

ZONING BYLAW  
FOR THE  
RESORT VILLAGE OF PELICAN POINTE  
BYLAW NO. 1/2000

## PART IV - GENERAL REGULATIONS

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

### 1. Licenses, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Resort Village or from obtaining any 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. Permitted Yard Encroachments

The following yard encroachments shall be permitted:

- A. Uncovered balconies, porches, verandahs, and decks may project 1.8 metres into any required front or rear yard.
- B. Window sills, eaves, gutters, bay windows, chimneys and similar non-structural alterations may project a distance of 600 millimetres into any required yard but not closer to a lot line than 150 millimetres.

### 3. Number of Principle Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot. The development officer shall advise the applicant in writing that adherence to the Bylaw Regulations and Provincial Subdivision Regulations (where applicable) will be necessary if any future application for subdivision is made.

### 4. Non- Conforming Buildings and Uses

- A. Any lawful use of land, an existing building or of 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 and 118 inclusive, of the Act.
- B. No existing use or building shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from 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.

### 5. Grading and Levelling of Lots

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage which does not adversely affect adjacent property.

### 6. Signs

- A. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

## PART I - INTRODUCTION

Under the authority granted by the Planning and Development Act, 1983, the Council of the Resort Village of Pelican Pointe in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

|                     |   |
|---------------------|---|
| <u>Title</u>        | This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Resort Village of Pelican Pointe.   |
| <u>Purpose</u>      | The purpose of this Bylaw is to control the use of land in the Resort Village of Pelican Pointe so as 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. |
| <u>Scope</u>        | No development shall hereafter be permitted within the limits of the Resort Village of Pelican Pointe except in the conformity with the provisions of the Bylaw, the Basic Planning Statement and The Act.  |
| <u>Severability</u> | A decision of a Court that one or more provisions of this Bylaw 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.   |

## PART II - DEFINITIONS

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

|                       |  |
|-----------------------|--|
| <u>Accessory</u>      | A use, separate building, or structure, normally incidental, exclusively devoted to and located on the same lot as the principle use, building or structure. |
| <u>Act</u>            | The Planning and Development Act, 1983.  |
| <u>Administrator</u>  | The Municipal Administrator or Clerk of the Resort Village of Pelican Pointe.  |
| <u>Building</u>       | Any structure constructed or placed on, in or over land but does not include a public highway.   |
| <u>Building Bylaw</u> | A bylaw adopted by the Council pursuant to the relevant  |

|                                  |  |
|----------------------------------|--|
|                                  | Provincial Statute which regulates the construction, alteration, repair, occupancy or maintenance of buildings.  |
| <u>Building Principal</u>        | A building in which the main or primary use of the lot is conducted.   |
| <u>Council</u>                   | The Council for the Resort Village of Pelican Pointe.  |
| <u>Development</u>               | The carrying out of any building, engineering, mining or other operations in, on, or over land or the making of any material change in the use or intensity of the use of any building or land.        |
| <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 district only at the discretion of the Council and which may be subject to specific development standards.                                      |
| <u>Dwelling</u>                  | A building or part of building that may be used as a permanent residence excluding a mobile home, but including a prefabricated home.  |
| <u>Dwelling Unit</u>             | One or more rooms that may be used as a residence each unit having separate sleeping, cooking and toilet facilities.   |
| <u>Dwelling, Multiple</u>        | A building containing three or more dwelling units.  |
| <u>Dwelling, Duplex</u>          | A building divided horizontally into two dwelling units  |
| <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.   |
| <u>Dwelling, Single-detached</u> | A building containing only one dwelling unit.  |
| <u>Home Occupation</u>           | An occupation, trade, profession or craft conducted for gain in a dwelling by the resident or residents and which is incidental and secondary to the residence.  |
| <u>Hotel</u>                     | A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travellers, and where a guest register or record is kept. |
| <u>Lot</u>                       | A area of land with fixed boundaries which is of record in the Land Titles Office by Certificate of Title.   |

|                         |  |
|-------------------------|--|
| <u>Lot Line, Front</u>  | The line separating the lot from the street; for a corner lot, the shorter line abutting the street.   |
| <u>Lot Line, Rear</u>   | The lot line at the rear of the lot and opposite the front lot line.   |
| <u>Lot Line, Side</u>   | A lot line other than a front or rear lot line.  |
| <u>Minister</u>         | The member of the Executive Council to whom for the time being is assigned the administration on the Act.  |
| <u>Mobile Home</u>      | A trailer coach that may be used as a dwelling all the year round; 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.   |
| <u>Mobile Home Park</u> | A lot under single management for the placement of two or more mobile homes.   |
| <u>Permitted Use</u>    | A use of land or buildings that shall be permitted in a district where all requirements of the bylaw are met.  |
| <u>Public Works</u>     | <ul style="list-style-type: none"> <li>i) systems for the production or distribution of electricity.</li> <li>ii) systems for the distribution of natural gas or oil.</li> <li>iii) facilities for the storage, treatment, distribution or supply of water;</li> <li>iv) facilities for the collection, treatment, movement or disposal of sanitary sewage; or</li> <li>v) telephone or light distribution lines,</li> </ul> <p>that are owned or operated by the Crown or the municipality.</p> |
| <u>Resort Village</u>   | The Resort Village of Pelican Pointe.  |
| <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 or for directing or obtaining attention.  |
| <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.

Structural Alteration

The construction or reconstruction of the supporting elements of a building.

Townhouse or Row-House

A building divided into three or more dwelling units located side by side under one roof and sharing common walls.

Yard

Open, uncovered space unoccupied by buildings or structures on a lot except as specifically permitted elsewhere in this Bylaw.

