ZONING BYLAW

FOR THE

TOWN OF WAWOTA

BYLAW NO. 13/96

PART I - INTRODUCTION

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

Title This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Wawota.

Purpose The purpose of this Bylaw is to control the use of land in the Town of Wawota so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

Scope No development shall hereafter be permitted within the limits of the Town of Wawota except in the conformity with the provisions of this Bylaw and The Act.

Severability A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw.

PART II - DEFINITIONS

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

Accessory	A use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure.
Act	The Planning and Development Act, 1983.
Administrator	Municipal Administrator of the Town.
Bed and Breakfast Dwelling	An owner-occupied dwelling unit where short-term lodging rooms and meals are provided.
Building	Any structure constructed or placed on, in or over land but does not include a public highway.
Building Principal	A building in which the main or primary use of the lot is conducted.
Council	The Council of the Town of Wawota.
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 or intensity of the use of any building or land.

Development Permit	A document authorizing a development issued pursuant to this bylaw, but does not include a building permit.
Discretionary Use	A use of land or a building that may be permitted in a district only at the discretion of the Council and which may be subject to specific development standards.
Dwelling	A building or part of a building that may be used as a dwelling unit excluding a mobile home, but including a prefabricated home.
Dwelling Unit	One or more rooms that may be used as a residence each unit having sleeping, cooking and toilet facilities.
Dwelling, Multiple	A building containing three or more dwelling units.
Dwelling, Duplex	A building divided into two dwelling units.
Dwelling, Single Detached	A building containing only one dwelling unit.

Group Care Facility	A supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons (excluding resident staff and any resident operator), referred to the facility by hospitals, courts, government agencies or recognized social service agencies or health professionals.
Home Occupation	An occupation, trade, profession or craft conducted for gain in a dwelling unit or in a conforming accessory building by the resident or residents and which is incidental and secondary to the residence.
Hotel	A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travellers, and where a guest register or record is kept.
Lodge, Service or Charitable Club	A building or structure owned and used by any organization which is incorporated under the Non Profit Corporations Act
Lot	An area of land with fixed boundaries which is of record in the Land Titles Office by Certificate of Title. (see diagram p.10)

Lot Line, Front	The line separating the lot from the street; for a corner lot, the shorter line abutting a street.
Lot Line, Rear	The lot line at the rear of the lot and opposite the front lot line.
Lot Line, Side	The lot line other than a front or rear lot line.
Minister	The member of the Executive Council to whom for the time being is assigned the administration of the Act.
Mobile Home	A trailer coach that may be used as a dwelling all the year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and water closet or other similar facility that may be connected to a sewage system. Each mobile home shall comply with the Canadian Standards Association document CAN/CSA - 240.2.1 - M86 "Structural Requirments for Mobile Homes"
Mobile Home Court	A lot under single management for the placement of two or more mobile homes.
Mobile Home Site	An area within a mobile home court intended for the placement of a mobile home.

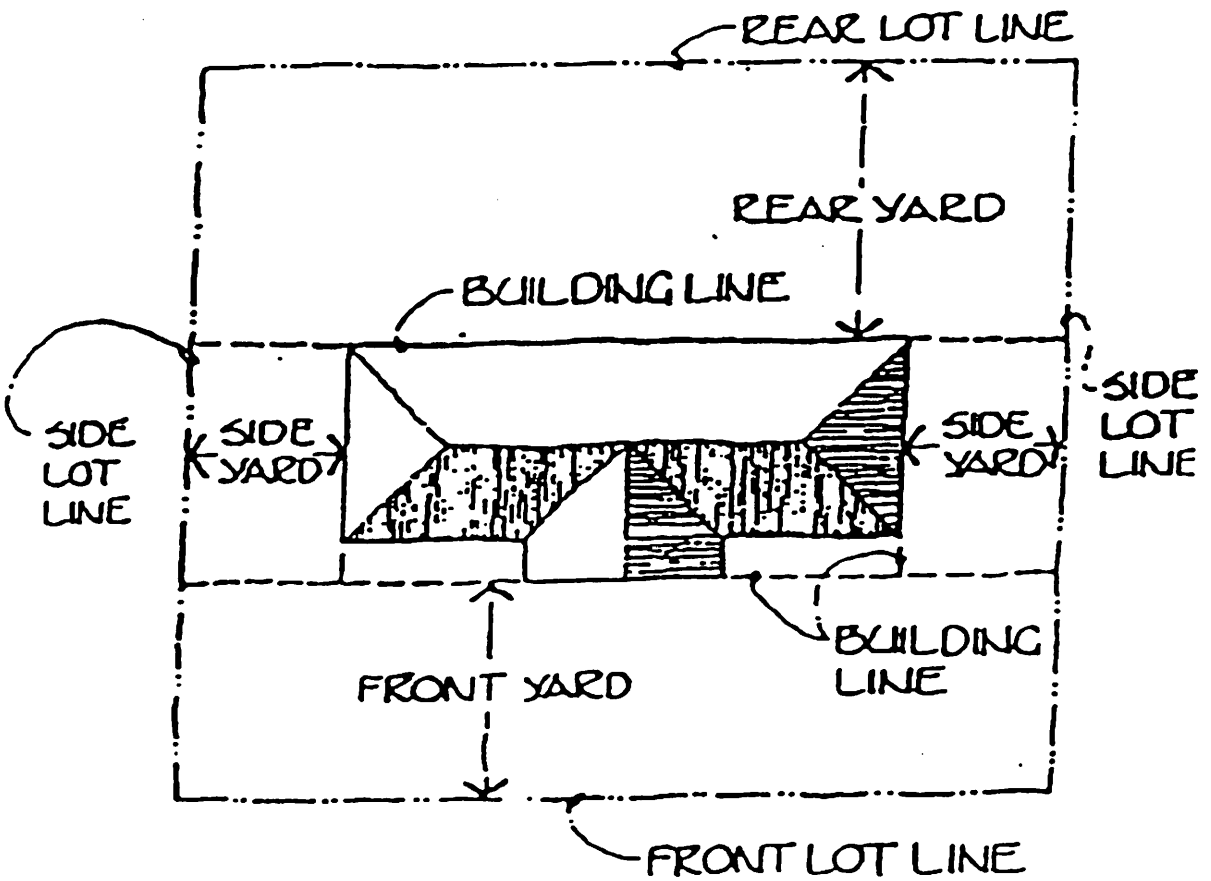
Motel	A hotel for temporary use by automobile tourists or travellers.
Overlay Zone	A zoning district which is applied to a geographic area by a zoning bylaw or amendment thereto for one or more of the following purposes: - undertaking innovative developments for which the application of regulations for the surrounding land uses would be unreasonable; - developing and preserving unique geological, hydrological, or geographic areas; - developing and preserving cultural or historical areas and structures which have been specified by Council in this bylaw; and - developing specific land uses that may pose an unusual risk to the public health, safety and general welfare.
Parking Lot	Open space, other than a street, used for temporary parking of more than four automobiles and available for public use, or as accommodation for clients, employees or customers.
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 3 metres in width.

