

6.3.2 Storm Water Management

- a) Roadway ditches along surfaced roads in the subdivision act as 'catchment basins' for storm water, which infiltrates into the subsoil (aquifer recharge). Filling in these ditches could reduce permeable soil cover and onsite drainage capacities in the residential areas. Depending on topography and drainage, Off-Street Parking, Retaining Walls and Driveways regulations (Sections 3.4.3, 3.4.4, 3.4.5) shall apply to maintain permeability and local drainage and public safety.
- b) Along the escarpment (hillside) above Wakaw Lake, and elsewhere on steep slopes, the Resort Village shall give due regard to locating trails, roads and parking and to maintaining vegetation cover to prevent run off and soil erosion.

6.3.3 Community Involvement in Protecting Open Spaces

Although these Bylaws provide the authority for enforcing the implementation of The Resort Village of Wakaw Lake Zoning Bylaw, Council shall rely on broad based support of these Bylaws by Village residents through:

- a) Information sharing about the purpose of these bylaws with Village residents.
- b) Opportunities for engagement in village governance (Development Appeals Board) and encouraging formation of various advisory committees (potential examples: Beach and Waterfront Committee, the Emergency Measures Committee, Social and Recreation Committee).

SECTION 7 - ZONING DISTRICTS

7.1 ZONING DISTRICT MAP, HOLDING PROVISION AND OVERLAY DISTRICTS

7.1.1 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to as Schedule 'A' in Bylaw No.10 2013 adopted by the Resort Village of Wakaw Lake and signed by the Mayor and Municipal Administrator under the seal of the municipality, shall be known as the "Zoning District Map" and such map is attached as Schedule 'A' in Appendix C and forms part of this Bylaw.

7.1.2 Boundaries of Zoning Districts

- a) Unless shown otherwise, the boundaries of zoning districts are lot lines, centre lines of streets, lanes, roads, road allowances or such lines extended, bank (shoreline) of Wakaw Lake, and the boundaries of the municipality.
- b) In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.
- c) A district boundary shown following approximately the shoreline, row of trees, or road and trails shall be deemed to be at shoreline or the center line of the roads and trails, and move with any natural change in such natural features or centre line.

7.1.3 Holding Provision

- a) Where on the Zoning District Map the symbol for a zoning district has the prefix "H", any lands so designated on the map shall be subject to a holding provision in accordance with section 71 of *The Act*, and shall not be developed or redeveloped until the Resort Village enacts an amending bylaw removing the "H" holding symbol.
- b) Any lands subject to a holding provision shall only be used for the following uses:
 - i) Those existing uses, buildings, and structures lawfully permitted when the "H" is applied.
 - ii) Passive recreation
 - iii) Golf course
 - iv) Forestation and other conservation practices
 - v) Public works
 - vi) Municipal facilities
- c) Council may, by bylaw, remove the holding symbol H from a portion of the UR - Urban Reserve District for residential development after the following conditions are met:
 - i) Any development plan for this area shall be required to meet the applicable provisions of the Official Community Plan and the Zoning Bylaw guidelines at the time.

- ii) Additional residential and related land use shall only be considered under the criteria identified in Section 4.2 of the Official Community Plan - Criteria for Additional Residential and Related Land Use.
- iii) The provisions of Section 4.4 *Non-Residential Development (in the Official Community Plan)* shall apply.
- iv) Such criteria shall include, but is not limited to:
 - i) Meeting requirements for potable water supply, solid and liquid waste disposal in accordance with Section 4.3. Groundwater Protection and Storm Water Management Regulations of this zoning bylaw.
 - ii) Detailed designs, servicing and infrastructure development.
 - iii) The developer shall enter into an agreement with the Resort Village to improve lake accessibility (lakeshore parking, boat launch and mooring capacity) both on and off the development area.
 - iv) Public consultation with the ratepayers.
 - v) Provide sufficient time (over four weeks) to receive the electorates' response to the development in a plebiscite on the question.
 - vi) And, if applicable, Council entering into a Development and Servicing Agreement according to Section 6.9 - Development Levis and Servicing Fees in the Official Community Plan.
- d) Once these, and other conditions set by the Resort Village of Wakaw Lake, have been met, the holding symbol may be removed by an amending bylaw according to Section 71 (2) of *The Act*.

