

VILLAGE OF SHELL LAKE

ZONING BYLAW

NO. 9/87

SECTION 1 - INTRODUCTION

Under the authority of The Planning and Development Act, 1983, and Bylaw No. 5/87 the Basic Planning Statement of the Village of Shell Lake the Council of the Village of Shell Lake in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

1. Title - This Bylaw shall be known and may be cited as the Zoning Bylaw of the Village of Shell Lake.
2. Purpose - The purpose of this bylaw is to control the use of land in the Village of Shell Lake providing for the amenity of the area within Council's jurisdiction and for the health safety and general welfare of the inhabitants of the municipality.
3. Scope - Development shall be permitted within the limits of the Village of Shell Lake when it is in conformity with the provisions of the bylaw.

SECTION 2 - INTERPRETATION

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:

Accessory Use - A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Act - The Planning and Development Act, 1983.

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

Building Accessory - A subordinate detached building appurtenant to a principal building or principal use and located on the same lot.

Building Principal - The building in which is conducted the main or primary use of the lot on which said building is situated.

Building Line, Established - A line, parallel to the front lot lines, and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of the street.

Carport - A roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by doors windows or walls and is attached to a principal building.

Construction Trades - Offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

Corner Lots - A lot at the intersection or junction of two or more streets.

Council - The Council of the Village of Shell Lake.

Cultural Institution - Establishments such as museums, art galleries, libraries and similar facilities of historical, educational or cultural interest.

Deck - A raised open platform with or without rails attached to a principal building.

Development - The carrying out of any building, engineering, mining or other operations in, on, or over land, or the making of any material change in the intensity of use of any building or land.

Development Permit - A document authorizing a development issued pursuant to this zoning bylaw.

Discretionary Use - 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, Duplex - A building divided horizontally into two dwelling units as herein defined.

Dwelling, Multiple Unit - A building divided into three or more dwelling units as herein defined.

Dwelling, Semi-Detached - A building divided vertically into two dwelling units as herein defined.

Dwelling, Single Detached - A detached building consisting of one dwelling unit, but shall not include a mobile home as herein defined.

Dwelling Unit - One or more habitable rooms constituting a self-contained unit used as a residence, each unit having sleeping, cooking and toilet facilities.

Fence - A structure used to enclose or screen areas of land.

Flankage - The side lot line of a corner lot that abuts a street.

Frontage - The side of a lot abutting the street; however, in the case of a corner lot, the shorter of the sides shall be considered as frontage.

Garage, Private - A building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Grade Level - The finished ground elevation at the front of the building midway between the front corners of the building.

Health Care Clinic - A facility for medical treatment.

Home Occupation - An occupation conducted by the occupants of a residential building and which is clearly secondary to the residential use of the dwelling and does not change the building's exterior character.

Hotel - A building or part of a building which provides sleeping accommodation and may include a licensed beverage room and restaurant but does not include a motel as herein defined

Institutional Uses - Buildings, structures or facilities whether public or private such as; hospitals, schools, libraries, churches, social clubs and other similar uses.

Lot - An area of land with fixed boundaries and which is of record in the Land Titles Office by Certificate of Title.

Lot Depth - The average distance between the front lot line and the rear lot line measured within the lot boundaries.

Lot Line, Front - The line that divides the lot from the street. In the case of a corner lot, the front lot line shall mean the line separating the narrowest street frontage of the lot from the street.

Lot Line, Rear - The line at the rear of the lot and opposite the front lot line.

Lot Line, Side - A lot line other than a front or rear lot line.

Mayor - The Mayor of the Village of Shell Lake.

Mobile Home - A trailer coach:

- i) That is used as a dwelling all year round;
- ii) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and
- iii) that has facilities for washing and a water closet or other similar facility that may be connected to a sewage system.

Mobile Home Court - Any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

Mobile Home Site - An area of land in a mobile home court for the placement of a mobile home.

Motel - An establishment consisting of a group of attached or detached sleeping accommodations and may include a licensed dining room.

Municipality - The Village of Shell Lake.

Municipal Administrator - The Clerk of the Village of Shell Lake.

Non-Conforming Building - A building:

- a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective, and

- b) that on the date this Bylaw or any amendment hereto becomes effective does not or when constructed will not comply with this Bylaw.

Non-Conforming Use - A lawful specific use:

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

Permitted Use - Any use, other than a discretionary use, specifically allowed in a zoning district and subject to the regulations applicable to that zoning district.

Personal Service Shops - Establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

Public Work

- a) Systems for the production or distribution of electricity;
- b) systems for the distribution 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; or
- e) telephone or light distribution lines

that are owned or operated by the Crown or a municipality.

Screening - Structures or vegetation that visually buffer a use.

