

## 7.4 DEVELOPMENT STANDARDS

Requirements	R-1 Residential District (the village standard for existing sites in R-1 district and new residential sites)	R-2*** Residential District Existing, with and without back lane. No new R-2's in a double block without back lane	R-3*** Residential District Existing; no new ones
a) Residential Uses, single detached dwelling:			
Site area, minimum	<b>650 m<sup>2</sup> (7,000 ft<sup>2</sup>)</b>	<sup>§</sup> 450 m <sup>2</sup> (4,843 ft <sup>2</sup> )	<sup>A</sup> 430 m <sup>2</sup> (4,628.63 ft <sup>2</sup> )  <sup>B</sup> 160 m <sup>2</sup> (1,722 ft <sup>2</sup> ) at Sandy Point
Site frontage/width, minimum	<b>18 m (60 ft)</b>	15 m (49.21 ft)	9.2 m (30 m)
Front yard, minimum			
- principal building	<b>6 m (20 ft)</b>	6 m (20 ft)	6 m (20 ft)
- see <sup>B</sup> Section 7.1.4.2 hs - Hillside Protection Area	<sup>B</sup> Section 7.1.4.2	<sup>B</sup> Section 7.1.4.2	--
- accessory building	<b>6 m (20 ft)</b>	6 m (20 ft)	6 m (20 ft)
Side yard, minimum			
- principal building	<b>1.5 m (5 ft)</b>	1.5 m (5 ft)	1.5 m (5 ft)
- accessory building	<b>1.5 m (5 ft)</b>	1.5 m (5 ft)	1.5 m (5 ft)
Side yard abutting a street, minimum			
- principal building	<b>3 m (10 ft)</b>	3 m (10 ft)	-
- accessory building			-
Rear yard, minimum			
- principal building	<b>6 m (20 ft)</b>	1.5 m (5 ft)	6 m (20 ft)
- accessory building	<b>1.5 m (5 ft)</b>	1.5 m (5 ft)	1.5 m (5 ft)
Principal building floor area (footprint), minimum and maximum	<b>Minimum: 40 m<sup>2</sup> (430 ft<sup>2</sup>)</b> Maximum allowable floor area is derived from maximum site coverage less accessory buildings and structures and parking surface		
Accessory buildings, maximum of two (2) detached. One may be a discretionary 'granny-suite, not greater than 28 m <sup>2</sup> (300 ft <sup>2</sup> )	Total floor area of all accessory buildings shall be less than permitted floor area of Principal Building area built, and not more than 10% of site area.		
Maximum of site coverage (maximum of all buildings combined)			
• Hillside protection area (overlay zone), site area with 15% or steeper slope	30% of site area in hillside protection area		
• Site area with 14% or less slope	40%		
Building height, maximum	Council shall have the option of reducing the maximum building height where the height of a proposed building would have a negative impact on the natural vistas of the lake, valley landscape, or on the neighbouring property owner's views. Council shall have the deciding authority if there is any dispute on property owner's views.		
- principal building height	7.5 m (25 ft), nor shall be more than two (2) stories in height		
- accessory building	6 m (20 ft), provided that the height shall not exceed the height of principal building		
b) Recreational and Public Facilities: No minimum	No minimum	No minimum	No minimum
c) Institutional and Public Facilities:			
Front yard, minimum	7.5 m (24.6 ft)	7.5 m (24.6 ft)	7.5 m (24.6 ft)
Side yard, minimum	1.5 m (5 ft) or one half the building height whichever is greater	1.5 m (5 ft) or one half the building height which-ever is greater	1.5 m (5 ft) or one half the building height which ever is greater

For residential sites legally created prior to passing the zoning bylaw (October 23, 1981) the following regulations (minimum standards) shall apply:	<b>R-1</b>
Site area, minimum	450 m <sup>2</sup> (4,843.92 ft <sup>2</sup> )
Site frontage, minimum	15 m (50 ft)
Front yard, minimum	6 m (20 ft)
Side yard, minimum	1.5 m (5 ft)
Floor area, minimum	40 m <sup>2</sup> (430 ft <sup>2</sup> )

\*\*\* The Official Community Plan and this Zoning Bylaw prohibit additional R-2 zoning district without back lane and additional R-3 zoning district.

