

**VILLAGE OF METINOTA
ZONING BYLAW No. 1-1982**

Consolidated version including the following Amendments:

Bylaw No. 2-2007
Bylaw No. 1-2008
Bylaw No. 2-2010
Bylaw No. 2019-04

Effective July 26, 1982

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original bylaws should be consulted for all purposes of interpretation and application of the law.

CONSOLIDATION DATE: July 12, 2019

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Section 60 of the Planning and Development Act, R.S.S., 1978, provides that the Council of a Municipality may pass a Zoning Bylaw. Therefore, the Mayor and Council of the Village of Metinota in the Province of Saskatchewan, in open meeting hereby enact the following:

1. Short Title

This bylaw shall be known as the “Village of Metinota Zoning Bylaw”

2 Purpose of the Zoning Bylaw

This is a bylaw to control the use and development of land in the municipality.

3 Scope

Development shall hereafter be permitted within the limits of the municipality, only when in conformity with the provisions of this bylaw.

4 Definitions

The list of definitions of words and terms used in this bylaw, are included in Part Five

4.1 Severability

If any sections, clause or provision of this Bylaw, including anything shown on the **Zoning District Map**, is for any reason declared by the Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or in part, other than the sections, clause, provision or anything shown on the Zoning District Map to be invalid.

4.2 Provincial Interests

Development shall incorporate applicable provincial land use policies and provincial interests.

PART TWO ADMINISTRATION

5. Development Officer

The Administrator of the Village shall be responsible for the administration of the Bylaw. The Administrator may appoint a Development Officer subject to a resolution of Council, to whom duties in the administration of the Zoning Bylaw may be delegated.

6. Development Permits

(A) Every person, before commencing any development within the municipality, shall apply to the Development Officer for a development permit and no development shall commence unless a development permit is issued and then, only in accordance with any special provisions included in the development permit.

(B) Every application for a development permit for a permitted or discretionary principal, accessory, or ancillary use shall be submitted to the Development Officer in or on the appropriate form for the intended use, as adopted or amended by resolution of Council from time to time; the content of the forms is not defined or included in this bylaw.

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(C) The application shall be accompanied by a site plan and an electronic plans showing dimensions and locations of existing and proposed buildings and structures as well as site lines.

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1. Where no new construction is proposed, such as a change of intensity of use, the applicant shall supply a written description of the proposed development in place of such plans.

(D) A building permit shall not be issued unless a development permit has also been issued.

(E) No building or structure shall be erected, reconstructed, moved off or on a site, nor shall any building structure or land be used for any other use, than is permitted in the zoning district concerned, and then only after applying for and securing all development permits, building permits and licenses required by all bylaws in effect in the municipality.

(F) Development Permit Not Required:

Developments which do not require a development permit include:

1. Public Works: Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality. **Note:** a permit is required for the installation of new transmission lines.

2. **Municipal Facilities**: Any facility installed and operated by the Municipality.
3. **Signs**: Subject to the provisions of Section 26.2 of this Bylaw.
4. **Docks**: Docks do not require a development permit, but applicants should ensure that proper approvals have been obtained from provincial and federal departments / agencies.
5. **Accessory Buildings**: Single storey accessory buildings less than 9 square metres (97 ft.²) in floor area do not require a development permit.
6. **Fences**: Fences do not require a development permit.
7. **Maintenance and Repairs**: Maintenance and repairs that do not include structural alterations do not require a development permit.
8. **Ice Fishing Shacks**: Ice fishing shacks do not require a development permit and but subject to PART THREE, Section 26.9.

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Development listed in Part II, Section 6(F) must be allowed in the Zoning District in which they are proposed to be located and must comply with the regulations of this Bylaw.

(G) Discretionary Use Application Procedure

The following procedures shall apply to discretionary use applications:

1. The Development Officer shall review all applications for completeness and inform an applicant whose application is not complete, of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
2. The application will be reviewed by the Development Officer for conformance with this Zoning Bylaw and any other applicable policies and regulations, and will refer the application, along with a written report documenting the results of the review, to Council.
3. Council will review the application and Development Officer's report and may request comments or information from other government agencies to assist in Council's review of the application, where appropriate.
4. When Council has received requested comments or information from other agencies, the Development Officer shall set a date, time and location of the Council meeting at which the application will be considered.
5. Pursuant to Section 55(2) of *The Act*, the Development Officer shall mail a notice of the application to the assessed owner of each property within 75

metres of the subject property. This notice shall be mailed no less than seven days prior to the date of the Council meeting at which the application will be considered.

