

Modular Unit - a factory built frame or shell which comprises supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a Section of a dwelling and has neither chassis, running-gear, nor its own wheels.

Municipal Facility - Public Works owned by the Municipality/Resort Village.

Municipality - same as The Resort Village of Wakaw Lake under The Municipalities Act.

Natural Boundary - for the purpose of this Bylaw, the visible watermark of the lake elevation at any time of the year along Wakaw Lake.

Non-Conforming Building - a building:

- that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

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

Non-Conforming Use - a lawful specific use:

- being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective; and
- that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

Official Community Plan - an official community plan adopted pursuant to section 29 of *The Act*.

Parcel - a surface parcel as defined in *The Land Surveys Act, 2000*. Also, see: Lot/Site.

Permitted Use - a use of land or buildings or form of development that is prescribed in the Zoning Bylaw as a use that is allowed and for the purpose of this Bylaw all uses not listed as permitted shall be deemed to be a prohibited use in that zone.

Personal Care - assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for him or herself **in their home** due to age, infirmity, physical or mental defect, or other disability.

Personal Care Home - a facility that provides accommodation and meals and supervision or assistance with personal care to an adult who on account of age, infirmity, physical or mental disability require special care, and who is not a relative of the person who operates the facility.

Prohibited Use - a use of land or a building or form of development that is prescribed in the zoning bylaw as not allowed on a parcel/lot/site. **Neither Permitted nor Discretionary Use** - Where a development proposal is not identified within the municipal zoning bylaw as a permitted or discretionary use, the development is considered prohibited.

Permitted use - a use of land or building with associated development standards that shall be permitted in a zoning district where all requirements of the Zoning Bylaw are met.

Personal Service Establishment - a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

Personal Watercraft - is a jet propelled vessel typically ridden in a similar style as a motorcycle and commonly referred to as a Jet Ski, Sea Doo or Wave Runner.

Principal Use - the primary purpose for which land, buildings, or structures are ordinarily used.

Public Land - Crown lands and waters within the Resort Village.

Public Utility, and Works - a system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality:

- systems for the production, distribution or transmission of electricity

- systems for the distribution, storage, or transmission of natural gas or oil
- facilities for the storage, transmission, treatment, distribution or supply of water
- facilities for the collection, treatment, movement or disposal of sewage and garbage
- telephone or light distribution lines
- microwave and cell phone tower communication facilities
- facilities for optical cable, or cable television services.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

Recreational Facility – the use of land, building or structures for indoor or outdoor activities and specifically excludes arcades.

Recreational Vehicle – any camper, travel trailer, fifth wheel or motor home with a maximum width of 2.6 metres (8.53 feet) in transit mode which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the Motor Vehicles Act.

Recreational Vehicle or "RV" (short version) – 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. Also, see below: Recreational Vehicle or "RV" (as per the Canadian Recreation Vehicle Association).

Recreational vehicle or "RV" (short version) – 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. Also, see definition of **Recreational vehicle or "RV"** (as per the Canadian Recreation Vehicle Association).

Recreational vehicle or "RV" (as per the Canadian Recreation Vehicle Association) – means a structure designed to provide temporary living accommodations for travel, vacation, or recreational use and to be driven, towed or transported.

Living accommodations may include sleeping, kitchen, bathroom, and systems for fresh and wastewater, 110/12V electricity, Propane, heating, air conditioning, and entertainment. It has an overall length not exceeding 12.5 metres (41 ft)* and an overall width not exceeding 2.6 metres (8 ft 6 in), where the width is the sum of the distance from the vehicle centreline to the outmost projections on each side (including door handles, water connections, and so on) when the vehicle is folded or stowed away for transit. Such structures include folding camping trailers, travel trailers, fifth wheel trailers, slide-in truck campers and motor homes (as described by the Canadian Recreation Vehicle Association).

* For a fifth wheel travel trailer this measurement shall be 11.3 metres (37 ft) taken from the extremity to the front of the main body measured at the floor line.