<sup>A</sup> 430 m<sup>2</sup> (4,628.63 ft<sup>2</sup>) for Lots 1 and 2 Block 2, Plan No. AC.404? Lots A, B, and C, Block 2, Plan No.69-PA-08369. January 19, 1989 #22 in Section SE 27-42-26-W2M.

<sup>#</sup>160 m<sup>2</sup> (1,722 ft<sup>2</sup>) for lots 1 to 9 inclusive in Block 1(13) and Lots 1 to 10 in Block 2(14?), at Sandy Point. November 27, 1989 #25 in Section 25-42-26-W2M.

<sup>A</sup>Front yard minimum in Hillside Protection Area: the minimum front yard requirement for dwellings (principal building) shall comply with Section 7.1.4.2.6

<sup>S</sup> R- 2 Residential Lots 4 to 14 inclusive in Block 9, and Lots 1 to 14 inclusive in Blk. 10 on Plan of Subdivision by J. Russ George, SLS, (September 15, 1982). #14

NOTE: Undersized lots still in force prior to the passing of this bylaw, having less than the minimum frontage, yard setbacks, or less than the minimum site area required for R -1 zoning district by the zoning bylaw, may be used for a purpose permitted in the zone in which the site is located provided that all other applicable provisions of the Official Community Plan and Zoning Bylaw are complied with.

#### Commercial District (C) Standards

1. Site and Yard Areas, Minimum
  - site width, minimum - 15 m (49.2 ft)
  - site area, minimum -service stations - 929 m<sup>2</sup> (10,000 ft<sup>2</sup>)
  - all other uses - 464 m<sup>2</sup> (5000 ft<sup>2</sup>)
  - front yard, minimum -service station - 7.5 m (25 ft)
  - all other uses — no requirements
  - d) side yard, minimum - no requirement unless the site abuts a residential district and streets in which case a side yard of at least 1.5 m (5 ft) shall be provided,
  - e) minimum rear yard
    - 1.5 m (5 ft) where a lane is present
    - 6 m (20 ft) where the rear yard of the site abuts a residential district,
  - f) any dwelling accessory to a principle commercial use shall conform to the site and yard area regulations for residential uses as specified in the R—Residential District.
2. Landscaping
 

Where a site abuts a residential district and streets, the side and rear yards shall be landscaped to the satisfaction of Council.
3. Storage of Goods in Yards

Vehicles, machinery and commodities shall not be stored or collected in any yard unless within an enclosed building or screened to the satisfaction of Council.
4. Accessory buildings

Where a front yard has been provided no accessory building shall be located in that front yard.
5. Service Stations

Fuel pumps and other accessory equipment shall be located at least 6 meters (20 feet) from any Street or site line.
6. Signs and Billboards
  - a) No more than two (2) signs are permitted on the premises.
  - b) No sign shall have a facial area in excess of 3.4 square meters (36 square feet). Each sign may be double faced.
  - c) The maximum height of any sign shall be 6 meters (20 feet) above the ground surface
  - d) No sign shall be located in any manner that may, in the opinion of Council, jeopardize the safety of others or create a visual obstruction.

### Recreation District (REC) Standards

No minimum requirement.

### Conservation District (CA) Standards

No minimum requirement.