6. The notice described in Sub-subsection 5. above shall describe the use applied for, describe the location of the use and specify the date, time and location of the Council meeting at which the application will be considered.

(H) Discretionary Use Evaluation Criteria

1. Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the zoning district in which they are proposed to be located. For the purposes of this Section, applications shall be deemed to conform with the yard, open space and other requirements of the district where such requirements are met as a result of a decision of the Development Appeals Board or Saskatchewan Municipal Board Planning Appeals Committee, or where the building or parcel comes within the provisions of Section 91(1) of *The Act*.
2. The following objectives must be considered in the review of discretionary use applications:
 - (i) the proposal must be in conformance with all relevant sections of the Zoning Bylaw.
 - (ii) the proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks and public beach areas, schools, and other utilities and community facilities.
 - (iii) the proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

(I) Terms and Conditions for Discretionary Use Approvals

1. In approving a discretionary use application, Council may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure the following objectives:
 - (i) the proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the

surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties.

- (ii) the proposal must provide adequate access and circulation for the pedestrian and vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces.
- 2. Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- 3. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer.
- 4. If an approved discretionary use or form of development ceases to operate for a period of six (6) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

(J) Validity of a Development Permit

- 1. If development authorized by a development permit is not commenced within twelve months of the date of issue, the permit ceases to be valid.
- 2. A development permit extension may be granted for an additional 12 month period by the Development Officer.

7. Development Appeals

- (A) A Development Appeals Board of the Village is established in accordance with Sections 213-217 of *The Act*.
- (B) Where an application for a permitted use has been refused, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Village pursuant to Section 219 of *The Act*.
- (C) Where an application for discretionary use or development has been approved with prescribed development standards, the applicant shall be advised of their right to appeal any development standards considered excessive to the Development Appeals Board, pursuant to Section 58 of *The Act*.

8. Amendment of the Zoning Bylaw

- (A) Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer

shall refer such application to Council for consideration.

- (B) Council may, by resolution, authorize an amendment to the Zoning Bylaw, and that amendment shall be adopted, by bylaw.
- (C) Sections 206 - 212 of *The Act*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw to amend this Zoning Bylaw.

9. Non-Conforming Uses, Buildings and Sites

- (A) Non-conforming uses, buildings and sites shall be permitted and regulated subject to Section 88 - 93 of *The Act*.
- (B) No existing structure or site shall be deemed to be non-conforming by reason only of the conversion from the Imperial system of measurement to the Metric system of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

10. Offences and Penalties

Any person who violates this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties provided by Sections 242 - 245 of *The Act*.

10.1 Fees

- (A) Amendment of the Zoning Bylaw - Where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality an application fee of \$200.00 plus a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment.

- (B) Application fees:

1. An applicant for a development permit shall pay an application fee in accordance with the following:

| | |
|--|--|
| (i) Permitted principal, accessory, or ancillary use: | \$150.00 |
| (ii) Discretionary principal, accessory, or ancillary use: | \$300.00 |
| (iii) Development Appeal Board Fee: | As specified by the Board and the maximum allowable under the Act. |

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PART THREE GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw:

11. Licenses, Permits and Compliance with Other Bylaws

Nothing in this Bylaw shall exempt any person for complying with the requirements of a building bylaw or any other bylaw in force within the Village of Metinota. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

12. Development on Hazard Lands

- (A) Where a proposed development or subdivision is to be located on what Council considers may be hazard land, the applicant shall submit a professional report on the proposed development. The report shall assess the geotechnical suitability of the site, susceptibility to flooding, or other environmental hazards, together with any required mitigation measures.
- (B) Actions identified, in an assessment prepared pursuant to Part III, Section 12(A) of this bylaw, for prevention, change, mitigation or remedy may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

13. Storage of Chemicals, Fertilizers and Combustible Materials

The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.