Public Work	i) systems for the production or distribution of electricity; ii) systems for the distribution of natural gas or oil; iii) facilities for the storage, transmission, treatment, distribution or supply of water; iv) facilities for the collection, treatment, movement or disposal of sanitary sewage; or v) telephone or light distribution lines; that are owned or operated by the Crown or a municipality.
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 and not less than 13.9 square metres of gross floor area but without private toilet facilities.
Service Station	A building or part of a building used for the retail sale of lubricating oils and gasolines, automobile accessories, and the servicing and minor repairing of motor vehicles, which may include a restaurant, convenience store, car wash, or car sales lot as accessory uses.

Shopping Centre	A group of retail, business or office establishments located in a single building and providing for their mutual benefit off-street parking and other joint facilities.
Sign	Any figures, numbers, emblems, pictures, devices, marks or designs, intended to be visible from other than inside a building, for the purpose of making known any individual, association, business, industry or service, or for advertisement or for directing or obtaining attention.
Structural Alteration	The construction or reconstruction of the supporting elements of a building.
Town	The Town of Wawota.
Townhouse or Row House	A building divided into three or more dwelling units located side by side under one roof and sharing common walls.
Trailer Coach	Any trailer having no motive power of its own but drawn or designed to be drawn on any public road by a motor vehicle and used or designed to be used as a dwelling or sleeping place for one or more persons. Such a trailer shall

	be deemed to be, a trailer coach whether mounted on wheels or dismounted from wheels and detached from its conveying vehicles. This shall include both mobile homes and vacation trailers.
Vacation Trailer	Any trailer other than a mobile home.
Yard	Open, uncovered space unoccupied by buildings or structures on a lot except as specifically permitted elsewhere in this Bylaw. See diagram p.10
Yard, Front (see diagram)	That part of a lot extending across the full width of a lot between the front lot line and the nearest wall or supporting member of a building or structure.
Yard, Rear (see diagram)	That part of a lot extending across the full width of the lot between the rear lot line and the nearest wall or supporting member of a principal building or structure.
Yard, Side	That part of a lot extending from the front (see diagram) yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure except where the wall or supporting member is supporting an uncovered patio or uncovered sun deck.

Explanatory Diagram



PART III - ADMINISTRATION

1. Development Officer

The Town Administrator shall be the Development Officer responsible for the administration of this Bylaw.

2. Development Permit

A. Except where a particular development is specifically exempted by Part III, Section 6 no person shall undertake a development or commence a use without a development permit first being obtained.

B. A Development Permit cannot be issued in contravention of any provisions of this Bylaw.

C. A building permit, where required, shall not be issued unless a development permit has been issued.

3. Development Permit Procedure

A. An application for a development permit shall be made in writing to the Development Officer in any form prescribed by Council.

B. Where an application for a development permit is made for a permitted use, the development officer shall issue a permit where the development is in conformity with this Bylaw.

C. Where an application for a development permit is made for a discretionary use, the development officer shall advise the Council as soon as practicable.

D. Upon approval of a discretionary use by resolution of Council the development officer shall issue a development permit subject to any development standards prescribed by Council based on the guidelines in Part IV, Section 12.

E. Where a development permit application includes a building plan or lot diagram and a development permit is issued in conformity with this Bylaw, a copy of that plan or diagram shall be attached to and form part of the permit. Where the plan or diagram does not conform to the regulations of the Bylaw, the applicant shall be notified of the bylaw requirements. If the applicant agrees in writing to alter the application to conform to the bylaw, a permit shall be issued. If the applicant does not agree, the permit shall be refused.

F. Every decision shall be in writing and a copy sent to the applicant.

G. A development permit is valid for a period of twelve months and may be extended for one or more additional twelve month periods when presented to the development officer before its date of expiry.

H. Where the holder of a valid development permit proposes a deviation to any building plan or lot diagram forming part of the permit, and the deviation is minor in the opinion of the development officer and would not result in a contravention of the Bylaw, the development officer shall amend the permit accordingly. Any such deviation shall not extend the term of the permit as described in Subsection 3.H. A proposed deviation which is not minor shall be placed before Council for consideration at its next meeting.

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

J. Where the Council is satisfied that a development, the permit for which has been suspended, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw the Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.

4. Building 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.

5. 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. Where Council requires, such Permit will not be issued unless a proposal for the redevelopment of the site is also submitted.

6. Development Not Requiring a Permit

A development permit is not required for the following:

A. Maintenance, construction or installation of any public work.

B. Fences under two metres in height.

C. Accessory buildings or structures less than 9 square metres in area.

D. Maintenance or repair of any building or structure not including structural alterations.

E. Signs in residential districts which conform to Part IV, Section 7.

F. Driveways which involve an excavation of less than 1 m in depth at any point.

7. Development Appeals Board

A. A Development Appeals Board is hereby established.

B. The Development Appeals Board shall be appointed in accordance with Sections 92 and 93 of the Act.

C. An appeal to the Development Appeals Board and therefrom to the Saskatchewan Municipal Board may be taken in accordance with Section 96 of the Act.

