

Town of Regina Beach

Zoning Bylaw No. 11/2005

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1. INTRODUCTION

Under the authority granted by *The Planning and Development Act, 1983*, the Council of the Town of Regina Beach, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1.1 Title

This bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Regina Beach.

1.2 Purpose

The purpose of this bylaw is to regulate development in the Town of Regina Beach 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.

1.3 Scope

No development shall hereafter be permitted within the limits of the Town of Regina Beach except in conformity with the provisions of this bylaw, the Basic Planning Statement for the Town of Regina Beach, and *The Planning and Development Act, 1983*.

1.4 Severability

If any section, clause, or provision of this bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the bylaw as a whole or any part thereof, other than the section, clause or provision, including anything shown on the Zoning Map, so declared to be invalid.

2. DEFINITIONS

Wherever 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*.

Administrator - the Administrator of the Town of Regina Beach.

Alteration - any structural change or addition made to any building.

Approved - approved by the Council of the Town of Regina Beach.

Awning - a canvas material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

Bed and Breakfast Lodging - a dwelling unit, licensed as a tourist home under *The Public Accommodation Regulations*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

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, the purpose of which is to provide better and more convenient enjoyment of the principal building or principal use.

Building Bylaw - A bylaw adopted by the Council pursuant to the relevant Provincial Statute which regulates the construction, alteration, repair, occupancy or maintenance of buildings.

Building Height - the vertical distance of a building measured from grade level to the highest point of the roof.

Building Permit - a permit, issued under the Building Bylaw of the Town of Regina Beach, authorizing the construction of all or part of a building or structure.

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

Building line, established - 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.

Campground, Seasonal – a tract or parcel of land which provides for the year-round location of tents or trailers that may be occupied seasonally.

Campground, Tourist - a tract or parcel of land which provides for the temporary location of tents or trailer coaches, used by travellers and tourists, for accommodation and shall not be placed year-round.

Canopy - a non-retractable, permanent roof-like structure extending from part or all of a building constructed of durable material.

Club - a service club or private club which involves recreational, social, cultural or athletic activities.

Commercial Entertainment Establishment - a recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alleys, theatres, billiard parlour, and bingo hall licensed by the Saskatchewan Liquor and Gaming Authority.

Community Centre - a facility operated by the municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

Council - the Council of the Town of Regina Beach.

Day Care Centre - a facility which provides for the non parental care of pre-school age children, and includes, but is not limited to:

- (a) a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act*; or
- (b) a nursery school for pre-school children.

Deck - a single storey deck which may be covered with a permanent roof structure, enclosed by walls, windows or screens and which is not integrated into the dwelling unit by virtue of the extension of the dwelling unit's heating or cooling system or the removal of the exterior door between the deck and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the deck. A covered patio or deck would provide up to three season accommodation and would not provide fully furnished livable floor space.

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 use of any building or land.

Development Officer - the officer of the Town of Regina Beach appointed pursuant to Section 3.1 to administer this bylaw.

Development Permit - a permit, issued by the Council of the Town of Regina Beach or its designate that authorizes development but does not include a building permit.

Discretionary Use - a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw; and which may be subject to specific development standards.

Dwelling Unit - one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons, each unit having separate sleeping, cooking and toilet facilities..

Dwelling Unit Group - two or more single detached or semi-detached dwellings located on a single lot.

Dwelling, Single Detached - a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or seasonal residence not necessarily inhabited year round.

Dwelling, Duplex - a building divided horizontally into two dwelling units as herein defined.

Dwelling, Multiple Unit - a building divided into four or more dwelling units as herein defined and shall include, amongst others, town or row houses and walk up apartments as distinct from a rooming house, hotel or motel.

Dwelling, Semi-Detached - two dwelling units side by side in one building unit with a common party wall which separates, without opening the two dwelling units throughout the entire structure from the base of the foundation to the roof line.

Dwelling, Triplex - a building divided horizontally into three dwelling units as herein defined.

Dwelling, Fourplex - a building divided horizontally into four dwelling units as herein defined, or vertically into two separate levels and also horizontally into two dwelling units per floor.

Family Child Care Home - a child care facility located in a building where the principal use is a dwelling unit, and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act*.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

Garage, Portable – considered to be a private garage which is designed for the purpose of being a semi-permanent or temporary, and portable shelter for vehicles. Shall be constrained to the same regulations as a private garage, have no allowance to contain a dwelling unit and shall not exceed 46.5 m² (500 ft²).

Garage, Private - a building or part of a building used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory and shall include carports.

Garage, Public - a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale or display.

Gas Bar - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products and vehicle accessories.

Grade Level - an average of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Gross Floor Area - the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

Group Care Facility - a supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.

Home Occupation - 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 is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Hotel - buildings or structures or part thereof, used or advertised as a place where sleeping accommodations, with or without meal, are provided for tourists and travellers, where a guest register or record is kept and may include accessory uses.

Lane - a secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

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

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

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

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

Mayor - the Mayor of the Town of Regina Beach.

Minister - the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 1983*.

Mobile Home - a trailer coach:

- (a) that is used as a dwelling for permanent or year round living;
- (b) that has water faucets and a shower head or bathtub that may be connected to a water distribution system;
- (c) that has a wash basin and water closet that may be connected to a sewage system; and
- (d) which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.

Mobile Home Lot - a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court - any lot, under single management, on which two or more occupied mobile homes are located but does not include an industrial or construction camp or tourist campsite.

Modular Home - a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 and meets the national building code standard.

Modular Home, Single Wide - a modular home that is less than 5 m (16.5 ft.) in width.

Modular Home, Double Wide - a modular home that is greater than 7 m (23 ft.) in width.

Modular Unit - 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.

Motel - buildings or structures or parts thereof, used or advertised as a place where sleeping accommodations are provided and may include accessory uses.

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 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.

Parking Lot - Open space, other than a street, used for temporary parking of more than four automobiles and available for public use.

Parking Space - A space exclusive of a driveway, ramps, or columns but including convenient access to a public lane or street, for the parking of one automobile, which shall be no less than 2.74 meters (9 feet) in width.

Personal Care Home - 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.

Personal Service Establishment - a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops.

Public Utility – a system, works, plant, equipment or service, whether owned or operated by or for the Town, or by a corporation under agreement with the Town, or under a Federal or Provincial statute, which furnishes any of the following services and facilities to the residents of the Town:

- 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 sewage and garbage;
- e) telephone or light distribution lines;
- f) microwave tower communication facilities;
- g) facilities for optical cable, or cable television services;

h) fire protection services.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

Retail Store - establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

Retaining Wall – a wall of strong construction intended to hold back soil or keep a certain amount of earth in place in order to create a safe, more stable or more level area.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - 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.

Service Station - A building or part of a building used for the retail sale of lubricating oils and gasoline, 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.

Sight Triangle - the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 m (24.6 ft.) from the corner property pin to a similar point 7.5 m (24.6 ft.) along the perpendicular or intersecting property line.

Sign - any device, letter, figure, 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, A-Board - an A-shaped portable sign that is used for temporary placement and has no external supporting structure.

Sign, Awning - a non-illuminated sign painted or affixed to the surface of an awning which does not extend beyond the perimeter of the awning.

Sign, Billboard - a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the lot on which the sign is located.

Sign, Canopy - a sign attached to, or painted on an awning, canopy or free-standing canopy.

Sign, Construction - a temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.

Sign, Converted Vehicle and Trailer - a vehicle or trailer not originally designed as a sign, but which has been converted or used for that purposes.

Sign, Directional - any sign:

- a) displaying safety or warning messages;
- b) directing traffic or providing parking directions; or
- c) giving instructions, directions or orders to persons making use of premises.

Sign, Face - the entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area.

Sign, Facial Area - the entire surface area of a sign or in the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.

Sign, Free-Standing - a sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.

Sign, Identification - a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

Sign, Portable - a free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purposes.

Sign, Real Estate - a temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.

Sign, Temporary - a sign advertising a message applicable for a defined period of time and not exceeding 6 months.

Sign, Wall - a sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 m (1.64 ft.) from such building or structure.

Special Care Home - a facility licensed pursuant to *The Housing and Special-Care Homes Act* which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.

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 the supporting elements of a building

Structure, Temporary - anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

Tourist Home - a private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

Town – the Town of Regina Beach.

Town House - a multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings.

Trailer Coach - 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 reconstructed in such a manner to 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.

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

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest main wall, or supporting member, 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, or supporting member, 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 nearest main wall, or supporting member, of the principal building or structure on the lot, except where the wall or supporting member is supporting an uncovered patio or uncovered sun deck.

3. ADMINISTRATION

3.1 Development Officer

The Administrator of the Town of Regina Beach shall be the Development Officer responsible for the administration of this bylaw.

