or more different land uses.

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

Building, Accessory: See "Accessory".

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

Building Bylaw: A Bylaw of the Resort Village of Kannata Valley to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

Building Height: The height of a building according to **Section 3.6** of this Bylaw.

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

C

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

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

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

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

Community Garden: An area of land managed and maintained by a formal or informal group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, donation or sale at a farmers' market or farm stand.

Compatible: As defined in *The Statements of Provincial Interest Regulations*.

Condominium: Land, buildings and units including private and common property as defined under *The Condominium Property Act, 1993*.

Condominium Unit: A division of land or building as defined in *The Condominium Property Act, 1993*.

Confectionary or Convenience Store: A retail, commercial establishment supplying a limited selection of food and other daily household necessities to the surrounding area.

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

Council: The elected Council of the Resort Village of Kannata Valley.

Cultural Resource: As defined in *The Statements of Provincial Interest Regulations*.

D

Deck: Any raised floor structure at least 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp or similar access.

Demolition Permit: A permit issued for the removal or dismantling of a building or structure within the Village's boundaries as prescribed under *The Construction Codes Act*.

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

Development Officer: A person appointed by Council to act as a Development Officer to administer this Bylaw. As per **Section 2.1** of this Bylaw, the person responsible for the administration of this Bylaw shall be the Administrator, and in their absence by such other employee of the municipality as Council designates from time to time

Development Levy Agreement: An agreement entered into pursuant to *The Act* (ss. 171).

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

Driveway: That portion of a lot used to provide vehicular access from a street to a parking space or to an off-street parking or loading area located on the same lot.

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

Dwelling, Mobile (Manufactured): A structure built on a deformation resistant frame or metal chassis that is defined in the Canadian Standards Association (CSA) and bears a CSA seal attesting that the structure complies with the #Z240 standards built prior to 2019 or CSA standard #A277 built after January 1, 2019. Mobile dwellings are constructed off-site in a yard or factory and include a deformation resistant frame to allow them to be placed on a surface riding foundation such as cribbing for ease of transportation to site.

Dwelling, Modular (includes RTMs): A residential dwelling that is constructed off-site in a yard or factory, in one (1) or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site in the Village, and conforming to CSA standard #A277.

Park Model, Dwelling (or Trailer Coach): A seasonal or year-round mobile dwelling that is designed to be drawn on any public roadway that has no motor power or its own and cannot be licensed as a recreational vehicle. It must meet CSA standard #Z241, bear the appropriate seal, and shall be no greater than the maximum floor area 50.0 m² (538 ft²).

Dwelling, Single-Detached: A building containing only one (1) dwelling unit, and shall not include a mobile home as herein defined.

Dwelling Unit: One (1) or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities.

E

Engagement: As defined in *The Statements of Provincial Interest Regulations*.

Environmental Reserve: Dedicated lands that are provided to a municipality for protecting or conserving natural or environmentally-sensitive areas, or that were dedicated as public reserve and transferred to a municipality pursuant to *The Act*.

Environmental Site Assessment: An investigation intended to identify actual or potential contamination, and is performed by a qualified person in accordance with *The Canadian Standards Association Standard Z768-94, Phase 1 Environmental Site Assessment*.

Environmentally Sensitive Lands or Areas: As defined in *The Statements of Provincial Interest Regulations*.

Estimated Peak Water Level (EPWL): The water level calculated by Saskatchewan Water Security Agency to determine a flood hazard area.

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

F

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

Fill (Clean Fill): Uncontaminated non-water-soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and or clay or ceramic products. Clean fill does not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive, or radioactive.

