

**THE RESORT VILLAGE OF CANDLE LAKE
ZONING BYLAW
NO. 02/2002**

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1.0 INTRODUCTION

Under the authority granted by The Act, the Council of the Resort Village of Candle Lake in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

Title	This Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Resort Village of Candle Lake.
Purpose	The purpose of this Bylaw is to regulate land use and development in the Resort Village of Candle Lake to provide for the amenity of the area and for the health, safety, and general welfare of the inhabitants of the municipality and to implement the policies of the Basic Planning Statement.
Scope	No development shall hereafter be permitted within the limits of the Resort Village of Candle Lake except in conformity with provisions of this Bylaw, the Basic Planning Statement, and <i>The Planning and Development Act, 1983</i> .
Severability	A decision by a Court of competent jurisdiction that one or more provisions of this Bylaw, including anything shown on the Zoning District Map, are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this Bylaw.

2.0 DEFINITIONS

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:

<u>Accessory Building</u>	see Building, Accessory.
<u>Accessory Use</u>	see Use, Accessory.
<u>Act</u>	The <i>Planning and Development Act, 1983</i> as amended from time to time.
<u>Adult Theatre</u>	Any premises or any part thereof, where, for any form of consideration, live entertainment, motion pictures, video tapes, video discs, slides, or similar electronic or photographic reproductions, are performed or shown and where the main feature of which is the nudity or partial nudity of any person.
<u>Alterations</u>	Any structural changing, or addition to, a building or structure, and shall include a change from one type of use to another.
<u>Adult Day Care Centre</u>	An establishment for the provision of care, supervision, and protection of adults, but does not include the provision of overnight supervision.
<u>Basic Planning Statement</u>	The Basic Planning Statement for the Resort Village of Candle Lake.
<u>Bed and Breakfast Home</u>	A dwelling unit in which the occupants use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which: <ol style="list-style-type: none">i) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;ii) the dwelling unit is the principal residence of the person or persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,iii) the meal which is provided is served before noon each day.
<u>Building</u>	Any structure constructed or placed on, in, or over land but does not include a public highway.
<u>Building, Accessory</u>	A subordinate, detached building appurtenant to a principal building and located on the same site, the purpose of which

	is to provide better and more convenient enjoyment of the principal building.
<u>Building, Principal</u>	A building in which the main or primary use of the site is conducted.
<u>Building Bylaw</u>	A bylaw adopted by the council pursuant to the relevant provincial statute that regulates the construction, alteration, repair, occupancy, or maintenance of buildings.
<u>Building Line, Established</u>	A line, parallel to the front lot line, and set back the average distance from the edge of the front lot line to the front wall of the existing buildings on a side of the street where more than half of the lots have been built upon.
<u>Campground</u>	A parcel of land providing a location for the placement of tents or recreation vehicles used by travelers or tourists for overnight accommodation that may or may not include confectionaries and laundromat facilities for use by the travelers or tourists.
<u>Chief Administrative Officer</u>	The Chief Administrative Officer of the Resort Village of Candle Lake appointed by Council to administer the Resort Village affairs.
<u>Club</u>	A group of people organized for a common purpose, to pursue common goals, interests, or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws.
<u>Confectionary</u>	A retail, commercial establishment supplying a limited selection of foodstuffs and other daily household necessities to the surrounding area.
<u>Construction Trades</u>	Offices, shops, and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry, pipe fitting, metal working, and other trades associated with the construction of buildings, services, or of landscaping features or planting.
<u>Custodial Care Facility</u>	A facility for: <ul style="list-style-type: none">i. the temporary detention or open custody of persons pursuant to the provisions of <i>The Young Offenders Act (Canada)</i> or <i>the Summary Convictions Procedures Act (Saskatchewan)</i>; orii. a community training residence as defined in <i>The Corrections Act (Saskatchewan)</i>.

<u>Design Flood</u>	The peak water level, being the 1:100 year return peak calm water level in combination with the 1:5 year return wind set up and wave run up from the governing direction, as determined by the Saskatchewan Water Corporation.
<u>Day Care Centre</u>	An establishment for the provision of care, supervision, and protection of children, but does not include the provision of overnight supervision.
<u>Development</u>	The carrying out of any clearing, land stripping, 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.
<u>Development Application</u>	A document requesting a development or construction in the Resort Village of Candle Lake.
<u>Development Permit</u>	A document authorizing a development issued pursuant to this bylaw, but does not include a building permit.
<u>Discretionary Use</u>	A use of land or a building that may be permitted in a zoning district only at the discretion of the Council and that may be subject to specific development standards as required by Council.
<u>Dwelling</u>	A building or part of a building that may be used as a permanent residence, including a prefabricated or modular home but excluding a mobile home.
<u>Dwelling Unit</u>	A separate set of living quarters, whether occupied or not, that may be used as a residence each unit having separate sleeping, cooking, and sanitary facilities but does not include rooming houses or rooming units.
<u>Dwelling, Duplex</u>	A building divided horizontally into two dwelling units.
<u>Dwelling, Multiple Unit</u>	A building containing three or more dwelling units but not including a motel or hotel.
<u>Dwelling, Semi-detached</u>	A building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof line throughout at least 40 percent of the length of the entire structure, measured from the front to the rear building lines.
<u>Dwelling, Single Detached</u>	A building containing only one dwelling unit but not including a mobile home.
<u>Environmental Site Assessment</u>	An investigation intended to identify actual or potential contamination, and is performed by a qualified person in

	accordance with The Canadian Standards Association Standard Z768-94, <i>Phase I Environmental Site Assessment</i> .
<u>Erected</u>	To be built, constructed, or reconstructed including the removal of a structure from one site to another; and any physical operation such as excavating, filling, or draining, preparatory to commencing the work of erecting, building, or constructing a building.
<u>Fill</u>	Soil, rock, rubble, or a combination of these that is placed on the natural surface or previously graded area or used to fill an excavation.
<u>Flood Hazard Area</u>	An area of land that would be inundated by the design flood.
<u>Flood Proofing, Adequate</u>	Any combination of structural and non-structural additions, changes, or adjustments to land or buildings that significantly reduce or eliminate flood damage to the buildings, property, and contents up to and including the design flood plus freeboard.
<u>Floor Area</u>	The maximum habitable area contained within the outside walls of a building at, or above grade level, excluding, in the case of a dwelling unit any private garage, porch, sunroom, or unfinished attic.
<u>Freeboard</u>	The elevation of the design flood plus 0.5 m.
<u>Garage, Private</u>	A building or part of a building used or intended to be used for the storage of motor vehicles, but specifically excluding aircraft, for occupants of the Dwelling Unit to which the Garage is Accessory and having a capacity of not more than three (3) parking spaces.
<u>Gas Bar</u>	A site or part of a site used for the retail sale of lubricating oils and gasoline, and automobile accessories, but not the servicing, rental, or repairing of motor vehicles.
<u>Grade Level</u>	The finished ground elevation of a Site at the Front of the principal building midway between the outermost front corners of the building.
<u>Hazard Land</u>	Lands which, due to potential flooding, landslides, subsidence, or erosion pose dangers to uses or developments that may occur on those lands.
<u>Home-based Business</u>	A trade or craft conducted for gain in a dwelling unit or a conforming accessory building by the resident or residents and which is incidental and secondary to the residence and does not change the building's exterior character.

<u>Home Occupation</u>	An occupation or profession conducted for gain in a dwelling unit or a conforming accessory building by the resident or residents and which is incidental and secondary to the residence and does not change the building's exterior character.
<u>Hotel</u>	A building or structure or part of a building or structure in which sleeping accommodation with or without meals, and which may have a licensed beverage room, is provided for tourists or travelers, and where a guest register or record is kept, but does not include a Motel or rooming house.
<u>Ice Push Ridge</u>	A natural feature formed by lake ice pushing shore materials into a ridge in the shore area.
<u>Junk and Salvage Yards</u>	Uses involved in salvaging, storing, or selling scrap metal, paper, plastic, glass, wood, and other waste material, as well as appliances, unlicensed vehicles, and used vehicle parts.
<u>Junked Vehicle</u>	Any automobile, tractor, truck, trailer or other vehicle that: i) has no current valid license plates attached to it; ii) is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative, or abandoned condition; or iii) is located on private land, but is not within a structure erected in accordance with any law respecting the erection of buildings and structures in force within the Resort Village of Candle Lake and that does not form a part of a business enterprise lawfully being operated on that land.
<u>Lane</u>	A public highway vested in the Crown as a secondary level of access to a Lot or parcel of land.
<u>Livestock</u>	Domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, but excluding companion animals.
<u>Lodge</u>	A hotel like facility centered around recreational activities that provides all meals for registered guests.
<u>Lot</u>	A parcel of land in a subdivision, the plan of which has been filed or registered in the Land Title Office for the Prince Albert Land Registration District.
<u>Lounge</u>	A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for live dancing or entertainment, either in the lounge or in the