3.2 Development Permit

- (1) Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. **A development permit cannot be issued in contravention of any of the provisions of this bylaw.**
- (2) A development permit **is not required** for the following, but all other applicable provisions of this bylaw are to be followed in addition to obtaining a building permit where required:
 - (a) the maintenance of a public utility by the municipality or private corporation;
 - (b) the construction of a public utility by the municipality;

- (c) the installation of public utility on any street or other public right-of-way by the municipality;
 - (d) maintenance and repairs that do not include structural alterations;
 - (e) the installation of fences up to a maximum of 1.8 meters (6 feet) in height;
 - (f) the installation of accessory buildings under 9 m² (97 ft²), to a maximum of three accessory buildings, counting a detached garage and/or portable garage;
 - (g) the construction of a retaining wall that does not exceed .6 m (2 ft) in height, but shall otherwise be required.
- (3) A **building permit** shall not be issued unless a development permit, where required, has also been issued.
- (4) If the development or use authorized by a development permit is not commenced within six months from the date of its issue, and completed within twelve months of its issue, the permit is deemed void unless an extension to the period has first been granted.

3.3 Application for a Development Permit

- (1) The application for a development permit shall be made, to the Development Officer, in **Form A** as attached to and forming part of this bylaw. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot lines. Where no new construction is proposed, the applicant shall supply a written description of the proposed development in place of such plans.
- (2) Where the application is for a **Discretionary Use** the applicant shall also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.
- (3) Applications shall list all contractors and sub-contractors, and each of these shall have a valid business licence if required by the town administration.
- (4) Applications shall include a surveyor's certificate for the property in question.

3.4 Review of Applications

- (1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this bylaw and the policies contained in the Basic Planning Statement.
- (2) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.
- (3) The Development Officer shall forward a copy of all approved development permit applications involving installation of water and sanitary services to the local Health Region.

3.5 Decision

- (1) The decision on all applications shall be made in writing to the applicant, in **Form B**, as attached to and forming part of this bylaw.
- (2) Where the application is for a PERMITTED USE the Development Officer shall, upon completion of the review:
 - (a) issue a development permit where the application conforms to all provisions of this bylaw; or
 - (b) issue the development permit specifying any special regulations or standards to which the development or use must comply, where the class of development or use is subject to special regulations, performance standards or development standards that are specified in this bylaw; or
 - (c) refuse the application where the provisions of this bylaw are not met, indicating to the applicant the reason for the refusal.
- (3) Prior to making a decision, where the application is for a DISCRETIONARY USE, Council may refer the application to whichever Government Agencies or interested groups as Council may consider appropriate.
- (4) Where the application is for a DISCRETIONARY USE the Council shall pass a resolution instructing the Development Officer to either:
 - (a) issue a development permit incorporating any special development standards prescribed by Council in accordance with the provisions of this bylaw; or
 - (b) refuse the application, indicating the reasons for the refusal.
- (5) Every decision shall be in writing and a copy shall be sent to the applicant.
- (6) A development permit is valid for a period of twelve months.

3.6 Revocation of Decision

Where in the opinion of the Development Officer, an approved development is not being developed in accordance with the provisions of this bylaw, or with the standards and conditions specified in the development permit, the Development Officer may revoke or suspend the development permit and shall so notify the permit holder that the permit is no longer in force by the issuance of a stop work order. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

Where the Development officer is satisfied that a development, for which the permit has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this bylaw he/she may reinstate the development permit and notify the permit holder that the permit is valid and in force.

3.7 Development Appeals

- (1) A Development Appeals Board of the Town of Regina Beach is appointed in accordance with Sections 71 and 91 to 104 of *The Planning and Development Act, 1983*.

- (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 Town of Regina Beach.
- (3) Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED DEVELOPMENT STANDARDS pursuant to this bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Regina Beach.
- (4) An application for a development permit for a PERMITTED USE 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 3.7(2) as though the application had been refused at the end of the period specified in this subsection.
- (5) An application for a minor variance may be appealed to the Development Appeals Board of the Town of Regina Beach in accordance with Sections 3.12(12) and (13).
- (6) A fee of \$50.00 shall be paid where an appeal is made to the Development Appeals Board.

3.8 Advertising of a Discretionary Use

Prior to making a decision on a discretionary use application, Council shall provide notice to the public in the following manner:

- (1) In the case of an application for a new home occupation, by providing written notice to assessed owners of property having a common boundary with the applicant's land that is the subject of the application.
- (2) In the case of a discretionary use application in any residential district, by providing written notice to owners of property having a common boundary and/or being located within a 75m radius from the applicant's land that is the subject of the application, and provide notice in one issue of a newspaper published or circulated in the Town of Regina Beach.
- (3) In the case of a discretionary use application in any other zoning district, by providing written notice to property owners within a 75m radius of the applicant's land that is the subject of the application and notice in one issue of a newspaper published or circulated in the Town of Regina Beach.

3.9 Application Fees

The following fees shall apply for processing applications:

- (1) *Amendment of the Zoning Bylaw* - Where a person requests Council to amend the zoning bylaw that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment.

- (2) *Discretionary Uses* - The applicant shall pay to the municipality a fee equal to the costs associated with providing notice to the public.
- (3) *Development Permits* - An applicant for a development permit shall pay an application fee in accordance with the following:
- | | |
|---------------------------------|------------|
| (a) Permitted principal use | - \$ 10.00 |
| (b) Permitted accessory use | - \$ 0.00 |
| (c) Ancillary use | - \$ 10.00 |
| (d) Discretionary principal use | - \$ 25.00 |
| (e) Discretionary accessory use | - \$ 10.00 |
- The application fees for a development permit shall be in addition to any fees for providing notice to the public as required in clauses (1) and (2).
- (4) *Minor Variance* - The application fee for a minor variance shall be \$25.00.

3.10 Enforcement, Offences and Penalties

(1) In accordance with section 220.1 of *The Planning and Development Act, 1983* the Development Officer may, at a reasonable time, and with the consent of the owner, operator, or occupant, enter any land, building, or premises for the purposes of inspection where the Development Officer has reasonable grounds to believe that any development or form of development on or in the land, building or premises contravenes any provision of the zoning bylaw.

If consent is not given by the owner etc., a justice of the peace or a judge of the Provincial Court of Saskatchewan may issue a warrant authorizing a development officer to enter the property in accordance with section 220.1.

Any steps to enforce the provisions of the zoning bylaw shall be followed as set out in *The Planning and Development Act, 1983*.

(2) Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Planning and Development Act, 1983*.

3.11 Contract Zoning

- (1) Council may enter into an agreement respecting the rezoning of land in accordance with the guidelines established by the Basic Planning Statement on contract zoning.
- (2) Council may in the agreement include:
- a description of the proposal;
 - reasonable terms and conditions with respect to:
 - § the uses of the land and buildings or forms of development;
 - § the site layout and external design including parking areas, landscaping, and entry and exit ways;
 - a time limit in which the development must occur in accordance with the agreement, otherwise the site will revert to the previous zoning classification; and

- that on the rezoning of the land none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions and time limit prescribed in the agreement
- (3) Council may require the payment of a performance bond to assure implementation of the agreement prior to entering into an agreement with a person.
 - (4) A rezoning agreement will not be signed until the public has had an opportunity to examine the proposed rezoning through a public notice. Public notice and review will be in accordance with the procedure and public notification process provided in Part IX of *The Planning and Development Act, 1983*. Final reading of the zoning bylaw will be subject to the signing of the agreement. The amendment of the zoning bylaw shall take effect upon registration of the caveat as contained in subsection (5).
 - (5) As required by *The Planning and Development Act, 1983*, a caveat will be registered in the appropriate Land Titles Office against the lands affected by the agreement binding the owner of the land and future landowners to the agreement.
 - (6) The Council may, on application by the person who entered into an agreement pursuant to this section or by any person who is the subsequent owner of land to which the agreement pertains:
 - vary the agreement;
 - enter into a new agreement; or
 - extend any time limit prescribed in an agreement.
 - (7) The Council may declare a rezoning agreement void where:
 - any of the land or buildings is developed or used contrary to the provisions of the agreement; or
 - the development fails to meet a time limit prescribed by an agreement; and the land reverts to the district to which it was subject before rezoning.
 - (8) Where the Council voids an agreement, it will:
 - give notice of the cancellation and the effect of the cancellation in one issue of a newspaper circulated in the municipality; and
 - withdraw the caveat registered in connection with the agreement.
 - (9) The symbol "C" will be attached to the appropriate zoning district in order to identify land that is zoned by an agreement.

