RESORT VILLAGE OF ELK RIDGE

ZONING BYLAW

Prepared for:

The RESORT VILLAGE of ELK RIDGE

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Saskatoon, SK

April 2024

**THE RESORT VILLAGE OF ELK RIDGE**

**ZONING BYLAW**

A Bylaw of the Resort Village of Elk Ridge to adopt a Zoning Bylaw.

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

(1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Resort Village of Elk Ridge hereby adopts the Resort Village of Elk Ridge Zoning Bylaw, identified as Schedule "A" to this Bylaw.

(2) The Mayor and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.

(3) Bylaw No. 5/14, the Zoning Bylaw, and all amendments thereto, are hereby repealed.

(4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

Read a Second Time the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

Read a Third Time the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

Adoption of the Bylaw this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Mayor)

SEAL

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Chief Administrative Officer)

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

On the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of the year \_\_\_\_\_\_\_\_\_\_

**THE RESORT VILLAGE OF ELK RIDGE**

**ZONING BYLAW**

Being Schedule “A” to Bylaw No. \_\_\_\_\_\_

of the Resort Village of Elk Ridge

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Mayor)

SEAL

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Chief Administrative Officer)

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# INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 2012-06, the Official Community Plan of the District of Lakeland, the Council of the Resort Village of Elk Ridge in the Province of Saskatchewan, in open meeting, hereby enact as follows:

## Title

This Bylaw shall be known and may be cited as the *Zoning Bylaw* of the Resort Village of Elk Ridge.

## Scope

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

## Purpose

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Resort Village of Elk Ridge.

## Severability

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

# INTERPRETATION

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

**Abutting:** Shall mean touching and sharing a common site line or boundary.

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

(a) is subordinate to and serves the principal building or principal use;

(b) is subordinate in area, extent, and purpose to the principal building or principal use served;

(c) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,

(d) is located on the same site as the principal building or principal use served.

**Accessory Employee Residence:** a recreational vehicle or residence located within an accessory building, intended to provide accommodation to employees, which includes sleeping and sanitary facilities and may contain kitchen facilities.

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

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

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

**Balcony:** Shall mean a platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a railing.

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

**Bare Land Unit:** Shall mean a bare land unit as defined within The *Condominium Property Act, 1993*.

**Basement, Walkout:** Shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than 0.6 metres below grade or which has an entrance at finished floor level. This definition shall only apply to sites which have been designed to accommodate a walkout basement.

**Boulevard:** Shall mean the strip of land between the curb and the property line, or in the absence of a curb, the strip of land between the road/pavement edge and the property line. The boulevard is located within the road right-of-way.

**Building:** Shall mean a structure constructed or placed on, in, or over land, but does not include a public highway, and includes any structure covered by a roof and supported by walls or columns.

**Building Bylaw:** Shall mean any Bylaw of the Resort Village of Elk Ridge regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

**Building Height:** Shall mean the vertical distance of a building measured from grade level, 0.3 metres back from the principal building to the highest point of the roof surface.

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

**Building Permit:** Shall mean a permit issued under a Building Bylaw of the Resort Village of Elk Ridge authorizing the construction of all or part of a building or structure.

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

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

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

**Bylaw, this:** Shall mean the *Zoning Bylaw of the Resort Village of Elk Ridge.*

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

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

**Chief Administrative Officer:** Shall mean the Chief Administrative Officer for the Resort Village of Elk Ridge.

**Common Wall:** Shall mean a vertical wall without an opening, separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be common to both dwelling units over at least 40% of the length of each dwelling unit.

**Communication Facility:** Shall mean an Industry Canada regulated communication facility, including radio television cellular telephone and microwave transmission towers and accessory buildings.

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

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

**Council:** Shall mean the Council of the Resort Village of Elk Ridge.

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

**Deck:** Shall mean a raised platform, with or without rails, for use by those occupying the principal building.

**Deck or Patio, Covered:** Shall mean a single storey deck or patio which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is attached to the dwelling but not integrated into the dwelling unit by virtue of the extension of the dwelling unit’s heating or cooling system or the removal of the exterior door between the deck or patio and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the deck or patio. Typically, an attached covered deck or patio would provide up to three-season accommodation and would not provide fully livable floor space.

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

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

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

**Dwelling:** Shall mean a building used or intended for residential occupancy, and may include a Modular Dwelling or a Ready-to-Move Dwelling, but excluding a Manufactured Dwelling, Park Model Dwelling, or Mobile Home.

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

**Dwelling, Multiple Unit:** Shall mean a building divided into three or more dwelling units as herein defined and shall include townhouses and apartment dwellings but not hotels or motels.

**Dwelling, Single Detached:** Shall mean a detached building consisting of one dwelling unit as herein defined but shall not include a manufactured home as herein defined.

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

**Electric vehicle charging stations (EVCS):** Shall mean a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

**Fabric Covered Structure, Accessory:** Shall mean a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and sides with fabric, reinforced plastic, vinyl, or other sheet material, intended for temporary storage purposes.

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

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

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

**Flood fringe:** shall mean the portion of the flood plain inundated by the 1:500 year flood that is not floodway.

**Flood plain:** shall mean the area inundated by water from a watercourse or water body during a 1:500 year flood and is made up of the floodway and flood fringe.

**Floodway:** shall mean the portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to:

 (a) meet or exceed a depth of one metre; or,

 (b) meet or exceed a velocity of one metre per second.

**Frontage:** Shall mean the side of a site abutting a street and, in the case of a corner site, the narrower of the two sides is the frontage. In the event that the lot is square, it would be the side chosen as the front, provided it is a corner lot.

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

**Geothermal Energy System:** Shall mean a system that provides a renewable source of energy that taps deep into the heat of the earth’s crust.

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

**Habitable:** Shall mean any room in a dwelling, such as a bedroom, bathroom, kitchen or living room, other than a non-habitable room.

**Habitable, Non:** Shall mean a space in a dwelling providing a service function and not intended primarily for human occupancy, including entry ways, corridors or storage areas.

**Hard Surfaced:** Shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement.

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

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

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

**Landscaping, Hard:** Shall mean landscape features consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding gravel, loose rock, outdoor carpeting, or monolithic concrete and asphalt.