Yard, Front

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

Yard, Rear

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

Yard, Side

That part of a lot extending from the front yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure except where the wall or supporting member is supporting an uncovered patio or uncovered sun deck.

### PART III - ADMINISTRATION

#### 1. Development Officer

The Council may appoint a Development Officer or act in that capacity itself. The Development Officer shall be responsible for the administration of this Bylaw.

#### 2. Development Permit

- A. Except where a particular development is specifically exempted by Part III, Section 5 no person shall undertake a development or commence a use without a development permit first being obtained.
- B. A development permit shall not be issued in contravention of any provisions of this Bylaw/

#### 3. Development Permit Procedure:

- A. An application for a development permit shall be made in writing to the development officer in the form prescribed by Council.
- B. 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.
- C. 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.
- D. 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 whichever Government Agencies or interested groups as Council may consider appropriate.
- E. 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 Part IV. Section II.
- F. 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 specific regulations or standards.
- G. Every decision shall be in writing and a copy shall be sent to the applicant.
- H. A development permit is valid for a period of twelve months.

- I. Where the development officer determines that a development is being carried out in contravention of any condition of a development permit or any provision of this Bylaw the development officer shall suspend the development permit and notify the permit holder that the permit is no longer in force.
- J. Where the Council 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 Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.

4. Referral to Department of Health

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 Department of Health.

5. Development Not Requiring a Permit

A development permit is not required for the following:

- A. Maintenance, construction or installation of any public works.
- B. Fences.
- C. Accessory buildings or structures less than 9 square meters in area.
- D. Maintenance or repair of any building or structure not including structural alterations.
- E. Signs in residential districts which conform to Part IV, Section 7.

6. Development Appeals Board

- A. A Development Appeals Board is hereby established.
- B. The Development Appeals Board shall be appointed in accordance with Sections 92 and 93 of the Act.
- C. An appeal to the Development Appeals Board and therefrom to the Provincial Planning Appeals Board may be taken in accordance with Section 96 of the Act.

7. Fee for Zoning Amendment Application

When an application is made to the Council for an amendment to this Bylaw, the applicant shall be responsible to pay the cost of the advertisement of the amendment.

8. Offences and Penalties

Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties of the Act.

- B. Temporary signs not exceeding 1 square metre advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

7. General Development Standards Applicable to Discretionary Uses

- A. Sites shall be landscaped to maintain the character and amenity of the neighbourhood.
- B. Adequate on site parking shall be provided and maintained.
- C. Parking, storage and other non-landscaped areas shall be suitable screened from adjacent properties and streets.
- D. Adequate receptacles for refuse and litter shall be supplied.
- E. No sound, light, glare, heat, dust, or other emission shall be transmitted beyond the lot lines.
- F. Vehicle access and egress points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards.

PART V - ZONING DISTRICTS AND ZONING MAPS

1. Zoning Districts

- A. For the purpose of this Bylaw, the Resort Village of Pelican Pointe is divided into the following Zoning Districts which may be referred to by the appropriate symbols/

| <u>Districts</u>           | <u>Symbols</u> |
|----------------------------|----------------|
| Residential District       | R              |
| Urban Development District | UD             |

- B. The location and boundaries of the zoning districts are shown on the Zoning District Map

2. Zoning Map

The map, bearing the statement "this is the Zoning District Map referred to in Bylaw No ", adopted by the Resort Village of Pelican Pointe signed by the Mayor and the Clerk 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.

3. R- Residential District

1. Intent

The purpose of this district is to provide for low density residential development and related recreational and institutional uses.

2. Permitted Uses

The following are permitted uses in the R - District.

- i) Single detached dwellings
- ii) Parks, playgrounds.
- iii) Public works
- iv) Public recreation facilities.

3. Discretionary Uses

The following are discretionary uses in the R - District.

- i) Home occupations
- ii) Day care centres, subject to Department of Social Services Regulations.

4. Regulations

- i) Front yard minimum 3 metres ( 10 feet) from road allowance.
- ii) Rear yard no minimum.
- iii) Side yard minimum 1.5 metres (5 feet).
- iv) Minimum area of principal buildings on all lots in the Resort Village shall be 46.5 square metres or 500 square feet.

Off street parking shall be provided as follows:  
Dwellings - 2 parking spaces per dwelling unit

5. UD-Urban Development District

1. Intent

The purpose of this district is to reserve unsubdivided and/or undeveloped lands within the municipality for future urban development.

2. Permitted Uses

The following are permitted uses in the UD District.

- i) Recreational uses including sports fields, campgrounds, parks, golf courses
- ii) Public works

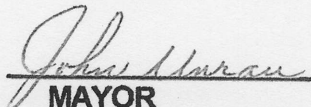
3. Rezoning of Land


Proposed rezoning of land from UD - Urban Development District to another land use shall be considered only where the rezoning would be in conformity with the Basic Planning Statement. The proposed development with regard to adjacent land uses, and future service requirements such as roads, schools and public works.

**PART VI - REPEAL AND EFFECTIVE DATE OF THE BYLAW**

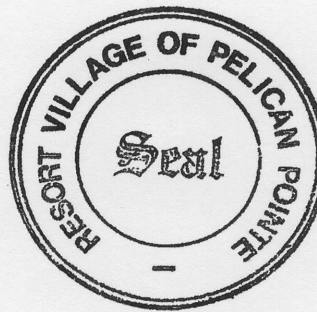
**Bylaw No 9/83 the Last Mountain District Zoning Controls, as amended, is hereby repealed.**

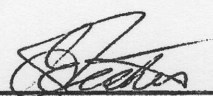
**This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs Culture and Housing.**

  
MAYOR

  
CLERK

A Certified True Copy of Bylaw  
No 1/2000 adopted by resolution  
of council on the 22 day of  
June 2000.



  
clerk