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

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

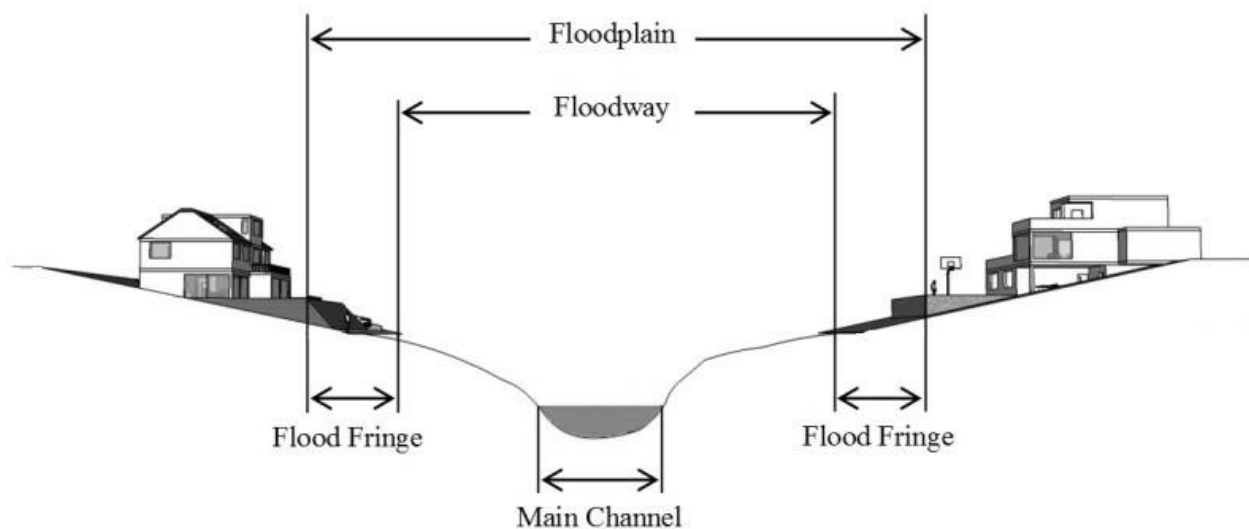
Flood Fringe: As defined in *The Statements of Provincial Interest Regulations*.

Flood Plain: As defined in *The Statements of Provincial Interest Regulations*.

Flood Proofed: As defined in *The Statements of Provincial Interest Regulations*.

Floodway: As defined in *The Statements of Provincial Interest Regulations*.

FIGURE 6: CROSS-SECTION OF A FLOOD FRINGE AND FLOODPLAIN



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

Frontage (Lot Frontage): The distance across the street side of a lot (a lot must front on a street), between the points where the side lines of the lot meet the street right-of-way or boulevard; or,

where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

G

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

Garage Suite: A small, detached accessory dwelling unit that may have cooking; food preparation; sleeping; and, sanitary facilities which are separate from those of the principal single detached dwelling. Typically, garage suites are either attached to or located above a detached garage.

Geotechnical Analysis: An assessment or estimation by a qualified expert of the earth's subsurface and the quality and or quantity of environmentally mitigative measures that would be necessary for development to occur.

Grade: The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the four (4) outside corners of the building.

Greenways: Corridors or protected open spaces that are publicly or privately owned and managed for conservation and recreation purposes.

H

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

Hazard(ous) Land: As defined in *The Statements of Provincial Interest Regulations*.

Heritage Resource: As defined in *The Statements of Provincial Interest Regulations*.

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

Holding Tank: A digestion chamber in which sewage is received and retained to be transported to a final point of disposal.

Home-Based Business: Development consisting of the use of a conforming dwelling unit or residential accessory building as a business by the resident or residents, which is incidental and secondary to the residence and does not change the building's exterior character. This does not include a home office, vacation rental, the production or retail of cannabis, or any use that is listed as discretionary or prohibited in the specific zoning district.

Home Office: An office located within a dwelling unit where a resident may carry out typical office work for remuneration but does not meet with any clients or customers on site.

I

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

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

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

Intensity of Use: The density of use, number of units, size of development, or bulk, form or number of buildings or structures for a permitted, discretionary or prohibited use.

J

K

L

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

Land Use Map: In its projections, the map specifies certain areas for growth and others for residential, community service and environmental conservation. The Land Use Map for the Resort Village of Kannata Valley is attached as Exhibit "A" in the Official Community Plan.

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

Lane: A public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Lot: An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot" and "site" shall be deemed not to mean the same. A site may constitute more than one lot if they are contiguous and under the same landowner.

M

Marina: A facility, accessible by boat from a water body for the launching and berthing of watercraft.