**Landscaping, Soft:** Shall mean landscape features consisting of vegetation such as trees, shrubs, hedges, and grass.

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

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

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

**Lounge:** Shall mean a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

**Mayor:** Shall mean the Mayor of the Resort Village of Elk Ridge.

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

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

(a) Office and/or meeting space;

(b) Storage of municipal equipment and/or supplies; and/or

(c) Other institutional purposes.

**Municipality:** Shall mean the Resort Village of Elk Ridge.

**Nonconforming Building:** Shall mean a building:

(a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective; and,

(b) that on the date this Bylaw or any amendment hereto becomes effective does not or when constructed will not comply with this Bylaw.

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

**Nonconforming Use:** Shall mean a lawful specific use:

(a) being made of land or a building or intended to be made of a land or of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw or any amendment hereto becomes effective; and,

(b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

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

**Official Community Plan:** Shall mean the *Official Community Plan* for the District of Lakeland.

**Park:** Shall mean a development of land specifically designed or reserved for active or passive recreational use and including landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purposes of parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian/bicycle paths and pathways, landscaped buffers, arboretums, botanical gardens, playgrounds, toboggan slides, skateboard parks, swimming pools, community gardens, wading pools, and water features.

**Park, Public:** Shall mean a park development on public land.

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

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

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

**Patio:** Shall mean an open horizontal, artificially surfaced area adjacent to the principal building, usually at grade level, intended for use as an outdoor private amenity space.

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

**Personal Service Shop:** Shall mean a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

(a) beauty salons and barber shops;

(b) shoe repair;

(c) dry-cleaning pick-up depots;

(d) self-serve laundry;

(e) tailor or seamstress;

(f) massage services;

(g) photography studios;

(h) tanning beds; and

(i) tattoo parlours,

but does not include the provision of health related services.

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

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

**Public Work:** Shall include:

(a) systems for the production, distribution or transmission of electricity;

(b) systems for the distribution, storage or transmission of natural gas or oil;

(c) facilities for the storage, transmission, treatment, distribution or supply of water; and/or,

(d) facilities for the collection, treatment, movement or disposal of sanitary sewage.

(e) telephone, internet, cable television or light distribution or transmission lines; and,

(f) facilities for the collection, storage, movement and disposal of storm drainage.

**Recreational Facility, Commercial:** Shall mean a recreation or amusement facility operated as a business and open to the general public, but not including adult entertainment.

**Recreational Facility, Public:** Shall mean a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public, but not including adult entertainment.

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

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

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

**Sandblasting:** Shall mean the cleaning, smoothing, roughening or removing of part of the surface of any article by the use of an abrasive, jet of sand, metal shot, grit or other material propelled by compressed air, steam or by a wheel.

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

**Shipping Container:** Shall mean a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck and used for storage.

**Short-Term Vacation Rental Units:** Dwelling units which are used to provide rental accommodations to guests for tenancies of one day or more.

**Sight Triangle:** Shall mean the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distance along said site lines (refer to Figure 2-1).

**

*Figure 2-1: Sight Triangle*

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

**Sign, Portable:** Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 4.5 m2 or a total gross area no greater than 9.0 m2, which can be readily moved or transported to various locations (refer to Figure 2-2).



*Figure 2-2: Illustration of Portable Signs*

**Site:** Shall mean an area of land:

1. under one ownership considered as a unit;
2. having its principal frontage on a public street; and
3. not divided by a public street.

**Site, Corner:** Shall mean a site at the intersection of two or more streets (refer to Figure 2-3).



*Figure 2-3: Illustration of Site Definition*

**Site, Interior:** Shall mean a site other than a corner site (refer to Figure 2-3).

**Site Coverage:** Shall mean that portion of the site that is covered by principal and accessory buildings, including covered patios and covered decks.

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

**Site Line, Rear:** Shall mean the line (or point) at the rear of the site adjacent to a rear lane and opposite the front site line or in the case of no rear lane, the line or point at the rear of the site and opposite the front site line (refer to Figure 2-4).



*Figure 2-4: Illustration of Rear Site Lines*

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

**Site, Through:** Shall mean a site not more than one lot in depth, having a frontage on two or more streets (refer to Figure 2-3).

**Site Width:** Shall mean the horizontal distance between the side boundaries of the site measured at a distance equal to the required minimum front yard from the front site line for the district in which the site is located (refer to Figure 2-5).



*Figure 2-5: Illustrations of Site Width*

**Solar Collector:** Shall mean photovoltaic solar panels or modules that uses the sun’s energy to heat water or produce electricity. That water or electricity can be used immediately, stored for later use or in the case of electricity fed back to the grid for use by others.

**Storage Yard:** Shall mean a place which provides secure space for the storage of materials and equipment not being offered for sale.

**Street:** Shall mean a public space, commonly used as a thoroughfare, which affords the principal means of access to abutting properties.

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

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

**Swimming Pool, Private:** Shall mean an artificially created basin lined with concrete, fibreglass, vinyl, metal or similar material, intended to contain water for the use of persons for swimming, diving, wading, or other similar activity, which is at least 600mm in depth, and includes pools situated on top of grade and hot tubs and whirlpools.

**Temporary Development:**Shall mean a building or use that may operate for a period of time determined by the Resort Village and which complies with all relevant development standards. A Development permit may be issued for a maximum of 12 months, after which time the development permit may be extended or re-issued at the discretion of the Resort Village.

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

**Vehicle:** Shall mean a device in or by which a person or thing may be transported or drawn on a street and includes motor vehicles, trailer coaches, semi-trailers, fire engines, fire department apparatus, and all vehicles propelled by muscular power; but does not include railway cars and other motor vehicles running only upon rails or tracks or solely upon railway company property.

**Resort Village:** Shall mean the Resort Village of Elk Ridge.

**Wall Height:** Shall mean the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

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

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

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

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

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

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

# ADMINISTRATION

## Development Officer

### The Development Officer shall administer this Bylaw.

### The Development Officer shall be the Chief Administrative Officer for the Resort Village of Elk Ridge and any other person authorized, in writing, by Council to act as a Development Officer for the purposes of this Bylaw and *The Act*.

## Development Permits

### Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.

### A development permit is not required, but all other applicable provisions of this Bylaw are to be followed, for the following:

1. The maintenance of a public work by the municipality or a public utility;
2. The construction of a public work by the municipality;
3. The installation of a public work on any street or other public right-of-way by the municipality;
4. Maintenance and repairs that do not include structural alterations;
5. Accessory buildings under 9.3 square metres in area;
6. Fences;
7. Signs;
8. Home based businesses; and,

(9) Excavation, stripping or site grading that is part of a Development Agreement which has been approved, signed and registered.