14. Projections into Yards

Where minimum front, rear or side yards are required in any district, such minimum requirements shall not apply to prevent the construction or location of the following:

- (A) a chimney which projects not within 0.75 metres (2.5 feet) of the side boundary of a site;
- (B) An uncovered deck, or patio raised or at grade level, as measured at the outside edge of the deck or patio, which projects no more than 3 metres (10 feet) in to the minimum rear or front yard requirement. Covered decks, verandahs, porches, and sun lounges, where attached to a building by roof structure shall form part of the principal or accessory building and shall not

granted a setback relaxation for projections.

1. Where a projected structure sits on land that is within 5 metres of the high-water mark of any watercourse or waterbody, any permit for shore alteration or habitat protection required by a provincial ministry or agency, must be obtained prior to municipal approval.

(D) at Council's discretion, an eave or building which projects into the required minimum side yard of a site that directly abuts a registered public road or municipal reserve, provided that the eave or building does not encroach onto or over the abutting registered public road or municipal reserve.

15. Frontage on Street

No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on an existing street.

16. Building Lines

Where a building line in any residential district has been established by existing buildings in a block, and is less than the specified front yard requirement, new construction may conform to the established building line provided that, Council, by resolution, or bylaw permits conformation to the established building line.

17. Number of Principal Buildings Permitted on a Site

Not more than one (1) principal building shall be placed on any one (1) site, with the exception of agricultural uses, municipal facilities, public works and sites that are divided into more than one zoning district (e.g. sites that are separated by a legal roadway and situated in both the R - Residential District and the S - Storage District).

18. Building to be Moved

No building, residential or otherwise, shall be moved within the area covered by this Bylaw without obtaining a Development Permit from the Development Officer unless such building is exempt under Part II - Section 6(F) of this Bylaw.

19. Demolition of Building

No building, residential or otherwise, shall be demolished within the area covered by this Bylaw without obtaining a Development Permit from the Development Officer. Such permit shall not be issued unless a proposal for the interim or long term or redevelopment of the site is also submitted, and is in conformity with this Bylaw. A Development Permit is required for any redevelopment of the site.

20. Grading and Leveling of Site

Any site proposed for development shall, in the opinion of Council, be graded and leveled at the owners expense, to provide for adequate surface drainage which does not adversely affect adjacent property.

21. Disposal of Wastes

Subject to the Acts and Regulations administered by the Regional Health Authority and Saskatchewan Environment, as amended, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.

22. Private Garages and Carports

Private garages and carports attached to the principal building are considered as part of the principal building and subject to the regulations governing the principal building.

23. Water

No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority, Saskatchewan Environment or the Saskatchewan Watershed Authority. Prior to considering new multiple lot subdivision proposals, Council may require a hydrology report to be submitted, demonstrating that an adequate supply of water exists and that existing water supplies will not be adversely affected by the proposal.

24. Developer / Municipality Agreements

All proposals may be subject to the requirements of entering into an agreement between the developer and the Municipality for posting of a performance bond with the Municipality, to encompass matters of road construction and maintenance, drainage ditches, culverts, landfill, landscaping, and any other requirements as determined by Council.

25. Height of Buildings

No building shall exceed 9.1 metres (30 feet) or be more than two (2) storeys in height.

26. Off-Street Parking

Any development shall provide off-street parking spaces as determined by Council, where Council is of the opinion that such facilities are required.