	adjoining restaurant. The area of the lounge may not exceed 50% of the public assembly area in the adjoining restaurant.
<u>Marina, Type I</u>	A facility, accessible by boat from a water body for the sole purpose of docking or tying up watercraft.
<u>Marina, Type II</u>	A facility, accessible by boat from a water body for the launching, berthing, and fueling of water craft and may include a confectionary or sales of boating supplies as accessory uses, but shall not include any food service use, night club, tavern, or lounge.
<u>Mayor</u>	The Mayor of the Resort Village of Candle Lake.
<u>Mean Width</u>	The width of a yard, measured as a straight line connecting the mid-point of the two side property lines.
<u>Minister</u>	The member of the Executive Council to whom for the time being is assigned the administration of the Act.
<u>Mobile Home</u>	A trailer coach that conforms to the Canadian Standards Association Standard No. Z240 for mobile homes or to such standards as may have been defined by the Canadian Standards Association for mobile home at any time subsequent to the definition of the standard set out as Z240, and is a single dwelling unit. The trailer coach may be used as a dwelling all year; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and water closet or other similar facility that may be connected to a sewage system. The trailer coach may be no greater than 5 m (16.4 ft) in width.
<u>Mobile Home Court</u>	A site under single management for the placement of two or more mobile homes but does not include an industrial or construction camp or any such court if a tent or recreation vehicle that is not a mobile home is also permitted to be situated thereon.
<u>Motel</u>	An establishment consisting of a group of attached or detached overnight accommodation for temporary use by automobile tourists or travelers, and may include a licensed dining room.
<u>Night Club</u>	An establishment or portion thereof, where primarily evening or night time entertainment is provided, where beverage alcohol may be served to patrons for consumption on the premises, with or without food, and where a designation area for live entertainment or dancing during certain hours of operation is also provided.

<u>Parking, Off Street</u>	Space for the parking of motor vehicle off of a public street or land and contained wholly within the Site Lines.
<u>Permitted Use</u>	A use of land or buildings with associated development standards that shall be permitted in a zoning district where all requirements of the Zoning Bylaw are met.
<u>Personal Service Shops</u>	Establishments engaging in the provision of care for a person or their possessions, but not including shops that are primarily retail in nature.
<u>Personal Storage Facilities</u>	Facilities that offer indoor or outdoor storage space for household goods, vehicles, or recreation equipment, generally for a fee.
<u>Place of Worship</u>	A place used for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, and other buildings.
<u>Pool</u>	A body of water located outdoors contained in whole or in part by artificial means for which the depth at any point can exceed 0.7 m (2.5 ft) and is used or is capable of being used for swimming.
<u>Pond</u>	A body of still water artificially formed by excavation or embankment of soil and is greater than 0.7 m (2.5 ft) in depth and with a side gradient of less than 20% (1 in 5) slope and is not intended for swimming.
<u>Principal Building</u>	see Building, Principal.
<u>Property Line</u>	A line of record bounding a site that divides one site from another or from a public street or any other public space.
<u>Public Works</u>	Includes facilities and land that are owned or operated wholly or partially by the Crown or a municipality to accommodate: <ul style="list-style-type: none">i) the production or distribution of electricity;ii) the distribution of natural gas or oil;iii) the distribution of telephone or light;iv) the storage, transmission, treatment, distribution, or supply of water; orv) the collection, treatment, movement, or disposal of sanitary sewage.
<u>Recreation Vehicle</u>	A vehicle intended to provide temporary living accommodation for tourists or travelers, built as part of, or to be towed by a motor vehicle and includes truck campers, motor homes, tent trailers, and travel trailers.

<u>Resort Village</u>	The Resort Village of Candle Lake.
<u>Rooming House</u>	A building containing more than one rooming unit.
<u>Rooming Unit</u>	A room or rooms for accommodation, other than a dwelling unit or other form of accommodation defined elsewhere in this bylaw, with sleeping facilities, but without private toilet facilities.
<u>Secondary Suite</u>	A self-contained dwelling unit that is an accessory use to, and located within, a detached building in which the principal use is a one unit dwelling and that does not occupy more than 25 percent of the gross floor area of the dwelling, including the basement.
<u>Service Station</u>	A site or part of a site used for the retail sale of lubricating oils and gasoline, automobile accessories, and the servicing, rental, and repairing of motor vehicles, and which may include a restaurant, car wash, or car sales lot as accessory uses.
<u>Sign</u>	Any figures, numbers, emblems, pictures, devices, marks or designs, intended to be visible from other than inside a building, for the purpose of making known any individual, association, business, industry, or service, or for advertisement, directing, or obtaining attention.
<u>Sign, Temporary</u>	A sign that is not permanently attached to a building or secured to the ground by means of concrete, nor is it permanently connected to any services.
<u>Sign, Portable</u>	A freestanding sign mounted on a portable frame with a single sign face area of not less than 1.9 m ² or greater than 6.0 m ² that can be readily moved or transported.
<u>Site</u>	An area of land consisting of one or more lots, or parts of lots: i) under one ownership considered as a unit; and ii) having its principal frontage on a public street.
<u>Site Coverage</u>	The percentage of the site covered by buildings above grade level exclusive of marquees, canopies, balconies, and eaves.
<u>Site Line, Front</u>	The line separating a site from a street and, for a corner site, the shorter of the two lines separating a site from the streets. Where the rear site line would border on the lake the lakeshore side of the property may be considered the front lot line.
<u>Site Line, Rear</u>	The line at the rear of a site opposite the front site line.
<u>Site Line, Side</u>	A site line other than a front or rear site line.

<u>Street</u>	The whole and entire width of every highway, public road, or road allowance vested in Her Majesty in right of the Province of Saskatchewan and shown as such on a plan of survey registered in a Land Titles Office.
<u>Structural Alteration</u>	The construction or reconstruction of the supporting elements of a building.
<u>Tavern</u>	An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the Alcohol Control Regulations of the Provincial Alcohol and Gaming Regulation Act.
<u>Townhouse or Row House</u>	A building divided into three or more dwelling units located side by side under one roof and sharing common walls.
<u>Use, Accessory</u>	A use normally incidental, subordinate, exclusively devoted to, and located on the same site as the principal use.
<u>Use, Principal</u>	The main or primary use conducted on a site.
<u>Water Body</u>	A lake, pond, reservoir, lagoon, swamp, marsh, wetland, or any other area containing standing surface water, either permanently or intermittently.
<u>Water Course</u>	Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or design flood.
<u>Yard</u>	Open, uncovered space unoccupied by buildings or structures on a site except as specifically permitted elsewhere in this bylaw.
<u>Yard Clearances</u>	The open space between a site line and the portion of a site that may be built upon, unoccupied by buildings or structures except as specifically permitted elsewhere in this bylaw.
<u>Yard, Front</u>	That part of a site extending across the full width of the site between the front lot line and the nearest wall or supporting member of a principal building or structure.

Yard, Rear

That part of a site extending across the full width of the site between the rear site line and the nearest wall or supporting member of a principal building or structure.

Yard, Side

That part of a site extending from the front yard to the rear yard between the side site line and the nearest wall or supporting member of a building or structure but not including a wall or supporting member that supports an uncovered patio or uncovered sun deck.

3.0 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

Unless otherwise designated by Council, the Chief Administrative Officer shall be the Development Officer responsible for the administration of this Bylaw.

3.2 APPLICATION OF REGULATIONS

1. No person shall erect, construct, locate, alter, reconstruct, or maintain any building or structure, or locate or carry on any industry, business, trade, or calling, or use any land or building, within any zoning district, except as permitted by this bylaw, and subject to all the regulations contained in this bylaw.
2. Nothing in this bylaw shall be interpreted so as to interfere with the use of land for construction, maintenance, and operation of any public utility, government operations, fire department, or municipal, provincial or federal police service; however, the development officer shall require that administrative buildings, and buildings accessory thereto constructed by the agencies noted in this section are generally compatible with properties in the vicinity in terms of height, setbacks, landscaping, and parking.
3. Nothing in this bylaw shall prevent the cutting or removal of trees within the Resort Village by the Resort Village for the construction or public works or any public safety purposes.
4. Metric units are to be used for all measurements of distance, height, and area referred to in the Zoning Bylaw. Any non-metric units of measure included in the bylaw, are for information purposes only and are not legally binding.

3.3 DEVELOPMENT PERMIT

1. Except where a particular development is specifically exempted by section 3.7 of this Bylaw, no person shall undertake a development or commence a use without a development permit first being obtained.
2. A development permit shall not be issued in contravention of any provisions of this bylaw.

3.4 DEVELOPMENT PERMIT APPLICATION PROCEDURE

1. Except as specifically exempted by section 3.7 of this bylaw, an application for a development permit shall be made in writing to the development officer in the form prescribed by council and attached to this bylaw in Appendix A as Form A.
2. Where an application for a development permit is made for a permitted use, the Development Officer shall issue a permit where the development is in conformity with this bylaw.

