

ZONING BYLAW
for
RESORT VILLAGE OF PEBBLE BAYE
BYLAW NO. 3/84

*This is Exhibit "A" referred to in
the Declaration of William Foster*


A Commissioner for Oaths in and for
the Province of Saskatchewan
My Appointment expires Dec. 31, 1984

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SECTION 1 - INTRODUCTION

Under the authority granted by the Planning and Development Act, 1983 and in conjunction with Bylaw No. 2/84, the Basic Planning Statement of the Resort Village of Pebble Baye, the Council of the Resort Village of Pebble Baye in open meeting hereby enact as follows:

- 1.1 Title - This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Resort Village of Pebble Baye.
- 1.2 Scope - Development shall hereafter be permitted within the limits of the Resort Village of Pebble Baye only when in conformity with the provisions of this Bylaw.
- 1.3 Severability - If any section, clause or provision of this Bylaw, including anything shown on the Zoning District Map, is for any reason, declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

SECTION 2 - INTERPRETATION

- 2.1 Act - The Planning and Development Act, 1983.
- 2.2 Accessory Use - A use customarily incidental and subordinate to the principal use or building, and located on the same lot with such principal use or building.
- 2.3 Building - Any structure constructed or placed on, in or over land, but does not include a public highway.
- 2.4 Building, Accessory - A subordinate, detached building, appurtenant to a principal building or principal use and located on the same lot.
- 2.5 Building, Principal - A building in which is conducted the principal use of the lot on which the building is situated.
- 2.6 Council - The Council of the Resort Village of Pebble Baye.
- 2.7 Development - The carrying out of any building, engineering, mining or other operations in, on, or over land, or the making of any material change in the use or intensity of the use of any building or land.
- 2.8 Development Permit - A document authorizing a development issued pursuant to this Bylaw.
- 2.9 Discretionary Use - The use of land, or, buildings that may be permitted in a zoning district only at the discretion of Council and subject to such specific development standards provided in this Bylaw or prescribed by Council.
- 2.10 Dwelling, Single Detached - A detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home as herein defined.
- 2.11 Dwelling Unit - One or more rooms constituting a self-contained unit that may be used as a residence, each unit having provision for sleeping, cooking and toilet facilities.

- 2.12 Garage, Private - A building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity for not more than two motor vehicles for each dwelling unit to which the garage is accessory.
- 2.13 Home Occupation - An occupation, trade, profession or craft conducted entirely within a residential building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the exterior character.
- 2.14 Lot - An area of land with fixed boundaries and which is of record in the Land Titles Office by Certificate of Title.
- 2.15 Lot Line, Front - The line that divides the lot from the street. In the case of a corner lot, the front lot line shall mean the line separating the narrowest street frontage of the lot from the street.
- 2.16 Lot Line, Rear - The line at the rear of the lot and opposite the front lot line.
- 2.17 Lot Line, Side - A lot line other than a front or rear lot line.
- 2.18 Mayor - The Mayor of the Resort Village of Pebble Baye.
- 2.19 Minister - The member of the Executive Council to whom, for the time being, the administration of the Act is assigned.
- 2.20 Mobile Home - A trailer coach that contains a complete dwelling unit.
- 2.21 Non-Conforming Building - A building:
- a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date this Bylaw, or, any amendment hereto 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.
- 2.22 Non-Conforming Use - A lawful specific use:
- a) being made of land or a building or intended to be made of a building lawfully under construction, or in respect to which all required permits have been issued, at the date this Bylaw, or, any amendments hereto affecting the land or building, 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.
- 2.23 Permitted Use - Any use other than a discretionary use allowed in a zoning district and subject to the regulations applicable to that zoning district.

- 2.24 Public Work
- a) systems for the production or distribution of electricity;
 - b) systems for the distribution of natural gas or oil;
 - c) facilities for the storage, transmission, treatment, distribution or supply of water;
 - d) facilities for the collection, treatment, movement or disposal of sanitary sewage; or
 - e) telephone or light distribution lines that are owned or operated by the Crown or a municipality.
- 2.25 Secretary Treasurer - The Secretary Treasurer of the Resort Village of Pebble Baye.
- 2.26 Sign - Any device, letter, figure, symbol, emblem, or picture, which is affixed to, or represented directly or indirectly upon a building, structure, or a piece of land, and which identifies or advertises any object, product, place, activity, person, organization or, business in such a way as to be visible to the public on any street, thoroughfare, or lake.
- 2.27 Street - A public thoroughfare which affords the primary means of access to the abutting property.
- 2.28 Structure - Anything that is built, constructed, or erected, located on the ground, or attached to something located on, or in the ground.
- 2.29 Structural Alteration - The alteration of the size or the construction or reconstruction of supporting elements of a building.
- 2.30 Trailer Coach - Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed, or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.
- 2.31 Trailer Court - Any tract or parcel of land on which two or more trailer coaches providing temporary living quarters, are permitted to be harboured.
- 2.32 Village - The Resort Village of Pebble Baye.
- 2.33 Yard - Any part of a lot unoccupied and unobstructed by any building.
- 2.34 Yard, Front - A yard extending across the full width of a lot between the front lot line and the nearest main wall of the principal building or structure on the lot.
- 2.35 Yard, Rear - A yard extending across the full width of the lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.
- 2.36 Yard, Side - A yard extending from the front yard to the rear yard between the side lot line and the nearest main wall of a building or structure on the lot.
- 2.37 Yard Required - The minimum yard required by the Bylaw in part of a lot.