### The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months or any portion thereof if requested in writing by the permit holder. A development permit shall be automatically invalid:

(1) if the proposed development is not commenced within 12 months from the permit issuance date, or

(2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by Council or the Development Officer.

### A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.

## Development Permit Application Requirements

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

(1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.

(2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.

(3) the complete legal description and civic address of the subject property.

(4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:

(a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site geodetic elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing trees;

(b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas;

(c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site;

(d) the location of commercial signage.

(5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

### The Development Officer may require the submission of documentation relating to the requirements of Section 4.6 Development on Hazard Lands, where relevant.

## Development Permit Application Process

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

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

### Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.

### Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

### The Development Officer may revoke a development permit where:

(1) the development permit has been issued in error;

(2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;

(3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,

(4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.

### The Development Officer shall give the reasons for denying or revoking a development permit.

## Development Appeals Board

### A Development Appeals Board of the Resort Village of Elk Ridge shall be appointed in accordance with Sections 213 to 227 of *The Act*.

## Right of Appeal

### Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Resort Village of Elk Ridge.

### Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Resort Village of Elk Ridge.

### Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.

### An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.1 as though the application had been refused at the end of the period specified in this subsection.

### Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with an application fee of $50.00.

## Minor Variances

### The Development Officer may vary the requirements of this Bylaw subject to the following conditions:

(1) a minor variance may be granted for variation only of:

(a) the minimum required distance of a building from the site line; and

(b) the minimum required distance of a building to any other building on the site

(2) the maximum amount of minor variance shall not exceed a 10% variation of the requirements of this Bylaw;

(3) the development shall conform to this Bylaw with respect to the use of land;

(4) the relaxation of this Bylaw shall not injuriously affect neighbouring properties;

(5) no minor variance shall be granted for a discretionary use, a discretionary form of development or in connection with an agreement on rezoning entered into pursuant to Section 69 of *The Planning and Development Act, 2007*; and

(6) minor variances shall only be granted for applications respecting single detached dwellings, two-unit dwellings, semi-detached dwellings, manufactured dwellings and accessory buildings to such developments.

### An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of $100.00.

### On receipt of an application for minor variance, the Development Officer may:

(1) approve the minor variance;

(2) approve the minor variance and impose terms and conditions on the approval; or

(3) refuse the minor variance.

### Where the Development Officer imposes terms and conditions on an approval pursuant to subsection 3.7.3, the terms and conditions shall be consistent with the general development standards in this Bylaw.

### Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.

### Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.

### The written notice required pursuant to subsection 3.7.6 shall:

(1) contain a summary of the application for minor variance;

(2) provide a reason for and an effective date of the decision;

(3) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer; and

(4) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.

### The written notice required pursuant to subsection 3.7.6 shall be delivered:

(1) by registered mail; or

(2) by personal service.

### Except as provided in subsection 3.7.10, a minor variance, with or without terms and conditions, does not take effect:

(1) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;

(2) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.

### Where the assessed property owners who have received notice pursuant to subsection 3.7.6 provide written notice to the Development Officer that they do not object to the minor variance, the decision approving the minor variance takes effect on the day it is made.

### If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the Development Officer respecting the approval of the minor variance within the time periods prescribed in Subsection subsection 3.7.9(9), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

(1) of the revocation of the approval; and

(2) of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

### If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

## Nonconforming Uses, Buildings and Sites

### Where a lot is reduced in size as a result of acquisition for a public use by the Resort Village, Provincial or Federal Government, School Division, or Public Utility, the site and buildings shall be deemed to conform with the provisions of this Bylaw and the site shall be considered to exist as it did prior to the acquisition.

### No existing building, site or use shall be deemed to be nonconforming by reason only of the conversion between the Imperial System of Measurement and the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

## Discretionary Use Applications

### Discretionary Use Application Process

(1) The following procedures shall apply to discretionary use applications:

(a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees.

(b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations.

(c) The Development Officer may request comments from other government agencies where applicable.

(d) The Development Officer will prepare a report concerning the application including recommended conditions that may be applied to an approval.

(e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land.

(f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.

(g) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.

(h) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.

(i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any conditions prescribed by Council. Council shall consider applications in terms of the requirements contained in Section 3.9.2 of this Bylaw.

(j) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

### Terms and Conditions for Discretionary Use Approvals

(1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:

(a) site drainage of storm water;

(b) the location of buildings with respect to buildings on adjacent property;

(c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;

(d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;

(e) control of noise, glare, dust and odour;

(f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;

(g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;

(h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and,

(i) intensity of use.

(2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.

(3) Council’s approval of a discretionary use application is valid for a period of 12 months from the date of approval. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.

(4) A discretionary use approval shall be deemed to be invalid for the following reasons:

(a) if the proposed use or proposed form of development has not commenced within the 12 month period;

(b) the proposed development is not proceeding in accordance with the terms and conditions of its approval;

(c) If an approved discretionary use or form of development ceases to operate for a period of 12 months or more.

The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

### General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and, where applicable, the use-specific criteria in Section 3.9.4, in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

(1) The proposal must be in conformance with all relevant sections of the *Official Community Plan* and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.

(2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.

(3) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

(4) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.

(5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.

(6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise or other impacts not in keeping with the character of the adjacent area.

(7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.

(8) All operations shall comply with all applicable provincial or federal requirements which govern their operation and development.

(9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

## Zoning Compliance, Offences and Penalties

(1) Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.

(2) Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act.*

## Fees

### Amendment of the Zoning Bylaw

(1) In addition to the fees outlined in Section 3.11.2 (2), where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. Council may choose not to proceed with the advertising it they conclude that the proposed amendment is unsuitable or unnecessary.

(2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Section 207 to 211 of *The Act*.

### Application Fees

(1) An applicant for a development permit shall pay an application fee in accordance with the following:

(a) Permitted principal use: $100

(b) Permitted accessory use: $100

(c) Permitted ancillary use: $100

(d) Discretionary principal use: $200

(e) Discretionary accessory use: $200

(f) Discretionary ancillary use: $200

(g) Development Appeal Fee up to $300 as specified by the Development Appeals Board.

These fees shall be in addition to any fee required by Section 3.11.1 above.