26.1 Accessory Buildings and Uses

26.1 Accessory Buildings and Uses

- (A) Accessory buildings and uses shall be subordinate to, and located on the same site at the principal building or use, and used in conjunction with that principal use.
- (B) Time of Construction - Accessory buildings may be constructed or placed on any site prior to the construction of a principal building.
- (C) Height of Accessory Buildings - No accessory building shall exceed 7.5 metres (25 feet) in height.
- (D) Accessory Buildings in the R - Residential District:
 - 1. Number of Accessory Buildings - There shall be no more than three (3) accessory buildings on a site in the R - Residential District.
 - 2. Accessory buildings may contain habitable rooms or dwelling units at Council's discretion. Council may apply conditions limiting the size of buildings and the total number of beds that will be provided in an accessory building to ensure that conflict with neighbouring uses is avoided. In no case shall an accessory building contain more than 46.5 square metres (500 square feet) of habitable rooms or dwelling units.
 - 3. Location and Size of Accessory Buildings
 - (i) Yard, front: minimum - 6 metres (20 feet), except for accessory buildings that do not include any entrances facing the front site line, where the minimum shall be 1.5 metres (5 feet).
 - (ii) Yard, rear: minimum - 6 metres (20 feet).
 - (iii) Yard, side: minimum - 1.5 metres (5 feet).
 - (iv) Floor area: maximum - the total floor area of all accessory buildings on a site shall not exceed 186 square metres (2,000 square feet).
- (E) Accessory Buildings in the S - Storage District:
 - 1. Number of Accessory Buildings - There shall be no more than two (2) accessory buildings located on a lot in the S - Storage District.
 - 2. Accessory buildings shall not contain any habitable rooms or dwelling units.

3. Location and Size of Accessory Buildings

- (i) Yard, front: minimum - 6 metres (20 feet), except for accessory buildings that do not include any entrances facing the front site line, where the minimum shall be 1.5 metres (5 feet).
- (ii) Yard, rear: minimum - 6 metres (20 feet), except for accessory buildings that do not include any entrances facing the front site line, where the minimum shall be 1.5 metres (5 feet).
- (iii) Yard, side: minimum - 1.5 metres (5 feet).
- (iv) Floor area: maximum - the total floor area of all accessory buildings on a site shall not exceed 186 square metres (2,000 square feet).

(F) Accessory Buildings in the UR - Urban Reserve District:

- 1. Number of Accessory Buildings - There shall be no more than two (2) accessory building located on a site in the UR - Urban Reserve District.
- 2. Accessory buildings shall not contain any habitable rooms or dwelling units.
- 3. Location and Size of Accessory Buildings
 - (i) Yard, front: minimum - 6 metres (20 feet), except for accessory buildings that do not include any entrances facing the front site line, where the minimum shall be 1.5 metres (5 feet).
 - (ii) Yard, rear: minimum - 6 metres (20 feet), except for accessory buildings that do not include any entrances facing the front site line, where the minimum shall be 1.5 metres (5 feet).
 - (iii) Yard, side: minimum - 1.5 metres (5 feet).
 - (iv) Floor area: maximum - the total floor area of all accessory buildings on a site shall not exceed 186 square metres (2,000 square feet).

(G) Shipping Containers

No shipping container shall be used, placed or stored on any lot in any zoning district under this bylaw.

26.2 Signs

All signs and billboards shall be subject to the following requirements:

- (A) no more than one permanent sign is permitted on any residential lot, and no more than two permanent signs are permitted in any commercial lot;
- (B) additional temporary signs bearing notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the lot are permitted as long as that condition exists on the lot;
- (C) no residential or home occupation sign shall have a sign face area exceeding 0.4 square metres, and no commercial sign shall have a sign face area in excess of 4 square metres;
- (D) no sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- (E) off-site advertising of commercial services such as billboards, are prohibited.

26.3 Home Occupations

Home occupations will be subject to the following special standards:

- (A) The use is clearly ancillary to the use of the dwelling unit as a private residence.
- (B) The owner of the business is a resident of the dwelling unit.
- (C) No variation in the residential character and appearance of the dwelling or land shall be permitted, except for permitted signs.
- (D) The permitted use shall be valid only during the period of time the property is occupied for residential purposes by the business owner.
- (E) All permits issued for home occupations shall be subject to the condition that the permit may be revoked at any time, if in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- (F) No more than two non-resident persons may be employed on the site of the home occupation.
- (G) The home occupation shall be conducted entirely indoors and there shall be no exterior storage on the site in relation to the home occupation.