SECTION 3 - ADMINISTRATION

3.1 Development Officer - The Secretary Treasurer of the Resort Village of Pebble Baye shall be the Development Officer responsible for the administration of this Bylaw.

3.2 Development Permit

- (1) Except as provided for in Section 3.2(3) below, every person, before commencing any development or use within the Village, shall apply for and obtain from the Development Officer, a Development Permit. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw.
- (2) An application for a Development Permit shall be made on Form A which is attached to and forms part of this Bylaw along with such other information as may be required by the Development Officer to fully review the proposal.
- (3) In any Zoning District, a Development Permit is not required for the following; however, all other provisions and regulations of the Bylaw shall be conformed to.
 - a) the maintenance of a public work;
 - b) the construction of a public work by the Village;
 - c) the installation of public works on any street or other public right-of-way;
 - d) the construction of fences;
 - e) maintenance and repairs that do not include structural alterations;
 - f) accessory buildings under 9 square metres in area
- (4) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of its issue, the permit is deemed to be void, unless an extension to this period shall first have been granted.
- (5) Decision
 - a) The decision of all applications shall be made to the applicant in writing.
 - b) Upon completion of the review of an application for a permitted use, the Development Officer shall either:
 - i) where the application conforms to all provisions of this Bylaw, issue a Development Permit, or
 - ii) refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reasons for the refusal.

3.2 Development Permit - Cont'd

(5) Decision - Cont'd

- c) Where the application is for a discretionary use, the Development Officer shall submit the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:
 - i) refuse the application and indicate the reasons for refusal; or
 - ii) issue a Development Permit incorporating any special standards as set forth in Council's resolution and as outlined in Bylaw 3/84.

3.3 Development Appeals

- (1) Development Appeals Board - A Development Appeals Board of the Resort Village of Pebble Baye is appointed in accordance with Sections 71 and 91 to 104 inclusive of the Act.
- (2) Where an application for a permitted use has been refused, or where an application for a discretionary use has been approved with required standards, the applicant shall be advised of his right to appeal the refusal, or the standards as the case may be, to the Development Appeals Board of the Village.
- (3) An application for a Development Permit shall be deemed to be refused when a decision thereon is not made within forty (40) days after the receipt of the application in its complete and final form by the Development Officer and an appeal may be made as provided in Section 3.3(1) as though the application had been refused at the end of the period specified in this subsection.

3.4 Amendment of the Zoning Bylaw

- (1) Fees - Where an application for an amendment to this Bylaw is made to Council, the applicant shall pay all costs associated with advertisement of the proposed amendment.

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

SECTION 4 - GENERAL REGULATIONS

- 4.1 Licences, Permits and Compliance with Other Bylaws and Legislation - Nothing in this Bylaw shall exempt any person from complying with the requirement of any other Municipal or Provincial regulations and requirement, or from obtaining any licence, permission permit, authorization, or approval required by such requirements or regulations.

- 4.2 Number of Principal Buildings Permitted on a Lot - Not more than one (1) principal building shall be placed on any one (1) lot, with the exception of community centres.
- 4.3 Projections in Yards - Where minimum front or rear yards are required in any district, such minimum requirement shall not apply to prevent the construction or location of an open deck or terrace having a maximum projection of 2 metres into the required front or rear yard. Where minimum yards are required in any district, such requirement shall not apply to prevent the construction or location of a chimney or a roof overhang of .5 metres or less into the required yard.
- 4.4 Non-Conforming Buildings and Uses - Non-conforming uses shall be subject to Sections 113-118 inclusive of the Act.
- 4.5 Signs and Billboards - All signs and billboards shall be subject to the following requirements:
- (1) Commercial
 - a) no more than two (2) signs (excluding directional and informational signs) are permitted on the lot;
 - b) no sign shall have a facial area in excess of 2 square metres. Each sign may be double-faced;
 - c) the maximum height of any sign shall be 6 metres above ground surface.
 - (2) Other Districts
 - a) no more than one permanent sign is permitted on the lot except one additional sign is permitted for a home occupation;
 - b) additional temporary signs bearing notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the lot are permitted as long as that condition exists on the lot;
 - c) no sign shall have a facial area exceeding 0.4 square metres except as provided for home occupation, where 1 square metre is the maximum;
 - d) no sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