8. Fee for Zoning Amendment Application

When an application is made to the Council for an amendment to this Bylaw, such application shall be accompanied by an application fee of $100.00.

9. Offenses and Penalties

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

PART IV - GENERAL REGULATIONS

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

1. Licences, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation bylaw or any other bylaw in force within the Town or from obtaining any licence, permission, permit, authority or approval required by this or any other bylaw of the town. Where requirements in this Bylaw conflict with those of any other municipal requirements, the more stringent requirements shall prevail.

2. Front Yard Reduction

The Development Officer shall issue a development permit for a development or addition to an existing development where the required front yard in that district cannot be met only in the following circumstances:

(a) Notwithstanding the minimum depth of front yard required by this Bylaw where a lot is situated between two lots each of which contains a principal building which projects beyond the standard requirement for front yard depth, the front yard required on the said lot may be reduced up to an average of the two established front yards on the adjacent lots; and

(b) The proposed development or addition is a conforming use.

3. Permitted Yard Encroachments

The following yard encroachments shall be permitted:

A. Access ramps, lifts, etc. for the disabled or uncovered balconies, porches, verandas, decks, and steps may project 1.8 m into any required front or rear yard.

B. Window sills, eaves, gutters, bay windows, decks, chimneys, access ramps and lifts, etc., for the disabled, and similar non-structural alterations may project a distance of 0.75 m into any required yard but not closer to a lot line than 0.15 m.

4. Number of Principal Buildings Permitted on a Lot

Not more than one principal building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, recreation centres, nursing homes and senior citizen homes, multiple unit dwellings and commercial or industrial malls. The Development Officer shall advise the applicant in writing that adherence to the Bylaw Regulations and Provincial Subdivision Regulations (where applicable), will be necessary if any future application for subdivision is made.

5. Non-Conforming Buildings, Uses and Lots

A. Any lawful use of land, an existing building or of any building lawfully under construction at the date of approval of this Bylaw, although such use or building does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of Sections 113 to 118 inclusive, of the Act.

B. No existing use or building shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Imperial System of Measurement of 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.

C. No existing lot shall be deemed to be non-conforming to the bylaw regulations despite its dimensions or area failing to at least equal the standards prescribed for proposed lots in the zoning district in which it is located. Development proposed on such lots shall still be required to conform to all relevant bylaw regulations.

6. Grading and Levelling of Lots

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

7. Signs

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

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

C. In Commercial, Industrial and Urban Reserve Districts:

i) no more than two permanent signs are permitted per principal use

ii) the facial area of a sign may not exceed 3.5 square metres

iii) a sign may be double faced

iv) no sign shall exceed 6 metres in total height above the ground

v) signs advertising the principal use or the principal products offered for sale on the premises are permitted

D. In Residential Districts:

i) one permanent sign is permitted per lot

ii) in the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling

iii) the facial area of a sign may not exceed 0.51 square metre.

8. Garages and Accessory Buildings/Structures

A. Garages shall not be located less than 1.5 m from a lane. Other accessory buildings shall not be located less than 0.75 m from a lane.

B. Accessory buildings shall not be located in a required front or side yard.

C. Unattached garages shall not be located in required front yard.

D. Accessory buildings in a rear yard shall not be located less than 0.75 m from the side or rear lot line.

E. In a residential district, a carport or garage, up to 75 square metres in area and 6 m in height shall be permitted.

F. Garages may be located in a side yard but not less than 0.75 m from a side lot line unless vehicle access to the garage crosses that lot line, in which case a 1.5 m setback is required.

9. Home Occupations

A. Home occupations shall be located in single-detached, semi-detached, duplex dwellings, multiple unit dwellings or mobile homes or in a building accessory to the dwelling.

B. Home occupations shall be conducted entirely within the dwelling or accessory building.

C. Other than the one permitted business sign, there shall be no exterior display, no exterior storage of material, and no other variation from the residential character of the building.

D. Only one business vehicle may be parked on the residential lot, and that vehicle must be less than 3500 kg in net weight.

10. Outdoor Storage

A. In any residential district only outdoor storage incidental to the principal use shall be permitted.

B. No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.

11. Side Yard Exception

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

12. General Development Standards Applicable to Discretionary Uses

A. Sites shall be landscaped and fenced where necessary to maintain the character and amenity of the neighbourhood.

B. Adequate on-site parking shall be provided and maintained.

C. Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets.

D. Adequate receptacles for refuse and litter shall be supplied.

E. No sound, light, glare, heat, dust, electrical interference, or other emission shall be transmitted beyond the lot lines if in Council's opinion, it would detract from the amenity of the neighbourhood. To minimize or prevent such effects, Council may attach special conditions to the development permit. These may include but are not limited to the hours of operation and the location of such uses on the lot in relation to adjacent dwellings, mobile homes, hotels or motels.

F. Vehicle access points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards.

G. The density, size, height and location of principal or accessory structures shall be regulated so as not to detract from the character and amenity of the neighbourhood.

H. Council may regulate the maximum number of persons (other than the resident staff or operator) who may occupy a group care facility, rooming house, day care centre, school or hospital by specifying the number of persons in the development permit.

13. Off-Street Parking

Off-street parking shall be provided as follows:

	Use	Parking Spaces Required
A.	Multiple-unit dwellings	1.25 for each dwelling unit
B.	Other dwellings	1 for each dwelling
C.	Mobile homes	1 for each mobile home
D.	Hotels	1 for every 2 guest rooms
E.	Motels	1 for each unit
F.	Restaurants, theatres, assembly halls, places of worship	1 for every 25 seats
G.	Schools, educational institutions	1 for each classroom
H.	Other uses	1 for each 111 square m of gross floor area

14. Payment in Lieu of Required Off-Street Parking

A. Pursuant to the Act, the Council may exempt any person who constructs a new building or structure permitted in the C1 Commercial District from the requirement of providing the off-street parking facilities, where in lieu thereof, the person pays or agrees to pay the Council the sum of $500.00 per parking stall required. The entire payment in lieu thereof shall be adequate for the duration of the existence of the building.