NOTE:

- Recreational Vehicles are classified in to three basic categories- Motorized RVs, Towable RVs, and Park Models. These Recreational Vehicles should display Twin Seals of Excellence and CAN/CSA 2-240. Recreational vehicles displaying CAN/CSA 2-240 shall be allowed in the Recreational Vehicle campground in the Resort Village of Wakaw Lake.
- Towable RV's do not require permanent and continuous on-site hook-ups to sewage, water, and electricity.
- Park Models are available in two different classes:
 - The one allowed in the Resort Village: the Park Model Trailer 102 which is built to RV specifications with the CSA A-240 Standard, and the trailer has a floor area that does not exceed 11.33 m² (400 ft²) and
 - Park Model Recreational Unit with the CSA 2-241 (floor area exceeds 11.33 m²) may be allowed on a campsite where the required separation distance between the CSA 2-241 unit in full set-up (with slide out and awnings and canopies fully extended) and other recreation vehicles shall be maintained.

Seasonal recreational vehicle shall mean a recreational vehicle used on a seasonal basis, and closed and vacated at least sixty (60) continuous days between October 31 and April 30 of the following year. Seasonal Recreational Vehicle shall not include any of the following:

- Permanent Trailer as defined in DEFINITIONS.
- Mobile homes
- Manufactured and modular home
- Cabins
- Permanent, principal or year-round residences.
- Continuous (permanent) connection to sewage, water and electric hook-ups.

Resource Management/Landscape Management –The wise use of a particular resource like grasslands and tree plantations/open spaces/environment to achieve a specific end such as shade, shelter, wildlife habitat, soil protection, watershed protection, aesthetics for the enjoyment and benefit of all the residents of the Resort Village.

Retail Store - establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - a room or rooms for only paid accommodation that is not a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, and which may or may not provide meals; and makes no provisions for cooking in any of the rooms occupied by paying guests.

'Ready to Move' (RTM) Dwelling - a new single detached dwelling constructed off site to National Building Code or CSA A277 standards to be moved onto a new permanent residential site building foundation.

Road allowance or village road right of way - surveyed road-right-of-way which afford the principal means of access to the abutting parcel property.

RV Site - shall mean an area designated as a campsite/RV site for no more than one (1) RV Vehicle and for an automobile or other vehicle to accommodate camping, with the actual dimensions clearly indicated on the site plan as required under this Bylaw.

Secondary Suite - one or more habitable rooms with bedroom(s) and one cooking facility, constituting a self-contained unit with a separate entrance, but which is clearly subordinate to the principal dwelling.

Sensitive Area - land or water area containing features whose protection is advocated by any individual or interest group.

Setback - the required minimum horizontal distance measured between a building or use and each of the respective lot lines.

Seasonal Recreational Vehicle Campground (RV Park) shall mean a recreational vehicle campground (RV Park) used on a seasonal and recreational basis by seasonal recreational vehicles, and closed and vacated for at least sixty (60) continuous days between October 31 and April 30 of the following year.

Sight Triangle, Driveway - the area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the driveway within the property to a similar point along the property line 3 m away from the driveway.

Sight Triangle, Street- the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 m from the corner property pin to a similar point 7.5 m along the perpendicular or intersecting property line.

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 or thoroughfare.

Site Area (or) Site Coverage - see Lot Coverage

Site Line, Front - the boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

Site Line, Rear - the boundary at the rear of the site and opposite the front site line.

Site Line, Side - a site boundary other than a front or rear site line.

Sleeping Unit - one or more habitable rooms used for sleeping and living purposes but in which there is no kitchen or cooking facilities.

SPI - Statements of Provincial Interests - *The Statements of Provincial Interest Regulations Chapter P-13.2 Reg 3 (effective March 29, 2012)*

The Statements of Provincial Interest Regulations (SPI) provide guidance to municipalities on a complex series of land use and development issues for municipalities.

