

**ZONING BYLAW  
FOR THE  
RESORT VILLAGE OF SUNSET COVE  
BYLAW NO. 22/87**

## **PART 1 – INTRODUCTION**

Under the authority granted by The Planning and Development Act, 1983, the Council of the Resort Village of Sunset Cove 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 Sunset Cove.
<u>Purpose</u>	The purpose of this Bylaw is to control the use of land in the Resort Village of Sunset Cove 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 and The Act.
<u>Scope</u>	No development shall hereafter be permitted within the limits of the Resort Village of Sunset Cove except in the conformity with the provisions of this 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**

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

<u>Accessory</u>	A use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal 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 Sunset Cove.

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<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 constructional 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 of the Resort Village of Sunset Cove.
<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 a 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.

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Dwelling,  
Semi-detached

A building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof line.

Dwelling,  
Single Detached

A building containing only one dwelling unit.

Home Occupation

An occupation, trade, profession or craft conducted for gain in a dwelling unit or a conforming accessory building by the resident or residents and which is incidental and secondary to the residence.

Hotel

A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where a guest register or record is kept.

Lot

An area of land with fixed boundaries which is recorded in the Land Titles Office by Certificate of Title.

Lot Line, Front

The line separating the lot from the street; for a corner lot, the shorter line abutting a street.

Lot Line, Rear

The lot line at the rear of the lot and opposite the front lot line.

Minister

The member of the Executive Council to whom for the time being is assigned the administration of the Act.

Mobile Home

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.

Mobile Home Park

A lot under single management for the placement of two or more mobile homes.

Motel

A hotel for temporary use by automobile tourists or travelers.

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<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, transmission, treatment, distribution or supply of water;</li><li>IV) facilities for the collection, treatment, movement or disposal of sanitary sewage;</li><li>V) telephone or light distribution lines,</li></ul> that are owned or operated by the Crown or the Municipality.
<u>Resort Village</u>	The Resort Village of Sunset Cove.
<u>Rooming House</u>	A building containing more than one rooming unit.
<u>Rooming Unit</u>	A room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this bylaw with sleeping facilities, but without private toilet facilities.
<u>Service Station</u>	A building or part of a building used for the retail sale of lubrication oils and gasolines, automobile accessories, and the servicing and minor repairing of motor vehicles, which may include a restaurant, car wash, or car sales lot as accessory uses.
<u>Sign</u>	Any figures, numbers, emblems, pictures, devices, marks or designs, intended to be visible from other than inside a building, for the purpose of making known any individual, association, business, industry or service, or for advertisement 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.

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<u>Structural Alteration</u>	The construction or reconstruction of the supporting elements of a building.
<u>Townhouse or Row house</u>	A building divided into three or more dwelling units located side by side under one roof and sharing common walls.
<u>Yard</u>	Open, uncovered space unoccupied by buildings or structures on a lot except as specifically permitted elsewhere in this Bylaw.
<u>Yard, Front</u>	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.
<u>Yard, Rear</u>	That part of a lot extending across the full width of the lot between the rear lot line and the nearest wall of supporting member of a principal building or structure.
<u>Yard, Side</u>	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.

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- 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 special 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.

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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.

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 Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, recreation centres, nursing homes and senior citizen homes, and multiple unit dwellings. 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.

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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 regulation of this Bylaw shall be carried on in accordance with the provisions of Sections 113 to 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 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.

5. Grading and Leveling of Lots

Any lot proposed for development shall be graded and leveled 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.
- 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.
- C. In Urban Reserve Districts:
  - i) no more than two permanent signs are permitted per principal use
  - ii) the facial area of a sign may not exceed 3.5 square metres
  - iii) a sign may be double faced
  - iv) no sign shall exceed 6 metres in total height above the ground
  - v) signs advertising the principal use or the principal products offered for sale on the premises are permitted

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### D. In Residential Districts

- i) one permanent sign is permitted per lot
- ii) in the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling
- iii) the facial area of a sign may not exceed 0.5 square metres

### 7. Accessory Buildings or Structures

- A. Accessory buildings shall not be located in a required side yard.
- B. Accessory buildings in a rear yard shall not be located less than 0.75 metres from the side lot line.
- C. In a residential district a carport or garage, up to 60 square metres in area, shall be permitted.

### 8. Home Occupations

- A. Home occupations shall be located in single-detached, semi-detached, duplex dwellings or mobile homes or in a building accessory to the dwelling.
- B. Home occupations shall be conducted entirely within the dwelling or accessory building.
- C. Other than the one permitted business sign, there shall be no exterior display, no exterior storage of material, and no other variation from the residential character of the building.

### 9. Outdoor Storage

- A. In any residential district only outdoor storage incidental to the principal use shall be permitted.
- B. No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.

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10. Side Yard Exception

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

11. General Development Standards Applicable to Discretionary Uses

- A. Sites shall be landscaped to maintain the character and amenity of the neighborhood.
- B. Adequate on site parking shall be provided and maintained.
- C. Parking, storage and other non-landscaped areas shall be suitably 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.

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PART V – ZONING DISTRICTS AND ZONING MAPS

1. Zoning Districts

- A. For the purpose of this Bylaw, the Resort Village of Sunset Cove 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 Reserve District	UR

- B. The locations 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 Sunset Cove signed by the Mayor and the Administrator 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 use.

2. Permitted Uses

The following are permitted uses in the R – District

- i) Single detached dwellings
- ii) Parks, playgrounds and sports fields
- iii) Public works
- iii) Public recreation facilities

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3. Discretionary Uses

The following are discretionary uses in the R – District

- i) Home occupations
- ii) Day care centers, subject to Department of Social Services Regulations
- ii) Medical Clinics

4. Regulations

<u>Requirement</u>	<u>Single Detached</u>	<u>Other Uses</u>
i) Lot area, minimum	600 sq. m	450 sq. m*
ii) Lot frontage minimum for rectangular lots	20 m	15 m*
iii) Lot frontage minimum for non-rectangular lots	15 m with a mean width of 20 m	11 m with a mean width of 15 m*
iv) Front yard, minimum	7.6 m; or in line with buildings on adjacent lots	6 m*
v) Rear yard, minimum	no minimum	7.5 m*
vi) Side yard, minimum	1.5 m	1.5 m*
vii) Minimum area of principal buildings		
a) all of Block 1, Reg'd Plan No. 59R09545		
93 sq m		
b) all of Blocks 2 to 4, Reg'd Plan No. 59R09545		
74 sq m		

\*No minimum requirement for parks, playgrounds, sports fields and public works

Off street parking shall be provided as follows:  
Dwellings – 1 parking space per dwelling unit



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PART VI – REPEAL AND EFFECTIVE DATE OF THE BYLAW

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

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

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MAYOR

S E A L

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ADMINISTRATOR/CLERK

A Certified True Copy of Bylaw  
No. 22/87 adopted by resolution  
Of council on the 14<sup>th</sup> Day of  
June, 1987.

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Administrator