3. Where an application for a development permit is made for a discretionary use, the Development Officer shall present the application to the Council as soon as practicable.
4. As soon as practicable after Council is presented with the application for a development permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to any government agencies or interested groups that Council may consider appropriate and may have the application reviewed by relevant professionals at the expense of the applicant. The applicant must agree in writing to pay for any professional review prior to Council engaging professional services to be paid for by the applicant.
5. Upon approval of a discretionary use by resolution of Council the Development Officer shall issue a development permit subject to any development standards prescribed by Council based on the guidelines in section 5.19.
6. Where an application for a development permit is made for a use subject to special regulations or standards, the Development Officer shall issue a permit including those special regulations or standards.
7. Every decision shall be in writing and a copy shall be sent to the applicant.
8. A development permit is valid for a period of twelve months from the date of issue. If the permitted development or use is not substantially completed within the twelve months, a new development permit shall be required.
9. Where, in the opinion of the Development Officer, a development is being carried out in contravention of any condition of:
 - (a) a development permit;
 - (b) any provision of this bylaw; or
 - (c) is subject to an agreement that has been cancelled by Council pursuant to the Act,the Development Officer shall suspend development permit and notify the permit holder in writing that the permit is no longer in force.
10. Where the Development Officer is satisfied that a development, the permit for which has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this bylaw, the Development Officer may reinstate the development permit and notify the permit holder in writing that the permit is valid and in force.

3.5 PLANS AND INFORMATION REQUESTED FOR A DEVELOPMENT PERMIT APPLICATION

1. Every application for a development permit should be accompanied by the following information:
 - (a) The names, addresses and telephone numbers of the applicant, property owner, and the person or consultant who prepared the plans being submitted;
 - (b) The complete legal description and civic address of the subject property;

- (c) 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;
- (d) Two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - i) key plan showing north arrow, streets and lanes adjacent to the site, the nearby lotting patterns, all property boundaries, identified frontage of site, site area, site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, public reserve, environmental reserve, ice push ridges, water bodies, water courses, and the type and location of existing trees;
 - ii) 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;
- (e) 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;
- (f) Except for one and two unit dwellings:
 - i) two copies of a scaled landscaping plan showing all physical features, including existing and proposed grades, the size and type of existing vegetation, the existing vegetation to be removed and retained, the size, type, and location of plant material to be planted, the location of hard landscaping such as fences, retaining walls, walkways and curbs, and the details of any proposed irrigation system, including the location of outside spigots;
 - ii) the location and size of all parking spaces, aisles, vehicle circulation areas, loading spaces, entrances and exits to the site, and garbage receptacles;
- (g) If requested by the Development Officer or, in the case of a discretionary use application, by Council other studies prepared by qualified professionals including, but not limited to:
 - i) an Environmental Site Assessment in general conformance with CSA Standard 768-94;
 - ii) ecological study; or
 - iii) traffic study.

3.6 REFERRAL TO DEPARTMENT OF HEALTH

1. The Development Officer shall forward a copy of all approved development permit applications involving installation of water and sanitary services to the local office of the Saskatchewan Department of Health.

3.7 DEVELOPMENT NOT REQUIRING PERMIT

1. A development permit is not required for the following; however, these developments must conform to the Zoning Bylaw:
 - (a) maintenance, construction or installation of any public work;
 - (b) fences and gates;

- (c) single story accessory buildings or structures less than 9.5 m² in area and intended for storage purposes only;
- (d) maintenance or repair of any building or structure not including structural alterations;
- (e) the development of a temporary building, the sole purpose of which is incidental to the erection, alteration, or marketing of a building for which a development permit has been issued and is still valid;
- (f) the erection of satellite dish antennae, solar collectors, and wind chargers where their installation does not involve structural alterations to a building;
- (g) the grading or preparation of land in accordance with an approved plan of proposed subdivision, and where it has been required, a servicing agreement has been signed; and
- (h) signs in residential districts that conform to section 5.11 of this Zoning Bylaw.

3.8 DEVELOPMENT APPEALS BOARD

1. A Development Appeals Board for the Resort Village of Candle Lake is hereby established.
2. The Development Appeals Board shall be appointed by Council and shall consist of three members.
3. No member of Council or Resort Village employee is eligible for membership on the Development Appeals Board.
4. Where the Development Officer is alleged to have misapplied the Zoning Bylaw by:
 - (a) refusing to issue a permit for a permitted use;
 - (b) issuing a permit for a use that is not permitted or is discretionary, where Council has not approved the discretionary use application; or
 - (c) refusing to issue a development permit because it would contravene the Zoning Bylaw,an affected party shall be advised that they may appeal the decision to the Development Appeals Board.
5. Where Council has approved an application for a discretionary use, with prescribed development standards pursuant to this bylaw, the applicant shall be advised that any development standard considered to be excessive may be appealed to the Development Appeals Board.
6. The Development Officer shall make available to all interested persons, copies of the provision of the Act respecting decisions of the Development Officer and the right of appeal.
7. A non-refundable fee of \$50 must accompany all appeals to the Development Appeals Board.
8. An appeal to the Development Appeals Board and there from to the Planning Appeals Committee of the Saskatchewan Municipal Board may be taken in accordance with section 96 of the Act. Application shall only be made to the

Planning Appeals Committee after a ruling has been received from the Resort Village Development Appeals Board.

3.9 FEE FOR ZONING AMENDMENT APPLICATION

1. A non-refundable \$50 fee must accompany all applications to amend the Zoning Bylaw.
2. The applicant shall be responsible for all expenses related to required public hearing notifications and advertising, unless otherwise agreed upon in writing by the applicant and the Resort Village.

3.10 DISCRETIONARY USE APPLICATIONS

1. Fees and costs
 - (a) A non-refundable fee of \$50 must accompany all discretionary use applications; and
 - (b) The applicant shall be responsible for all expenses related to required public hearing notifications and advertising.
2. Process
 - (a) An applicant must file the prescribed discretionary use application form with the Development Officer, showing:
 - i) a site plan; and
 - ii) any other plans or information required by the Development Officer.
 - (b) The Development Officer shall notify Council of the application and set a date for Council to consider the application.
 - (c) All assessed owners of property within a minimum of 75 m (246 ft) of the subject site shall be notified of the application by mail and notification posters shall be placed on the subject site. Notice shall be given at least three weeks prior to any meeting at which Council will be considering a Discretionary Use application. Council shall receive input from any interested parties at the public meeting at which the application is being considered.
 - (d) The Development Officer shall submit the application, including all information submitted by the applicant, to Council as soon as reasonably possible.
 - (e) Council may reject the application or approve with or without conditions, including a condition limiting the length of time the use may be conducted on the site.
 - (f) If an application for discretionary use is approved with terms and conditions the applicant may appeal the terms and conditions of the approval to the Development Appeals Board within 30 days of the date of that decision.
 - (g) A decision of the Development Appeals Board may be appealed to the Saskatchewan Municipal Board in accordance with section 103 of the Act.

3.11 ENFORCEMENT

1. Council may appoint a zoning bylaw inspector to review all property for Zoning Bylaw compliance. This authorized representative shall be allowed access to all properties for the purposes of ensuring compliance with the Zoning Bylaw. Any infractions shall be identified in writing to Council, with a copy of the notice being delivered to the owner of the property, either in person or by registered mail.

3.12 OFFENCES AND PENALTIES

1. Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in section 221 of the Act.

4.0 ZONING DISTRICTS AND ZONING DISTRICT MAP

4.1 ZONING DISTRICT INTERPRETATION

1. For the-purpose of this Bylaw, the Resort Village of Candle Lake is divided into the following zoning districts which may be referred to by the appropriate symbols:

<u>District</u>	<u>Symbol</u>
Residential, Acreage	RA
Residential, Low Density	R1
Residential, Medium Density	R2
Residential, Mobile Home Court	RMH
Commercial	C1
Community Service	CS
Industrial	IL
Conservation	CON
Frontage Overlay	F

2. The locations and boundaries of the zoning districts are shown on the Zoning District Map in Appendix B.

4.2 ZONING DISTRICT MAP

1. The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 02/2002”, adopted by the Resort Village of Candle Lake and signed by the Mayor and the Chief Administrative Officer under the seal of the Resort Village, shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this Bylaw.

4.3 ZONING DISTRICT BOUNDARIES

1. Unless shown otherwise, the boundaries of districts are lot lines, centre lines of streets, lanes, road allowances, and the boundaries of the municipality.

4.4 HOLDING PROVISION

1. Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol “H”; any lands so designated on the map shall be subject to a holding provision in accordance with section 84 of the Act.
2. Any lands subject to a holding provision shall only be used for the following uses:
 - a) those uses existing on the land when the “H” is applied;
 - b) passive recreation; and
 - c) public works.