SECTION 5 - ZONING DISTRICTS AND ZONING MAPS

- 5.1 Zoning Districts - For the purpose of this Bylaw, the Resort Village of Pebble Bay 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.

| <u>Districts</u> | <u>Symbols</u> |
|---------------------------|----------------|
| Residential | R |
| Park & Community Facility | P |
| Resort Commercial | CR |
| Urban Reserve | UR |

5.2 The Zoning District Map - The map, bearing the statement, "This is the Zoning District Map referred to in Bylaw No. _____", adopted by the Resort Village of Pebble Baye signed by the Mayor and the Secretary Treasurer under the Seal of the Village, shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this Bylaw.

5.3 District Schedules - The following are the schedules of uses and regulations pertaining to the various zoning districts under this Bylaw:

5.3.1 R-Residential District

(1) Permitted Uses - The following are permitted uses in the R-Residential District:

- a) single detached dwellings
- b) municipal offices
- c) public works (excluding offices, warehouses, and storage yards).

(2) Discretionary Uses - The following are discretionary uses in the R-Residential District:

- a) home occupations.

(3) Accessory Uses - Buildings, structures or uses secondary and subordinate to, and located on the same lot with the permitted or discretionary use, shall be considered accessory uses and permitted (excluding industrial and commercial use).

(4) Regulations - Development shall conform to the following requirements:

a) Lot Regulations - The regulations in Table 1 shall apply.

b) Accessory Buildings and Structures

- i) The site regulations in Table 1 shall apply.
- ii) The total area of all accessory buildings shall not exceed the area of the principal building.
- iii) Pit privies are prohibited.
- iv) Fences are permitted on any lot line or in any yard provided they are not more than 2 metres in height.

c) Parking

- i) A minimum of 3 parking spaces shall be provided and maintained on each lot.
- ii) A parking space shall be a minimum of 2.5 metres by 6 metres.
- iii) Parking spaces may be enclosed and may be in tandem.

d) Trailer Coaches

- i) One trailer coach used for a period not exceeding 30 consecutive days for temporary sleeping accommodation of guests of a single detached dwelling shall be permitted on a lot.
- ii) Trailer coaches shall not be kept for hire.

5.3.1 R-Residential District - Cont'd

(4) Regulations - Cont'd

d) Trailer Coaches - Cont'd

iii) The facilities and amenities of the dwelling on the lot shall be available at all times for the use of the occupants of the trailer coach.

e) Storage

- i) No junked vehicle shall be stored on any lot, outside an enclosed building.
- ii) The storage of any combustible material is prohibited in a required yard for accessory buildings. (Table 1 Line b).

f) Principal Use

i) Only one principal use is permitted on a lot.

(5) Discretionary Use Standards

a) All discretionary uses shall maintain the residential character of the area as much as possible.

b) Home Occupations

- i) Home occupations shall be located in a dwelling unit.
- ii) One business sign or notice, not exceeding one square metre in area is permitted.
- iii) Other than as provided for in (ii) above, there shall be no exterior display, no exterior storage of material, and, no other variation from the residential character of the building.

TABLE 1

| Use | Min Lot Area (sq m) | Min Lot Frontage (m) | Min Yard Front (m) | Min Yard Rear (m) | Min Yard Side (m) | Max Lot Coverage | Floor Area (sq m) |
|--|---------------------|----------------------|--------------------|-------------------|-------------------|------------------|-------------------|
| a) Single Detached | 450 | 15 | 7.5 | 4.5 | 1.5 | 35% | 70 min |
| b) Accessory Building (Single Detached) | - | - | 1.5 | 1.5 | 1.5 | - | 60 max |
| c) Commercial | 225 | 12 | 7.5 | 1.5 | 1.5 | - | 150 max |
| d) Accessory Building (Commercial) | - | - | 7.5 | 1.5 | 1.5 | - | 10 max |
| e) Parks, Playgrounds, Community Centres, Public Works and Municipal Buildings | NO REQUIREMENTS | | | | | | |

5.3.2 CR-Resort Commercial District

- (1) Permitted Uses - The following are permitted uses in the CR-Resort Commercial District:
 - a) Retail confectionary, food & hardware stores.
 - b) Food bars and restaurants excluding restaurants licensed to sell beer, wine or spirits.
 - c) Public works (excluding warehouses and storage yards).
- (2) Discretionary Uses - The following are discretionary uses in the CR-Resort Commercial District:
 - a) Gas bars for the sale of marine motor supplies.
- (3) Accessory Uses -
 - a) Buildings, structures or uses except dwellings secondary and subordinate to and located on the same lot with the principal building, are permitted.
- (4) Regulations - Development shall conform to the following requirements:
 - a) Lot Requirements - The regulations contained in Table 1 shall apply.
 - b) Storage - All storage of goods and materials shall be contained within an enclosed building.
 - c) Accessory Buildings and Structures - All yard requirements shall apply to any accessory building or structure except light standards, fences, and signs.