B. The payment of, or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.

C. A person who pays or agrees to 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 both be treated as having met the off-street parking regulation.

PART V - ZONING DISTRICTS AND ZONING MAPS

1. Zoning Districts

A. For the purpose of this Bylaw, the Town of Wawota is divided into the following Zoning Districts which may be referred to by the appropriate symbols:

Districts			Symbols
UR	-	Urban Reserve	UR
I	-	Institutional	I
R1	-	Residential Low Density	R1
R2	-	Residential Medium Density	R2
C1	-	Downtown Commercial	C1
C2	-	Highway Commercial	C2
M1	-	Light Industrial	M1

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

2. Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. ", adopted by the Town of Wawota signed by the Mayor and the 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.

3. UR - Urban Reserve District

1. Intent

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

2. Permitted Uses

The following are permitted uses in the UR District:

i) Agricultural cropping
ii) Public recreational uses including but not limited to sports fields, campgrounds, parks, golf courses and rinks
iii) Public works

3. Discretionary Uses

The following are discretionary uses in the UR District:

i) Veterinary hospitals and clinics
ii) Cemeteries
iii) Places of worship
iv) Radio & television buildings, transmitters and other similar communication uses
v) Existing single detached dwelling and accessory buildings on Certificate of Title parcel No. 117 BM

4. Regulations

i) Minimum lot area — 1 ha except no minimum for public works
ii) Yard setbacks will be applied by Council based on the applicable regulations for similar uses in other zoning districts.

5. Accessory Uses

Buildings, structures or uses secondary or subordinate to, and located on the same lot with the principal permitted use shall be permitted provided they meet all other approppriate regulations of this bylaw.

6. Rezoning of Land

Proposed rezoning of land from UR - Urban Reserve 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 utilities.

4. I - Institutional District

1. Intent

The purpose of this Zoning District is to provide for institutional land uses serving the general public.

2. Permitted Uses

i) Public institutional or health uses
ii) Lodges, social clubs, service clubs
iii) Libraries, cultural institutions, community halls
iv) Curling and skating rinks, parks and playgrounds
v) Municipal, Provincial and Federal public works buildings and structures
vi) Cemeteries
vii) Schools

viii) Accessory buildings, structures and uses located on the same site with the main use

4. Regulations

a) Regulations for elementary and secondary schools:

minimum site area	no requirement
minimum site frontage	60 metres
minimum front yard	15 metres
minimum side yard	7.5 metres
minimum rear yard	7.5 metres

b) Regulations for permitted uses other than schools:

minimum site area	450 sq. m
minimum site frontage	15 metres
minimum front yard	7.5 metres
minimum side yard	not less than half the height of the building but not less than 3 metres
minimum rear yard	6 metres except where the rear of the site abuts any Residential District without an intervening street or lane, a rear yard of at least 7.5 metres shall be provided

5. R1 - Low Density Residential District

1. Intent

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

2. Permitted Uses

The following are permitted uses in the R1-District:

i) Single detached dwellings
ii) Schools, educational institutions
iii) Cultural institutions
iv) Public works
v) Parks and playgrounds

3. Discretionary Uses

The following are discretionary uses in the R1-District:

i) Home occupations
ii) Day care centres, subject to Department of Social Services Regulations.
iii) Group Care Facilities
iv) Lodges, fraternal organizations
v) Funeral Homes
vi) Places of worship
vii) Convenience stores
viii) Bed and Breakfast dwellings
ix) Duplex dwellings
x) Mobile Homes
xi) Condominiums

4. Regulations

Requirement		Single Detached Dwellings Including Mobile Homes	Duplex Dwellings	Other Uses
i)	Lot area, minimum	360 sq. m with a lane, otherwise 450 sq. m	250 sq. m per unit with a lane, otherwise 275 sq. m per unit	450 sq. m*
ii)	Lot frontage, minimum for rectangular lots	12 m with a lane otherwise 15 m	9 m per unit with lane, otherwise 10 m per unit	15 m*
iii)	Front yard, minimum	7.5 m	7.5 m	7.5 m*
iv)	Rear yard minimum	6 m	7.5 m	6 m* except 3 m for accessory buildings which require a Development Permit
v)	Side yard minimum	1.5 m	1.5 m	3.0 m*
vi)	Floor Area - minimum (residential uses only)	65 sq m	45 sq. m per unit	no minimum except 65 sq m per duplex unit
vii)	Lot Coverage - maximum (residential uses only)	interior lot 50% corner lot 60%	60%	no maximum

viii) Minimum standard for mobile homes is compliance with Canadian Standards Association document CAN/CSA - 240.21 - M86 "Structural Requirements for Mobile Homes"

*No minimum requirement for parks, playgrounds and public works

6. R2 - Medium Density Residential District

1. Intent

The purpose of this district is to provide for medium density residential development. Existing lots in this zone are generally larger than existing lots in the R1 District.

2. Permitted Uses

The following are permitted uses in the R2-District:

i) All those uses listed as permitted uses in the R1-Residential District
ii) Duplex dwellings

3. Discretionary Uses

The following are discretionary uses in the R2-District:

i) Home occupations
ii) Day care centres, subject to Department of Social Services Regulations
iii) Group Care Facilities
iv) Lodges, fraternal organizations
v) Funeral Homes
vi) Places of Worship
vii) Townhouses or rowhouses including condominiums
viii) Multiple Unit Dwellings including condominiums
ix) Bed and breakfast dwellings

4. Regulations

Requirement		Single Detached Dwellings	Duplex Dwellings	Multiple Unit Dwellings
i)	Lot area, minimum	500 sq. m with a lane, otherwise 550 sq. m	250 sq. m per unit with a lane, otherwise 275 sq. m per unit	750 sq. m
ii)	Lot frontage, minimum	18 m with a lane otherwise 20 m	9 m per unit with lane, otherwise 10 m per unit	23 m
iii)	Front yard, minimum	7.5 m	7.5 m	7.5 m*
iv)	Rear yard minimum	6 m	7.5 m	7.5 m
v)	Side yard minimum	1.5 m	1.5 m	3.5 m or 1/2 the average wall height which ever is greater
vi)	Floor Area minimum	65 sq. m	45 sq. m per unit	no minimum
vii)	Lot coverage, maximum	60%	60%	50%

Requirements for other uses are the same as in the R1-Residential District.