4.5 OVERLAY DISTRICTS

1. Overlay zoning districts 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 applicable to a site. Where the conventional zoning district regulations applicable to a site appear to be in conflict with the overlay zone regulations applicable to a site, the overlay zone regulations shall take precedence.

5.0 GENERAL REGULATIONS

The following shall apply to all Zoning Districts in this Bylaw.

5.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

1. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw or regulation in force within the Resort Village or from obtaining license, permission, permit, authority, or approval required by this or any other bylaw of the Resort Village. Where requirements in this Bylaw conflict with those of any other municipal requirements, the more stringent requirements shall prevail.
2. Nothing in this Bylaw shall exempt any person from complying with the requirements of any Act, regulation, or regulatory process of Government of Saskatchewan or the Government of Canada.

5.2 HAZARD LANDS

1. Development of hazard lands may only be undertaken where mitigating measures, approved by Council and applicable provincial departments, agencies, or crown corporations, have been undertaken. Mitigating measures must ensure the safety and security of the site, adjoining lands, ice push ridges, water bodies, and water courses.
2. Mitigating measures involving fill, grading, or leveling must conform to the standards outlined in section 5.3.
3. All buildings and structures located in the flood hazard area must be located above the design flood elevation plus freeboard or adequately flood-proofed. The Development Officer may require an applicant to provide a report from the Saskatchewan Water Corporation stating the design flood for the proposed development location.

5.3 EXCAVATION, STRIPPING, FILLING AND GRADING OF LAND

1. Any site proposed for development shall be graded and leveled at the owner's expense, to the satisfaction of the Development Officer, to provide for adequate surface drainage that does not alter drainage on adjacent properties.
2. All sites shall be graded so that surface water runoff is directed to a ditch, water body, street, or natural water course.
3. The Development Officer may require an applicant to undertake mitigating measures to ensure that water bodies and water courses are not impacted by sedimentation or contaminated by runoff.
4. Grading, leveling, or placement of fill on or near the bank of a water body or water course shall not disturb or destroy mature vegetation without substantial and timely remediation. A permit from SERM is to be obtained, prior to application for a development permit, for any work done along the bank of a water body or water course.

5. Except for the construction of marinas approved by the Resort Village and SERM, no grading, leveling or excavation shall break or weaken the ice push ridges along the bank of Candle, Torch, or Bay Lakes.
6. Fill must be placed so that natural water courses are not blocked or diverted.
7. Fill must be sufficiently compacted to ensure that the finished grade level does not settle below the required building elevation or erode and run off into water courses and water bodies.
8. A development permit is required for the excavation, stripping, and grading of land except as indicated in section 3.7 1. (g).
9. Excavation shall include, but is not limited to, sand and gravel extraction, topsoil stripping, the grading of land for drainage purposes, the grading of land and the clearing of vegetation from land where no other valid development permit or valid certificate of approval for subdivision has been obtained.
10. A person wishing to excavate, strip, or grade land shall provide the following information in their application for a development permit:
 - (a) the location and area of the site on which the excavation, stripping, or grading is to take place;
 - (b) the existing land use and vegetation cover, including tree surveys;
 - (c) the amount of vegetation, soil or other material to be removed or relocated and the intended destination of the material removed from the site; and
 - (d) the condition in which the land is to be left, including a revegetation plan, and the proposed final grades when the excavation is complete.
11. Consistent with sub-section 3.4 of the Zoning Bylaw, the Development Officer may issue a development permit, prior to a final concept plan, subdivision, or development permit being approved for the area, when satisfied that the excavation is necessary for the interim use, development or maintenance of the subject land, and considering the conservation of important natural areas and vegetation, the maintenance of effective drainage patterns, and the health and safety of persons in the area.
12. For the purposes of this section, excavation shall not include:
 - (a) the excavation for construction or building purposes associated with a valid development permit or a valid certificate of approval for sub-division; or
 - (b) excavation or removal of vegetation for maintenance or landscaping purposes on a site where a development permit has previously been issued.

5.4 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

1. Not more than one principal building shall be placed on any one site, with the exception of recreational, educational, and healthcare facilities, mobile homes in mobile home courts, aircraft hangars in a designated hangar area, and multiple unit dwellings. The Development Officer shall advise the applicant in writing that

adherence to the Bylaw and the Act (where applicable), will be necessary if any future application for subdivision of the site is made.

5.5 NON-CONFORMING BUILDINGS AND USES

1. Any lawful use of land, a lawfully constructed existing building, or any building lawfully under construction at the date of approval of this Bylaw, although such use or building does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of sections 113 to 118 inclusive of the Act.
2. No enlargement, additions, or reconstruction of any non-conforming use, building, or structure shall be undertaken, except in conformance with sections 113 to 118 of the Act.
3. Beyond the provision of accessible municipal records, the burden of establishing that a use, building, or structure was lawfully established and remains as a legal non-conforming use, building, or structure shall be upon the owner of the use, building, or structure.
4. If a non-conforming building is damaged to an extent greater than 50% of the value of the building above its foundation, the building is not to be repaired or rebuilt except in accordance with this Zoning Bylaw.
5. The use of land or the use of a building is not affected by a change of ownership, tenancy or occupancy of the land or building.
6. No lawfully existing use or building shall be deemed to be non-conforming as a result of the construction or widening of a registered road right-of-way.

5.6 ACCESSORY BUILDINGS OR STRUCTURES

1. In all Zoning Districts:
 - (a) No accessory building may be constructed, erected, or moved on to any site prior to the time of construction of the principal building to which it is accessory.
 - (b) Notwithstanding clause 5.6 1 (a), one accessory building may be constructed, erected, or moved on to any residential site prior to the time of construction of the principal building subject to:
 - i. a valid development permit being in force for the principal building;
 - ii. the principal building being substantially completed and ready for occupancy within 24 months of the issuance of a development permit for the accessory building.
 - (c) Pursuant to clause 5.6 1 (b), if the principal building is not substantially complete within 24 months, the Development Officer may require the demolition or removal of the accessory building or may require a new development permit for the accessory building.
 - (d) An accessory building or structure on a site, in a non-residential district, that abuts a site in a residential district shall be located more than 3 m (9.8 ft) from the boundary of the site in the residential district.
 - (e) An accessory building shall not exceed 7.0 m (23 ft) in height from grade level to any part of its roof.

- (f) An accessory building shall maintain a clearance of 1.0 m (3.3 ft) from any other buildings on the site
 - (g) Satellite dishes with a diameter of less than 0.7 (2.3 ft) m are fully permitted
 - (h) A satellite dish with a diameter of 0.7 m (2.3 ft) or more, solar collector, or wind charger and their supporting devices shall be permitted subject to:
 - i) in residential and commercial districts such structures shall not be:
 - located in the front yard, side yard, or, in the case of a corner site, within 3 m (9.8 ft) of the side site line;
 - if free-standing, shall not exceed a height of 5 m (16.4 ft) above grade level;
 - if attached to a principal building, shall not exceed a height of 5 m (16.4 ft) above the lowest portion of the roof; and
 - if attached to an accessory building, shall not exceed the maximum permitted height of the accessory building to which it is attached.
2. In Residential Zoning Districts the following regulations shall apply to all accessory buildings:
- (a) In rear yards, accessory buildings shall be located not less than 0.6 m (2 ft) from a lane or rear site line.
 - (b) In front yards, accessory buildings shall not be located in front of an established front building line, except where:
 - i) the rear site line faces a water body or water course, accessory building may be located in a required front yard provided they are setback at least 3 m (9.8 ft) from the front site line and 1.5 m (4.9 ft) from the side site line.
 - (c) In side yards, accessory buildings shall not be located within 1.5 m (4.9 ft) of a side site line or, where an accessory building is located behind the rear building line of the principal dwelling, an accessory building may be located within 0.6 m (2 ft) of a side site line, except where a site abuts a street, whereby an accessory building shall not be located within 3 m (9.8 ft) of a side site line.
 - (d) A detached carport or garage up to 75m² (807 sq. ft) in area shall be permitted.
 - (e) Accessory buildings not be more than one story in height above grade unless the total floor area of the second story is less than 40 m² (430 sq. ft);
 - (f) Accessory buildings may contain secondary living quarters with a maximum floor area of 40 m² (430 sq. ft) for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site, when the principal dwelling is occupied.

5.7 TEMPORARY STRUCTURES

1. At the discretion of Council, temporary structures shall be permitted on a site during the construction of a permanent dwelling. The process for approval for temporary structures is:
 - (a) A applicant must submit a written request to Council describing the proposed temporary structure, its location on the site, and its use;
 - (b) Council must review the application and approve, reject, or approve with conditions, the temporary structure; and

- (c) Subject to Council's approval, the Development Officer shall issue a temporary structure permit, including any conditions Council has applied to the approval, will be issued to the applicant.
2. All temporary buildings must be removed prior to October 1 of the year following the application approval date stated on the temporary structure permit or upon completion or occupation of the permanent building, whichever is sooner.
3. Septic facilities must be provided for the temporary structure if it is to be occupied during the construction of the permanent building and all liquid waste must be disposed of into the septic facilities.