7.1.4 Overlay Districts

Overlay zoning districts may apply additional regulations to specific land and are indicated on the Zoning District Map. These regulations add to the regulations contained in the conventional zoning district (base zone) applicable to a site. Where the conventional district regulations applicable to a site appear to be in conflict with the overlay zone regulations, the following overlay zone regulations shall take precedence:

7.1.4.1 f - Flood Hazard Area (overlay zone) and Safe Building Elevation

- a) **The purpose** of this regulatory overlay is to provide for orderly development and safe construction in areas subject to flooding.

In any district designated on a zoning map with the letter "f" after the district symbol (base district) all uses in that district shall be subject to the special regulations specified in this part.
- b) **Permitted Uses** in addition to those in the base district include:
 - i) Passive parks
 - ii) Picnic sites
 - iii) Playgrounds
 - iv) Boat launches
 - v) Foot paths/trails
- c) **Discretionary Uses** in addition to those in the base district include:
 - i) Storage of goods not subject to water damage.
- d) **Special Regulations:**
 - i) Where excavation or filling is proposed for any development in a flood hazard land overlay zone, the Council may request the comments of the Saskatchewan Watershed Authority or the applicant to provide such further geotechnical information as the Resort Village of Wakaw Lake may require prior to making a decision on the Development Permit application.
 - ii) Floor elevation requirements shall apply in a cautionary flood hazard land overlay zone.
 - iii) **Safe Building Elevation** for all existing and new sites within the Resort Village of Wakaw Lake zoning districts along Wakaw Lake shall be above the 1:500 design flood level of 510.60 m (1:500 year peak calm water level of 510.10 m above sea level (Saskatchewan Watershed Authority) plus a 0.5 m freeboard value.
 - iv) Applications for development permits for sites with habitable dwellings below 510.60 m sea elevation shall show the elevation of site corners and the floor elevation of dwellings along Wakaw Lake within the Resort Village of Wakaw Lake.
 - v) The grade elevation of the building or structure must be at or above the design flood elevation of 510.60 m above sea level.
 - vi) Basements shall not be allowed on sites within the 1:500 design flood level.
 - vii) The finished floor elevation of the building or structure must be a minimum of 0.6 m above the **design** flood elevation of 510.60 m and on flood proofed foundation or the structure must be flood proofed to that elevation.

- viii) Heating units and heating plants and electrical service panels shall be located above the safe building elevation.
- ix) Grade elevation of habitable buildings must be above the road centreline grade where site drainage and flooding is a concern.

NOTE: Caveats (flood proofing required) - To minimize potential flood damage, caveats were registered (Section 142 of *The Planning and Development Act, 1983*) against certain titles at Sandy Point and near Poplar Beach. The caveat requires each existing cottage owner of affected site, pursuant to the issuance of development permit or building permits, to have:

- a) flood proofing permanent buildings (up to the underside of main floor joist of new residential buildings) or structures up to an elevation of 510.58 sea level (based on 1:100 flood event) in such a way that surface water can be drained without ponding;
- b) portions of residential buildings that are below the flood proofing elevation to be flood proofed in accordance with CMCH Publication NHA 5701 2/84 Problem Lands and as updated after;
- c) sewage holding tanks be flood proofed up to the same elevation and installed in compliance with the requirements of the Department of Public health; and that,
- d) approved shoreline stabilization works be installed and maintained by the owner.

NOTE: *New sitting and construction of buildings and structures will be in accordance with the zoning bylaw.*

7.1.4.2 hs – Hillside Protection Area

As stated in the Official Community Plan, unprotected excavations particularly along and below the escarpment, are subject to slope instability and erosion. Along steep slopes local evidence of actively shedding back slopes toward the lake were noted. Deep unvegetated cuts for roads are prone to erosion and sedimentation runoff during heavy rainfall. Careful siting of cottages and structures is required on these steep slopes to prevent landslips and risk of erosion as well as to avoid unnecessary blocking of views of the lake from cottages.