(2) An applicant seeking amendment to the Zoning Bylaw shall pay the following fees:

(a) The costs of advertising associated with the application; and

(b) the following fees, where applicable:

(i) Text amendments: $200;

(ii) Map amendments: $1,000.

(c) Where an application to amend the Zoning Bylaw involves both a text and map amendment, both fees shall apply.

###  Special Provisions for Contract Zoning Agreements

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

# GENERAL REGULATIONS

## Accessory Buildings and Structures

Accessory Buildings shall be subordinate to and located on the same site at the principal building or use and used in conjunction with that principal use.

(1) No form of residential development, including but not limited to, habitable rooms, dwelling units, guest suites or bunk houses shall be permitted in any accessory building. Bunk houses and guest houses as defined herein are prohibited in any residential zoning district. The approval of a proposed development of a single detached residential dwelling on a site which is intended to replace an existing dwelling will be issued on the condition that the existing dwelling is removed upon completion of the construction of the new dwelling in order to prevent the continuance of its use in the future for residential purposes as a guest house.

(2) **Time of Construction -** Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.

(3) **Height of Accessory Buildings** – Accessory buildings are not to exceed the height of the principal building and shall not exceed 5 metres in height.

(4) **Number of Accessory Buildings –** On any site in any residential district, no more than two (2) accessory buildings with a building floor area greater than 9.29 square metres will be permitted.

(5) **Area of Accessory Buildings -** Where this Bylaw specifies the maximum building area for accessory buildings, that area shall mean the combined building area of all accessory buildings on a site.

(6) **Location and Size of Accessory Buildings**

(a) Detached accessory buildings in the RSU Residential District are subject to the following regulations:

(i) Yard, front: minimum - 6 metres, except for lakeshore sites where the minimum shall be 0.5 metres

(ii) Yard, rear: minimum - 0.5 metres, except for lakeshore sites where the minimum shall be 6 metres

(iii) Yard, side: minimum – 1.0 metres

(iv) Building Floor Area: maximum – 84 square metres; except that the maximum building floor area for accessory buildings on a site may be increased by 1 square metre for each 5.5 square metres of site area in excess of 460 square metres. The building floor area of accessory buildings shall not exceed the building floor area of the principal building.

(d) Detached accessory buildings in the RMU Residential District are subject to the following regulations:

(i) Yard, front: minimum - 8 metres

(ii) Yard, rear: minimum - 1.5 metres

(iii) Yard, side: minimum - 1 metre

(iv) Building floor area: maximum - 10% of the total site area; the site coverage of accessory buildings shall not exceed the site coverage of the principal buildings.

(e) Detached accessory buildings in the C and R Districts are subject to the following regulations:

(i) Yard, front: minimum - same as principal use

(ii) Yard, rear: minimum - 1.5 metres, except campgrounds and tourist camps where the minimum shall be 4.5 metres

(iii) Yard, side: minimum - 1.5 metres, except campgrounds and tourist camps, the minimum shall be 4.5 metres.

(7) **Membrane Covered Structures**

1. Anchored permanent membrane covered structures are allowed in the C – Commercial and R – Recreation Districts.
2. Membrane covered structures shall be allowed temporarily for a maximum period of seven (7) continuous days in any district.
3. Development applications for all membrane covered structures, except for those structures proposed for temporary placement, must include a drawing stamped by a Professional Engineer to prove that the structure will meet Section 4 of *The National Building Code.*

### (8) **Shipping Containers and Construction Bins**

* 1. Shipping containers and construction bins may be temporarily placed on a site in any district:

1. during active construction on a site where the shipping container or construction bin is used solely for the storage of supplies and equipment that are used for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the shipping container is removed from the site upon completion of construction; or,
2. for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.
	1. the shipping containers shall:
3. be located so as not to create a safety hazard;
4. not be placed on a public right-of-way or dedicated lands; and
5. not be located within 1.2 metres of the interior edge of a sidewalk.

### (8) **Easements**

All buildings or structures shall be located on a site so as to comply with the requirements of any easement or other development restriction registered as an interest on the title of the subject property. It shall be the responsibility of the property owner and the person or corporation who has registered the interest to ensure compliance with said easement or restriction.

## Buildings or Uses Occupying More than One Lot

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

## Building to Be Moved

### No building shall be moved within or into the Resort Village of Elk Ridge without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw. Prior to any building being moved within or into the Resort Village, the applicant shall:

1. obtain a satisfactory municipal building inspector’s report;
2. enter into a development and servicing agreement when, in the sole opinion of the Resort Village, the water and sanitary sewer connections, asphalt pavement, or curb and sidewalk need to be replaced or repaired;
3. provide appropriate security to the municipality for any damages to the Resort Village infrastructure; and
4. pay all required fees.

## Demolition of Buildings

### No building shall be demolished within the Resort Village of Elk Ridge without the issuance of a demolition permit unless it is exempt under Section 3.2.2. Prior to any building being moved within or into the Resort Village, the applicant shall:

1. pay any taxes, fees or charges owing to the Resort Village against the subject property;
2. cap-off any water and sewer connections in a manner required by the Resort Village;
3. provide a security bond given to the municipality for any damages to Resort Village infrastructure; and
4. pay all required fees.

## Development on Hazard Lands

### Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed “hazardous” and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 300 metres of:

(1) any slope(s) that may be unstable;

(2) any river or stream flood plain; and/or,

(3) any other land that may be subject to flooding; and / or,

(4) any other land that may be subject to flooding or hazardous conditions otherwise unsuited for development or occupation because of its inherent danger to public health, safety, or property.

### Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in Section 4.6.1, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:

(1) the potential for flooding up to the 1:500 year flood elevation as identified in *The Statements of Provincial Interest Regulation, 2012*, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use;

(2) the potential for slope instability; and/or

(3) the required mitigation measures for construction on areas of high-water tables, in slopes or on contaminated sites if any.

### Where a proposed development is to be located lands considered by Council to be potentially contaminated (soil, water, etc.), Council shall require an environmental site assessment be done by an Environmental Engineer, registered in the province of Saskatchewan, to determine the suitability of site with respects to the proposed development. If lands are deemed unsuitable, council shall require a report detailing necessary subsequent step, as outlined by the Saskatchewan Ministry of Environment. The costs associated with undertaking specified mitigation measures providing the required documentation related to any specified mitigation measures will be borne by the applicant or proponent of the proposed development.