5.8 RECREATION VEHICLES ON RESIDENTIAL SITES

1. A maximum of one recreation vehicle may be stored on a lot with an existing, permanent dwelling.
2. The recreation vehicle may be occupied subject to:
 - (a) It being for the exclusive use of non-paying guests of the occupant of the principal dwelling located on the same site,
 - (b) It only being occupied when the principal dwelling is occupied.
 - (c) The period of occupation not exceeding 30 days;
 - (d) once the 30 day period has expired, a recreational vehicle cannot be occupied again on the Site for a period of 7 days; and
 - (e) if the recreation vehicle has a sink, shower, or water closet, it must have a self contained septic holding tank or be connected to the septic system on the residential site.

5.9 FENCES AND FREE STANDING WALLS

1. No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard, to a height of more than 1.0 m (3.3 ft) above grade as measured from ground level immediately adjacent to the fence.
2. No wall, fence, screen, or other structure, excepting permitted accessory buildings, shall be erected in a required rear or side yard, or on a site line adjacent to a required rear or side yard, to a height of more than 2.0 m (6.6 ft) above grade as measured from ground level immediately adjacent to the fence.
3. Subsections 1 and 2 do not apply in IL or CS districts or for fences constructed for public services or utilities.
4. In any residential district, a 2.5 (8.2 ft) m high wall or fence may be permitted along side or rear property line that abuts a highway or a buffer strip adjacent to a highway.
5. Notwithstanding subsection 4, on a corner lot in any district, no hedge, planting, tree, fence or other structure not being a building shall be erected, placed, or maintained to a height greater than 1.0 m (3.3 ft) within the triangular area formed by the intersecting property lines and the straight line joining said property lines at points that are 6.0 m (20 ft) distant from the point of intersection, measured along said property lines.

5.10 SWIMMING POOLS AND PONDS

1. Outdoor pools and ponds shall be permitted as an accessory use.
2. Pools and ponds shall have the same yard clearances as accessory buildings.
3. Areas surrounding pools and ponds shall be enclosed with a fence 1.9 m in height and not closer than 1.2 m (3.9 ft) from the water edge. Fencing comply with all applicable acts, regulations, and codes.
4. Pools shall comply with the requirements and guidelines or regulations passed under the authority of the Public Health Act and amendments thereto or revisions thereof.

5.11 SIGNAGE

1. All signage shall:
 - (a) be located in a manner such that, in the opinion of the Development Officer, the sign does not restrict vehicle or pedestrian movement;
 - (b) obstruct visibility or otherwise jeopardize the safety of the public; and
 - (c) be maintained in a neat, tidy, and safe condition.
2. Types of signage allowed
 - (a) The following types of signage are permitted in all districts:
 - i) free standing, sandwich board type signs with a facial area of 1.2 m² (12.9 sq. ft) or less, that can easily be moved by one person; and
 - ii) temporary signs, subject to section 5.11.6.
 - (b) The following types of signage are prohibited in all districts:
 - i) spot lights intended to illuminate the night sky; and
3. In Residential Districts
 - (a) Where a site is used for one and two unit dwellings:
 - i) one permanent sign is permitted per site;
 - ii) in the case of a home-based business or home occupation, one additional permanent sign for the home-based business or home occupation is permitted;
 - iii) no sign shall have a facial area greater than 0.5m² (5.4 sq. ft); and
 - iv) no sign shall be illuminated between the hours of 11pm and 7 am.
 - (b) Where a site is not used for one and two unit dwellings but is developed:
 - i) one permanent sign is permitted per site;
 - ii) no sign shall have a facial area greater than 4.5m² (48.4 sq. ft);
 - iii) no free standing sign shall be taller than 3 m (9.8 ft) above grade; and
 - iv) no sign shall be illuminated between the hours of 11pm and 7am.
4. In Commercial and Industrial Districts:
 - (a) signs advertising the principal use or the principal products offered for sale on the premises are permitted;
 - (b) no more than one permanent sign is permitted per principal use;
 - (c) notwithstanding Sub-section 4 (b), where a principal use is located on a corner, one additional permanent sign per principal use shall be permitted;

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- (d) if multiple businesses occupy a single site, each occupant is considered to be a separate principal use, however the occupants are encouraged to coordinate their signage;
 - (e) the facial area of a sign may not exceed 9 m² (97 ft);
 - (f) a sign may be double faced;
 - (g) no free standing sign shall exceed 6 m (19.7 ft) in total height above the ground;
 - (h) any signage affixed to the top of a building is included in the building height maximum; and
 - (i) no illuminated signage shall be permitted unless the illuminated portion of the sign is screened or directed away from residential areas.
5. In the Conservation District:
- (a) Signs are only permitted at Council's discretion;
 - (b) the facial area of sign may not exceed 9 m² (97 sq. ft);
 - (c) a sign may be double faced;
 - (d) no free standing sign shall exceed 6 m (19.7 ft) in total height above the ground; and
 - (e) no sign shall be illuminated.
6. Temporary and Portable Signs
- (a) temporary signs advertising the sale or lease of the property or other information relating a temporary condition affecting the property are permitted provided:
 - i) the facial area does not exceed 1m² (10.8 sq. ft);
 - ii) they do not exceed the height of the principal building on the site;
 - iii) no more than two such signs are located on a site; and
 - iv) the signs are removed once the purpose for the sign is no longer valid or after one year, whichever is sooner, and no other temporary sign for the same purpose may be located in the same site for at least three months without the written approval of Council.
 - (b) portable signs are permitted provided:
 - i) they are not located on any site containing a mobile home, or a one or two unit dwelling;
 - ii) they do not remain on a site for more than 90 days; and
 - iii) they are not located on a site where a portable sign has been located in the previous 30 days.
7. Resort Village of Candle Lake signage
- (a) notwithstanding sub-sections 3, 4, and 5, signs for the Resort Village of Candle Lake, or for the promotion of activities sponsored or carried out by the Resort Village of Candle Lake, are permitted in all districts provided:
 - i) they are located with a sensitivity to surrounding land uses;
 - ii) the facial area does not exceed 9m² (97 sq. ft), or 4.5 m² (14.8 sq. ft) in residential districts; and
 - iii) no freestanding sign shall exceed 6 m (19.7 ft) in total height above grade.
8. Non-Compliance with Signage Regulations
- (a) Subject to the provisions of the Saskatchewan *Highways and Transportation Act* and the Bylaws of the Resort Village, any individual or corporation who maintains or establishes a Sign that is not in the Highway signing corridor and does not

comply with the Zoning Bylaw, show be fined \$100.00 per day for each day the Sign is deemed illegal.

- (b) Subject to 5.11.8 (a), any individual or corporation shall be liable to a fine of up to \$2000.00 for any one offence.
- (c) The owner or installer of any sign found in non-compliance shall be liable for all costs of having the sign removed.

5.12 SIDE YARD EXCEPTION

- 1. For semi-detached dwellings, townhouses, rowhouses, or multiple unit dwellings, no side yard shall be required where dwelling units share a common party wall.

5.13 PERMITTED YARD ENCROACHMENT

- 1. The following are not considered encroachments and shall be considered part of the principal or accessory building and all applicable regulations will apply to it as it would to the principal or accessory building:
 - (a) Any deck or floor area attached to a principal or accessory building that has a permanent roof structure and/or solid, glass, or screen walls; and
 - (b) Any private garage attached to a principal building.
- 2. The following yard encroachments shall be permitted in any required yard:
 - (a) steps 1.6 m (5.2 ft) or less above grade level, as measured at the highest point of the steps, that are necessary for access to a permitted building or for access to a site from a street or lane;
 - (b) window sills, eaves, gutters, belt courses, pilasters or other similar vertical columns, cornices bay windows, chimneys, and similar non-structural alterations may project a distance of 0.6 m (2 ft) from the building into any required yard but not closer to a site line than 1.5 m (4.9 ft);
 - (c) trees, shrubs, walkways, trellises, or flag poles, so long as these features do not extend into or over public land; and
 - (d) lighting fixtures and lamp posts.
- 3. Encroachments and obstructions permitted in any required front yard:
 - (a) raised patios and decks not more than 0.4 m (1.3 ft) above grade, as measured at the outside edge of the patio or deck;
 - (b) raised patios and decks more than 0.4 m (1.3 ft) above grade, as measured at the outside edge of the patio or deck, projecting not more than 1.8 m (5.9 ft) from the building;
 - (c) canopies, balconies, porches, verandahs, and decks projecting not more than 1.8 m (5.9 ft) from the building line into any required front yard.
- 4. Encroachments and obstructions permitted in any required rear yard:
 - (a) raised patios and decks not more than 0.6 m (2 ft) above grade, as measured at the outside edge of the patio or deck, provided that they are located at least 4.6 m (15 ft) from the rear site line;
 - (b) raised patios and decks more than 0.6 m (2 ft) above grade, as measured at the outside edge of the patio or deck, projecting not more than 4.6 m (15 ft) from the rear site line;
 - (c) accessory buildings, subject to all other requirements of this Bylaw;

- (d) enclosed private swimming pools when attached to the principal building, provided that they are located at least 6.0 m (19.7 ft) from the rear site line; and
- (e) laundry drying equipment, recreational equipment, private swimming pools, and tennis courts when open to the sky.