- a) **Purpose** of the hillside Protection Area is to protect the natural terrain and vegetation to avoid and minimize erosion and damage to property and residents and to preserve views to and from the lake. In any district designated on a zoning (base) map with the letters "hs" after the district symbol all uses in that district shall be subject to the special site regulations specified in that part.
- b) **Defining the area**
This applies to sites where an existing or proposed development or subdivision is located on a hillside of 15% or greater slope for the length of the site within an R - Residential District.
- c) **Permitted Uses** in hillside protection area are as identified in the base district.
- d) **Discretionary Uses** in hillside protection area concerning residential and other development on cottage sites are as identified in the zoning bylaw and on lakeside lands as identified in Section 5 Regulations for Development on Lakeside Lands in this zoning bylaw.
- e) **Prohibited Uses**
 - a) Prohibited uses are as identified in the base district.
 - b) Off-road vehicles are restricted to designated paths and trails outside the lakeshore environmental reserve (below the cottage lots at the base of the escarpment).
 - c) (Also see: Section 7.5 - Prohibited Use in All Zoning Districts).
- f) **Special Site Regulations**
 - i) At Council's discretion the required minimum front yard setback in residential districts for specific sites may be reduced according to paragraph (ii) below.
 - ii) Depending on site conditions (examples: natural drainage, potential for slope instability, erosion, safe building sites, or the potential for irreparable alteration of the landscape), site analysis may be required according to Section 2.3.5 Hazard Lands in order to relax the minimum front yard requirement for dwellings (principal building) from 6 m (20 ft) to 3.5 m in the residential districts next to Wakaw lake. Also refer to footnote to Section 7.4 Development Standards.
 - iii) Applications for development permits for sites (along Wakaw Lake within the Resort Village of Wakaw Lake) shall show the elevation of site corners and the floor elevation of dwellings.
 - iv) In order to promote retention of vegetation cover, important for storm water management and for minimizing soil erosion and for wildlife habitat, additional clearing of vegetation (trees and shrubs) shall be limited to 8 ft outside strip of the 'maximum site coverage' (total foot print) of all buildings.

- v) The 'maximum site coverage' is 30% of the site area and together with driveways, parking and impermeable surfaces shall not exceed 50%.
 - vi) Clearing, Grading and Levelling of Lots Shall comply with Section 3.4.1
 - vii) No site clearing shall occur and no foundation work, new buildings or structures shall be constructed without the submission of site clearing and restoration plan for approval as the resort village may require.
 - viii) Placement and or height of new buildings or structures shall be so as to minimize interference with the natural vistas of the lake, the escarpment landscape (view of the steep hillside) from the primary living area of the adjacent cottage sites. Council shall have the deciding authority if there is any dispute on property owner's views.
- NOTE: 'View' means a vista of water bodies (Wakaw Lake) or surrounding hills of the lake, from the primary living areas of the single dwelling/principal building. Obstructions by natural stands of trees and shrubs are exempt.

7.2 ZONING DISTRICTS

For the purpose of applying this Bylaw, the Village of Wakaw Lake is divided into the following zoning districts. The boundaries of these zoning districts are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

Zoning Districts	Symbols
Residential (Single Detached Dwellings)	R-1, R-2, R-3
COMMERCIAL	C
RECREATION	REC
CONSERVATION	CA
STORAGE	S
COMMUNITY SERVICES	CS
URBAN RESERVE	UR

7.2.1 The Residential Districts (R-1, R-2, and R-3) (Single Detached Dwellings)

7.2.1.1 Residential District (R-1)

The intent - The purpose of the R-1 Residential District is to provide for low-density residential development comprised of single detached dwellings and permitted uses such as recreation, community service and public work uses compatible with a residential area.