### Actions identified in an assessment prepared pursuant to Sections 4.6.2 and 4.6.3 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council may refuse a permit for any development for which, in Council’s opinion, the proposed actions are inadequate to address the adverse effects, will result in excessive municipal costs, or if sufficient information has not been submitted to indicates that the site is suitable for development.

### The applicant shall be responsible for contracting the engineer and all related fees.

### Where a proposed development or subdivision is to be located on hazard lands, the Development Officer may refer that application to federal or provincial departments or other relevant environmental agencies for comments prior to issuing a decision.

### Where a proposed development is to be located on land within the 1:500 flood plain, the following regulations shall apply:

1. no development is to adversely affect another property in terms of drainage or flooding;
2. new residential, commercial, industrial, or agricultural buildings and additions located in the 1:500 year flood plain, shall be constructed at a minimum to the safe building elevation as defined by the Bylaw or as determined by applicable provincial authority;
3. permanent intensive livestock operations, animal enclosures and manure storage facilities shall be prohibited from locating within the 1:500 flood plain. Buildings not housing animals may be permitted provided that the building is constructed at a minimum to the safe building elevation as defined by this Bylaw or as determined by applicable provincial authority;
4. intensive agricultural operations must be constructed at a minimum to the safe building elevation as defined by the Bylaw or as determined by applicable provincial authority.

### New buildings and additions to buildings in the flood way in the 1:500 year flood elevation or higher standards if flood records are available of any watercourse or water body shall be prohibited.

### Trees or vegetation shall not be cleared from any land within 100 metres of any water course, water body, or top of bank or slope.

### Sanitary landfills and lagoons shall be prohibited from being located on any hazard land or within the 1:500 flood plain.

### The grading, filling or removal of any material of any kind should be avoided within 100 metres of any water course, water body or top of bank or slope unless approved by the development authority, based on advice from the appropriate provincial or federal agency.

### Outdoor storage within areas identified as hazardous or potentially hazardous shall be prohibited.

### The location of a permanent structure(s) proposed on any hazard lands shall be surveyed and staked to confirm the location with respect to any required setback or other considerations specified in the site analysis completed by the applicant’s engineer, before approval of the application is considered by the municipality.

## Fences

### In the **RSU** and **RMU** districts, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level as illustrated in Figure 4-1.

### In the **RSU** and **RMU** districts, no wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level as illustrated in Figure 4-1.

### In the **C** and **R** districts, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2.5 metres above grade level and in no case shall a fence be erected to a height of more than 2.0 metres above grade level in the required front yard.

### On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-1 and Section 4.22 of this Bylaw, to a height greater than 1.0 metre as illustrated in Figure 4-1.



*Figure 4-1: Fence Requirements*

### A development permit it required for all fences.

## Frontage on Road

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

## Excavation, Stripping and Grading

### Any site for which a development permit has been issued shall be graded and levelled in accordance with the elevations provided within the approved development permit at the applicant's expense to provide for surface drainage which does not adversely affect adjacent properties. Any interim earth work must be done in a manner to contain erosion, runoff and debris from negatively impacting any adjacent properties.

### A development permit is required for the excavation, stripping and grading of land and the modification of wetlands.

### Excavation shall include, but is not limited to sand and gravel extraction, top soil stripping, the grading of land for drainage purposes, the grading of land, the clearing of vegetation from land and any similar activity, but does not include:

(1) excavation for construction or building purposes associated with a valid development permit or a valid certificate of approval for subdivision; or

(2) excavation or the removal of vegetation for maintenance or landscaping purposes on a site where a development permit has previously been issued;

### A person wishing to excavate, strip or grade land, or modify wetlands shall provide the following information in their application for a development permit:

(1) the location and area of the site on which the excavation, stripping, grading or modification of wetlands is to take place;

(2) where required by the Development Officer, the existing land use, wetlands and vegetation, including a natural areas screening report; and

(3) the amount and type of vegetation, soil or other material to be removed or relocated, and the condition in which the land is to be left when the excavation is complete.

### Except as provided for in Section 4.9.6, a development permit shall not be issued unless there is an approved development plan or subdivision for the area.

### The Development Officer may issue a development permit for the excavation, stripping and grading of land when satisfied that the excavation is necessary for the interim use, development or maintenance of the subject land, prior to a development plan or subdivision being approved for the area.

## Height Restrictions

### Exemptions from Building Height Requirements

Any height limitations or regulations shall not apply to the following:

(1) Chimneys, flagpoles, spires, cupolas, television antennas, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

(2) Mechanical penthouses, provided they are erected only to such heights as is necessary and provided they do not cover more than 25% of the gross roof area upon which they are located.

### Walk-Out Basements

Where a single-detached dwelling has a walkout basement oriented to the rear yard, building height shall be determined as follows:

1. The maximum height of any building elevation facing a front yard or flanking street is not more than 10.5 metres.
2. The height for the lowest floor or walk-out basement at the rear elevation shall not exceed 3.6 metres measured from the approved rear yard building grade to the top of the finished floor above the slab. In addition the total height of the rear building elevation shall not exceed 15.6 metres measured from the approved rear yard building grade.

## Licences, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements nor from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

## Lighting of Sights

 Outdoor lighting for all developments shall be located and arranged so that no direct rays of light are pointed at nearby properties or interfere with the safe operation of nearby roadways or traffic control devices.

## Number of Principal Buildings Permitted on a Site

 Only one principal building shall be placed on a site with the exception of dwelling groups, hotels, recreation facilities, and public works.

## Prohibited Uses

### The following uses are prohibited in all districts:

1. Outdoor sandblasting. This provision shall not apply to the sandblasting of outdoor building facades as a part of regular building maintenance.

(2) Temporary work camps.

## Required Yards and Open Space

### Minimum Yards Required

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

### Permitted Obstructions in Required Yards

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

(1) *In all yards:*

(a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a building or for access to a site from a street or lane; trees; shrubs; walks; non-covered driveways; fences; trellises; flag poles and wheelchair ramps.

 (2) *In front yards:*

(a) overhanging eaves and gutters projecting not more than 1.0 metre into the required front yard;

(b) lighting fixtures and lamp posts;

(c) non-covered raised patios and non-covered decks not more than 0.4 metres above grade;

(d) non-covered raised patios and non-covered decks more than 0.4 metres above grade, projecting not more than 2.0 metres into the required front yard;

(e) canopies or balconies projecting not more than 2.0 metres into the required front yard; and,

(f) architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required front yard.