Service Station - A building or part of a building other than a private garage used for the retail sale of lubricating oils and gasolines, and automobile accessories, storage, care, repair, servicing or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale or display and which may include a cafeteria.

Street - A public thoroughfare which affords the principal means of access to the abutting property.

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

Structural Alteration - The construction or reconstruction of supporting elements of a building or other structure.

Yard - Any part of a lot unoccupied and unobstructed by any principal building.

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

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


Yard, Side - A yard extending from the front yard to the rear yard between the side lot line and the nearest wall exclusive of the eaves of the principal building on the lot.

Zoning District - 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.

SECTION 3 - ADMINISTRATION

3.1 Development Officer - The Municipal Administrator of the Village of Shell Lake shall be the Development Officer responsible for the administration of this bylaw.

3.2 Development Permit

- (1) Except as provided in Section 3.2(3) no person shall undertake a development or commence a use unless a development permit has been obtained.
- (2) An application for a Development Permit shall be made in Form A which is attached to and forms part of this bylaw.
- (3) A Development Permit is not required for the following:
 - (a) the maintenance of a public work;
 -  (b) the construction of a public work by the Village of Shell Lake;
 - (c) the installation of public works on any street or other public right-of-way;
 - (d) the construction of fences;
 - (e) maintenance and repairs that do not include structural alterations;
 - (f) accessory buildings under 9 square metres.
- (4) Where a person applies for a development permit in respect of a development or use described as a permitted use by a zoning bylaw, the development officer shall where the application conforms to the zoning bylaw, issue a development permit.
- (5) Where a person applies for a development permit in respect of a development or use that is described as a discretionary use in the zoning bylaw, the development officer shall, where the application is approved by council, issue a development permit subject to any development standards prescribed in the zoning bylaw.
- (6) Every decision of the council or the development officer with respect to an application for a development permit shall be in writing and a copy shall be sent to the applicant on Form B.

- (7) Where the council or development officer refuses an application for a development permit, the decision is required to state the reasons for the refusal.
- (8) If the development authorized by a development permit is not commenced within 12 months from the date of its issue, the permit is deemed to be void, unless an extension of this period has been granted.

3.3 Development Appeals

- (1) Development Appeals Board - A Development Appeals Board of the Village of Shell Lake is appointed in accordance with Sections 71 and 91 to 104 of the Act.
- (2) 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 of Shell Lake.
- (3) Where an application for a discretionary use has been approved by Council with prescribed development standards pursuant to the Bylaw and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the bylaw, the applicant may within 30 days of the date of council's approval, appeal the development standards prescribed with the approval of the discretionary use to the Development Appeals Board of the Village of Shell Lake and from that Board, if necessary, to the Provincial Planning Appeals Board in accordance with the Act.
- (4) An application for a development permit shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the development officer and an appeal may be made as provided in Section 3.3(1) as though the application had been refused at the end of the period specified in this subsection.

3.4 Amendment of the Zoning Bylaw

- (1) Fees - Where an application for an amendment to this bylaw is made to council, the applicant shall pay all costs associated with advertisement of the proposed amendment.

3.5 Offences and Penalties - Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

3.6 Non-Conforming Use and Non-Conforming Buildings - shall be subject to Sections 113 - 118 inclusive of the Act.

SECTION 4 - GENERAL REGULATIONS

4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation - Nothing in this bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirement or from obtaining any license, permission permit, authorization or approval required by such requirements or regulations.

4.2 Building Lines - Where a building line in a residential district has been established by existing buildings in a block having greater than one half the lots built on, new development may conform to this line.

4.3 Public Work - Lot regulations contained in this bylaw shall not apply to public works except where offices, shops, warehouses or storage yards form part of the public work, in which case the regulations of the district in which it is located shall apply.

4.4 Visibility Clearance at Intersections - On a corner lot, in any residential district, nothing shall be erected, placed, or planted so as to obscure vision within a triangular area formed by the intersecting street line and a straight line joining said street lines at points which are 6 metres distant from the point of intersection, measured along said street lines, having a maximum height of 1 metre above the level of the centre of the street.

4.5 Accessory Structures

(1) Height of Accessory Structure - no accessory structure shall exceed the height of the principal building excepting spires, belfries, cupolas, television and solar collector equipment or other appurtenances usually required to be placed above the roof level.

(2) Private Garage

- (a) Private garages attached to the principal building or structure shall be considered as part of the principal building or structure and subject to the regulations governing the principal building or structure.