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

Minister: The member of the Executive Council to whom for the time being is assigned the administration of *The Act*.

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

Municipal Road: A public roadway subject to the direction, control and management of the Resort Village of Kannata Valley.

N

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

Non-Conforming Site: A site consisting of one (1) or more contiguous parcels that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

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

Noxious Use or Condition: Any use or facility that causes or produces harmful or hazardous noise, vapours, smoke, dust (particles suspended in or transported by air), vibrations, electrical or electromagnetic fields, glare or light.

O

Official Community Plan (OCP): The *Resort Village of Kannata Valley Official Community Plan Bylaw No. 04-2024*, adopted as per *The Act*.

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

P

Parcel: A surface parcel as defined in The Land Titles Act, 2000.

Parking Lot: An open area, other than a street, used for the temporary parking of more than four (4) vehicles and available for public or private use.

Parking Space: A space within a building or parking lot for the parking of one (1) motor or recreational vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres (8.2 ft.) wide and 5.5 metres (18.0 ft.) in length.

Parking Space, Off-Street: Accommodation for the parking of vehicles off a public road or highway.

Parking Space, Tandem: Double-length parking spaces that are located one in front of the other, such that one vehicle will have to pull out in order to access the second vehicle.

Patio: Any hard surface or floor structure less than 0.3 metres (1.0 ft.) above the average ground level upon which it is constructed.

Placemaking: A multi-faceted approach to the planning, design and management of public spaces. Placemaking capitalizes on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.

Public Realm: The publicly owned places and spaces that belong to and are accessible by everyone. These can include municipal streets, lanes, squares, plazas, sidewalks, trails, parks, open spaces, waterfronts, public transit systems, conservation areas, and civic buildings and institutions.

Public Utility: A government, municipal or corporation under Federal or Provincial statute which operates a public work and/or provides a service to the general public.

Public Work: Under *The Act*, means:

- systems for the production, distribution or transmission of electricity;
- systems for the distribution, storage or transmission of natural gas or oil;
- facilities for the storage, transmission, treatment, distribution or supply of water;
- facilities for the collection, treatment, movement or disposal of sanitary sewage;
- telephone, cable television or light distribution or transmission lines; or
- facilities for the collection, storage, movement and disposal of storm drainage;

Q

R

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

Recreational Vehicle (RV): A travel/camper trailer, motor home, or similar vehicle, boat, snowmobile, ATV, or similar vehicle designed for travel, recreation, leisure or vacation purposes, including temporary accommodation, but does not include modular and mobile dwellings that are constructed and used for year-round occupancy.

Redevelopment: See "Infill Development".

Residence: See "Residential Use".

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

Responsible Development: As defined in *The Statements of Provincial Interest Regulations*.

Retaining Wall: A wall of strong construction intended to hold back soil or keep certain amount of earth in place in order to create a safe, more stable or more level area.

Right-of-Way: The land set aside for use as a roadway or utility corridor. Rights-of-way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes road rights-of-way are left vacant after the initial roadway facility is constructed to allow for future expansion.

Rooming Unit (or Bunkhouse): A detached accessory building other than a dwelling unit primarily for sleeping accommodation that may have a private toilet facility but no cooking facility.

S

Safe Building Elevation (SBE): A level as defined by the Ministry of Government Relations at the time of subdivision 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 to allow for uncertainties in calculations and other possible hazards such as ice push, ice jams, wind, waves and erosion.

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

School: An educational facility under the jurisdiction of a Board of Education, a college, university or any other school established and maintained either wholly or partially at public expense, whether or not the same is a boarding school and includes any dormitory building accessory to such school.

Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principle use is a one (1) unit dwelling.

Setback: A required minimum separation distance, usually from the nearest point of a building or structure's exterior wall to a site line, railway, or centre line of a public highway.

Sea Container: A standardized reusable steel box used for the secure storage and efficient intermodal movement of materials and products. It does not contain a foundation or wheels for movement.

Sight Triangle: 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.

Sign: Any device, letter, symbol, emblem or picture, that is affixed to or represented directly or indirectly upon a building, structure or a piece of land and that identifies or advertises any object, product, place, activity, person, organization or business in such a way as to be visible to the public on any street, thoroughfare or any other public place.