7. C1 - Downtown Commercial District

1. Intent

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

2. Permitted uses

The following are permitted uses in the C1-District:

i) Offices
ii) Bakeries with retail sales
iii) Personal service establishments
iv) Banks and financial institutions

v) Medical and dental offices and clinics
vi) Printing plants, newspaper offices
vii) Restaurants
viii) Retail stores
ix) Theatres, assembly halls
x) Undertaking establishments, funeral homes
xi) Hotels, motels
xii) Service or repair shops
xiii) Libraries, cultural institutions
xiv) Places of worship, religious institutions
xv) Service stations
xvi) Shops of tradesmen including plumbers, pipefitters, electricians and welders
xvii) Parking lots
xviii) Public works
xix) Dwelling units attached to commercial establishments
xx) Lodges, service or charitable clubs
xxi) Restaurants or other facilities licenced by the Sask. Liquor and Gaming Commission

3. Discretionary Uses

The following are discretionary uses in the C1 District

i) Commercial recreation establishments
ii) Automobile sales and service
iii) Lumber yards and building supply establishments
iv) Car washes
v) Shopping centres containing any of the permitted uses in this District
vi) Health and fitness clubs
vii) Existing single detached dwelling and accessory buildings located on:
(a) the northerly 30' of Lots 14 - 16,

Block 2, Plan I, 6534.

(b) Lots 27/28, Block 2, Plan I 6534

(c) Lot 4, Block L, Plan 65R03191

4. Regulations

i)	Minimum lot area	232 sq. m, except 929 sq. m for service stations and shopping centres
ii)	Minimum lot frontage	7.5 m, except 30 m for service stations and shopping centres
iii)	Minimum front yard	Nil, except 7.5 m for service stations
iv)	Minimum rear yard	nil except 6 m where a C1 lot abutts a residential district with no intervening street or lane.
v)	Minimum side yard	Nil, except 1.5 m abutting a residential district without an intervening lane or street.

vi) All attached 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.

vii) Fuel pumps and other accessory equipment shall be located at least 6 m from any street or lot line.

viii) 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.

8. C2 - Highway Commercial

1. Intent

The purpose of this district is to accommodate the orderly development of commercial establishments requiring medium to large lots.

2. Permitted Uses

The following uses are permitted uses in the C2 District:

i) Hotels
ii) Motels
iii) Service stations
iv) Establishments for the sale, storage and servicing of motor vehicles, trailers, machinery or equipment
v) Car washes
vi) Restaurants, including fast food outlets
vii) Veterinary hospitals and clinics
viii) Public works
ix) Lumber yards and building supply establishments
x) Health and fitness clubs

3. Discretionary Uses

The following are discretionary uses in the C2 District:

1) Existing single detached dwellings and accessory buildings on:
   (a) Lot 1, Block X, Plan 83R50479
   (b) Lots 10, 11 & 12, Block 14, Plan AH6128
   (c) Block V, Plan 73R09999
   (d) Block Z, Plan 84R20625

4. Regulations

i)	Lot area, minimum	1022 sq. m, for each single permitted use except no minimum for public works. Shopping centres require 1022 sq. m minimum + 500 sq. m for each additional permitted use.
ii)	Lot frontage, min.	30 m, except no minimum for public works
iii)	Front yard, min.	no minimum
iv)	Rear yard, min.	10% of lot depth
v)	Side yard, min.	3 m

vi) Fuel pumps and other accessory equipment shall be located at least 6 m from any street or lot line.

vii) 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.

8. M1 - Light Industrial District

1. Intent

The purpose of this district is to accommodate the development of industrial and service establishments, including a reasonable level of outdoor storage, but which are not of an obnoxious, hazardous or offensive nature.

2. Permitted Uses

The following are permitted uses in the M1 District:

i) Service stations
ii) Public recreational uses including but not limited to sports fields, campgrounds, parks, golf courses and rinks
iii) Lumber and building supply establishments
iv) Establishments for the sale, storage, rental or servicing of motor vehicles, trailers, farm machinery, equipment and recreational vehicles
v) Machine shops, welding shops
vi) Warehouses and wholesale establishments
vii) Autobody shops
viii) Car washes
ix) Shops of plumbers, pipefitters, metal workers and other industrial tradespeople
x) Public works
xi) Manufacturing establishments
xii) Service Stations
xiii) Wholesale establishments
xiv) Gravel yards
xv) Concrete block plants

xvi Bulk oil storage depots

3. Discretionary Uses

The following are discretionary uses in the M1 District:

i) Existing single detached dwellings and accessory dwellings on:
(a) Lot 2, Block K, Plan 65R03191

4. Regulations

i)	Lot area, minimum	1022 sq. m for each single permitted use except no minimum for public works. Industrial malls require 1022 sq. m minimum + 500 sq. m for each additional permitted use.
ii)	Lot frontage, minimum	30 m, except no minimum for public works
iii)	Front yard, minimum	no minimum
iv)	Rear yard, minimum	10% of lot depth
v)	Side yard, minimum	3 m

vi) Fuel pumps and other accessory equipment shall be located at least 6 m from any street or lot line.