 (3) *In rear yards:*

(a) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade, projecting not more than 2.0 metres into a required rear yard, provided they are located at least 3.0 metres from the rear site line;

(b) canopies or balconies, provided they are located at least 3.0 metres from the rear site line;

(c) overhanging eaves and gutters, architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard;

(d) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

(e) On interior sites, enclosed private swimming pools

 (4) *In side yards:*

(a) non-covered raised patios measuring 0.6 metres or less in height above grade;

(b) non-covered raised patios measuring more than 0.6 metres in height above grade and non-covered decks provided they are located at least 0.6 metres from the side site line;

(c) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required side yard;

(d) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

## Servicing

### Holding tanks, septic tanks and wells are not permitted in the areas of the Resort Village which can be serviceable from existing municipal water and sewer lines.

### Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994* with the agreement being registered on title.

### When servicing becomes available, holding and septic tanks are to be disconnected and connection must be made to municipal services as per *The Public Health Act, 1994.*

## Signs

4.16.1 Signs in Residential Districts

(1) Signs and billboards will be prohibited in any residential district in the municipality except for signs advertising the principal use of a premises. Permitted signs shall be subject to the following requirements:

(a) No more than two (2) signs shall be permitted on an individual site.

(b) No sign shall have a facial area in excess of 0.37 m2 in area, but the two permitted signs may be combined and the total facial area shall not exceed 0.74 m2. Each sign may be double faced.

(c) No sign shall be illuminated unless the source of light is steady and suitably shielded.

(d) The maximum height of any sign shall be 3.5 m.

4.16.2 Signs in Non-Residential Districts

(1) Signs and billboards that are not located in a highway sign corridor or a residential district, and that advertise the principal use of a premises or the principal products offered for sale on a premises located within the municipality, are subject to the following requirements:

(a) No more than two (2) signs shall be permitted on the premises.

(b) No sign shall have a facial area in excess of 3.3 m2 in area, but the two permitted signs may be combined and the total facial area shall not exceed 6.6 m2. Each sign may be double faced.

(c) No sign shall be illuminated unless the source of light is steady and suitably shielded.

(d) The maximum height of any sign shall be 6.08 m.

4.16.3 Signs on Municipal Property

(1) No signs shall be allowed on municipal reserves, buffer strips, walkways, or land owned by the municipality unless they conform to the provisions of this Bylaw and unless permission has been received in writing from the municipality.

(2) No sign shall have a facial area of more than 0.4 square metres.

(3) The maximum height of any sign shall be 3.5 m.

## Storage of Chemicals, Fertilizers and Combustible Materials

 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.

## Temporary Uses

### Temporary uses will be permitted where appropriate in individual zoning districts at the discretion of Council.

### All temporary uses must be located on an existing site; no subdivision will be permitted for temporary uses.

### Any buildings placed on sites where a temporary use is permitted must be removed on or before the expiry period allowed for the use, unless the construction of a permanent building is specifically permitted by Council.

### The site must be restored to the same condition as it was prior to the beginning of the temporary use once the temporary use has ceased.

### Council may require a performance bond from the applicant to ensure acceptable remediation of the site.

## Visibility Clearance at Intersections (Sight Triangles)

### Within any sight triangle as defined in Section 2, nothing shall be erected, placed planted, or allowed to grow so as to obscure vision at a height of one (1) metre or greater above the elevation of the centre of the abutting street. In the case of a street intersection, at a corner site, the measured distance shall be 4.5 metres.

## Water

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

# SPECIAL REGULATIONS AND STANDARDS

## Campgrounds and Recreational Vehicle Parks

1. The applicant for a development permit for a campground or recreational vehicle park shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
2. A campground or recreational vehicle park shall have, within its boundaries, a buffer area abutting the boundary of not less than 2 metres in width, which shall:
	1. have a minimum width of not less than 2 metres, which shall contain no buildings or structures, except for a fence to a maximum height of 2 metres, provided it is located on the exterior boundary of the buffer area; and
	2. not contain any roads, except those which connect a public roadway to the road system within the campground or tourist camp.
3. A site for each recreation vehicle and campsite permitted in the campground or recreational vehicle park shall be designated and clearly marked on the ground.
4. Each site shall have a minimum area of 150 square metres and shall not exceed 300 square metres in area with its corners clearly marked.
5. No portion of any campsite shall be located within an internal roadway or required buffer area.
6. Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
7. Each recreation vehicle shall be located at least 4.5 metres from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
8. The space provided for roadways within a campground or recreational vehicle park shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
9. A campground or recreational vehicle park may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
10. The Public Health Act, and regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.
11. Privacy fences may be utilized in areas where natural vegetation does not provide privacy and shall be kept in good state of repair so as not become unsafe, unsightly or a fire hazard. Tarps (canvas, poly, plastic) shall not be used as a privacy fence.
12. Parking vehicles is prohibited on roadways. Campsites shall have adequate space to accommodate at least:
	1. One (1) vehicle where the raised patio/deck is 100 square feet or less; or
	2. Two (2) vehicles where the raised patio/deck is over 100 square feet.
13. Construction of verandahs, trailer hoods and pole structures on sites is prohibited.
14. The campground operator may designate sites for seasonal use for recreational vehicles. On such seasonal sites the following shall be permitted only if the designated site size will accommodate such structures and not impede campsite parking requirements:
	1. Raised patios, decks, sidewalks not more than 9.3m2 in size, and 0.4 metres above grade level as measured at the outside edge of the patio, deck or sidewalk shall be permitted on a site and constructed in a fashion that does not prohibit the recreational vehicle from being hooked up and moved out without effort. Permits shall not be required from the municipality for decks that comply with the said regulations and shall be regulated by the campground operator.
	2. One accessory building no larger than 9.3 square metres, with walls not exceeding 2.5 metres and a roof peak not exceeding 3.67 metres shall be permitted where the site area will accommodate. An accessory building shall not abut the recreational vehicle, shall be located at least 4.5 metres from any accessory building or recreational vehicle located on the adjacent site and have a finished exterior. Where the accessory building is of metal or self-extinguishing vinyl construction the accessory building may be located at least 1.5 metres from any accessory building or recreational vehicle located on the adjacent site and shall be regulated by the campground operator.
	3. One barbeque shelter no larger than 9.3 square metres with walls not exceeding 2.5 metres and a roof peak not exceeding 3.67 metres.