3.12 Minor Variances to the Zoning Bylaw

- (1) An application may be made to the Development Officer for a minor variance to the zoning bylaw in a form as prescribed by the Development Officer.
- (2) The Development Officer shall maintain a register as an appendix to the zoning bylaw of all minor variance applications.
- (3) The Development Officer may vary the requirements of the zoning bylaw subject to the following conditions:

- (a) a minor variance may be granted only for variation of the minimum required distance of a building from the lot line;
 - (b) the maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the zoning bylaw;
 - (c) the development shall conform to the zoning bylaw with respect to the use of land;
 - (d) the relaxation of the zoning bylaw shall not injuriously affect neighbouring properties;
 - (e) no minor variance shall be granted for a discretionary form of development, or in connection with an agreement on rezoning entered into pursuant to Section 82 of *The Planning and Development Act, 1983*
- (4) An application for a minor variance shall be in a form prescribed by the Development Officer.
- (5) On receipt of an application for a minor variance, the Development Officer may:
- (a) approve the minor variance;
 - (b) approve the minor variance and impose terms and conditions on the approval; or refuse the minor variance.
- (6) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection (5), the terms and conditions shall be consistent with:
- (a) minimizing adverse impacts on neighbouring properties;
 - (b) providing adequate separation between buildings for safety reasons; and
 - (c) avoiding encroachment into adjoining property.
- (7) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.
- (8) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.
- (9) The written notice required pursuant to subsection (8) shall:
- (a) contain a summary of the application for minor variance;
 - (b) provide a reason for and an effective date of the decision;
 - (c) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer; and
 - (d) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.
- (10) The written notice required pursuant to subsection (8) shall be delivered:
- (a) by registered mail; or
 - (b) by personal service.
- (11) A decision approving a minor variance, with or without terms and conditions, does not take effect:
- (a) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;

- (b) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- (12) If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the municipality respecting the approval of the minor variance within the time period prescribed in subsection (9), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - (a) of the revocation of the approval; and
 - (b) of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- (13) If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

4. GENERAL REGULATIONS

4.1 All Zoning Districts

The following regulations shall apply to all zoning districts in this bylaw:

4.1.1 Licenses, Permits, and Compliance with Other Bylaws

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 Town of Regina Beach or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Town of Regina Beach. Where provisions in this bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail

4.1.2 Geotechnical Analysis Required

If a proposed development is to be located on a lot or lots that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, the Development Officer shall require that, as a condition of the issuance of the development permit, a geotechnical report be completed and approved by a Registered Engineer in the Province of Saskatchewan. The report must indicate the suitability of the lot or lots for development, any remedial measures that may be required to ensure the natural resource base is not irreparably altered and also, identify safe building sites. Remedial measures may be specified as conditions to the issuance of a development permit.

Lots that are located on the fringe of an environmentally sensitive area shall require the same as above, unless the Registered Engineer determines and formally reports that a complete report is not a necessity.

4.1.3 Heritage Resources

Saskatchewan's Heritage Resource Branch has identified the existence of Heritage Resources west of 4th St. West. and also, in the south-east corner of town south of 5th Ave., from 8th St. East to the town

boundary. Before development takes place in these areas, the Heritage Resource Branch must be consulted to determine if a Heritage Resource Impact Assessment is required. An approval from the Heritage Resource branch shall be required as part of a development application.

4.1.4 Existing Buildings

Where a building has been erected on or before the effective date of this bylaw on a lot having less than the minimum frontage or area, or having less than the minimum set-back or side yard or rear yard required by this bylaw, the building may be enlarged, repaired or renovated provided that:

- (1) the enlargement, repair or renovation does not encroach onto the required front, side, or rear yard that does not conform to this bylaw;
- (2) all other applicable provisions of this bylaw are satisfied; and
- (3) such changes must be approved by the Development Officer responsible for the administration of this bylaw.

4.1.5 Building Lines

Where a front building line in any district has been established by existing buildings in a block, and is less than the specified front yard requirement, new construction must conform to the current specified setbacks unless Council, by bylaw, permits conformation to the original established building line.

4.1.6 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, hospitals, curling and skating rinks, community centres, recreational centres, nursing homes, senior citizen homes, dwelling unit groups, and multiple unit dwellings.

4.1.7 Reduced Rear Yard Requirement

In order to accommodate development on unique landscapes that are part of Regina Beach, reduction of a required rear yard size may be allowed. Owners of lots that have irregular site terrain may wish to develop a primary building closer to the rear lot line than what is normally permitted. If council determines a proposed, reduced, yard size will not have any negative impact on neighbouring properties, or their buildings, they may approve a reduction to a minimum requirement of 1.5m (4.92ft), or 3m (9.8ft) if there is access from a garage to a rear lane off the rear building line.

The intent of the rear yard is to provide a sufficient distance between neighbouring buildings and yards. It should not be reduced as standard practice. Approval shall not be given if the site terrain is generally flat or could reasonably contain the proposed building outside the boundary of the required yard size.

4.1.8 Buildings to be Moved

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the Development Officer unless such building is

exempted by this bylaw. A development permit will not be issued for an existing building to be moved into a new development area, which would have been established after 1980.

4.1.9 Demolition of Buildings

No building, residential or otherwise, shall be demolished within the area covered by this bylaw without obtaining a development permit from the Development Officer.

4.1.10 Grading and Levelling of a Lot

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage, which shall not adversely affect the natural drainage or adjacent property, in accordance with the requirements of the Town of Regina Beach. An approval permit shall be required for any excavation that exceeds 0.6m (2 ft) from the natural grade.

4.1.11 Retaining Walls

At council's discretion, a retaining wall may be inspected by a qualified building inspector to determine the safety and functionality of an existing or proposed retaining wall. If the wall is deemed unsafe or no longer able to confidently provide intended results, it shall be replaced or repaired at the cost of the owner. Retaining walls shall not be allowed to interfere with sight triangles or sightline setbacks at intersections or corners. If a wall is absolutely required the town shall take appropriate measures to ensure the safe flow of traffic in the area.

4.1.12 Lot Appearance

No lot shall store trees, shrub clippings or excess amounts of garbage. Lots must maintain a reasonable level of landscaping with regard to cutting their grass and cutting/removing weeds. Year-round **and** seasonal residents shall make arrangements to have this done if they are not residing at Regina Beach during the warmer months when vegetation growth is most likely to occur. As this is a relaxed, lakefront community with many seasonal residents, the intent is not to require perfectly manicured lots, but more to have a visually appealing town without overgrown lawns, shrubs or unsightly landscapes that will give a negative impression on residents and visitors.

4.1.13 Waste Disposal

Subject to the Acts and Regulations administered by the Regina Qu'Appelle Health Region and Saskatchewan Environment, 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. All solid waste shall be taken to the Regina Beach Waste Management Site. Solid waste and material en route to the Waste Management Site that is loose or piled shall be fully contained under a tarp.

4.1.14 Non-Conforming Uses and Non-Conforming Buildings

Any lawful use of land, existing building or building lawfully under construction at the date of approval of this Bylaw, although such use or building may not conform to the regulations of this

Bylaw, shall be carried on in accordance with the provisions of Sections 113 to 118 inclusive of the Act.

4.1.15 Non-Conforming Structures and Lots and Metric Conversion

No existing structure or lot 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.

4.1.16 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) Outdoor storage 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.

4.1.17 Satellite Dish, Radio Tower or Television Antenna for Personal Use

The installation and operation of a free standing satellite dish, radio tower or television antenna and its supporting structure intended for personal use is permitted in all zoning districts provided that such structures is not located in any front yard or in the case of a corner lot, in any portion of the rear yard which is within 3 m (9.8 ft.) of the side lot line adjacent to a flanking street.

4.1.18 Accessory Buildings or Structures

- (a) Accessory buildings shall not be located less than 1.5 m (5 feet) from a lane.
- (b) Accessory buildings shall not be located in a required front or side yard.
- (c) Accessory buildings in a rear yard shall not be located less than 1.5 m (5 feet) from the side lot line or rear lot line.

4.1.19 Temporary Residence While House Under Construction

If the principal dwelling is under construction, or undergoing renovations to an extent that renders it temporarily unliveable, the inhabitants of the dwelling may reside in a trailer/motor home for the duration of the construction or renovations. This is intended to provide people a reasonable temporary alternative while their home is unliveable and not to allow a permanent or semi-permanent residence in a trailer/motor home on a lot. The allowance to live in a trailer/motor home shall expire coinciding with the expiration of the related building permit.

4.1.20 Building Permit Timelines

Where a construction is taking place under the authority of a building permit, the exterior of the building shall be completed within 12 months of the issuance of the permit. Initial landscaping of the

lot shall be completed within two years. The lot shall be free of stored building materials and be levelled for proper drainage within two years of the issuance of the building permit.

4.1.21 Storage

- (1) In any residential district, only outdoor storage incidental to the principal use shall be permitted.
- (2) No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot. Unlicensed or seasonal vehicles, excluding RV's, may be stored on a lot provided a tarp is securely covering the entire vehicle.
- (3) The storage of septic trucks shall not be permitted within Residential districts.

4.2 Residential Districts

Any principal building built in a new residential area, being those areas established after 1980, shall have adequate construction, services and amenities to be used as a livable dwelling on a year-round basis or a building permit will not be issued.

4.2.1 Projections in Yards

The following projections in yards may be permitted subject to the setback requirements of the National Building Code regarding fire safety (mainly 9.10.14, Spatial Separation Between Buildings):

(1) Front Yards

The following features may project into a required front yard:

- (a) construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, fire escapes and similar non-structural alterations may project to a maximum projection of 0.6 m (2 ft.);
- (b) unenclosed decks, cantilevered balconies, verandas, porches and steps to a maximum projection of 1.8 m (6 ft.); a satellite dish, radio tower or television antenna where attached to a principal dwelling to a maximum projection of 0.6 m (2 ft.).