(3) Location of Accessory Buildings and Structures in Residential or Commercial Districts

- (a) Accessory Buildings shall be subordinate to and located on the same lot as the principal permitted use.
- (b) Accessory buildings or structures shall not be permitted in any required front yard.
- (c) In any required front yard; in any residential district only the following structures are permitted:

fences
lighting fixtures
sidewalks
driveways



- (d) Accessory buildings located in a required rear yard shall not occupy more than 30% of the area of the rear yard and shall not interfere with access to a lane.
- (e) Accessory buildings in the Residential Districts shall be subject to the following lot requirement:
- i) Yard, Front - minimum - 6 metres
 - ii) Yard, Rear - minimum - 1.5 metres
 - iii) Yard, Side - minimum - 1.5 metres
from a side
lot line.

4.6 Number of Principal Buildings Permitted on a Lot - Not more than one principal building shall be placed on any one lot with the exception of schools, health care clinics, curling and skating rinks, recreation centres, nursing homes, senior citizen homes, multiple unit dwellings, and mobile homes in courts.

4.7 Required Yards and Open Space

- (1) Minimum Yards Required - No portion of any yard or other open space required about any main building or use shall provide any portion of a yard or open space for any other principal building or use.
- (2) Projections into Yards - Where minimum yards are required in any district, such minimum requirements shall not apply to the following:
 - (a) in any rear yard, the construction of a deck, porch or verandah having a maximum projection from the main wall of 4 metres;
 - (b) in any side yard, the construction of a deck not closer than .5 metres to the side lot line;
 - (c) In any yard, the construction of a chimney, sill, cornice, or roof overhang having a maximum distance of 0.7 metres into the required yard

4.8 Home Occupations

- (1) Home occupations shall be subject to the following development standards:
 - (a) the business does not create conflict in terms of noise, glare, dust and odour which would be disruptive to the neighbourhood;
 - (b) the business does not result in undue traffic or parking requirements;
 - (c) the business does not entail the construction of a separate building or structure other than a private garage;
 - (d) the business does not have exterior display or storage of materials and no exterior variation from the residential character of the building.

SECTION 5 - ZONING DISTRICTS

5.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this bylaw, the municipality is 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.

Zoning District

UR-Urban Reserve District
R - Residential

C - Commercial
M - Industrial

5.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 4/87" adopted by the municipality and signed by the Mayor and Municipal Administrator under the seal of the municipality shall be known as the "Zoning District Map" and such map is attached and forms part of this Bylaw.

5.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map". Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, and the boundaries of the municipality.

5.4 Zoning Districts

The following are the uses and regulations pertaining to the various zoning districts under this bylaw.

5.4.1 UR-Urban Reserve District

(1) Permitted Uses - The following are permitted uses in the UR-Urban Reserve District:

a) Agricultural: Crop farming, grazing and pasturage and cultivation of land but not including intensive livestock or poultry operations;

b) Public Works

c) Gravel Pits

(2) Discretionary Uses - The following are discretionary uses in the UR-Urban Reserve District:

a) parks

b) single detached dwellings

c) bulk fuel depots

(3) Accessory Uses - Buildings, structures or uses secondary and subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

(4) Regulations - Development shall conform to the following requirements:

Lot area - Agricultural uses - minimum 16 ha

Public works - no minimum

Discretionary uses

a) bulk fuel depots - subject to section 5.4.4.(3)

b) single detached dwellings - 1 ha

c) parks - no minimum

5.4.2 R - Residential District

(1) Permitted Uses - The following uses are permitted in the R-Residential District:

- a) single, semi-detached, duplex, multiple unit dwellings and mobile homes
- b) institutional
- c) day care centres
- d) public works excluding, offices, warehouses and storage yards
- e) home occupations

(2) Accessory Uses - Buildings, structures or uses secondary and subordinate to and located on the same lot with the principal permitted use shall be permitted.

(3) Regulations

Lot Requirements

a) Single detached dwellings

Lot area minimum	360 sq metres where the lot is served by a lane, otherwise 450 sq metres
Lot frontage minimum	12 metres where the lot is served by a lane otherwise 15 metres
Yard, front minimum	6 metres
Yard, rear minimum	6 metres
Yard, side minimum	1 metre

b) Semi-detached and
Duplex Dwellings
Per Dwelling Unit

Lot area minimum	255 sq metres where the lot is served by a lane otherwise 450 sq metres
Lot frontage minimum	8.5 metres where the lot is ser- ved by a lane otherwise 15 metres
Yard, front minimum	6 metres
Yard, rear minimum	6 meters
Yard, side minimum	1 metre

c) Multiple Unit Dwellings

Lot area minimum	500 sq metres plus 90 sq metres for each dwelling unit in excess of two on the ground floor
Lot frontage minimum	20 metres
Yard, front minimum	6 metres
Yard, rear minimum	9 metres
Yard, side minimum	1.5 metres or one half the height of the side wall of the building, which- ever is greater

d) Public Works - no minimum

e) Other Permitted Uses

Lot area minimum	465 sq metres
Lot frontage minimum	15 metres
Yard, front minimum	6 metres
Yard, side minimum	1.5 metres or one half the height of the side wall of the building, which- ever is greater