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

9. Repeal and Effective Date

1. This Bylaw shall come into force on the date of approval by the Minister of Saskatchewan Municipal Government.

MAYOR

S E A L

ADMINISTRATOR

APPROVED
REGINA, SASK.
SEP 25 1996
DEPUTY MINISTER OF
MUNICIPAL GOVERNMENT

Certified a true copy of
Bylaw No. 13/96, adopted by
resolution of Council on the
9th day of September, 1996.

Administrator

BYLAW NO. 12/96

TOWN OF WAWOTA

BASIC PLANNING STATEMENT

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1. INTRODUCTION

1.1 Title

A bylaw of the Town of Wawota to adopt a Basic Planning Statement pursuant to Section 39 of The Planning and Development Act, 1983.

The Council of the Town of Wawota in the Province of Saskatchewan enacts as follows:

1. This bylaw may be cited as "The Basic Planning Statement Bylaw."

1.2 Historical Development

The first human inhabitants of the region were the Assiniboine and Cree Indians, as evidenced by findings of various artifacts. They were nomadic tribes that followed the herds of buffalo which were plentiful in this area during the early 1800's.

In 1881, the area in which Wawota is now located, Twp 11, Range 1, West of the Second Meridian was surveyed by the Canadian Government to open up the land for agricultural settlement. The first settlers were from Ontario and the British Isles and closely followed the surveyors. They were lured by the promise of free land for a fresh start in life and the adventure of being the first settlers in a new area. Later, in the early 1900's, many settlers arrived from the United States.

The first Canadian Pacific rail line in this area was the Reston-Wolseley line constructed through Maryfield, Fairlight, Walpole, Wawota, Dumas and Kennedy in 1905, making its first official run in December, 1908. This

line continued to operate until August, 1961 when it was abandoned due to decreased use.

The hamlet of Wawota began to develop shortly after the 1881 survey. It derived its name from native word meaning "deep snow".

In December, 1907, Wawota was large enough to be incorporated as a Village. In February, 1975 Wawota officially become a Town. Its population according to the 1976 federal census was 619. Since then Wawota has continued a slow but generally steady growth pattern.

This region has been established as a diversified agriculture area, growing grain, cattle, hogs and special crops. Mixed farming allows farm units to be smaller and consequently, the rural area can support a larger population.

A boost to the economy of this region occurred in 1957 when oil was discovered near Parkman to the southeast of Wawota. Since then drilling has continued and many producing wells can be seen pumping in the southern part of the area. Seismic exploration and oil development have been extending gradually northward in the past 10 years[1].

---

[1]This history of the area was originally researched and compiled by Lynne Swanson for the Pipestone Valley Rural Development Corporation

1.3 Purpose

The purpose of this Basic Planning Statement (BPS) is to provide guidance to the council in making development decisions. To accomplish this, the BPS will:

- serve as a framework to guide the council in making development decisions;
- identify matters of concern which affect the use and development of land;
- provide a strategy for the future development of the Town;
- state to the public, the development industry and other levels of government how the council intends to direct its development; and
- establish the objectives to be accomplished by a zoning bylaw.

1.4 Scope

The objectives and policies contained in this basic planning statement apply to the entire area within the boundaries of the Town. However, sound planning requires consultation with government agencies, other local authorities and the public at large. It is hoped that this basic planning statement will foster the involvement and co-operation of interested people and agencies both within and outside the Town.

2. BACKGROUND

2.1 Physical Characteristics

A. Location

Wawota is located in the southeast corner of the Province, approximately 45 km west of the Manitoba/Saskatchewan boundary and 100 km north of the Canada/U.S. border. It is about 25 km east of the White Bear Indian Reserve and Moose Mountain Provincial Park. The Town is served by Provincial Highway No. 48.

B. Natural Environment

The agriculture land surrounding Wawota to the south, east and north is rated as 70% Class 2 and 30% Class 5 by the Canada Land Inventory for Agriculture. The rating for land to the west is 50% Class 2 and 50% Class 5.

The Moose Mountain upland dominates the area's drainage patterns. The nearest watercourse to Wawota is the Little Pipestone Crescent on the Town's north boundary. This drains a relatively small area north and west of Town. The Creek empties into Pipestone Creek which eventually reaches Oak Lake and the Souris River in Manitoba.

2.2 Opportunities and Constraints

Wawota's population has changed very little over the last 20 years. As shown in Appendix A to this Basic Planning Statement, the projected population in 1996 is 708. For 2001, it may reach 736. This stability is an asset when compared to the major population losses experienced by most Towns and Villages in Saskatchewan over the same period.

The reliability of the population projection for a community like Wawota is discussed in Appendix A. The assumption of this Basic Planning Statement for servicing and land use issues is that Wawota's population will remain stable for the near future. Council should review these projections against the 1996 census, etc., for capital works planning and other land related issues management.

Many communities are vulnerable to economic change if they are too dependent on major transportation links or single industry employers. It remains to the Town Council and the residents of Wawota and the neighbouring municipal governments and First Nations to promote and build on the physical, social and economic strengths of the area for mutual benefit.

The current geographic and physical constraints and opportunities for the Town are attached as Appendix B to this Basic Planning Statement. Council shall use this as a guide in making land use policy, rezoning or other decisions affected urban development.

3. MAJOR DEVELOPMENT ISSUES

Town Council has identified the following major issues:

- there is a need for future highway commercial and light industrial land in Town
- Town-owned land should be available for residential expansion
- a policy is required for extension of Town services to users outside Town boundaries
- there should be an adequate supply of developable land available in Town if environmentally hazardous or sensitive lands must be protected from development
- options should be explored for shared costs of Town-owned recreation facilities now located outside Town or annexation of land on which Town-owned facilities are located.

3.1 Goals and Objectives

Goal 1. TO BE THE BEST ENVIRONMENTAL SETTING FOR OURSELVES AND FUTURE GENERATIONS

Goal 2. TO CO-OPERATE WITH OTHER LOCAL GOVERNING BODIES

Goal 3. TO DEVELOP COMMUNITY PRIDE AND RECOGNITION

Goal 4. TO PRESERVE AND EXPAND SERVICES AND FACILITIES AND REMAIN A PROGRESSIVE PRAIRIE TOWN.