(2) Rear Yards

The following features may project into a required rear yard:

- (a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 0.6 m (2 ft.);
- (b) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m (2 ft.).

(3) Side Yards

- (a) For semi-detached dwelling, townhouses, or multiple unit dwellings no side yard shall be required where dwelling units share a common party wall.
- (b) The following features may project into a required side yard:
 - (i) bay windows, window boxes and sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m (2 ft.); and
 - (ii) cantilevered construction of fire escapes, chimney chases, bow windows, bookcases, built in cabinets, balconies, and canopies to a maximum projection of 0.6 m (2 ft) provided that the total area of all cantilevered features shall not exceed 2.5 m² (27 ft²) per floor level;
- (c) Unenclosed decks no higher than 0.6 m (2 ft.) above the finished grade may project up to 0.6 m (2 ft) from the side property line.
- (d) No projections shall be permitted within a side yard required for vehicular access or parking where any portion of the said projection would be at an elevation lower than 2.5 m (8.2 ft.) above the finished grade elevation measured at the corresponding side wall of the building.
- (e) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of .61 m (2 feet).

(4) Wheel Chair Ramps

A wheelchair ramp may encroach into any required yard.

4.2.2 Accessory Uses, Buildings, and Structure

- (1) In all Residential Districts the following regulations shall apply to uses, buildings and structures including private garages, which are accessory and detached from the principal dwelling:

- Side yard, minimum - 1 m (3.28 ft.), private garage 1.5 m (4.9 ft).
 - In the case of a corner lot where access to the structure is obtained from the flankage street, structures shall maintain a minimum side yard of 1.5 m (4.9 ft.) to the flankage street, unless access is to a private garage then 3 m (9.8 ft) is required. No structure shall have a projection greater than 0.6 m (2ft.) beyond the main wall.
- Rear yard, minimum - 1.5 m (4.9 ft.), 3 m (9.8 ft.) if there is a garage door backing onto the rear building line.
- Front yard, minimum - the front yard of the principal building of the specific zoning district shall apply.
- Height, maximum - 6 m (19.5 ft)

- (2) Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.

- (3) A carport or garage, up to 79 m² (850 ft²) in area, with a max. door height of 10 feet, shall be permitted and a maximum of one portable garage up to 46.5 m² (500 ft²) shall be allowed.

- (4) The following structures are allowed in a required yard and are not subject to setback regulations, except where a sight triangle is required:
 - (a) In all yards: sidewalks, uncovered driveways, lighting fixtures, and lamp posts.
 - (b) In rear yards; in addition to the structures listed in clause (a) above, recreation equipment, laundry drying equipment, and garbage stands.
- (5) Rooming Units are allowed in residential districts.

4.2.3 Building Heights

- (1) Building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owner's views. If there is any dispute on the matter Council shall have the deciding authority.

4.2.4 Fences and Hedges

Fences may be constructed or hedges and shrubs grown, along a lot line only in conformance with the following regulations:

- (1) No wall or fence located along any side or rear lot line, shall exceed 2 m (6.5 ft.) in height.
- (2) No wall or fence located along any lot line in any required front yard, shall exceed 1 m (3.3 ft.) in height.
- (3) In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1 m (3.3 ft.) in height, measured above the grade of the streets that abut the lot or site, in an intersection sight triangle.

4.3 Commercial and Industrial Districts

4.3.1 Projections in Yards

- (1) In any Commercial or Industrial District, where minimum front or rear yards are required, such minimum requirement shall not apply to prevent the construction or location of chimney chases, fire escapes, steps, eaves and gutters of 0.6 m (2 ft.) or less. Projections shall not extend outside the property boundaries or onto Town or neighbouring property.
- (2) Commercial Lots immediately adjacent the west side of Center St. may provide required parking in their rear/side yard.

4.3.2 Fences and Hedges

Fences, hedges and shrubs planted in Commercial or Industrial Districts shall comply with the following regulations:

- (1) Except where required for screening, a fence, hedge or shrub (excluding trees) shall not exceed 3 m (9.8 ft.) in height.

- (2) In the case of corner lots, no fence, hedge, shrub, or tree shall be placed so as to create a visual obstruction in a sight triangle.
- (3) In the case of a corner lot, no wall, fence, hedge, shrub or tree shall exceed 1 m (3.3 ft.) in height, measured above the grade of the streets that abut the lot or site, in an intersection sight triangle.

5. SPECIAL PROVISIONS

This section addresses special provisions and specific development standards that apply to a development where allowed as a permitted or a discretionary use in a zoning district. Where there are special provisions on a specific use and that use is a discretionary use, the specific regulations and development standards applicable to discretionary uses shall apply.

5.1 Discretionary Uses

In approving a discretionary use, Council may prescribe specific development standards intended to minimize land use conflict related to:

- (1) the nature, size, shape, elevation and surface drainage of the site;
- (2) the size, shape and arrangement of buildings;
- (3) access and traffic patterns for persons and vehicles;
- (4) type and volume of vehicle traffic;
- (5) off-street parking and loading;
- (6) safeguards to prevent noise, glare, dust and odour;
- (7) landscaping;
- (8) screening and fencing; and
- (9) lighting and signs.

5.2 Bed and Breakfast Lodging

Bed and breakfast lodging, where allowed in a specific district, shall be subject to the following development standards:

- (1) Bed and breakfast lodging shall be located in a single detached dwelling used as the operator's principal residence.
- (2) Bed and breakfast lodging shall be licensed by the Health Region and meet the requirements of the Fire Commissioner.
- (3) A maximum of three guest bedrooms shall be permitted in a dwelling operating as bed and breakfast lodging.
- (4) One (1) off-street parking space shall be provided for every lodging room.
- (5) One non-illuminated window or wall sign having a maximum facial area of 0.2 m² (2.15 ft²) advertising the bed and breakfast lodging is permitted.

5.3 Home Occupations (Home Based Business)

Home occupations, where allowed in a residential district, shall be subject to the following development standards:

- (1) Home occupations may be located in dwelling used as the owners own residence or in a building accessory to the dwelling where the principal dwelling is other than a multiple unit dwelling
- (2) Home occupations shall be conducted entirely within the dwelling or accessory building.
- (3) Home occupations shall not create any conflict with the residential area in terms of emission of noise, glare, dust or odour, which would be disruptive to the surrounding residential, uses.
- (4) Home occupations shall not result in undue increased traffic or parking requirements in the residential area.
- (5) Other than one permitted business sign, the home occupation shall not have any exterior display or storage of materials and no exterior variation from the residential character of the residence or its accessory building.
- (6) Persons employed in the home occupation shall be full time residents of the dwelling.
- (7) No more than 25 percent of the gross floor area of the principal building shall be used for the home occupation.
- (8) All permits issued for home occupations shall expire upon the person ceasing to operate and where the person issued the home occupation permit relocates.

5.4 Service Stations and Gas Bars

Service stations and gas bars, where allowed in a specific zoning district, shall be subject to the following development standards:

- (1) Fuel pumps and other accessory equipment shall be located at least 6 m (19.7 ft.) from any street or lot line.
- (2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- (3) All business shall be conducted and all goods stored wholly within an enclosed building except as required in the servicing of motor vehicles.
- (4) The arrangement of the proposed structure on the site shall be designated to reduce conflict with adjoining uses.
- (5) The access to the site shall be designed to reduce conflict with other vehicular and pedestrian traffic.
- (6) Any specific development standards imposed related to landscaping, screening, open spaces, parking and standing areas for vehicles shall be designed to reduce conflict with adjoining land uses and to ensure adequate areas for vehicles on the property.
- (7) The storage of fuel shall meet all provincial regulations.

5.5 Personal Care Homes

A personal care home shall be subject to the following development standards where developed in a single detached dwelling in a residential area:

- (1) The personal care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
- (2) A personal care home shall meet all of the regulations for a single detached dwelling as prescribed for the district in which it is located
- (3) The operator of the personal care home shall be a permanent resident of the dwelling licensed as a personal care home.

- (4) A maximum of two personal care homes will be allowed in a block and may be located on the same side of the street or on opposite sides of the street.
- (5) The maximum number of residents allowed in a personal care home shall be 10 residents.
- (6) Any changes resulting in the increase in the number of residents to the maximum number set in clause (4) or an increase in the area devoted to a personal care home or alterations or additions to the structure used as a personal care home shall require a new development permit for a discretionary use.
- (7) One non-illuminated window or wall sign having a maximum facial area of 0.2 m² (2.15 ft²) advertising the personal care home is permitted.
- (8) One (1) off-street parking space shall be provided on site.