### Storage District (S) Standards

- |                            |                                               |
|----------------------------|-----------------------------------------------|
| i. Site area, minimum      | 464.5 m <sup>2</sup> (5,000 ft <sup>2</sup> ) |
| ii. Site width, minimum    | 12.2 m (40 ft)                                |
| iii. Front yard, minimum   | 6 m (20 ft)                                   |
| iv. Side yard, minimum     | 1.5 m (5 ft)                                  |
| v. Rear yard, minimum      | 6 m (20 ft)                                   |
| vi. Site coverage, maximum | 40%                                           |

### Community Services District (CS) Standards

- |                         |               |
|-------------------------|---------------|
| i. Front yard, minimum  | 6 m (20 ft)   |
| ii. Side yard, minimum  | 2 m (6.56 ft) |
| iii. Rear yard, minimum | 6 m (20 ft)   |

### Urban Reserve District (UR) Standards

For permitted uses (see: Section 7.3 Permitted and Discretionary Uses)

- |                         |              |
|-------------------------|--------------|
| i. Front yard, minimum  | 6 m (20 ft)  |
| ii. Side yard, minimum  | 1.5 m (5 ft) |
| iii. Rear yard, minimum | 6 m (20 ft)  |

## 7.5 PROHIBITED LAND USE IN ALL ZONING DISTRICTS

Notwithstanding the authority of Council to limit other land uses, the following buildings and use of buildings and land shall be prohibited in any zone:

- a) Mobile homes (existing lawfully permitted mobile homes will be non-conforming). (Modular homes are allowed if they meet or exceed CSA Z240 and meet the national building code standard).
- b) Multiple unit dwellings,
- c) The use of any motor vehicle for human habitation,
- d) Human habitation, such as camping or living on a vessel,
- e) Exclusive private use of dedicated lands (public reserves, municipal reserves, environmental reserves) and Crown foreshore lands,
- f) Wind turbines,
- g) Stables, livestock operations, or dog boarding kennels,
- h) Personal care homes,
- i) Gas stations or garages for the repair or maintenance of motor vehicles,
- j) Tourist services and accommodations (Except for bed and breakfast lodging),
- k) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the amended Environmental Protection Act.

## SECTION 8 - DEFINITIONS

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

**Accessory Building** – a building, the use of which is subordinate to that of a principal building or use situated on the same lot/site. Accessory Building includes fabric covered structure.

**Accessory Storage Area** – an area designated within the Resort Village for the purpose of storing recreational vehicles, motor vehicles, boats, cars dollies, utility trailers, and the like.

**Accessory Use** - is a building, structure or activity, which is incidental to, and subordinate to, the principal use or activity and which is conducted and located on the same lot/site as the principal building or use, and used in conjunction with that principal use.

**Act, The** – *The Planning and Development Act, 2007*, its amendments and successor legislation.

**Administrator** - The Administrator of the Resort Village of Wakaw Lake.

**Alteration** - any structural change or addition made to any building.

**Ancillary Use** - a secondary and subordinate use to the principal use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

**Apartment** - a building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel or rooming house.

**Approved** - approved by the Council of the Resort Village of Wakaw Lake.

**Aquifer** - an underground layer of gravel or sand that contains groundwater. Residents of the Resort Village depend on groundwater for their drinking water.

**Aquifer Protection Zone, High Sensitivity** - area of sand/coarse sand overlaying a portion of the aquifer. For example, the village area, because of coarse sandy subsoil, is considered highly sensitive aquifer area.

**Awning** - a canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

**Bed** (body of water) - that portion of a water body or watercourse that is periodically or continuously covered by water.

**Bed-and-Breakfast Home** - a bed-and-breakfast facility is an accessory use of a single detached dwelling, licensed as an itinerant use accommodation The Public Accommodation Regulations, in which bedrooms are rented to paying customers on an overnight basis with no more than one meal served daily and before noon.

**Boat** - a vessel other than a Personal Watercraft

**Boat Lift** - any structure having temporary footings in the lake or on land, designed to lift a vessel out of the water and/or provide a platform for temporary vessel storage and no extension or other structure or object (such as a roof or canopy) may be attached to or upon a boat lift. A boat lift may be attached or unattached to a dock.

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

**Building Accessory** - a subordinate building detached from a principal building located on the same site, the purpose of which is to enclose a use accessory to or part of the principal use. The purpose of all accessory buildings is to provide better and more convenient function of the principal building or use.