7.2.1.2 Residential District (R-2)

The **purpose** of this district is to provide sites for existing single detached dwellings in R-2 Residential District. Further R-2 districts with sites without a back lane are prohibited, existing ones are provided for.

7.2.1.3 Residential District (R-3)

The **purpose** of this district is to accommodate existing high density residential development. To fit sites to existing cabin locations at Sandy Point (in Section 25) and east of Kindrachuk Street (in SE 27) to accommodate existing high density residential developments. Further undersized lots/sites (R-3) are prohibited by the OCP.

For development standards in the Residential Districts, refer to Section 7.4

7.2.2 The Commercial District (C)

The intent - The purpose of the C - Commercial District is to provide land for commercial development and to regulate commercial uses such as neighborhood type store, coffee shop, restaurant, golf course and accessory establishments primarily for village residents and their guests and not for commercial developments (such as highway side gas station, tourist campgrounds, hotels, rental condos) that would attract tourists.

7.2.3 Recreation District (REC)

The intent of the REC - Recreation Zoning District is to provide for and regulate recreational development and related uses.

This reflects existing areas of recreation development (beach area and boat launch) and other municipal reserves intended for future recreational use (example: trail access nodes to the lakeshore).

NOTE: the REC - Zoning District includes most of the dedicated public reserve (Crown owned) and/or to municipal reserve (Municipal owned). These are shown as dedicated lands on subdivision plans. NOT all public/municipal reserves are zoned REC - District in this Resort Village.

NOTE: The development of public reserve and/or municipal reserve is subject to the provisions of the Official Community Plan and Zoning Bylaw (Section 193 of *The Act*).

NOTE: For bylaw effectiveness it is required to have a 'parcel class code change' (conversion) for Lakeview Drive from "road" to Municipal Reserve (and zoned as REC District).

Recreation developments for use by village residents will also be allowed in R - Residential District, UR - Urban Reserve District.

7.2.4 Conservation (CA)

The intent of CA - Conservation District is to recognize and preserve lands of natural and cultural (archeological) features under the definition of section 185 of *The Planning and Development Act 2007* and other areas zoned Conservation District. These conservation districts (environmental reserves) include known natural drainage courses, seepage springs, the lakeshore lands (land/water interface), lands subject to flooding, environmentally sensitive wildlife habitat (wetlands on and around Poplar Point and at Sandy Point), and unstable areas (shoreline erosion). Use and development shall be low impact on the environment.

NOTE: Conservation designation is applied to lands identified as Environmental Reserves (Crown land) or Municipal Environmental Reserve on subdivision plans and/or areas (Poplar Point) zoned for Conservation in this Zoning Bylaw.

NOTE: For bylaw effectiveness it is required to have a 'parcel class code change' (conversion) for Lakeshore Road from "road" to Environmental Reserve (and zoned as CA - Conservation District).

Where appropriate in CA - Conservation District, carefully placed low impact developments (foot path, boardwalk, viewing posts, park benches, and discretely placed informational signs) and non-destructive recreational activities (wildlife viewing, nature appreciation) may be allowed.

7.2.5 Storage (S)

The intent of the S - Storage District is to provide for storage needs in the form of accessory buildings and uses of village residents. These lands are not intended for commercial or industrial use. The area selection for S - Storage District reflects existing storage use.

7.2.6 Community Services (CS)

The intent of CS - Community Services District is to enable the Resort Village to set aside surveyed parcel(s) for community services, public works, village operations, and community organized events.

NOTE: Zoning Bylaws will also allow community services related land use and public works on lands in the Residential District, Recreation District and in the Urban Reserve District.

7.2.7 Urban Reserve (UR)

- a) The intent of UR - Urban Reserve District is to reserve lands in their interim use within the Municipality which are as yet not subdivided or undeveloped land for urban uses until such time as their future use may be determined.
- b) Only where the proposed zoning would be in conformity with the Official Community Plan shall the rezoning of land from Future Development to any other land use be considered.

Note - Other districts may be added as necessary.