5.3.3 P-Park and Community Facility District

- (1) Permitted Uses - The following are permitted uses in the Park and Community Facility District:
 - a) Community Halls and Municipal Offices.
 - b) Parks and Playgrounds.
 - c) Public Works (excluding warehouses and storage yards).
- (2) Discretionary Uses - The following are discretionary uses in the CP-Community Park District:
 - a) Docks, boat launch facilities and marinas.
- (3) Accessory Uses -
 - a) Buildings, structures or uses secondary and subordinate to, and located on the same lot with the principal building, are permitted.
 - b) Boathouses are permitted only where accessory to a marina.

5.3.3 CP-Community Park District - Cont'd

(4) Regulations

- a) Docks shall serve three (3) or more dwellings and shall not be less than 30 metres from any other dock.
- b) No enclosed building shall be located closer than 4.5 metres to any lot line abutting a street on residential or commercial lots.
- c) No enclosed building, except a boathouse shall be located less than 1 metre in elevation above the bank of Iroquois Lake.

5.3.4 UR-Urban Reserve District

(1) Permitted Uses - The following are permitted uses in the UR-Urban Reserve District:

- a). Agricultural, which includes crop farming, grazing and pasturage and cultivation of land but not including intensive agricultural uses such as; feed lots, hog barns, poultry farms and fur farms.
- b) Natural Parks.
- c) Public Works.

(2) Discretionary Uses - The following uses are discretionary uses in the UR-Urban Reserve District:

- a) Sewage lagoons and land fills.
- b) Sports fields and golf courses.
- c) Recreational trails.
- d) Trailer Courts.

(3) Regulations - Development shall conform to the following requirements:

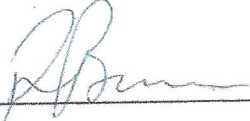
a) Lot Area Minimum

| | | |
|----------------|---|----------------|
| Agricultural | - | 16 hectares |
| Public Works | - | No Requirement |
| All Other Uses | - | 1 hectare |

- b) Trailer Courts - shall not exceed sixteen (16) sites per hectare of land.

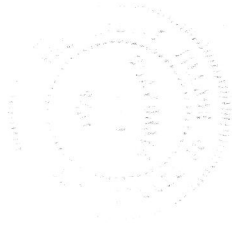
SECTION 6 - EFFECTIVE DATE OF THE BYLAW

6.1 This Bylaw shall come into force on the date of final approval by the Minister of Urban Affairs.



MAYOR

S E A L



APPROVED
REGINA, SASK.
AUG 15 1984

.....
Deputy Minister of Urban Affairs



SECRETARY TREASURER

Certified a true copy of
Bylaw No. 84-3
adopted by resolution of
Council this 16 day
of JUNE, 19 84.

RESORT VILLAGE OF PEBBLE BAYE
APPLICATION FOR DEVELOPMENT PERMIT

1. APPLICANT:
 - a) Name _____
 - b) Address _____ Postal Code _____
 - c) Telephone Number _____

2. REGISTERED OWNER: as above () OR
 - a) Name _____
 - b) Address _____ Postal Code _____
 - c) Telephone Number _____

3. PROPERTY - LEGAL DESCRIPTION:

LSD _____ $\frac{1}{4}$ Section _____; Township _____ Range _____
Lot(s) _____ Block(s) _____ Registered Plan No. _____
Certificate of Title No. _____ Date _____

4. LOT SIZE:

Dimensions _____ (m)
Area _____ (m^2 , ha)

5. EXISTING LAND USE:

6. PROPOSED LAND USE / DESCRIPTION OF PROPOSED DEVELOPMENT:

7. a) PROPOSED DATE OF COMMENCEMENT: _____

b) PROPOSED DATE OF COMPLETION: _____

8. OTHER INFORMATION:

9. FOR NEW CONSTRUCTION A SITE PLAN ON A SEPERATE SHEET SHOWING WHERE APPLICABLE:

- a) Dimensions of the lot.
- b) Location and size of all existing and proposed buildings and structures.
- c) Utility lines, easements, topographic features.
- d) Proposed site drainage and finished lot grades.
- e) Location of septic disposal systems and water supply.
- f) Landscaping (loading and parking areas, entrance and exits point to sites, fences, screening, trees, hedges).

10. DECLARATION OF APPLICANT:

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

DATE

SIGNATURE