6. SIGN REGULATIONS

6.1 The Need for a Sign Permit

- (1) Except as otherwise provided, a sign permit is required for erecting, enlarging, changing or structurally altering a sign. A sign shall not be erected, altered, enlarged or maintained upon any property, lot or street in any district, by any person, except in conformity with the regulations outlined in the following sections:
 - (2) The provisions of these regulations shall not be construed as to limit or interfere with the erection and maintenance of signs on public streets, public lanes or public places of signs which are designed and intended for the safety or protection of the health and general welfare of the public, which are essentially for the maintenance and protection or efficient operation of public service and public property or which are primarily intended for direction of the public and identification of establishments or places of public service which are clearly not operated for the purpose of gain.
 - (3) A sign permit is not required for the following, however, general regulations must be complied with where applicable:
 - (a) Government signs where signs erected by a duly constituted government body or organization is for the purpose of providing information by:
 - (i) a public service by the Town;
 - (ii) an agency supplying a public utility;
 - (iii) the Provincial or Federal Government; and
 - (iv) a committee or local authority established by the Town.
 - (b) Directional signs having a maximum facial area of 1 m² (10.76 ft²).
 - (c) Temporary signs comprised of:
 - (i) Display window signs located on the surface of or inside display windows, lighted only by building illumination.
 - (ii) Event signs which are unlighted signs having a maximum facial area of 3 m² (32.3 ft².) displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a civic philanthropic, educational, or religious organization, to be removed within one (1) day after the event.
 - (d) Construction signs subject to the following regulations:
 - (i) two signs on the premises are permitted; and
 - (ii) the maximum sign facial area shall be 7.5 m² (80.73 ft²) for each sign permitted on site. These signs must be removed within 14 days after the building is occupied.

- (e) Real estate signs - one unlighted sign having a maximum facial area of 1.0 m² (10.8 ft²).
- (f) Address designation signs - signs that denote a numerical civic address or occupant having a maximum facial area of 0.6 m (6.5 ft²), and when illuminated, shall be continually lit.
- (g) Tenant identification signs - signs located inside a building including tenant identification inside an enclosed shopping centre.
- (h) Election signs
- (i) Banners

6.2 General Regulations

- (1) No sign shall be located in any manner that would visually obstruct or jeopardize the safety of others.
- (2) Signs shall not interfere with traffic signs or lights, public utilities, landscaping or street furniture.
- (3) Where intermittent lights are deemed to be a safety hazard by Council, or a duly appointed police officer for the Town, such lights shall be converted to a steady source of illumination.
- (4) Where signs are to be placed adjacent to a provincial highway, they shall be subject to Saskatchewan Highways and Transportation regulations where applicable.

6.3 Sign Regulations for Residential Districts

The following regulations shall apply to signs allowed in any Residential District:

- (1) One wall sign is permitted for a dwelling having a maximum facial area as follows:
 - (a) multiple unit dwellings – 0.2 m² (2 ft²); and
 - (b) all other dwellings - 0.2 m² (2 ft²).
- (2) Free-standing signs shall be located at least 3 m (9.8 ft.) from any lot line and not be located in a sight triangle.
- (3) One real estate sign not exceeding 1.5 m² (16.1 ft²) in area to a maximum height of 2.5 m (8.2 ft) in height.
- (4) All signs shall be located wholly within the lot and shall not create visual obstructions or jeopardize public safety.
- (5) In the case of a home occupation, an additional permanent sign is permitted in a window of the dwelling or attached to the building

6.4 Sign Regulations for Commercial and Industrial Districts

The following regulations shall apply in any Commercial District or Industrial District:

- (1) Advertising signs in Commercial and Industrial Districts may be illuminated by direct or indirect lighting and the lights may project different colours and may be intermittent.
- (2) Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign.
- (3) All signs shall provide a minimum clearance of 2.5 m (8.2 ft.) between the bottom of the sign and a street or sidewalk.
- (4) All signs shall be located wholly within the lot lines of the lot in which they are located, except for signs located within the C1 - Community Commercial District. This provision would also not apply to billboard signs and converted vehicle and trailer signs.

- (5) Signs shall be located a minimum distance of 1 m (3.3 ft.) from any lot line.
- (6) Specific sign regulations are as follows:
 - (a) Except as may be permitted by the Development Officer, a sign shall not be located or encroach onto a public roadway, boulevard, or sidewalk.
 - (b) A sign shall not be located or erected for a period greater than 14 days.
 - (c) The maximum height of a sign shall be 6 m (19.7 ft.) above the ground.
 - (d) The maximum sign facial area shall not exceed 1.2 m² (13 ft²) for A-Board signs and 3.5 m² (38 ft²) for all other signs.

6.5 Signs Permitted at Council's Discretion

The following signs may be allowed at Council's discretion in a Commercial, Industrial, or FD – Future Development District:

6.5.1 Billboard Signs

- (1) The billboard sign face height regulations shall be as follows:
 - (a) maximum single face area - 20 m² (215.3 ft²)
 - (b) maximum total face area - 40 m² (430.6 ft²)
 - (c) maximum number of faces - 2
 - (d) double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction.
 - (e) maximum height above grade - 6 m (19.7 ft.)
- (2) No billboard shall have flashing or intermittent light. All lighting shall be shielded from direct view from any roadway or site boundary.
- (3) Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs.

6.5.2 Converted Vehicle and Trailer Signs

- (1) In considering an application for a converted vehicle and trailer sign, Council may apply specific development conditions related to:
 - (a) location and orientation of the sign;
 - (b) proximity to other signs; and
 - (c) lighting, where the sign is to be illuminated.

Note: The following off-street parking and off-street loading provisions are optional.

7. OFF-STREET PARKING AND LOADING REGULATIONS

7.1 General Regulations

- (1) No person within any district shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with such development.
- (2) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, as specified for required parking and loading facilities, the number of parking and loading spaces shall also be increased in conformance with the provisions of this Bylaw.
- (3) Whenever the existing use of a building is changed the parking and loading spaces shall be provided as required for the new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number that the requirements for the new use exceed those of the existing use.
- (4) For any conforming or legal non-conforming building or use which is in existence on the effective date of this Bylaw, that is damaged by fire, collapse, explosion, or other cause to the extent of 50 percent or more of its assessed value and such building is reconstructed, repaired or re-established, off-street parking and loading facilities shall be provided in accordance with this Bylaw.

7.2 Off-Street Parking

- (1) Off-Street parking shall be provided in accordance with the following schedule and regulations.

Land Use	Minimum Number of Parking Spaces Required
Residential Dwelling	
. single detached	1
. semi-detached and duplex	1 per dwelling unit
. mobile home	1 per dwelling unit
. multiple unit	1.25 per dwelling unit
. multiple units for seniors citizen housing	1.25 per dwelling units

. bed and breakfast lodging	1 per guest bedroom
Institutional	
. elementary school	2 per classroom
. special care and nursing home	1 per 5 beds, plus 1 for every 4 employees
. community centre, auditorium places of worship	1 per 10 seats provided for patrons
. personal care home	1 where the number of personal care home residents exceeds 5
. library, cultural institution	1 per 35 seats provided for patrons
Recreational	
. theatre	1 per every 10 seats provided for patrons
. arena, curling rink	4 per sheet of ice
. billiard hall	1 for every 70 m ² (753 ft ²) of gross floor area
. bingo hall	1 per 4 seats provided for patrons
Office	
. business, professional, administrative	1 for every 37 m ² (398 ft ²) of gross floor area
Retail Store	1 for every 46 m ² (495 ft ²) of gross floor area
Restaurant, Cafe, Licensed Dining and Beverage Room	1 per 10 seats provided for patrons
Clubs and Lodges	1 per 3 members or patrons
Hotel, Motel	1 per guest room or unit
Lumber Yard, Home Improvement Centre	1 for every 70 m ² (753 ft ²) of gross floor area
Industrial and Manufacturing Plants	1 for every 70 m ² (753 ft ²) of gross floor area or one for each employee which ever is greater
Warehousing	1 for every 90 m ² (969 ft ²) of gross floor area
Other	1 for every 37m ² (398 ft ²) of gross floor area

(2) Required off-street parking spaces in any Commercial or Industrial District may be located on a separate lot that is within a convenient walking distance to a maximum of 150 m (492 ft.) of the principal building or use, provided such spaces are located within a Commercial or Industrial District.

(3) In Residential Districts, off-street parking spaces shall be provided on the lot on which the principal use to which the parking pertains is located.

- (4) Where the necessary off-street parking space is provided on a lot that is separate from the principal use, there shall be recorded in the office of the Development Officer a registerable agreement between the municipality and the owner of the lot on which the parking is to be located. The agreement shall be binding on the said owner and his heirs and successors restricting the use of the said lot for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; and a caveat based on the agreement shall be registered against the said lot in the appropriate Land Titles Office by the municipality.
- (5) Commercial lots that are immediately adjacent the west side of Centre St. may provide required parking in their rear and/or side yard. This provision is to accommodate lots that were originally residential lots, that had frontage to the north/south and now, or in the future may, have frontage onto Centre St.