26.4 Bed and Breakfast Homes

Bed and breakfast homes shall be subject to the following requirements:

- (A) Bed and breakfast homes shall be located in, and ancillary to, a single detached dwelling used as the operator's principal residence.
- (B) Bed and breakfast homes shall be licensed pursuant to *The Public Heath Act*, where tourist accommodations require health approval.
- (C) Council may establish standards limiting any accessory activities as a condition of issuing a discretionary use permit for a bed and breakfast home.
- (D) A maximum of three (3) bedrooms within a single detached dwelling shall be permitted to provide sleeping accommodation for a bed and breakfast home.

26.5 Mobile Homes and Prefabricated Homes

- (A) Every mobile home shall bear CSA Z240 certification, or a replacement thereof, and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.
- (B) Every prefabricated home shall bear CSA A277 certification, or a replacement thereof, and shall be attached to a permanent foundation.

26.6 Storage of Materials and Unlicensed or Inoperative Motor Vehicles in Residential Districts

In any Residential District:

- (A) No front yard shall be used for the storage of unlicensed motor vehicles or of materials or goods of any type.
- (B) No yard shall be used for storage or collection of hazardous material.
- (C) No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.
- (D) Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- (E) Only one unlicensed motor vehicle may be stored on a residential site.

26.7 Daycares

- (A) Day care centres and pre-schools may be approved as an accessory use or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.

26.8 Personal Care Homes

(A) Personal Care Homes may be approved as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.”

26.9 Off-Season Storage

(A) A maximum of two (2) ice fishing shacks shall be permitted on any one site for off-season storage and shall only be place on lands titled to the ice shack owner.

(B) Off-season placement of an ice fishing shack shall comply with the yard regulations for accessory uses in the applicable zoning district.

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PART FOUR - ZONING DISTRICTS

27. Classification of Zoning Districts

In order to carry out the purposes and regulations of this Bylaw, the municipality is hereby divided into the following Zoning Districts, the boundaries of which are shown on the **“Zoning District Map”**. Such districts may be referred to by the appropriate symbols.

| Districts | Symbols |
|------------------|----------------|
| Residential | R |
| Urban Reserve | UR |
| Storage | S |

28. Boundaries of Zoning Districts

- (A) The Boundaries of all Zoning Districts are shown on the map entitled “Zoning District Map” which is attached to and forms part of this bylaw.
- (B) The boundaries of such districts, unless otherwise shown, are lots lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the Zoning District Map.

29. The Zoning District Map

The map bearing the statement "This is the Zoning District Map which accompanies Bylaw No. 1 adopted by the Resort Village of Metinota" and signed by the Mayor and Administrator, under the seal of the Village shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this Bylaw.

30. Sites with more than One Zoning District

Where a site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.

31. R - RESIDENTIAL DISTRICT

(A) Purpose

The objective of the R - Residential District is to provide for residential development in the form of single detached dwellings and other permitted compatible uses.

(B) Permitted Uses

Subject to all other provisions of this Bylaw, on any site, in any district defined, designated or described in this Bylaw as R - Residential District, only the following uses shall be permitted:

- (1) Single detached dwellings
- (2) Public parks
- (3) Places of worship
- (4) Community halls
- (5) Municipal facilities
- (6) Public works

(C) Discretionary Uses

The following uses are discretionary in the R - Residential District:

- (1) Mobile homes
- (2) Bed and breakfast homes
- (3) Home occupations
- (4) Daycares
- (5) Accessory dwelling units
- (6) *Personal Care Homes*

(D) Accessory Buildings and Uses

Accessory buildings and uses, except accessory dwelling units or accessory buildings with habitable rooms, shall be permitted and comply with Section 26.1 of this Bylaw.