5.14 BUILDING HEIGHT EXEMPTIONS

1. The height limitations of this Bylaw shall not apply to the following:
 - (a) chimneys;
 - (b) church spires, belfries, and cupolas;
 - (c) monuments; or
 - (d) mechanical penthouses and necessary mechanical appurtenances, provided they are erected only to such heights as are necessary, and provided they do not cover more than 10% of the gross roof area upon which they are located.

5.15 OFF STREET PARKING

1. In all zoning districts, off-street parking is to provided in accordance with the following table. In any case where difference occupancies are on the same site, the more stringent parking requirement is to be met.

Use	Parking Spaces
Dwellings, including mobile homes	1 per dwelling unit
Home-based business and home occupations	1 per non-resident employee
Day care centres and adult day care centre	1 plus one per 5 persons enrolled in the facility
Bed and breakfasts	1 plus 1 per 2 guest beds
Schools, educational institutions	1 per classroom
Cultural institutions	1 per 35 seats, based on the maximum seating capacity or 1 per 9 m ² of gross floor area, whichever is greater
Restaurants, lounges, night clubs, taverns, theatres, assembly halls, places of worship	1 per 4 seats, based on the maximum seating capacity
Hotels	1 for every guest sleeping room
Motels	1 parking space for each unit
Commercial Retail establishments, Lumber Yards, and Industrial Uses	1 for every 50 m ² (538 sq. ft) of gross floor area or 1 per employee, whichever is greater
Other uses	1 for every 70 m ² (753 sq. ft) of gross floor area of the principal building or one per

5.16 HOME-BASED BUSINESS AND HOME OCCUPATIONS

1. Home-based business and home occupations shall be conducted entirely within the dwelling or accessory building.
2. Other than the one permitted business sign, there shall be no exterior display, no exterior storage of material, and no other variation from the residential appearance of the building.
3. Of the total area of a residence used for all home-based businesses or home occupations, only 20 percent of the residence's area, including basements and accessory buildings may be used for the purposes of those businesses or occupations.
4. No storage of home-based business or home occupation related products, except for product examples and samples required for portable display and demonstration, shall be permitted.
5. Home-based business or home occupation must be owned and operated by a resident or residents of the dwelling unit with no more than one non-resident person employed on the site.
6. If a home-based business or home occupation employs a non-resident employee, that employee must be provided with an off-street parking space.
7. No noise, vibration, smoke, dust, odours, heat, glare, television, or radio electrical interference detectable beyond the boundaries of the building containing the home-based business shall be produced.
8. No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg (4.9 ton) and a total length of no more than 6.0 m (19.7 ft) may be stored on or in the vicinity of the site.
9. Regardless of the number of home-based businesses or home occupations that may be located on any one site, a total of no more than five client or business related visits per day shall be made to any one site.
10. No more than one delivery of merchandise, goods, or equipment shall be made to the businesses in a 30 day period by a vehicle with a gross vehicle weight of more than 5,000 kg (4.9 ton), or by a vehicle with a total length of more than 6.0 m (19.7 ft).
11. An approved home-based business may serve as the administrative headquarters for up to two non-resident associates or partners provided that they are present at the administrative headquarters no more than three hours in any one week period.
12. A home-based business may produce works of art or craft where the work is produced mainly by hand or with the assistance of hand tools and small power tools.
13. Without limiting the authority of the Council to deny applications for other types of home-based business or home occupation that do not meet the requirement of the Bylaw, the following uses are prohibited as home-based business or home occupation, whether or not applications for such uses would otherwise comply with the applicable development standards of this Bylaw:
 - (a) retail sales;
 - (b) restaurants or tea rooms;
 - (c) suntan centres, health or fitness clubs, and tattoo parlors
 - (d) veterinary services, boarding, or care of animals;
 - (e) motion picture or recording studios;
 - (f) mechanical printing, screen printing, engraving or embroidery services,

- (g) equipment repair and rental;
- (h) hotels and hospitals;
- (i) headquarters, dispatching, or base of operations of a trucking, hauling, or delivery service operation;
- (j) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
- (k) upholstery services;
- (l) sign manufacturing, and sign painting;
- (m) welding and machining;
- (n) other manufacturing using large power tools and machinery;
- (o) businesses involved in the mass production of similar items or products;
- (p) construction yards; or
- (q) greenhouses.

5.17 OUTDOOR STORAGE

1. In any residential or commercial district only outdoor storage incidental to the principal use shall be permitted.
2. No outdoor storage shall be permitted in the required front yard of any site, but this shall not limit the customary display of any goods permitted to be sold on the site.
3. In any Residential District:
 - (a) Outdoor storage of partially dismantled or inoperative motor vehicles is not permitted; and
 - (b) Only one unlicensed motor vehicle may be stored on a site.

5.18 PROHIBITED LAND USES IN ALL ZONING DISTRICTS

1. Without further limiting the authority of Council to prohibit other land uses, the following land uses are prohibited in all Zoning Districts:
 - (a) Any livestock operation with more than 5 animals, except for riding stables and petting zoos;
 - (b) Custodial Care Facilities;
 - (c) Adult theatres; and
 - (d) Gaming Casinos.

5.19 GENERAL DEVELOPMENT STANDARDS APPLICABLE TO DISCRETIONARY USES

1. Sites shall maintain the character and amenity of the surrounding area.
2. Adequate on-site parking shall be provided and maintained.
3. Parking, storage, and other non-landscaped areas or disturbed areas shall be suitably screened from adjacent properties and streets.
4. Adequate receptacles for refuse and litter shall be supplied.
5. No sound, light, glare, heat, dust, or other emission shall be transmitted beyond the site lines.
6. Vehicle access and egress points shall be provided in suitable locations to minimize traffic congestion and possible hazards.
7. Multiple unit dwellings and places of worship shall, where possible, be located on corner sites to facilitate access.

6.0 RESIDENTIAL DISTRICTS

6.1 RA –RESIDENTIAL ACREAGEDISTRICT

6.1.1 Permitted Uses

1. The following are permitted uses in the RA District:
 - (a) single detached dwellings;
 - (b) parks and playgrounds; and
 - (c) public works, excluding sewage lagoons and landfills.

6.1.2 Discretionary Uses

1. The following are discretionary uses in the RA District:
 - (a) Two unit dwellings
 - (b) public recreation facilities
 - (c) home-based business and home occupation;
 - (d) day care centres and adult day care centres subject to Department Of Social Services regulations;
 - (e) places of worship; and
 - (f) bed and breakfasts.

6.1.3 Accessory Uses

1. The following are accessory uses in the RA District:
 - (a) All buildings, structures, or uses, excluding industrial or commercial uses, that are secondary and subordinate to, and located on the same site as, the principal building

6.1.4 Regulations

1. Development Standards:

Requirement	Single Detached Dwellings	Semi-detached & Duplex Dwellings	Other Uses*
Site area, minimum	4000 m ² (1 acre)	4000 m ² (1 acre)	4000 m ² (1 acre)
Site frontage, minimum for rectangular sites	40 m (131 ft)	40 m (131 ft)	40 m (131 ft)
Site frontage minimum for non-rectangular site	25 m (82 ft) with a mean width of 40 m (131 ft)	25 m (82 ft) per unit with a mean width of 40 m (131 ft) per unit	25 m (82 ft) with a mean width of 40 m (131 ft)
Front yard, minimum**	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
Rear yard, minimum**	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
Side yard, minimum**	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
Side yard abutting a street, minimum**	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)
Principal Building area, minimum	100 m ² (1076 sq. ft)	100 m ² per unit (1076 sq. ft)	100 m ² (1076 sq. ft)
Site coverage, maximum	20 %	30 %	40 %*
Building height, maximum	8.5 m (27.9 ft)	8.5 m (27.9 ft)	11 m (36 ft)

* No minimum requirement for parks, playgrounds and public works

** See sections 5.12 and 5.13 for yard reductions and encroachments.

2. Off street parking shall be provided as outlined in section 5.15.

6.2 R1 – LOW DENSITY RESIDENTIAL DISTRICT

6.2.1 Permitted Uses

1. The following are permitted uses in the R1 District:
 - (a) single detached dwellings;
 - (b) parks and playgrounds; and
 - (c) public works excluding sewage lagoons and landfills.