7.3 Payment of Cash-In-Lieu of Required Off-Street Parking

- (1) Pursuant to *The Planning and Development Act, 1983* the Development Officer may exempt any person who is required to provide off-street parking in a Commercial District from the requirement of providing the off-street parking facilities, where, in lieu thereof, he pays or agrees to pay the municipality the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by \$ 1,000 per parking space.
- (2) The payment of cash-in-lieu of providing off-street parking shall satisfy the off-street parking requirement for the existence of the building on the lot except where the intensity of the use is increased or where the use is changed requiring additional off-street parking. Money paid as cash-in-lieu of off-street parking will not be refunded where the intensity is decreased or the use is changed requiring less off-street parking spaces or cash paid in lieu.
- (3) A person who pays, or agrees in writing to pay the required sum in lieu of providing off-street parking facilities and the buildings or structures in respect of which such payment is to be made, shall be treated as having met the off-street parking regulations.
- (4) All such sums of monies shall be paid to the municipality prior to the issuance of a development and/or building permit.

7.4 Off-Street Loading

- (1) In any Industrial or Commercial District where the use of a building or lot involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading or unloading shall be provided on the lot in conformity with the following regulations:

<u>Gross Floor Area</u>	<u>Number of Spaces</u>
90 m ² to 1,300 m ² (969 ft. ² to 13,993 ft. ²)	1
Over 1,300 m ² to 2,500 m ² (over 13,993 ft. ² to 26,910 ft. ²)	2
Over 2,500 m ² (over 26,910 ft. ²)	2 plus 1 additional space for each 6,500 m ² (69,965 ft. ²) over 2,500 m ² (26,910 ft. ²)

- (2) All off-street loading spaces shall be located on the lot and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a public roadway.

8. ZONING DISTRICTS AND ZONING MAP

8.1 Classification of Zoning Districts

For the purpose of this bylaw, the Town of Regina Beach 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 symbol.

<u>Districts</u>	<u>Symbols</u>
Residential – Single Detached Dwelling	R1
Residential – Duplex, Triplex and Fourplex	R2
Residential – Multiple Unit Dwelling	R3
Residential Mobile Home	RMH
Community Commercial	C1
Highway Commercial	C2
Community Service	CS
Industrial	I
Recreational	REC
Future Development	FD
Waterfront	W

8.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 11/2005" adopted by the Town of Regina Beach signed by the Mayor and Town Administrator under the seal of the Town shall be known as the "Zoning District Map" and such map is hereby declared to be an integral part of this bylaw.

8.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with an 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, or such lines extended and the boundaries of the municipality. In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

8.4 Zoning District Schedules

The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply are contained in the Zoning District Schedules in Section 9.

9. ZONING DISTRICT SCHEDULES

9.1 R1 - Residential District: Single Detached Dwellings

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

9.1.1 Permitted Uses

The following are permitted uses in the R1 – Residential District:

- (1) Single detached dwellings
- (2) Parks, playgrounds and sports fields
- (3) Public utilities (excluding offices, warehouses and storage yards)

9.1.2 Discretionary Uses

The following are discretionary uses in the R1 – Residential District:

- (1) Modular homes
- (2) Places of worship, religious institutions
- (3) Lodges and Social Centres
- (4) Day care centres
- (5) Family child care homes
- (6) Personal care homes
- (7) Schools, educational institutions
- (8) Libraries, Cultural Institutions
- (9) Home occupations subject to the requirements of Section 5.3.
- (10) Bed and Breakfast establishments
- (11) Dwelling Unit Groups

9.1.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.1.4 Regulations

(1) Single Detached Dwelling/Modular Homes/Dwelling Unit Groups

Lot area - minimum	-	580 m ² (6,250 ft ²)
Lot frontage - minimum	-	<u>rectangular lots</u> : 15 m (49 ft.); <u>non-rectangular lots</u> : 11 m (36 ft.) with a mean width of 15 m over the first 30 m (98 ft.) measured from the front lot line where there is a lane, otherwise 15 m with a mean width of 18 m measured from the front lot line.
Yard, front - minimum	-	4.5 m (14.8 ft.)
Yard, rear - minimum	-	5.0 m (16.4 ft.).

- Yard, side - minimum - 1.5 m (4.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3 m (9.8 ft.)
- Lot Coverage – maximum - 50%
- Dwelling Size – minimum - 93 m² (1,000 ft²).
- Building Height - maximum - building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owners views. If there is any dispute on the matter Council shall have the deciding authority.

(2) All Other Uses (except public utilities)

- Lot area - minimum - 580 m²* (6,250 ft²)
- Lot frontage – minimum - 15 m* (49 ft.)
- Yard, front - minimum - 7.5 m* (24.6 ft.)
- Yard, rear - minimum - 5.0 m* (16.4 ft.)
- Yard, side - minimum - 2.5 m* (8 ft.)**
- Lot Coverage – maximum - 50%

* no minimum requirements for parks, playgrounds, sports fields and public works

** except where the side lot line abuts a street or lane 4.5 m (14.8 ft.) is required.

9.1.5 Development Standards for Modular Homes

- (1) All modular homes shall be placed on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam/pile structure, such foundation being not less than 600 millimetres above recommended or established grade. The basement wall and grade beam support shall be attached to the perimeter of the building.
- (2) Modular homes shall be permanently connected to water and sewer services provided by the municipality and any other public utilities that may be acquired by the owner or occupant serving the dwelling.

9.1.6 Development Standards for Personal Care Homes

Section 5.5 shall apply to personal care homes located in a single detached dwelling.

9.1.7 Signs

Section 6 regulations shall apply in the R1 – Residential District.

9.1.8 Storage

Subsection 4.1.21 regulations shall apply in the R1 – Residential District.

9.2 R2 - Residential District: Duplex, Triplex, Fourplex Dwellings

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

9.2.1 Permitted Uses

The following are permitted uses in the R2 - Residential District:

- (1) Semi-detached, duplex, triplex, and fourplex dwellings
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses and storage yards)

9.2.2 Discretionary Uses

The following are discretionary uses in the R2 – Residential District:

- (1) Modular homes
- (2) Community centres
- (3) Places of worship, religious institutions
- (4) Lodges, fraternal organizations, clubs
- (5) Libraries and cultural institutions
- (6) Day care centres
- (7) Family child care homes
- (8) Personal care homes
- (9) Sports fields
- (10) Swimming pools
- (11) Group care facilities
- (12) Home occupations subject to the requirements of Section 5.3.
- (13) Bed and Breakfast establishments

9.2.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.2.4 Regulations

- (1) Semi-detached\Duplex Dwellings\Modular Duplex

Lot area (per dwelling unit)		
- minimum	-	290 m ² (3,122 ft ²)
Lot frontage (per dwelling unit)		
- minimum	-	7.5 m (24.6 ft.)
Yard, front - minimum	-	4.5 m (14.8 ft.)
Yard, rear - minimum	-	5.0 m (16.4 ft.)
Yard, side		
- minimum	-	1.5 m (4.9 ft.), except that for a corner lot where access to a garage is obtained from a flankage street, the minimum side yard shall be 3 m (9.8 ft.)
Lot Coverage – maximum	-	50%
Dwelling Unit Size – minimum	-	75 m ² (807 sq ²)

(2) Triplex and Fourplex Dwellings

Lot area (per dwelling unit)	
- minimum	- 640 m ² (2,100 ft ² .)
Lot frontage(per dwelling unit)	
- minimum	- 7.5 m (24.6 ft)
Yard, front - minimum	- 4.5 m (14.8 ft.)
Yard, rear - minimum	- 5.0 m (16.4 ft.).
Yard, side - minimum	- 2 m (6.5 ft.) **.
Lot coverage - maximum	- 50%
Dwelling Unit Size – minimum	- 75 m ² (807 ft ²)

** except where the side lot line abuts a street or lane 4.5 m (14.8 ft.) is required.

(3) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	- 580 m ² (6,250 ft ²)
Lot frontage - minimum	- 15 m (49 ft)
Yard, front - minimum	- 7.5 m (24.6 ft.) or 25% of the depth of the lot, whichever is greater
Yard, rear - minimum	- 5.0 m (16.4 ft.).or 25% of the lot depth whichever is greater
Yard, side - minimum	- 3 m (9.8 ft.) or half the building height, whichever is greater

(4) All Other Uses (except public utilities)

Lot area - minimum	- 580 m* (6,250 ft ²)
Lot frontage – minimum	- 15 m* (49 ft.)
Yard, front - minimum	- 7.5 m* (24.6 ft.)
Yard, rear - minimum	- 5.0 m* (16.4 ft.).
Yard, side - minimum	- 3.5 m* (11.5 ft.)**
Lot Coverage – maximum -	50%

* no minimum requirements for parks, playgrounds, sports fields and public works

** except where the side lot line abuts a street or lane 4.5 m (15 ft.) is required.

9.2.5 Development Standards for Modular Homes

- (1) All modular homes shall be placed on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam/pile structure, such foundation being not less than 600 millimetres above recommended or established grade. The basement wall and grade beam support shall be attached to the perimeter of the building.
- (2) Modular homes shall be permanently connected to water and sewer services provided by the municipality and any other public utilities that may be acquired by the owner or occupant serving the dwelling.