Provincial oversight to ensure consistency with the SPI occurs through the approval of new official community plans, district plans, zoning bylaws and subdivision bylaws by the province (Community Planning Branch). Subdivision approving authorities, including the province, are responsible for ensuring consistency with the SPI during the subdivision approval process.

The fourteen key areas of common planning interest to the province and municipalities are:

- Agriculture and Value Added Agribusiness
- Biodiversity and Natural Systems
- First Nations and Métis Engagement
- Heritage and Culture
- Inter-municipal Cooperation
- Mineral Resource Exploration and Development
- Public Safety
- Public Works
- Recreation and Tourism
- Residential Development
- Sand and Gravel
- Shore Land and Water Bodies
- Source Water Protection
- Transportation

Municipalities are to address "insofar as is practical" each statement of interest in official community plans, zoning bylaws and subdivision bylaws.

Storage Shed - a building with a maximum horizontal floor area of 100 square ft (9.29 square m), or a maximum horizontal roof area of 110 square ft (10.22 square m), used exclusively for the storage of goods.

Street - a public thoroughfare which affords the principal means of access to the abutting property. Also see: **Streets** under Section 16 of The Subdivision Regulations.

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

Structure, Temporary - anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

Sustainable Development - "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs." (Page 8, World Commission on Environment and Development. *Our Common Future*. (Oxford, Great Britain: Oxford University Press, 1987).

Swimming Pool - any structure, in ground or over ground, intended primarily for recreation that is, or is capable of being, filled with water to a depth of 2 ft (0.6 metres) or more. A hot tub which must have a drainage system into a sanitary sewer/septic tank shall not be considered a swimming pool.

The Act - *The Planning and Development Act, 2007*.

Tourist Accommodations - rooms, hotel, motel, rental cabins used by travellers for overnight accommodation.

Tourist Campground - a site which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

Tourist Home - a private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

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 to 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.

Trailer, permanent shall mean a trailer and/or a recreational vehicle used as a permanent, principal and/or year-round residence that has been constructed to allow year-round occupancy in accordance with provincial regulations and municipal bylaws.

Units of measure - units of measure in this Bylaw are metric abbreviated as follows:

m	metre(s)	km	kilometres
m ²	square metre(s)	ha	hectare(s)

Use - the purpose for which any lot, site, or surface water, building or structure, is designed, arranged, or intended, or for which it is occupied or maintained.

Vessel - means every type of boat, ship, or craft designed, used or capable of being used solely for navigation in, on, through or immediately above water, without regard to method or lack of propulsion.

Village - The Resort Village of Wakaw Lake.

Yard - any part of a site unoccupied and unobstructed by any principal building or structure.

Yard, Front - a yard extending across the full width of a lot/site between the front site line and the nearest main wall of the principal building or structure on the lot/site.

Yard, Rear - a yard extending across the full width of the lot/site between the rear lot/site line and the nearest main wall of the principal building or structure on the lot/site.

Yard, Side - a yard extending from the front yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure.

Zone - a land use district (same as Zoning District, or District) established by SECTION 5 of this Bylaw

Zoning District - the area into which the Resort Village of Wakaw Lake is divided in accordance with this Bylaw and for which specific regulations are outlined in this Bylaw.

SECTION 9 - COMING INTO FORCE

- 1) This bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.
- 2) Bylaw No. 8, as amended, is hereby repealed.

INTRODUCED AND READ a first time this 11th day of July, 2012. A.D.

READ A SECOND time this 11th day of September, 2013.

READ A THIRD time this 9th day of October, 2013.

ADOPTION of bylaw this 9th day of October, 2013.



MAYOR



ADMINISTRATOR

**APPENDICES**

Appendix A: Application for Development Permit, Form A and B

Appendix B: Application for Lakeside Land Development Permits, Form C

Appendix C: Zoning District Map

Appendix D: Lot Schematics