(E) Regulations

- (1) Single detached dwellings, mobile homes, RTMs and prefabricated homes, bed and breakfast homes, home occupations, daycares, *personal care homes* places of worship and community halls:

| | | |
|-----|--------------------|---------------------------------------|
| (a) | minimum site width | 18 metres (60 feet) |
| (b) | minimum site area | 650 square metres (7,000 square feet) |

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| (c) | minimum front yard | 6 metres (20 feet) |
| (d) | minimum side yard | 1.5 metres (5 feet) |
| (e) | minimum rear yard | 6 metres (20 feet) |
| (f) | minimum floor area of dwellings (excluding mobile), home occupations and bed and breakfast homes | 92.9 metres (1,000 square feet) |
| i. | minimum floor area of mobile homes, daycares, personal care homes, places of worship, community halls | 56 square metres (600 square feet) |
| (g) | maximum site coverage | 40% |

(2) Public works and public parks:

No site requirements

(F) Standards for Discretionary Uses

- (1) Mobile homes and prefabricated homes shall comply with Section 26.5 of this Bylaw
- (2) Home occupations shall comply with Section 26.3 of this Bylaw.
- (3) Bed and breakfast homes shall comply with Section 26.4 of this Bylaw.
- (4) Daycares shall comply with Section 26.7 of this Bylaw.
- (5) Accessory dwelling units shall comply with Section 26.1 of this Bylaw.

32. UR - URBAN RESERVE DISTRICT

(A) Purpose

The objective of the UR - Urban Reserve District is to reserve those lands within the municipality which are as yet unsubdivided or undeveloped for urban uses, until such time as their future use may be determined.

(B) Permitted Uses

Subject to all other provisions of this Bylaw, on any site, in any district defined, designated or described in this Bylaw as UR - Urban Reserve District, only the following uses shall be permitted:

- (1) Field crops
- (2) Recreational uses including public parks
- (3) Public works
- (4) Municipal facilities
- (5) Storage buildings
- (6) Communal storage compounds for the outdoor storage of recreational vehicles and equipment and for the storage of vehicles, materials and equipment.

(C) Accessory Buildings and Uses

Accessory buildings and uses, except accessory dwelling units or accessory buildings with habitable rooms, shall be permitted and comply with Section 26.1 of this Bylaw.

(D) Prohibited Uses

- (1) Dwelling units, living spaces and habitable rooms.
- (2) Use of any recreational vehicle, trailer, other vehicle or tent for a place to eat or sleep while located on the site.
- (3) Commercial buildings and uses.

(E) Regulations

- (1) Site requirements for all permitted uses:
 - (a) minimum front yard 6 metres (20 feet)
 - (b) minimum side yard 1.5 metres (5 feet)
 - (c) minimum rear yard 6 metres (20 feet)
- (2) No future subdivision or development shall be permitted unless it is for one of the permitted uses and in the opinion of Council it will not prejudice the future economical subdivision or servicing of land.

33. S - STORAGE DISTRICT

(A) Purpose

The purpose of the S - Storage District is to provide for storage needs in the form of accessory buildings and uses that are attached to and support the overall use of the site.

(B) Permitted Uses

- (1) Storage shed or private garage
- (2) Communal storage compounds for outdoor storage of recreational vehicles and equipment and for storage of vehicles, materials, and equipment.
- (3) Municipal facilities
- (4) Public works
- (5) Public parks

(C) Accessory Buildings and Uses

Accessory buildings and uses, except accessory dwelling units or accessory buildings with habitable rooms, shall be permitted and comply with Section 26.1 of this Bylaw.

(D) Prohibited Uses

- (1) Dwelling units, living spaces and habitable rooms.
- (2) Use of any recreational vehicle, trailer, other vehicle or tent for a place to eat or sleep while located on the site.
- (3) Commercial buildings and uses.

(E) Regulations

Site Requirements:

| | | |
|-----|-----------------------|---------------------------------------|
| (a) | minimum site width | 18 metres (60 feet) |
| (b) | minimum site area | 650 square metres (7,000 square feet) |
| (c) | minimum front yard | 6 metres (20 feet) |
| (d) | minimum side yard | 1.5 metres (5 feet) |
| (e) | minimum rear yard | 6 metres (20 feet) |
| (f) | Maximum site coverage | 40% |

Part Five – Interpretation

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

ACCESSORY BUILDING OR USE - Shall mean a building or use which:

- (a) is subordinate to and serves the principal building or principal use;
- (b) is subordinate in area, extent, and purpose to the principal building or principal use served;
- (c) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served;
- (d) is located on the same site as the principal building or principal use served.

ACT, THE - Shall mean *The Planning and Development Act, 2007*.

ADMINISTRATOR - Shall mean the Administrator of the Village.