9.2.6 Development Standards for Personal Care Homes

Section 5.5 shall apply to personal care homes located in the R2 - Residential District.

9.2.7 Signs

Section 6 regulations shall apply in the R2 - Residential District.

9.2.8 Storage

Subsection 4.1.21 requirements shall apply in the R2 - Residential District.

9.3 R3 – Residential District: Multi-Unit Dwellings

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

9.3.1 Permitted Uses

The following are permitted uses in R3 – Residential District:

- (1) Multi-Unit Dwellings
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses and storage yards)

9.3.2 Discretionary Uses

The following are permitted uses in R3 – Multi-Unit Dwellings District:

- (1) Community centres
- (2) Places of worship, religious institutions
- (3) Lodges, fraternal organizations, clubs
- (4) Libraries and cultural institutions
- (5) Day care centres
- (6) Family child care homes
- (7) Personal care homes
- (8) Swimming pools
- (9) Group care facilities
- (10) Home occupations subject to the requirements of Section 5.3.

9.3.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.3.4 Regulations

(1) Multi-Unit Dwellings

Lot area (per dwelling unit)	
- minimum	- 200 m ² (2,152 ft ²)
Lot frontage (per dwelling unit)	
- minimum	- 7.5 m (24.6 ft.)
Yard, front - minimum	- 5 m (16.4 ft.)
Yard, rear - minimum	- 5.0 m (16.4 ft.)
Yard, side - minimum	- 3. m (9.8 ft.) or half the average wall height whichever is greater.**
Lot coverage - maximum	- 50%
Dwelling Unit Size – minimum	- 75 m ² (807 ft ²)

** except where the side lot line abuts a street or lane 4.5 m (14.8 ft.) is required.

(2) All Other Uses (except public utilities)

Lot area - minimum	- 580 sq. m* (6,250 ft ²)
Lot frontage – minimum	- 15 m* (49 ft.)
Yard, front - minimum	- 7.5 m* (24.6 ft.)
Yard, rear - minimum	- 5.0 m* (16.4 ft.)
Yard, side - minimum	- 3.5 m* (11.5 ft.)**
Lot Coverage – maximum -	50%

* no minimum requirements for parks, playgrounds, sports fields and public works

** except where the side lot line abuts a street or lane 4.5 m (15 ft.) is required.

9.3.5 Development Standards for Personal Care Homes

Section 5.5 shall apply to personal care homes located in the R3 – Residential District.

9.3.6 Signs

Section 6 regulations shall apply in the R3 – Residential District.

9.3.7 Storage

Subsection 4.1.21 regulations shall apply in the R3 – Residential District.

9.4 RMH – Residential Mobile Home District

The purpose of this district is to provide for the concentration of mobile home residential developments and related recreational and institutional uses.

9.4.1 Permitted Uses

The following are permitted uses in RMH – Residential District:

- (1) Mobile Homes
- (2) Parks and playgrounds
- (3) Public utilities (excluding offices, warehouses and storage yards)

9.4.2 Discretionary Uses

- (1) Community centres
- (2) Places of worship, religious institutions
- (3) Day care centres
- (4) Family child care homes
- (5) Personal care homes
- (6) Group care facilities
- (7) Home occupations subject to the requirements of Section 5.3.

9.4.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.4.4 Regulations

(1) Mobile Homes

Lot area - minimum	-	580 m ² (6,250 ft ²)
Lot frontage - minimum	-	15 m (49 ft.)
Yard, front - minimum	-	5 m (16.4 ft.)
Yard, rear - minimum	-	5.0 m (16.4 ft.)
Yard, side - minimum	-	1.5 m (4.9 ft.), except that for a corner lot, the minimum side yard shall be 3 m (9.8 ft.) from a flankage street
Lot Coverage – maximum -	50%	

(3) All Other Uses (except public utilities)

Lot area - minimum	-	450 sq. m* (4,843 ft ²)
Lot frontage – minimum	-	15 m* (49 ft.)
Yard, front - minimum	-	5 m* (16.4 ft.)
Yard, rear - minimum	-	5 m* (16.4 ft.)
Yard, side - minimum	-	1 m* (3.3 ft.)**
Lot Coverage – maximum -	50%	

* no minimum requirements for parks, playgrounds, sports fields and public works

** except where the side lot line abuts a street or lane 4.5 m (14.8 ft.) is required

9.4.5 Development Standards for Mobile Homes

- (1) All mobile homes shall be placed on a safe and well constructed semi-permanent foundation, or that of a more substantial construction.
- (2) Mobile homes with noticeably damaged or neglected exteriors may not be allowed to be placed in the Town of Regina Beach at Council's discretion.

- (3) If a mobile home has noticeable traits of an unsafe dwelling, either interior or exterior, Council may not allow that home to be placed within the Town of Regina Beach until such concerns are repaired to the satisfaction of Council or their advisor on the subject matter.

9.4.6 Development Standards for Personal Care Homes

Section 5.5 shall apply to personal care homes located in RMH – Residential District.

9.4.7 Signs

Section 6 regulations shall apply in the RMH – Residential District.

9.4.8 Storage

Subsection 4.1.21 regulations shall apply in the RMH – Residential District.

9.5 CS - Community Service District

The purpose of this district is to regulate and encourage community service development in the town.

9.5.1 Permitted Uses

The following are permitted uses in the CS - Community Service District:

- (1) Schools, educational institutions
- (2) Places of worship, religious institutions
- (3) Libraries and cultural institutions
- (4) Hospitals, medical clinics
- (5) Curling and skating rinks
- (6) Community centres
- (7) Swimming pools
- (8) Nursing homes
- (9) Sports fields and parks
- (10) Group care facilities
- (11) Public utilities
- (12) Wellness and fitness Centre

9.5.2 Discretionary Uses

The following are discretionary uses of forms of development in the CS - Community Service District:

- (1) Law enforcement facilities
- (2) Lodges, fraternal organizations, clubs
- (3) Day care centres
- (4) Cemeteries

9.5.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.5.4 Regulations

(1) Libraries, Places of Worship, Day Care Centres, Religious and Cultural Institutions

Lot area - minimum	-	464.5 m ² (5000 ft ²)
Lot frontage - minimum	-	15 m (49.2 ft.)
Yard, front - minimum	-	7.5 m (24.6 ft.) or 25% of the depth of the lot, whichever is greater
Yard, rear - minimum	-	5.0 m (16.4 ft.) or 25% of the lot depth whichever is greater
Yard, side - minimum	-	3 m (9.8 ft.) or half the building height, whichever is greater

(2) All Other Uses (except public utilities)

Lot area - minimum	-	no minimum
Lot frontage - minimum	-	no minimum
Yard, front - minimum	-	5 m (16.5 ft.)
Yard, rear - minimum	-	5 m (16.5 ft.)
Yard, side - minimum	-	3 m (9.8 ft.) or half the building height whichever is greater

9.5.5 Signs

Section 6 regulations shall apply in the CS - Community Service District.

9.5.6 Storage

Section 4.1.21 requirements shall apply in the CS - Community Service District.

9.6 C1 – Community Commercial District

The purpose of this district is to regulate and encourage commercial development in the town core.

9.6.1 Permitted Uses

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

- (1) Offices
- (2) Bakeries with retail sales
- (3) Personal service establishments
- (4) Banks and financial institutions
- (5) Medical and dental offices and clinics
- (6) Printing plants, newspaper offices
- (7) Theatres and assembly halls
- (8) Undertaking establishments, funeral homes

- (9) Hotels, motels
- (10) Service or repair shops
- (11) Places of worship, religious institutions
- (12) Parking lots
- (13) Community centres
- (14) Restaurants, confectioneries and other places for the sale and consumption of food and related items
- (15) Retail and rental stores
- (16) Commercial entertainment establishments
- (17) Radio and television stations
- (18) Public works

9.6.2 Discretionary Uses

The following are discretionary uses in the C1 – Community Commercial District:

- (1) Establishments for the sale, storage and servicing of motor vehicles
- (2) Lumber yards
- (3) Wholesale trade stores and office
- (4) Trade workshops, but not including open exterior storage space
- (5) Bed and Breakfast subject to the requirements of Section 5.2.
- (6) Museums,
- (7) Art galleries
- (8) Day care centres
- (9) Home occupations subject to the requirements of Section 5.3
- (10) Service stations
- (11) Libraries
- (12) Lodges
- (13) Places of worship
- (14) Accessory dwelling units attached to stores or commercial establishments subject to the dwelling unit:
 - (a) having an entrance separate from that of the store or commercial establishment; and
 - (b) providing a fire exit secondary to the required entrance.

9.6.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.6.4 Regulations

Lot area – minimum	- 230 m ² (2,475 ft ²)
- Service stations	- 929 m ² (10,000 ft ²)
Lot frontage - minimum	
- Service stations	- 30 m (98.43 ft.)
- All other uses	- 7.5 m (24.6 ft.)
Yard, front - minimum	
- Service stations	- 7.5 m (24.6 ft.)
- All other uses	- no requirement
Yard, side – minimum	- 1.5 m (4.9 ft)
Yard, rear – minimum	- 5.0 m (16.4 ft.)
	- 3.0 m (9.8ft) for commercial lots immediately adjacent the west side of Centre St.