## Day Care Centres

(1) Day care centres may be approved as an ancillary use or as a principal use. In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.

(2) In addition to the development standards contained within the zoning district, Section 3.9 of this Bylaw shall apply to the review and approval of day care centres and pre-schools that are listed as discretionary uses.

## Multiple Unit Dwellings and Dwelling Groups

(1) The suitability of a proposal for a multiple unit dwelling or dwelling group will be considered with respect to:

1. adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
2. the capacity of the adjoining street system to handle the expected traffic volumes;

(ii) the density of the proposed dwelling group, the arrangement on the site of the proposed buildings, on-site parking and traffic considerations, and access for fire-fighting and other emergency equipment.

(2) In considering a discretionary use application for a multiple unit dwelling or dwelling group, Council may apply special development standards to reduce conflict with neighbouring uses. These special development standards may include increased setback requirements, enhanced landscaping and fencing, the location and screening of parking areas, and the location of vehicular access points.

(4) Dwelling groups should have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in case of emergency.

(5) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.

(6) Unless otherwise directed by this bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

(7) Up to two required parking and loading spaces may be located in the required front yard and the remainder shall be located in side or rear yards.

(8) All principal buildings forming part of a dwelling group shall be located at least 1.5 m from any other principal building in the group.

## Short Term Vacation Rental Units

1. The suitability of a proposal will be considered with respect to:
2. adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
3. the capacity of the adjoining street system to handle the expected traffic volumes;

(ii) the density of the proposed dwelling group, the arrangement on the site of the proposed buildings, on-site parking and traffic considerations, and access for fire-fighting and other emergency equipment.

(2) In considering a discretionary use application for short term vacation rental units, Council may apply special development standards to reduce conflict with neighbouring uses. These special development standards may include increased setback requirements, enhanced landscaping and fencing, the location and screening of parking areas, and the location of vehicular access points.

1. Council may revoke discretionary use approval if, in council’s opinion, the operation of the Short-Term Vacation Rental is causing a significant impact on the residential character of the neighbourhood.
2. The applicant shall provide to the municipality contact information the owner, operator, or manager of the Short-Term Vacation Rental may be contacted on a 24/7 basis.

## Home Based Businesses

1. Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards within subsections (3):
2. art restoration;
3. beauty parlours, barber shops;
4. the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
5. dressmaker, seamstress, or tailor;
6. electrology, acupuncture, reflexology, and massage therapy;
7. the instruction of art, dancing, or music, limited to no more than three students at a time;
8. office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
9. photography studios;
10. typing, word processing, and computer programming services.

 (2) Without limiting the authority of the Development Officer to deny applications for other types of home-based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:

1. businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
2. restaurants, drinking establishments or tea rooms;
3. health or fitness clubs;
4. headquarters or base of operations of a taxi, trucking, delivery, or towing operation;
5. hotels, motels and hospitals;
6. laundry services;
7. motion picture or recording studios;
8. the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
9. rental services;
10. upholstery services;
11. veterinary services, boarding or grooming of animals;
12. welding or metal works;
13. any use that creates noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste, or electrical, television, or radio interference detectable by sensory perception or by scientific instruments at or beyond the boundaries of the building or beyond the unit walls within a multiple unit dwelling.

(3) The following development standards shall apply to all home based businesses:

1. No more than one non-resident person shall be employed in relation to home based businesses on any one site.
2. There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property.
3. No noise, vibration, smoke, dust, odours detectable beyond the boundaries of the building containing the home-based business shall be produced.
4. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

## Accessory Employee Residences

1. Council may apply conditions limiting the size of buildings and the total number of beds that will be provided in each building to ensure that the use remains sufficient only to accommodate the staff of a use specified above.

## Solar Panels and Collectors

1. Solar energy systems shall not be located any required front or side yard. In the case of a corner site, solar energy systems shall not be placed in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street.
2. All freestanding solar structures shall be placed a minimum of 1.2x the total height of the structure away from any site line, and in no case shall the total height of the system exceed the height of the principal building.
3. In any district, if attached to a building, the solar energy system shall not exceed more than 0.5 meters above the maximum permitted height of the building the system is attached to.
4. A development permit is required for:
5. Any free-standing solar energy system.
6. Any Solar energy system being attached to an existing roof or wall structure.

# ZONING DISTRICTS

##  Classification of Zoning Districts

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

Districts Symbol

Residential Single Unit **RSU**

Residential Multiple Unit **RMU**

Commercial **C**

Recreation **R**

## The Zoning District Map

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

## Boundaries of Zoning Districts

### The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".

### All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

### Streets, lanes, and road allowances which are shown on the *Zoning District Map* and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, land or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

### On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the *Zoning District Map*.

## Zoning Districts

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 7.

## Transitional Zoning Provisions

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

## Properties with More than One Zoning District

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

# DISTRICT SCHEDULES

## RSU - Residential Single Unit District

### Purpose

The purpose of the **RSU** – Residential Single Unit district is to provide for residential development in the form of single detached dwellings and other compatible uses.

### Permitted and Discretionary Uses

 Uses are listed and designated in Table 7-1.

### Accessory Uses

|  |  |  |
| --- | --- | --- |
| **Accessory Building and Uses Including** | **Subject to Section** | **Designation** |
|  | Accessory Buildings and Structures | 4.1 | Permitted |
|  | Home Based Businesses  | 5.5 | Permitted |
|  |  |  |
|  |  |  |

### Standards and Regulations

 Site and building requirements are shown in Table 7-1.

### Standards for Discretionary Uses

Council will consider discretionary use applications in the **RSU** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

| Table 7-1: RSU – Residential Single Unit District Development Standards |
| --- |
| Principal Use | Designation |  | Development Standards |
| Subject to Section(s) | Minimum Site Area (m2) | Minimum Site Width (m) | Minimum Front Yard (m) | Minimum Rear Yard (m) | Minimum Side Yard (m) | Minimum Bldg Floor Area (m2) | Maximum Bldg Height (m) | Maximum Site Coverage (%) |
| ***Uses*** |
|  | Single detached dwellings | P | - - | 460 | 15 | 3 | 6 | 1.5 | 55 | 10.5 | 50(1) |
| (2) | Day care centres and pre-schools | D | 5.2 | 460 | 15 | 3 | 6 | 1.5 | 55 | 10.5 | 50(1) |
| (3) | Parks and playgrounds | P | - - | - - | - -  | - - | - - | - - | - - | - - | - - |
| (4) | Public works excluding offices, warehouses, storage yards and sewage lagoons | P | - - | - - | - -  | - - | - - | - - | - - | - - | - - |

**Use Designations:**

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any 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, and contained in this zoning bylaw.