ALTERATION - Shall mean any structural change or addition made to any building.

BED AND BREAKFAST HOME - Shall mean a dwelling unit in which the occupants thereof 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:

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation.
- (b) the dwelling unit is the principal residence of the persons receiving the remuneration and providing the sleeping accommodation and one meal per day.
- (c) the meal which is provided is served before noon each day.

BUILDING - Shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels.

BUILDING BYLAW - Shall mean any bylaw of the Village of Metinota regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures.

BUILDING HEIGHT - Shall mean the vertical distance of a building measured from grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and the to the mean height level between eaves and ridge for a gable, hip or gambrel roof (refer to figure 2-1).

Insert Figure 2-1

BUILDING PERMIT - Shall mean a permit, issued under a building bylaw of the Village of Metinota authorizing the construction of all or part of any structure.

BUILDING, PRINCIPAL - Shall mean a building in which is conducted the main or primary use of the site on which said building is situated.

BUILDING LINE, ESTABLISHED - Shall mean the average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage has been built upon.

CARPORT – Shall mean a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

COMMUNITY HALL – Shall mean a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

COUNCIL - Shall mean the Council of the Village.

DAY CARE - Shall mean a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

DEVELOPMENT - Shall mean the carrying out of any building, engineering, mining or operations in, on or over land or the making of any material change in the use of any building or land.

DEVELOPMENT PERMIT - Shall mean a document authorizing a development issued pursuant to this Bylaw.

DISCRETIONARY USE – Shall mean a use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, the Council; and which complies with the development standards, as required by Council, contained in this Bylaw.

DWELLING, SINGLE DETACHED - Shall mean a detached building consisting of one (1) dwelling unit as herein defined and occupied or intended to be occupied as the permanent home or residence but shall not include a mobile home or prefabricated home as herein defined.

DWELLING UNIT - Shall mean a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purposes of this definition, “kitchen components” include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

FLOOR AREA - Shall mean the area contained within the exterior walls of a building including any cantilevered projection of the building in to the yard. In the case of a dwelling, any private

attached or detached garage, porch, veranda, sun lounge, and any level above the main level, basement, or attic is excluded from the area calculation. In the case of a split-level dwellings or where a “main level” is not easily determined, the area shall be the measured as the area within the exterior walls of the foundation, plus any cantilevered projection, and adheres to the exclusions above.

GARAGE, PRIVATE - Shall mean a building or part of a building used or intended to be used for the storage of motor vehicles.

HAZARD LAND - Shall mean land which may be prone to flooding, slumping, subsidence, landslides, or erosion or any other instability, or is a flood plain or watercourse.

HOME OCCUPATION - Shall mean an occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building and carried on by the inhabitants thereof, which use clearly incidental and secondary to the residential use of the dwelling and does not change the-character thereof.

LANE - Shall mean a secondary public thoroughfare intended primarily to have access to the rear or side of the abutting property.

LOT - Shall mean an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

MAYOR - Shall mean the Mayor of the Village.

MEMBRANE COVERED STRUCTURES – Shall mean a structure consisting of a frame that is covered with a plastic, fabric, canvas, or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or partially covered, but does not include gazebos. For the purpose of site placement and regulation, it shall be considered an “accessory building or use”.

Bylaw No.
2019-04

MOVE-IN BUILDING - Shall mean a building constructed off site which is being relocated to a new site in the municipality. A Move-in building has been previously used or inhabited at another location. It may include but is not limited to: houses, dwellings, sheds, garages, and similar structures. It does not include, new RTMs, new modular homes, new prefabricated homes, or off-season storage of ice fishing shacks.

Bylaw No.
2019-04

MINISTER - Shall mean the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

MOBILE HOME - Shall mean trailer coaches that conform to 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 homes at any time subsequent to the definition of the standard set out as Z240, and are single dwelling units.

MODULAR UNIT - shall mean 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 – Shall mean land and / or structures owned by the Village that are used for:

- (a) office and meeting space.
- (b) storage of municipal equipment and supplies.
- (c) recreation.
- (d) other institutional purposes.