Goal 5. TO PRESERVE AND ENCOURAGE OR EXPAND ECONOMIC DEVELOPMENT IN THE COMMUNITY

3.2 Specific Policies - Land Use Issues

3.2.1 Residential

A. Objectives

(1) to have sufficient, suitable land available to meet the need for future residential development;
(2) to maintain the quality of residential areas;
(3) to have different types of housing available to meet the needs of residents of various social and economic backgrounds;
(4) to avoid conflicts between residential and other land uses;
(5) to protect existing residential areas from encroachment by incompatible uses:
(6) to minimize the cost to the Town of extending municipal services to future residential area; and
(7) to ensure that residential developments are provided with sufficient amenity and open space to meet the needs of the residents.

B. Policies

(1) to encourage the development and maintenance of good quality single detached dwellings in all low-density residential areas;
(2) to discourage scattered medium and high density residential development from conflicting with low density residential areas;
(3) to provide both a mobile home park and individual mobile home lots in clusters rather than on a random, dispersed basis;

(4) to only allow home occupations which are beneficial in type and scale to the character of the residential area;

(5) to encourage residential redevelopment and infill development in existing residential areas;

(6) to allow future residential expansion on suitable land adjacent to the existing residential areas in accordance with the "Land Use Concept Plan". The actual phasing of future development will depend to a large extent on the location and timing of any required improvements to the sewer and water systems;

(7) to allow housing for the elderly and others with special needs by encouraging such uses in locations which will best meet their needs and allow for their integration into the community;

(8) to prohibit residential development in commercial or industrial areas except for residential units which are incidental to a downtown commercial use, or where a residence would be a necessary part of the operation of the business;

(9) to prohibit non-residential development in residential areas, except for public and institutional uses that are compatible with the residential area, approved home occupations and limited commercial development that may be required to serve the residents of the neighbourhood.

3.2.2 Commercial and Industrial

A. Objectives

(1) to allow limited commercial uses in industrial areas only if they are compatible and vice versa;
(2) to encourage any industry to locate/or expand in Town if it meets or exceeds current environmental standards;
(3) to develop and maintain a strong, attractive downtown area;
(4) to have suitable land available for future downtown commercial, highway commercial and industrial developments;
(5) to maintain the integrity of the arterial function of the main streets and provincial highways;
(6) to ensure the provision of adequate parking to meet the needs of the downtown area;
(7) to avoid and minimize potential conflicts between commercial, industrial and other land uses.

B. Policies

(1) to encourage retail, administrative, professional and personal services to locate within the downtown commercial area;
(2) to encourage businesses which serve the travelling public, which require high visibility or large sites, or which are otherwise not suited to a central location to locate in the highway commercial areas;
(3) to designate specific areas as commercial, highway commercial or industrial holding

zones in the zoning bylaw. The Zoning Bylaw will recognize any existing single detached dwellings in these areas as conforming uses until the lots are redeveloped for the intended commercial or industrial use;

(4) to target those professional services required by the Town based on its current and projected demographics;

(5) to encourage industrial uses which require access to the highway or which are potentially hazardous or obnoxious to locate on sites within the industrial area or with the consent of the R.M. Council, within the R.M. of Wawken;

(6) to regulate commercial or industrial development on land adjacent to residential areas to minimize potential land use conflicts. Physical separation between these uses and adjoining residences is one way of resolving such conflict.

(7) to require future downtown commercial developments to provide sufficient parking facilities so as not to place undue demand on available on-street parking. Council may establish a special fund to be used for the eventual development or maintenance of a public parking area.

(8) to encourage future commercial developments intended to serve the Town's trade area to locate within the Town. This includes special events such as Farmer's Markets.

3.2.3. Recreation and Institutional

A. Objectives

(1) to enhance the services and facilities for residents of the Town and its surrounding community;

(2) to plan for and respond to changes in public preferences and needs for recreation, health and leisure;

(3) to preserve the existing recreation facilities and provide for future expansion.

B. Policies

(1) to encourage provincial/federal government offices or regional service delivery agencies to locate or expand in Town;

(2) to encourage and develop recreation programs serving all age groups;

(3) to have sufficient land and reasonable financial resources available for the recreational educational, cultural and health needs of the Town and its surrounding R.M.'s;

(4) to use the municipal reserve provisions of The Planning and Development Act, 1983 to create new public parks or improve existing ones. Any or all existing parks in Town may at Council's discretion be dedicated as municipal reserve to ensure their continued benefit to Town residents as passive or active recreational areas.

3.2.4 Administrative

A. Objectives

(1) To maintain and enhance the role of Wawota as a major urban centre in the region, and to ensure the continued capability of the Town to perform this role.

(2) To initiate and encourage consultation and cooperation on services and other projects with all adjacent municipalities, senior levels of government, other local authorities and the public with regards to development and growth in the region.

(3) to promote improved communication between local boards and agencies.

(4) to consider boundary alterations for the Town dependent on the current or feasible land uses for the area from both urban and rural perspectives.

B. Policies

(1) To find common projects which are valuable to both Town and R.M. Councils.

(2) To encourage joint meetings with the Councils of the R.M.'s of Walpole No. 92 and Wawken No. 93.

(3) To continue cooperation with adjacent municipalities on municipal and other services and to expand such joint services where feasible.

(4) To consider annexation of existing residential, commercial, industrial uses where such uses now use Town services or have requested annexation.

5) To consider returning to the Rural Municipalities areas which would be best suited for non-urban uses (eg. large-scale industrial, recreational).

4. IMPLEMENTATION

The Basic Planning Statement will provide guidance for the Council in making decisions regarding land use, zoning, subdivisions and development in general. These decisions must be made in conformity with the stated policies and objectives to ensure that the goals for the future development of the Town will be achieved.

However, the two most important tools available for guiding the future development of the Town are through zoning controls and the subdivision process.