6.2.2 Discretionary Uses

2. The following are discretionary uses in the R1 District:
 - (a) semi-detached and duplex dwellings
 - (b) public recreation facilities
 - (c) home-based business and home occupation;

- (d) day care centres and adult day care centres subject to Department of Social Services regulations
- (e) places of worship; and
- (f) bed and breakfasts.

6.2.3 Accessory Uses

1. The following are accessory uses in the R1 District:
 - (a) All buildings, structures, or uses, excluding industrial or commercial uses, that are secondary and subordinate to, and located on the same site as, the principal building.

6.2.4 Regulations

1. Development Standards:

Requirement	Single Detached Dwellings	Semi-detached & Duplex Dwellings	Other Uses
Site area, minimum	450 m ² (4844 sq. ft)	325 m ² (3498 sq. ft) per unit	450 m ² (4844 sq. ft) *
Site frontage, minimum for rectangular sites	15 m (49.2 ft)	11 m (36 ft) per unit	18 m (49.2 ft) *
Site frontage minimum for non-rectangular site	10 m (32.8 ft) with a mean width of 15 m (49.2 ft)	7.5 m (24.6 ft) per unit with a mean width of 11 m (36 ft) per unit	13 m (42.7 ft) with a mean width of 18 m *
Front yard, minimum**	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft) *
Rear yard, minimum**	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft) *
Side yard, minimum**	1.5 m (4.9 ft)	1.5 m (4.9 ft)	1.5 m (4.9 ft) *
Side yard abutting a street, minimum**	3 m (9.8 ft)	3 m (9.8 ft)	3 m (9.8 ft)
Principal Building area, minimum	70 m ² (753 sq. ft)	70 m ² (753 sq. ft) per unit	100 m ² (1076 sq. ft)
Site coverage, maximum	40 %	50 %	50 % *
Building height, maximum	8.5 m (27.9 ft)	8.5 m (27.9 ft)	11 m (36 ft)

* No minimum requirement for parks, playgrounds and public works
 ** See sections 5.12 and 5.13 for yard reductions and encroachments.

2. Off street parking shall be provided as outlined in section 5.15.

6.3 R2 – MEDIUM DENSITY RESIDENTIAL DISTRICT

6.3.1 Permitted Uses

1. The following are permitted uses in the R2 Residential District:
 - (a) all those uses listed as permitted in the R1 residential district; and
 - (b) townhouses, row houses, and multiple unit dwellings with a maximum of eight dwelling units.

6.3.2 Discretionary Uses

1. The following are discretionary uses in the R2 Residential District:
 - (a) home-based business and home occupation;
 - (b) daycare centres and adult day care centres in one and two unit dwellings, subject to the Provincial Department of Social Services regulations;
 - (c) bed and breakfasts in one and two unit dwellings;
 - (d) cultural institutions; and
 - (e) places of worship.

6.3.3 Accessory Uses

1. The following are accessory uses in the R2 District:
 - (a) All buildings, structures, or uses, excluding industrial or commercial uses, that are secondary and subordinate to, and located on the same site as, the principal building.

6.3.4 Regulations

1. Development Standards

Requirement*	Single Detached Dwellings	Semi-detached & Duplex Dwellings	Townhouses, Row houses	Multiple Unit Dwellings and Other Uses
Site area, minimum	450 m ² (4844 sq. ft)	325 m ² (3498 sq. ft) per unit	325 m ² (3498 sq. ft) per unit	550 m ² (5920 sq. ft)
Site frontage, minimum for rectangular sites**	18 m (49.2 ft)	11 m (36 ft) per unit	7.5 m (24.6) per unit	21 m (68.9 ft)
Site frontage, minimum for non-rectangular sites	15 m (49.2 ft) with a mean width of 18 m (49.2 ft)	7.5 m (24.6 ft) per unit with a mean width of 11 m (36 ft) per unit	6.5 m (21.3 ft) per unit with a mean width of 7.5 m (24.6 ft)	18 m (49.2 ft) with a mean width of 21 m (68.9 ft)
Front yard, minimum	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)
Rear yard, minimum	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)	7.5 m (24.6 ft)
Side yard, minimum	1.5 m (4.9 ft)	1.5 m (4.9 ft)	3.5 m (11.5 ft)	3.5 m (11.5 ft)
Site coverage, maximum	40 %	40%	50 %	50 %
Principal Building area, minimum	70 m ² (753 sq. ft) per unit	70 m ² (753 sq. ft) per unit	70 m ² (753 sq. ft) per unit	50 m ² (538 sq. ft) per unit
Building height, maximum	8.5 m (27.9 ft)	8.5 m (27.9 ft)	8.5 m (27.9 ft)	11 m (36 ft)

* No minimum requirement for parks, playgrounds and public works and see sections 5.2 to 5.13 for yard reductions and encroachments.

2. Off street parking shall be provided as outlined in section 5.15.

3. Landscaping

- (a) For sites containing a townhouse, row house, or multi-unit dwelling, all areas of the site not occupied by buildings or parking and loading areas shall be landscaped with trees, shrubs, grasses, rock, pavers and/or other similar materials. Landscaping should reflect Candle Lake's northern forest setting
- (b) All landscaping shall be maintained in a neat and tidy condition.

- (c) The Development Officer shall not approve an application for a development permit for a townhouse, row house, or multi-unit dwelling unless:
- i) a landscape sketch plan has been submitted; and
 - ii) the landscape plan provides, in the opinion of the Development Officer, appropriate soft or hard landscape features to enhance the visual amenity of the site and provide adequate visual screening, if necessary.

6.4 RMH – RESIDENTIAL MOBILE HOME COURT DISTRICT

6.4.1 Permitted Uses

1. The following are permitted uses in the RMH District:
 - (a) mobile homes in mobile home courts, subject to the Provincial Department of Health Regulations.
 - (b) public works;
 - (c) parks and playgrounds; and
 - (d) public recreation facilities.

6.4.2 Discretionary Uses

1. The following are discretionary uses in the RMH District:
 - (a) home-based business and home occupation; and
 - (b) day care centres and adult day care centres, subject to the Saskatchewan Social Services Regulations.

6.4.3 Accessory Uses

1. The following are accessory uses in the R2 District:
 - (a) All buildings, structures, or uses, excluding industrial or commercial uses, that are secondary and subordinate to, and located on the same site as, the principal building.

6.4.4 Regulations

1. Development Standards

Requirement*	Mobile Home Space	Mobile Home Court **
Site area, minimum	450 m ² (4844 sq. ft)	20,000 m ² (4.9 acres)
Site width, minimum for rectangular sites	15 m (49.2 ft)	45 m (147.6 ft)
Site depth, minimum	Nil	60m (196.9 ft)
Front yard, minimum	6 m (19.7 ft)	Nil
Rear yard, minimum	6 m (19.7 ft)	Nil
Side yard, minimum	1.2 m (3.9 ft)	Nil
Site coverage, maximum	40 %	Nil
Building height, maximum	6 m (19.7 ft)	6 m (19.7 ft)

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- * There are no minimum requirements for parks, playgrounds or public works.
 - ** The development standards apply to the overall court, not to individual spaces within the court.
2. Off street parking shall be provided as outlined in section 5.15.
 3. Mobile Home Courts
The following Development Standards apply to Mobile Home Courts only:
 - (a) each mobile home space shall:
 - i) abut an internal road and have a driveway minimum width of 4.5 m;
 - ii) be clearly defined on the ground by permanent markers and permanently addressed with a number;
 - iii) be provided with a mobile home stand upon which a mobile home may be suitable installed, and each stand shall be located
 - a minimum of 5 m (16.4 ft) from any adjacent mobile home stand;
 - a minimum of 3 m (9.8 ft) from any court boundary;
 - a minimum of 3 m (9.8 ft) from any internal road;
 - a minimum of 15 m (49.2 ft) from any mobile home stand or permanent court structure located on the opposite side of a court street;
 - iv) a minimum of 10 percent of the total area of a mobile home court shall be provided in a suitable location for the recreation use and the enjoyment of the court occupants;
 - (b) no accessory building shall be located in any required side yard; and
 - (c) only accessory buildings and uses for the administration of or exclusive use of the mobile home court residents shall be permitted.

7.0 OVERLAY DISTRICTS

7.1 F – FRONTAGE OVERLAY DISTRICT

The Frontage overlay prescribes the minimum lot frontage in residential districts. Council may apply a F overlay to any site or sites within a residential district. All density overlay districts will be indicated on the Zoning Map as follows F-x where the F indicates that the frontage overlay district applies to the lots and the x represents the minimum lot frontage, in metres.