NON-CONFORMING BUILDING - Shall mean a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date 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
- (b) 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 - Shall mean 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 - Shall mean a lawful specific use:

- (a) 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 a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective.
- (b) that on the date a Zoning Bylaw or any amendment to a 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.

PARKING SPACE, AUTOMOBILE - Shall mean a space within a building or parking lot for the parking of one (1) automobile including convenient access to a public lane or street.

PARK MODEL TRAILER - shall mean a dwelling unit that cannot be licensed as a recreational vehicle or trailer coach, has no brakes or tail lights, is transported on a flat deck, or on skids or wheels. The park model trailer shall be used as seasonal or permanent dwelling units and shall be certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z241.

Bylaw No.
2019-04

PERMITTED USE - Shall mean a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

PERSONAL CARE HOME - Shall mean a facility licensed under *The Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are

unrelated to the operator or owner.

PREFABRICATED HOME - Shall mean a building that is manufactured in a factory as a whole or modular unit to be used as a dwelling and certified by the manufacturer that it complies with the Canadian Standards Association Standard No. CSA-A277.

PRINCIPAL BUILDING - Shall mean the main building in which the principal use of the site is conducted.

PRINCIPAL USE - Shall mean the main activities conducted on a site.

PUBLIC PARK - Shall mean any open space or recreation area, owned or controlled by the Village or by any Board, Commission or other Authority established under any statute of the Province of Saskatchewan.

PUBLIC UTILITY - Shall mean a government, municipality or corporation under Federal or Provincial statute which operates a public work.

PUBLIC WORK - includes:

- (a) systems for the production, distribution or transmission of electricity.
- (b) systems for the distribution, storage or transmission of natural gas or oil.
- (c) facilities for the storage, transmission, treatment, distribution or supply of water.
- (d) facilities for the collection, treatment, movement or disposal of sanitary sewage.
- (e) telephone, internet, cable television or light distribution or transmission lines.
- (f) facilities for the collection, storage, movement and disposal of storm drainage.

READY-TO-MOVE (RTM) RESIDENTIAL BUILDING - Shall mean a new single-detached dwelling built off-site to national building code standards, either certified as CSA-277 compliant or having been properly inspected by a building official, and moved on, and permanently attached to, a foundation also meeting national building code standards. It shall not include a park model trailer, mobile home, or move-in building as herein defined.

Bylaw No.
2019-04

SIGN - Shall mean any device, letter, figure, or 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.

SIGN FACE AREA - Shall mean the area of the single face of any sign.

SITE - Shall mean one or more lots under one title and used, or intended to be used, by a principal use, including lots that are physically separated by a registered road.

SITE COVERAGE - Shall mean that portion of the site that is covered by principal and accessory buildings.

SITE LINE, FRONT - Shall mean 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 from the street.

SITE LINE, REAR - Shall mean the boundary at the rear of the site and opposite the front site line.

SITE LINE, SIDE - Shall mean a site boundary other than a front or rear site line.

SITE WIDTH - Shall mean:

- (a) for rectangular sites, the horizontal distance between the side boundaries of the site measured along the front site line.
- (b) for non-rectangular sites, the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines

SHIPPING CONTAINER – Shall mean a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck.

STREET - Shall mean a public thoroughfare which affords the principle means of access to the abutting property.

STRUCTURE - Shall mean anything that is built, constructed or erected, locating on the ground, or attached to something located on or in the ground.

TRAILER COACH - Shall mean 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 re-constructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

VILLAGE - Shall mean the Resort Village of Metinota.

YARD - Shall mean any apart of a site unoccupied and unobstructed by any principal building.

YARD, FRONT - Shall mean a yard extending across the full width of a site between the front line of the site and the nearest main wall of the principal building or structure on the site.

YARD, REAR - Shall mean a yard extending across the full width of the site between the rear line of the site and the nearest main wall of the principal building or structure on the site.

YARD, REQUIRED - Shall mean the minimum yard required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

YARD, SIDE - Shall mean a yard extending from the front yard to the rear yard between the site line of a site and the nearest main wall of the principal building or structure on the site.

ZONING DISTRICT - Shall mean a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.