4.1 Zoning Bylaw

The Planning and Development Act, 1983, requires a Council to adopt a zoning bylaw in conjunction with the basic planning statement. It allows the Council to prescribe the uses of land and buildings that will be allowed in the different parts of the Town. In addition, the bylaw regulates how these uses may be carried out and the standards that developments must meet.

The objectives to be accomplished in the zoning bylaw are to ensure:

- that future land use and development are consistent with the goals and objectives of the municipality.
- that land use conflicts will be avoided;
- that future development will meet minimum

standards to maintain the amenity of Wawota and protect property values;

- that development will be consistent with the physical limitations of the land;
- that development does not place an undue demand on the municipality for services; and

The zoning bylaw provides Council with actual control over land use and development within the Town. To ensure that these controls help to achieve the stated goals and objectives, the bylaw itself must be consistent with the policies and the intent of this Basic Planning Statement. In considering a zoning bylaw or an amendment, the Council must refer to the policies contained in the text and the land use map to ensure that the development objectives of the Town will be met.

4.2 Subdivision Process

Subdivision, the breaking up of land into smaller legal units, is normally an integral part of the development process. Although the Director of Community Planning for Saskatchewan Municipal Government is the approving authority for subdivisions in the Town, the Council has input into the subdivision procedure at two points. First, the Council provides comments to the Director on all applications for subdivision within the Town. In reviewing all subdivisions, the Council must consult this basic planning statement to see whether the proposed development is consistent with the long term goals of the municipality and the desired future pattern of development.

Secondly, Council has an impact on the subdivision process through the zoning bylaw. Since no subdivision can be approved that does not conform to the zoning bylaw, Council has the power to directly influence subdivision and development in the Town. Also, in the zoning bylaw the Council can establish the minimum area, width or depth of lots.

Since zoning is intended to implement the Town's development policies, it should help to ensure that the subdivision process will contribute to achieving the long term goals of the Town.

4.3 Review and Amendment

A basic planning statement is not a static document and should not commit the Town to an inflexible development policy. As new issues and concerns arise, or old ones change, the strategic plan and basic planning statement should be revised to meet these changes. The basic planning statement should be reviewed from time to time to see whether the stated objectives are still relevant and whether the policies set out are being effective in achieving those objectives. The concerns, objectives and policies of the basic planning statement must be kept up to date to ensure that the document will deal with the real development issues facing the community.

Occasionaly, land uses or developments may be proposed which do not conform to the basic planning statement. The basic planning statement can be amended to allow the new development to proceed. However, before any amendment is made, the impact of the proposed change on the rest of the planning statement and the future development of the Town should be considered. Any

changes to the basic planning statement or the zoning bylaw should be in the interest of the future development of the community as a whole. Through periodic review and amendment, the basic planning statement should serve as an effective guide for the Council in making decisions on the future development of Wawota.

4.4 Conformity with the Land Use Concept Plan

The map entitled "Land Use Concept Plan" described as Schedule A to Bylaw No. 12/96 shall be part of this bylaw. Council shall not amend its Zoning Bylaw or recommend a subdivision for approval unless it conforms with the relevant policies of the Basic Planning Statement including the "Land Use Concept Plan"

4.5 Effective Date

This Bylaw shall come into force on the date of approval by the Minister of Saskatchewan Municipal Government.

MAYOR

S E A L

Certified a true copy of Bylaw No. 12/96, adopted by resolution of Council on the 9th day of September, 1996.

Administrator

ADMINISTRATOR

APPROVED
REGINA, SASK.
SEP 25 1996
DEPUTY MINISTER OF
MUNICIPAL GOVERNMENT

APPENDIX A

POPULATION PROJECTIONS

A 1986 study of 19 different population projection techniques done by the University of B.C.(1) was used to evaluate which technique would be suitable for use regarding Wawota. The Town has historically seen slow growth.

Due to this, a projection technique called Constant Numeric Change was used because it was the one with the lowest rate of error for smaller B.C. municipalities with slow growth.

Even this has its limitations. As the UBC study noted:

> "For any geographic division, the population increment is fundamentally a function of births, deaths and migration. In the smaller communities the contribution of migration to population growth or decline will generally overwhelm that of net natural increase. Migration in most non-metropolitan communities is in turn primarily a function of employment opportunities, and changes in this factor cannot be projected with any degree of accuracy by the largely unsophisticated projection methods employed here.
>
> It is arguable, of course, that employment creation in non-metro communities can never be predicted with any marked degree of accuracy since it is dependent on a number of factors which do not readily lend themselves to modelling/prediction, e.g., world commodity prices, location decisions of firms, technological innovations, local entrepreneurship, etc."

In the UBC "constant rate of change" model, the basic assumption is that the future population growth will be equal to the average growth rate over the past 3 periods. This model was adapted to Wawota using 4 census intervals between 5 census years.

YEAR	CENSUS POPULATION
1971	536
1976	619
1981	622
1986	691
1991	668

It is assumed that the municipality's population will change (grow or decline) in the next census period at a rate equal to the arithmetic average over the past "n" periods.

Model: $p(t+1) = p(t)\ [(p(t)/p(t-1) + \ldots + p(t-(n+1))/p(t-n)]/n$

Wawota: $1996\ pop. = 668\ \left(\frac{668}{691} + \frac{691}{622} + \frac{622}{619} + \frac{619}{536}\right) \Big/ 4$

$1996\ pop. = \left(\frac{0.97 + 1.11 + 1.00 + 1.16}{4}\right)$

$1996\ pop. = 668 \times \frac{4.24}{4}$

$1996\ pop. = 708$

The same rate of change would produce a population of 736 in 2001.

This projection assumes that no major employment/migration effects will be felt by the Town.

(1) AN EMPIRICAL COMPARISON OF SIMPLE TECHNIQUES FOR 5-YEAR MUNICIPAL POPULATION PROJECTIONS Sept. 1986
H.C. Davis CPI #19

U.B.C. PLANNING PAPERS
Canadian Planning Issues, #19

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