8.0 COMMERCIAL DISTRICTS

8.1 C1 - COMMERCIAL DISTRICT

8.1.1 Permitted Uses

1. The following are permitted uses in the C1 – Commercial District:

- (a) confectionaries;
- (b) retail stores;
- (c) bakeries with retail sales;
- (d) restaurants;
- (e) laundromats;
- (f) personal services establishments;
- (g) banks and financial institutions;
- (h) medical and dental offices, clinics, and laboratories;
- (i) professional and administration offices;
- (j) printing plants, newspaper offices;
- (k) places of worship, religious institutions;
- (l) libraries, cultural institutions;
- (m) clubs;
- (n) public halls and community centers;
- (o) studios;
- (p) miniature golf courses;
- (q) green houses;
- (r) bus terminals; and
- (s) public works.

8.1.2 Discretionary Uses

1. The following are discretionary uses in the C1 District

- (a) dry cleaners;
- (b) service or repair shops for small household goods and appliances;
- (c) car washes;
- (d) day care centers and adult day care centers;
- (e) dwelling units;
- (f) furniture and appliance sales and service;
- (g) gas bars and service stations;
- (h) hotels, motels, and lodges;
- (i) lumber yards and building supply establishments;
- (j) lounges, night clubs, brew pubs, and taverns;
- (t) theatres, assembly halls;
- (k) golf courses and driving ranges;
- (l) veterinary hospitals and offices of veterinary surgeons;
- (m) marinas and other establishments for the launching, storage, or servicing of water craft
- (n) petting zoos;
- (o) tourist campgrounds; and
- (p) riding stables.

8.1.3 Accessory Uses

1. The following are accessory uses in the C1 District
 - (a) All buildings, structures, or uses, excluding industrial uses, that are secondary and subordinate to, and located on the same site as, the principal building.

8.1.4 Regulations

1. Development Standards

Requirement	Tourist campgrounds, Hotels, Motels, Lodges, Service Stations, Gas Bars, petting zoos, riding stables and commercial recreational operations	All Other Uses*
Site area, minimum	930 m ² (10,010 sq. ft)	450 m ² (4844 sq. ft)
Site frontage, minimum for rectangular sites	30 m (98.4 ft)	15 m (49.2 ft)
Site frontage minimum for non-rectangular sites	11 m (36 ft) except 15 m (49.2 ft) for motels, with a mean width of 30 meters	11 m (36 ft), with a mean width of 15 m (49.2 ft)
Front yard, minimum	10% of site depth	Nil
Rear yard, minimum	3 m (9.8 ft)	6 m (19.7 ft)**
Side yard, minimum	Nil, except 6 (19.7 ft) m abutting a residential district without an intervening lane or street	Nil, except 1.5 m (4.9 ft) abutting a residential district without an intervening lane or street
Building Height, maximum	11 m (36 ft)	11 m(36 ft)

* There are no minimum requirements for public works

** Lots with a rear site line facing the lakeshore shall have a minimum 15 m (49.2 ft) yard setback on the lake side of the site.

2. All machinery, building supplies, vehicle parts, dismantled vehicles, building and construction supplies, and similar articles shall be stored within a building or screened with a solid fence or vegetation so as not to be visible from the street or adjacent site.
3. Off Street shall be provided as outlined in section 5.15.

4. Additional Standards for Discretionary Uses

- (a) Service stations and gas bars are to be located along provincial highways or arterial roads.
- (b) Fuel pumps and other accessory equipment shall be located at least 6 m (19.7 ft) from any street or site line.
- (c) On sites used for service stations, gas bars, and motels, a 3 m (9.8 ft) landscaped strip lying parallel to and abutting the front site line shall be installed and maintained, and on corner lots a 1.5 m (4.9 ft) landscaped strip lying parallel to and abutting the flanking street shall be installed and maintained.
- (d) All dwelling units shall have an entrance separate from that of the commercial establishment, and dwelling units must be provided with a fire exit secondary to the required entrance.
- (e) All discretionary uses are to be located at least 100 m (328 ft) from a bank of a water course or water body except dwelling units if they are incorporated into the primary building used for a permitted use.

9.0 COMMUNITY SERVICE DISTRICTS

9.1 CS – COMMUNITY SERVICE DISTRICT

9.1.1 Permitted Uses

1. The following are permitted uses in the CS District:
 - (a) cemeteries;
 - (b) clubs;
 - (c) government offices and facilities;
 - (d) halls and auditoriums;
 - (e) hiking, bicycling, skiing, and horseback riding trails;
 - (f) public recreation facilities;
 - (g) public works, except sewage lagoons and land fills;
 - (h) schools, educational institutions;
 - (i) institutional camps;
 - (j) playgrounds;
 - (k) parks; and
 - (l) sports fields.

9.1.2 Discretionary Uses

1. The following are discretionary uses in the CS District:
 - (a) campgrounds;
 - (b) airports and aircraft hangers;
 - (c) marinas Type II;
 - (d) marinas Type II;
 - (e) boat launches;
 - (f) dwellings; and
 - (g) mobile homes.

9.1.3 Accessory Uses

1. The following are accessory uses in the CS District
 - (a) All buildings, structures, or uses, excluding industrial uses, that are secondary and subordinate to, and located on the same site as, the principal building.

9.1.4 Regulations

1. Development Standards:

Requirement*	All Uses
Site area, minimum	N/A
Site frontage, minimum for rectangular sites	N/A
Site frontage minimum for non-rectangular site	N/A
Front yard, minimum	7.5 m (24.6 ft)
Rear yard, minimum	7.5 m (24.6 ft)
Side yard, minimum	3.5 m (11.5 ft)
Site coverage, maximum	50%
Building height, maximum	11 m (36 ft)

* No minimum requirement for parks, playgrounds and public works

2. Off street parking shall be provided as outlined in section 5.15.

10.0 INDUSTRIAL DISTRICTS

10.1 IL –INDUSTRIAL DISTRICT

10.1.1 Permitted Uses

1. The following are permitted uses in the IL District:
 - (a) establishments for the sale, storage rental, or servicing of snowmobiles, boats, and recreational vehicles;
 - (b) construction trades;
 - (c) lumber yards;
 - (d) trucking and septic hauling operations;
 - (e) excavation, topsoil, sand, and gravel operations
 - (f) personal storage facilities;
 - (g) locker plants;
 - (h) pre-built or pre-fabricated homes sales and display; and
 - (i) public works.

10.1.2 Discretionary Uses

1. The following are discretionary uses in the IL District:
 - (a) a dwelling unit for an owner or caretaker attached to or part of the principal industrial building.

10.1.3 Accessory Uses

1. The following are accessory uses in the IL District
 - (a) All buildings, structures, or uses that are secondary and subordinate to, and located on the same site as, the principal building.

10.1.4 Regulations

1. Development Standards

Requirement*	All Uses
Site area, minimum	930 m ² (10,010 sq. ft)
Site frontage, minimum	18 m (59 ft)
Front yard, minimum	7.5 m (24.6 ft)
Rear yard, minimum	6 m (19.7 ft)
Side yard, minimum	3 m (9.8 sq. ft)

* There are no minimum requirements for public works

2. Uses requiring regulated storage of materials under the Hazardous Substances and Waste Dangerous Goods Regulations of the *Environmental Management and Protection Act* are not permitted.

3. All machinery, building supplies, automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened with a solid fence or vegetation so as not to be visible from the street or adjacent site.
4. Off street parking shall be provided as outlined in section 5.15.

11.0 SPECIAL AREAS

11.1 CON- CONSERVATION DISTRICT

11.1.1 Permitted Uses

1. The following are permitted uses in the CON District:
 - (a) beaches;
 - (b) hiking, bicycling, skiing, and horseback riding trails;
 - (c) picnic grounds and day use areas;
 - (d) natural and heritage resource interpretation; and
 - (e) public works.

11.1.2 Discretionary Uses

1. The following are discretionary uses in the CON District:
 - (a) Marinas, type I;
 - (b) motorized vehicle trails; and
 - (c) unserviced campgrounds;

11.1.3 Accessory Uses

1. The following are accessory uses in the CON District:
 - (a) Buildings, structures, or uses, excluding dwellings and commercial or industrial operations, secondary and subordinate to, and located on the same site as the principal permitted or discretionary use shall be allowed.

11.1.4 Regulations

1. Buildings shall only be allowed as accessory uses, once the principal use has been established and once the Development Office or, in the case of a discretionary use, Council is satisfied that it is necessary to locate the building within the CON zoning district.
2. Maximum site coverage by a building is 5%.
3. The cutting of trees or the altering of the landscape or of water bodies or water courses is prohibited except in conformance with the policy set forth in the Basic Planning Statement.
4. The operation of motorized vehicles, including all terrain vehicles and snowmobiles is limited to trail designated by Council for such use and to roads providing access to those trails.

11.1.5 Rezoning of Land

Proposed rezoning of land from CON to another zoning district shall be considered only where the rezoning would be in conformity with the Basic Planning Statement.

APPENDIX A: DEVELOPMENT PERMIT APPLICATION FORM

APPENDIX B: ZONING DISTRICT MAP