**Building Bylaw** - a bylaw of the Resort Village of Wakaw Lake regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to The Uniform Building and Accessibility Standards Act.

**Building Height** - the vertical distance of a building measured from grade level to the highest point of the roof.

**Building Permit** - a permit, issued under the Building Bylaw of the Resort Village of Wakaw Lake, authorizing the construction of all or part of a building or structure, but does not include a development permit.

**Building, Principal** - a building within which the principal use of the site is housed or conducted.

**Building Line, Established** - a reduced front yard requirement pursuant to Sub-section 3 Established Building Lines (Section 3 General Regulations).

**Canopy** - a non-retractable, permanent roof-like structure constructed of durable material extending from part or all of a building.

**Child Care Services (Day Care)** - "Services that are provided at the request of a parent of a child are provided for a child by a person other than a parent of the child, are provided for less than 24 hours per day, and have as their primary purpose the care and supervision of children who do not reside on the premises where the services are provided." (The Child Day Care Act). For the purpose of this zoning bylaw, babysitting is excluded.

**Club** - a service club or private club which involves recreational, social, cultural or athletic activities.

**Council** - the Council of the Resort Village of Wakaw Lake.

**"Dedicated lands"** - those lands within the definition of dedicated lands contained in Section 2 of The Act.

**"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 any building or land.

**Development, temporary** - where dedicated lands are concerned, improvements or landscaping, and maintenance of the improvements or landscaping.

**Development Officer** - the officer of the Resort Village of Wakaw Lake appointed pursuant to Section 2 (SECTION 2 ADMINISTRATION) of the Bylaw to administer this Bylaw.

**Development Permit** - a permit, issued by the Council of the Resort Village or its designate that authorizes development but does not include a building or a discretionary use permit.

**Discretionary Use** - 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.

**District** - see Zone, or Zoning District.

**Boat** - a vessel other than a Personal Watercraft.

**Dock** - a structure used for the purpose of mooring vessels(s) and for providing pedestrian access to and from moored vessel(s) and can consist of a single dock, wharf or pier, including walkway and access ramp.

**Driveway** - a road or lane from the village street that gives access to or from any parking area. In the residential districts it is a driveway from village streets to the front of the lot.

**Dwelling** - a building used or intended to be used as a residence, but shall not include room rental or Tourist Accommodation.

**Dwelling Unit** - one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons, and each unit provides for separate sleeping, cooking and toilet facilities.

**Dwelling, Single Detached** - a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence. It may include an RTM when attached to its foundation on the site, but not include a mobile or modular home.

**Dwelling, multiple** - a building containing three (3) or more dwelling units, but not including a motel, hotel, converted dwellings, town houses or row houses.

**Dwelling, duplex** - a building divided horizontally or vertically into two dwelling units.

**Ecology** - the study of the relationships among organisms and the relationship between them and their physical environment.

**Fabric Covered Structures** - a pre-manufactured, or homemade structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and a maximum of three sides with fabric, reinforced plastic, vinyl, or other sheet material, with a maximum floor area no greater than 240 square feet (22.3 square metres) intended for temporary storage purposes.

**Flood, Designated** - for the purpose of this Resort Village along Wakaw Lake, where the lake level is controlled by a wier, the designated flood level is set by the Saskatchewan Watershed Authority.

**Flood Level** - see Flood, Designated

**Floodplain Setback, Shoreline Setback, Building Setback** - the distance from the Natural Boundary of Wakaw Lake to the backshore to allow for potential land/shoreline erosion.

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

**Frontage** - the length of the front site line.

**Garage, Private** - a building or part of a building or a carport used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory.

**Garage, Public** - a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where vehicles are kept for remuneration, hire, sale or display.

**Gas Bar** - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

**Grade Level** - an average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

**Gross Floor Area** - the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

**Groundwater** - water beneath the surface of land.