- (1) All dwelling units shall have an entrance separate from that of the commercial establishment. Dwelling units must be provided with a fire exit secondary to the required entrance.
- (2) Fuel pumps and other accessory equipment shall be located at least 6 m (20 ft.) from any street or lot line.
- (3) All machinery, building supplies, automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened so as not to be visible from the street or adjacent lots.
- (4) Permanent or long-term placement of Trailer Coaches in C1 districts shall not be allowed and no business may be permitted to use a trailer Coach as part of their commercial operation. Short term placement, or temporary storage, of Trailer Coaches on C1 lots, may be permitted **for a specified time period** at council’s discretion, if they believe that there will be no negative impact on the visual attractiveness, objectives or policies of the C1 district.

9.6.5 Signs

Section 6 regulations shall apply in the C1 – Community Commercial District.

9.7 C2 - Highway Commercial District

The purpose of this district is to accommodate the development of a range of commercial and Service establishments that require large lots or highway access

9.7.1 Permitted Uses

The following are permitted uses in the C2 - Highway Commercial District:

- (1) Motels
- (2) Shops of plumbers, pipe fitters, electricians and other industrial trades people
- (3) Lumber yards and building supply establishments
- (4) Veterinary hospitals and clinics
- (5) Car washes
- (6) Commercial recreation establishments
- (7) Service stations
- (8) Hotels
- (9) Establishments for the sale, storage and servicing of motor vehicles, trailers, agricultural machinery, equipment and supplies
- (10) Restaurants, confectioneries and other places for the sale and consumption of food and related items
- (11) Public works

9.7.2 Discretionary Uses

The following are discretionary uses in the C2 - Highway Commercial District:

- (1) Veterinary clinics
- (2) Equipment and tool rental establishments
- (3) Auto body shops, but not including any works related to the operation of an auto wrecking yard
- (4) Wholesale trade stores, offices and warehouses
- (5) Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings.
- (6) Commercial entertainment establishments
- (7) Bus terminals
- (8) Greenhouses, tree and plant nurseries
- (9) Tourist information centres

9.7.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.7.4 Regulations

Lot area - minimum	
service stations	- 929 m ² (10,000 ft ²)
All other uses	- 371 m ² (4,000 ft ²)
Lot frontage - minimum	
service stations	- 30.5 m (100 ft.)
All other uses	- 15 m (49.2 ft.)
Yard, front - minimum	
service stations	- 7.5 m (24.6 ft.)
All other uses	- 6 m (19.7 ft.)

Yard, side - minimum - 6 m (19.7 ft.)

Yard, rear - minimum
All uses - 5.0 m (16.4 ft.).

- (1) Fuel pumps and other accessory equipment shall be located at least 7.5 m (24.6 ft.) from any street or lot line.
- (2) All machinery, building supplies, automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened so as not to be visible from the street or adjacent lots.

9.7.5 Signs

Section 6 regulations shall apply in the C2 - Highway Commercial District.

9.8 I - Industrial District

The purpose of this district is to accommodate the development of light industrial and service establishments, including a reasonable level of outdoor storage.

9.8.1 Permitted Uses

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

- (1) Service stations
- (2) Lumber and building supply establishments
- (3) Establishments for the sale, storage and servicing of motor vehicles, trailers, farm machinery equipment and recreational vehicles
- (4) Machine shops, welding shops
- (5) Warehouses and wholesale establishments
- (6) Auto body shops
- (7) Car washes
- (8) Shops of plumbers, pipe fitters, metal workers and other industrial tradespeople
- (9) Cold storage and locker plants
- (10) Truck, bus and other transport terminals and yards
- (11) Bakeries
- (12) Veterinary clinics
- (13) Tree nurseries and horticultural establishments
- (14) Custom meat cutting and packaging establishments (no slaughtering on site)
- (15) Public works
- (16) Manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings.

9.8.2 Discretionary Uses

The following are discretionary uses or forms of development in the I - Industrial District:

- (1) Bulk fertilizer and chemical sales subject to the Departments of Corrections and Public Safety regulations

- (2) Bulk fuel storage and sales subject to the Department of Corrections and Public Safety regulations.
- (3) Concrete manufacturing plants, and gravel yards
- (4) Bulk oil, propane gas, fuel dealers, storage and sales
- (5) Veterinary hospitals
- (6) Equipment maintenance and storage yards
- (7) Tanneries and hide storage establishments
- (8) Grain elevators, feed mills, fertilizer and seed cleaning plants
- (9) Manufacturing, processing and packing plants

9.8.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.8.4 Regulations

Lot Requirements

Lot area - minimum		
Public Works	-	no minimum
All other uses	-	929 m ² (10,000 ft ²)
Lot frontage - minimum		
Public Works	-	no minimum
All other uses	-	30.5 m (100 ft)
Yard, front - minimum		
All uses	-	8 m (26.24 ft)
Yard, side - minimum	-	3 m (9.8 ft.) on each side
Yard, rear - minimum	-	5.0 m (16.4 ft.).

Fuel pumps and other accessory equipment shall be located at least 7.5 m (24.6 ft.) from any Street or lot line.

All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened.

9.8.5 Signs

Section 6 regulations shall apply in the I - Industrial District.

9.9 FD – Future Development District

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

9.9.1 Permitted Uses

The following are permitted uses in the FD – Future Development District:

- (1) Agricultural crop farming and cultivation of land
- (2) Public Utilities
- (3) Recreational uses including sports fields camp grounds parks, and golf courses
- (4) Cemeteries (if agreeable with long term planning)

9.9.2 Discretionary Uses

The following are discretionary uses in the FD – Future Development District:

- (1) Agricultural grazing of livestock but excluding intensive operations, such as feed lots, poultry, hog or fur farms
- (2) Green houses, market gardens, horticultural supply, tree and plant nurseries
- (3) Veterinary hospitals and clinics
- (4) Museums

9.9.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.9.4 Regulations

Development shall conform to the following requirements:

- (1) Lot Area Minimum
 - (a) Agricultural uses - 1hectare (2.47 a.)
 - (b) Public utilities and other permitted uses - no minimum
 - (c) Discretionary uses - 1 hectare (2.47 a.)

Note: Other districts may be added as necessary.

9.9.5 Rezoning of Land

Proposed rezoning of land from FD – Future 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 shall constitute orderly and economic development with regard to adjacent land uses, and future service requirement such as roads, schools and public works.

9.10 REC – Recreational District

The purpose of this district is to provide for recreational developments and related uses.

9.10.1 Permitted Uses

The following are permitted uses in the REC – Recreational District:

- (a) Parks and playgrounds
- (b) Picnic sites
- (c) Hiking trails
- (d) Public works
- (e) Parking lots

9.10.2 Discretionary Uses

The following are discretionary uses or forms of development in the REC - Recreational District:

- (1) Commercial recreation establishments

9.10.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.10.4 Regulations

- (1) no minimums
- (2) Notwithstanding anything included in section 9, all lands zoned as Recreational, that are also listed by the town as Public Reserve Land/Municipal Reserve Land, are subject to the regulations of Section 193, 197 and other sections regarding Public Reserve Land, of *The Planning and Development Act, 1983*.

9.10.5 Signs

Section 6 regulations shall apply in the REC - Recreational District.

9.11 Waterfront Development

The purpose of this district is to provide for waterfront development and related uses.

9.11.1 Permitted Uses

The following are permitted uses in the W – Waterfront District:

- (a) Parks and playgrounds
- (b) Picnic sites
- (c) Hiking trails
- (d) Public works
- (e) Parking lots
- (f) Boat Launches

9.11.2 Discretionary Uses

The following are discretionary uses or forms of development in the W – Waterfront District:

- (1) Commercial recreation establishments

9.11.3 Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted or discretionary use, shall be permitted.

9.11.4 Regulations

- (1) no minimums
- (2) Notwithstanding anything included in section 9, all lands zoned as Waterfront, that are also listed by the town as Public Reserve Land/Municipal Reserve Land, are subject to the regulations of Section 193, 197 and other sections regarding Public Reserve Land, of *The Planning and Development Act, 1983*.

9.11.5 Signs

Section 6 regulations shall apply in the W – Waterfront District.

10. EFFECTIVE DATE OF THE BYLAW

EFFECTIVE DATE OF THE BYLAW

Bylaw No. 18/85, the "Zoning Bylaw" of the Town of Regina Beach as amended, is hereby repealed insofar as it affects the Town of Regina Beach.

This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

INTRODUCED AND READ a first time this 8 day of November, 2005

READ A SECOND TIME this 8 day of November, 2005

READ A THIRD TIME and passed this 24 day of January, 2006

J. C. Schuba
MAYOR

Reese Peters
ADMINISTRATOR

Certified a true copy of Bylaw
No. 11/2005 passed by resolution of
Council on the 24th day of January, 2006.

Reese Peters
Town Administrator