**Special limitations and standards regarding Table 7-1 and the RSU district:**

(1) the floor area of all principal and accessory buildings on a site shall not exceed the maximum site coverage.

## RMU – Residential Multiple Unit District

### Purpose

The purpose of the **RMU** – Residential Multiple Unit District is to provide for residential development in the form of multiple unit dwellings and other compatible uses on acreage sites.

### Permitted and Discretionary Uses

 Uses are listed and designated in Table 7-2.

### Accessory Uses

|  |  |  |
| --- | --- | --- |
| **Accessory Building and Uses Including** | **Subject to Section** | **Designation** |
|  | Accessory Buildings and Structures | 4.1 | Permitted |
|  | Home Based Businesses  | 5.5 | Permitted |

### Standards and Regulations

 Site and building requirements are shown in Table 7-2.

### Standards for Discretionary Uses

Council will consider discretionary use applications in the **RMU** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

| Table 7-2: RMU – Residential Multiple Unit District Development Standards |
| --- |
| Principal Use | Designation |  | Development Standards |
| Subject to Section(s) | Minimum Site Area (m2) | Minimum Site Width (m) | Minimum Front Yard (m) | Minimum Rear Yard (m) | Minimum Side Yard (m) | Minimum Bldg Floor Area Per Unit (m2) | Maximum Bldg Height (m) | Maximum Site Coverage (%) |
| ***Uses*** |
|  | Multiple-unit dwellings | P | 5.3 | 750 | 22 | 6 | 6 | 1.5 | 45 | 10.5 | 50(1) |
|  | Dwelling groups | P | 5.3 | 750 | 22 | 6 | 6 | 1.5 | 45 | 10.5 | 50(1) |
| (3) | Day care centres and pre-schools | D | 2 | 750 | 22 | 6 | 6 | 1.5 | 45 | 10.5 | 50(1) |
| (4) | Parks and playgrounds | P | - - | - - | - -  | - - | - - | - - | - - | - - | - - |
| (5) | Public works excluding offices, warehouses, storage yards and sewage lagoons | P | - - | - - | - -  | - - | - - | - - | - - | - - | - - |

**Use Designations:**

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any 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, and contained in this zoning bylaw.

**Special limitations and standards regarding Table 7-2 and the RMU district:**

(1) the floor area of all principal and accessory buildings on a site shall not exceed the maximum site coverage.

## C – Commercial District

### Purpose

The purpose of the **C** – Commercial District is to provide for resort commercial development and other compatible uses.

### Permitted and Discretionary Uses

Uses are listed and designated in Table 7-3.

### Accessory Uses

|  |  |  |
| --- | --- | --- |
| **Accessory Building and Uses Including** | **Subject to Section** | **Designation** |
|  | Accessory Buildings and Structures | 4.1 | Permitted |

### Standards and Regulations

Site and building requirements are shown in Table 7-3.

### Standards for Discretionary Uses

Council will consider discretionary use applications in the **C** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria and to Section 3.9.4 – Use-Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

| Table 7-5: C – Commercial District Development Standards |
| --- |
| Principal Use | Designation |  | Development Standards |
| Subject to Section(s) | Minimum Site Area (m2) | Minimum Site Width (m) | Minimum Front Yard (m) | Minimum Rear Yard (m) | Minimum Side Yard (m) | Maximum Building Height (m) |
| ***Uses*** |
|  | Commercial recreation facilities | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Daycare centres and preschools | D | 5.2 | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Financial institutions | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Fitness centres | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Hotels and motels | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Offices and office buildings | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Personal service shops | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Restaurants and lounges | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Retail stores | D | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Municipal facilities | P | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Parks and playgrounds | P | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Places of worship | P | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Public recreational facilities | P | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Public works excluding warehouses, storage yards and sewage lagoons | P | - - | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Short term vacation rental units | D | 5.4 | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |
|  | Accessory employee residences | D | 5.6 | 500 | 12 | 6.0 | 6.0 | 1.5 | 10.5 |

**Use Designations:**

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any 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, and contained in this zoning bylaw.

## R – Recreation District

### Purpose

The objective of the **R** – Recreation District is to provide for a limited range of recreation and other compatible uses.

### Permitted and Discretionary Uses

Uses are listed and designated in Table 7-4.

### Accessory Uses

|  |  |  |
| --- | --- | --- |
| **Accessory Building and Uses Including** | **Subject to Section** | **Designation** |
|  | Accessory Buildings and Structures | 4.1 | Permitted |

### Standards and Regulations

Site and building requirements are shown in Table 7-4.

### Standards for Discretionary Uses

Council will consider discretionary use applications in the **R** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

| Table 7-4: R – Recreation District Development Standards |
| --- |
| Principal Use | Designation |  | Development Standards |
| Subject to Section(s) | Minimum Site Area (m2) | Minimum Front Yard (m) | Minimum Rear Yard (m) | Minimum Side Yard (m) | Maximum Bldg Height (m) |  |  |  |
| ***Uses*** |
|  | Campgrounds | D | 5.1 | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Commercial recreation facilities | D | - - | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Community centres | P | - - | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Golf courses | D | - - | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Nature, hiking, and cross-country ski trails excluding trails intended for use by motorized vehicles | P | - - | - - | - - | - - | - - | - - |  |  |  |
|  | Parks and playgrounds | P | - - | - - | - - | - - | - - | - - |  |  |  |
|  | Public works, warehouses, storage yards, and sewage lagoons | P | - - | - - | - - | - - | - - | - - |  |  |  |
|  | Public recreational facilities | P | - - | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Recreation vehicle parks | D | 5.1 | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Storage yards | D |  - - | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  | Accessory employee residences | D | 5.6 | 4,000 | 6 | 6 | 3.0 | 10.5 |  |  |  |
|  |

**Use Designations:**

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any 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, and contained in this zoning bylaw.

# 8 MAPS