(4) Discretionary Uses - The following are
discretionary uses in the R-Residential
District:

a) mobile home courts

Regulations - Discretionary Uses

Mobile Home Courts

- i) All mobile home courts shall conform to the Public Health Act and Mobile Home Regulations 1974 and amendments thereto.
 - ii) All roadways in the mobile home court shall have a minimum 15 metre right-of-way, be hardsurfaced, and self-drained.
 - iii) A minimum of 10% of the gross area of the mobile home court shall be devoted to communal open space.
- b) Lot Requirements

Lot area - minimum	2 hectares
Yard, front- minimum	4.5 metres
Yard, rear - minimum	3 metres
Yard, side - minimum	1.5 metres

5.4.3 C - Commercial District - The following uses are permitted in the C-Commercial District:

(1) Permitted Uses

- a) retail stores
- b) personal service establishments
- c) institutional uses
- d) bakeries
- e) restaurants
- f) recreational facilities
- g) hotels
- h) public utilities excluding warehouses and storage yards
- i) offices

(2) Accessory Uses - Buildings, structures or uses secondary to and located on the same lot with the principal use shall be permitted including residential dwelling units in the principal building.

(3) Regulations

Lot Requirements

Lot area - minimum	-225 sq metres
Lot frontage - minimum	-7.5 metres
Yard, front - minimum	-no minimum
Yard, side - minimum	-no minimum except where the side of a lot in any C- Commercial District abuts any Residential District, a side yard of at least 1.5 metres shall be provided.

(4) Discretionary Uses - The following are discretionary uses in the C-Commercial District:

- a) construction trades, shops, warehouses
- b) service stations
- c) vehicle and implement sales and service
- d) autobody shops
- e) trucking operations
- f) bulk petroleum sales
- g) car washes
- h) motels

Regulations

Lot Requirements

- a) Construction trades, shops, warehouses, autobody shops, car washes

Lot area minimum	450 sq metres
Lot frontage minimum	15 metres
Yard, front minimum	no minimum
Yard, rear minimum	4.5 metres
Yard, side minimum	1.5 metres

- b) Other Uses

Lot area minimum	540 sq metres
Lot frontage minimum	18 metres
Yard, front minimum	7.5 metres
Yard, rear minimum	4.5 metres
Yard, side minimum	1.5 metres

(4) Special Performance Standards

- a) Fuel pumps and other accessory equipment shall be located at least 6 metres from any street or lot line.
- b) All automobile parts, dismantled or partially dismantled vehicles shall be stored within a building or screened from public view by a fence or landscaped acceptable to council.
- c) All development which adjoins a residential district shall provide a fence of at least two metres erected along the property line and be landscaped acceptable to council
- d) Bulk petroleum sales and storage subject to provincial regulation.

5.4.4 M - Industrial District

(1) Permitted Uses

The following are permitted uses in the M-Industrial District:

- a) vehicle and implement sales and service
- b) auction markets
- c) car washes
- d) construction trades
- e) industrial equipment storage, sales and maintenance
- f) lumber yards and building supply establishments
- g) autobody shops
- h) public works
- i) service stations
- j) trucking operations
- k) warehouses and storage yards
- l) wholesale establishments
- m) bulk petroleum sales and storage subject to the regulations of Saskatchewan Labour
- n) concrete batch plants subject to the regulations of Saskatchewan Environment
- o) fertilizer sales and storage subject to the regulations of Saskatchewan Environment
- p) salvage yards and auto wreckers

(2) Accessory Uses

Buildings, structures or uses including one dwelling for a caretaker or manager, secondary and subordinate to, and located on the same lot with the principal permitted or discretionary uses, shall be permitted.

(3) Regulations

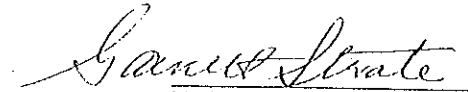
Lot Requirements

Lot area minimum	660 sq metres
Lot frontage minimum	22 metres
Yard, front minimum	7.5 metres
Yard, rear minimum	7.5 metres
Yard, side	4.5 metres

SECTION 6 - COMING INTO FORCE

(1) Coming Into Force

This Bylaw shall come into force and take effect on the date of approval by the Minister of Urban Affairs.


MAYOR

S E A L


ADMINISTRATOR

Certified a true copy of
Bylaw No. 9/87 passed by
resolution of Council this
19th day of May, 1987.

APPROVED
REGINA, SASK.
JUN 11 1987

Deputy Minister of Urban Affairs