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

Sign, Fascia: A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background

surface of the sign and which does not project more than 0.5 metres (1.6 ft.) from such building or structure.

Sign, Temporary: A sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one (1) or more lots with the same land owner considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same. At the discretion of the Development Officer or Council, the Village may require lots to be consolidated or tied to clarify the specific lots that encompass a site.

Site, Corner: A site at the intersection of two (2) or more public streets, or upon two (2) parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than 135 degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

Site, Through: A site other than a corner site, having separate frontages on two (2) streets. The front site line of a through site shall be determined by predetermined building lines.

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

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

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the road right-of-way; for a corner site, the shorter line abutting a street; though in the case of a corner site with two (2) street lines of equal length, the front site line shall be designated by predetermined building lines.

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

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

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

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

Solar Collector: A device for the absorption of solar radiation for the heating of water or buildings or the production of electricity.

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

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.6 metres (5.2 ft.) and 2.3 metres (7.5 ft.) over a floor area which is not less than one-third (1/3) nor more than two-thirds (2/3) of the floor area of the storey next below.

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

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

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

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

Sustainable: As defined in *The Statements of Provincial Interest Regulations*.

Swimming Pool: an artificially created basin, lined with concrete, fiberglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which is 600 millimeters or more in depth, and includes above and below ground pools.

T

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

Travel (Camping) Trailer, Truck Camper, 5th Wheel Trailer, Trailer Coach: Any vehicle designed, constructed or reconstructed in such a manner as it will permit occupancy as a dwelling or sleeping place for one (1) or more persons, notwithstanding that its running gear is removed; jacked up; is used; or, constructed in such a way as to enable it to be used as a conveyance upon public streets, highways. This includes self-propelled and non self-propelled vehicles.

U

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

Use, Accessory: See “Accessory”.

Use, Discretionary: 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, as contained in this Bylaw.

Use, Permitted: A use or development which is rightfully allowed in its zoning district subject to the regulations of this Bylaw and following application for a development permit that is approved by the Development Officer.

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

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 9.3 m² (100.1 ft²).

V

Vacation Rental: The short-term rental of a dwelling unit as temporary accommodation by a person or group of persons for up to 30 days or based on a daily or weekly rate by way of concession, permit, lease, license, rental agreement or similar arrangement, unless otherwise prohibited by this Bylaw, or any other Bylaw of the Resort Village of Kannata Valley. A Vacation Rental may also include a single-detached dwelling which is owner occupied, and in which not more than two bedrooms are rented.

Vehicle: A device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and agricultural implements but does not include vehicles running only on rails or solely on railway company property.

W

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

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

Water Body: A lake, pond, reservoir, lagoon, swamp, marsh, wetland or any other area containing standing surface water, either permanently or intermittently.

Water Course: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or design flood.

Y

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

Yard, Front (Roadside): The roadside area of the property from the front site line to the nearest extent of the main front building wall, between the side site lines.

Yard, Rear: The lakeside or hillside area of the property from the rear site line to the nearest extent of the main rear building wall or structure, between the side site lines.

Yard, Side: The area between the side lot line and the nearest extent of the main side wall of the building or structure.

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

Z

Zoning District: Divisions identified in the Zoning Bylaw according to **Section 5.0** of this Bylaw that establish permitted and discretionary uses as well as development standards for all sites within the Resort Village of Kannata Valley.

EXHIBIT B: ZONING DISTRICT MAP




RESORT VILLAGE OF KANNATA VALLEY ZONING DISTRICT MAP

"Exhibit B" of Zoning Bylaw No. 05-2024


Mayor


Administrator

ZONING DISTRICTS

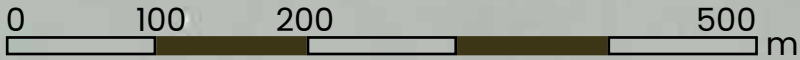
 R1 - Residential

 CS - Community Service

 EC - Environmental Conservation

 Resort Village Boundary

MR = Municipal Reserve
ER = Environmental Reserve
RTS = Refuse Transfer Station
WTP = Water Treatment Plant



Village Seal:

