

BYLAW No. 01-18

A BYLAW OF THE R.M. OF BEAVER RIVER No. 622 TO AMEND BYLAW No. 57 KNOWN AS THE ZONING BYLAW

The Council of the Rural Municipality of Beaver River No. 622, in the Province of Saskatchewan, enacts this bylaw to amend Bylaw No. 57 as follows:

1. PART II – ADMINISTRATION is amended as follows:

- a. Section (2) **APPLICATION FOR A DEVELOPMENT PERMIT** is amended by adding the following clause after clause (d):

“(e) **Retaining Walls**: where the wall height does not exceed 1.2 metres (4.0 feet) from undisturbed soil unless otherwise specified by the Development Officer in consultation with the Building Official, and subject to Part III, section 12 – Retaining Walls.”

- b. By adding the following section after section 12:

“13. Lot or Parcel Consolidation

- (a) Council may consider the request to consolidate adjacent lots or parcels where a legal non-conforming structure contravenes minimum setback requirements as listed within this Bylaw.
- (i) All applicants shall be required to provide a Real Property Surveyor’s Report completed by a Saskatchewan Land Surveyor to verify the existing structure contravenes setback requirements.
- (b) Council may consider a consolidation for Development Permit Applications where applicant requests to build across property lines, and the consolidated parcel.
- (c) All consolidations shall be required to meet the size and frontage requirements listed within the applicable zoning district requirements listed in this Bylaw.
- (d) All requests shall be required to conform to the regulations set forth in the *Land Titles Act, 2000* and *The Planning and Development Act, 2007*.”

2. PART III – GENERAL REGULATIONS is amended by adding the following section after section (11):

“12. Retaining Walls

- (a) Retaining walls where the wall height does not exceed 1.2 metres (4.0 feet) from undisturbed soil shall not be required to submit a development permit application, unless otherwise specified by the Development Officer in consultation with the Building Official.
- (b) In this section “height” means the vertical distance of the retaining wall measured from the undisturbed ground level immediately adjacent to the structure to the highest point of the structure.
- (c) Notwithstanding clause (a), retaining walls shall be required to submit a building permit application.
- (d) Sites with existing retaining walls may be required to provide a geotechnical engineered compliance certificate to the Development Officer prior to rendering a decision on future development permit applications.
- (e) The Development Officer may require the submission of a Real Property Surveyor’s Report completed by a Saskatchewan Land Surveyor to ensure construction of the retaining wall within property boundaries. This may be requested prior to installation for existing retaining wall construction, or listed as an approval condition for new retaining wall construction.

(f) The construction of a retaining wall shall not cause adverse effects for surface drainage onto adjacent and nearby property boundaries.”

3. **PART IV – ZONING DISTRICTS**, the “Zoning District Map” which forms part of Bylaw No. 57, is amended by:

a. Rezoning from LD2 – LAKESHORE DEVELOPMENT 2 DISTRICT to LD1 – LAKESHORE DEVELOPMENT 1 DISTRICT, proposed **Lots 5 to 17, Block C** within **Parcel D, Registered Plan No. 88B07551** being surface parcel no. **147304032**. These lands, which are lying within the Rural Municipality of Beaver River No. 622 boundaries are shown within the bold lines in the attached reference map labelled “Schedule A”.

4. **PART IV – ZONING DISTRICTS, SCHEDULE A: A – AGRICULTURAL DISTRICT** is amended by:

a. Section (A) **PERMITTED USES**, Subsection (1) **Principal Uses** is amended by adding the following clause after clause (c):

“(d) Residential:

(i) Country residential development

(ii) Residential dwelling, farmstead residential, including mobile and manufactured homes, park models and similar uses.

b. Section (B) **DISCRETIONARY USES**, is amended by removing the clauses (e) and (f), and replacing it with the following:

“(e) Single parcel country residential subdivisions

(f) Commercial storage compounds”

c. Section (B) **DISCRETIONARY USES**, subsection (B1) **Additional Criteria for Discretionary Uses**, clause (e) is amended by removing the words “shall” throughout the subsection, and replacing it with the word “may”.

d. Section (C) **REGULATIONS**, subsection (3) **Development Standards for Discretionary Uses**, clause (d) is amended by removing the words “shall” throughout the subsection, and replacing it with the word “may”.

e. Section (C) **REGULATIONS**, subsection (3) **Development Standards for Discretionary Uses**, clause (e), item (iv) is amended by removing the words “Minimum excavation setbacks are as follows” and replacing it with “The following setbacks are encouraged:”.

5. **PART IV – ZONING DISTRICTS, SCHEDULE C: CR – COUNTRY RESIDENTIAL DISTRICT**, Section (A) **PERMITTED USES**, subsection (1) **Principal Uses**, clause (a), item (ii) is removed and replaced with the following:

“(ii) A manufactured or mobile home, modular home and/or park model, on a permanent foundation”

6. **PART V – DEFINITIONS**, is amended by adding the following definitions in alphabetical order:

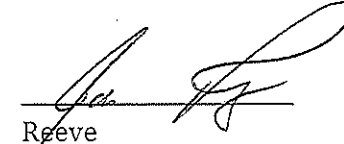
Aggregate: means quarry minerals that are used solely for construction purposes as a constituent other than in the manufacture of cement and includes sand, gravel, clay, crushed stone and crushed rock.

Gravel crushing, or commercial aggregate extraction operation: means commercial development for the on-site removal, extraction, washing, crushing, mixing and primary processing of raw material found on or under the site, or accessible from the site. Typical uses include commercial gravel pits, sandpits, quarries and stripping of topsoil and peat moss.


Storage Compound: shall mean an area that can be open and exposed to the natural elements and/or the erection of permanent structures, and is intended for the storage of recreational and automotive vehicles and equipment, RV's, and trailers, but not for the storage, stockpiling or accumulation of industrial type goods, materials and/or equipment."

7. This bylaw shall become effective on the date of approval of the Minister of Government Relations.



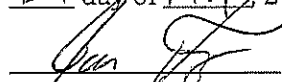


Reeve



Municipal Administrator

Certified a true copy of
Bylaw No. ___ adopted by
resolution of Council this
24 day of May, 2018



Reeve



Municipal Administrator



Statutory Declaration

CANADA

Province of Saskatchewan

In the matter of *The Planning and Development Act, 2007*
and a Bylaw adopted by the Rural Municipality of Beaver River
No. 622 to amend Bylaw No. 57 known as Zoning Bylaw.

I, Nicole Neufeld, of the Rural Municipality of Beaver River No. 622 in the Province of Saskatchewan, do solemnly declare:

That I am the Administrator for the Rural Municipality of Beaver River No. 622 and as such have personal knowledge of the matters herein.

That attached hereto as Exhibit "A" are two certified copies of Bylaw No. 01-18 passed by the Council of the Rural Municipality of Beaver River No. 622 at an open meeting duly convened and held on **May 24, 2018**, there having been a quorum present.

That attached hereto as Exhibit "B" is a copy of the newspaper ad that was used to give the public notice of the proposed bylaw which appeared in the *Lakeland Regional* that circulated in the municipality for two successive weeks on **March 20, 2018** and **March 27, 2018**.

That Council held a public meeting on the **18** day of **April, 2018** at **11 AM** to receive or hear representation about the proposal.

That attached hereto as Exhibit "D" are the public hearing minutes of the representation that were received concerning this bylaw. This exhibit also includes the meeting minutes from Readings 1, 2 and 3.

There was one (1) individual in attendance and one (1) written letter of correspondence received regarding the bylaws. The letter has been attached for your reference.

Council took these concerns into consideration and requested the Developer to increase the road width within the Plan of Proposed Parcel to increase parking and removed the requirement to install a street light to reduce light pollution.

And I make this solemn declaration conscientiously believing it to be true knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

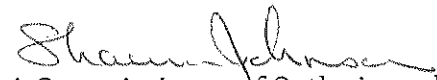
Declared before me at (municipality) in

the Province of Saskatchewan

this 30th day of July, 2018 AD.



(Administrator/Clerk)



A Commissioner of Oaths in and for the

Province of Saskatchewan.

My Commission expires Aug 31, 2021

SCHEDULE A

PLAN OF PROPOSED SUBDIVISION

OF ALL OF

PARCEL D, REG'D PLAN No. 88B07551

WITHIN

N.W.¼ SEC.7-TWP.63-RGE.22-W.3Mer.

R.M. OF BEAVER RIVER No. 622

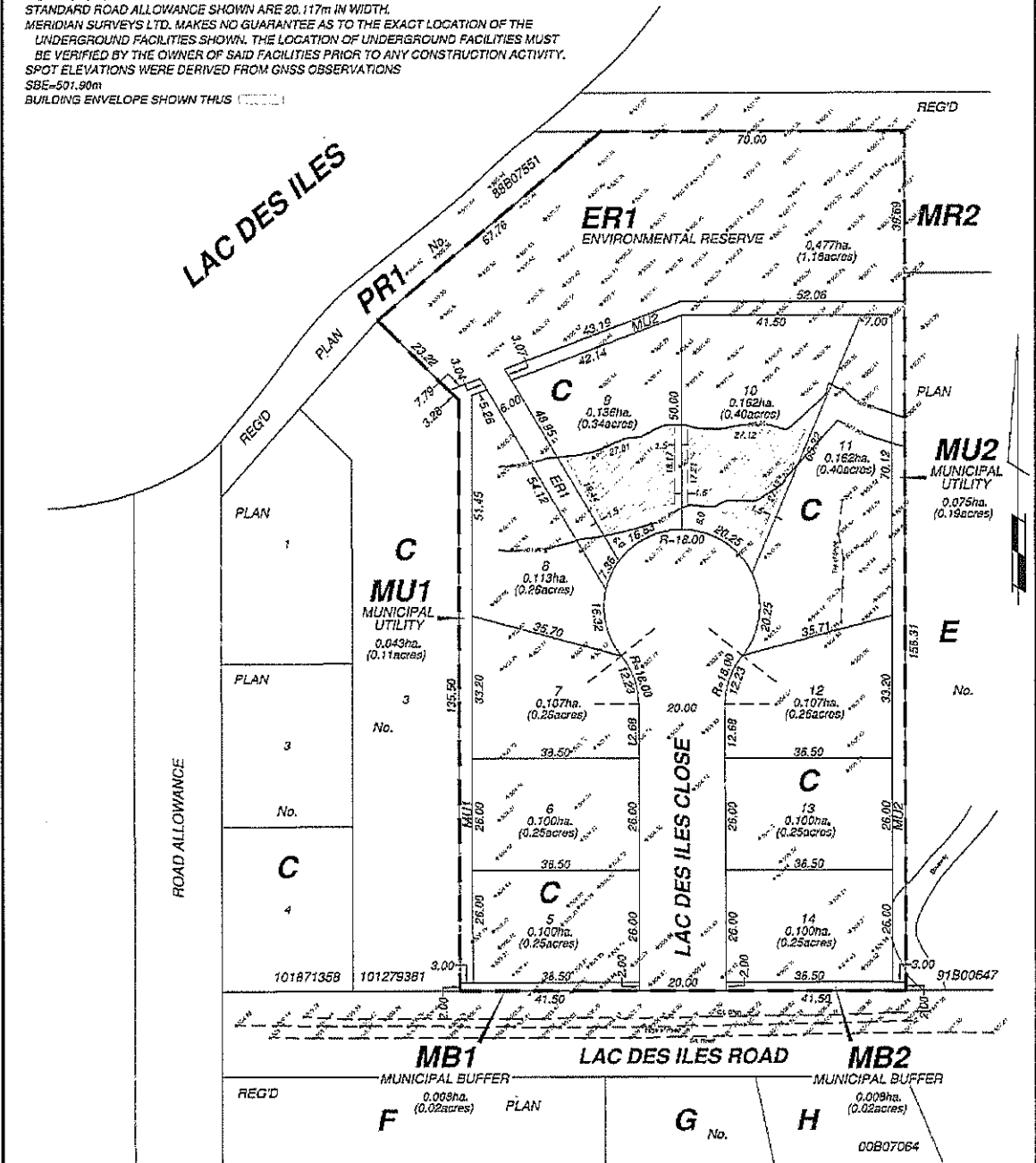
2015

SCALE 1:1000

NOTE

PORTION TO BE SURVEYED IS OUTLINED IN A HEAVY DASHED LINE, AND CONTAINS 2.046ha.(5.05acres)
 MEASUREMENTS ARE IN METRES AND DECIMALS THEREOF.
 DISTANCES ARE APPROXIMATE AND MAY VARY BY ± 1 METRE.
 STANDARD ROAD ALLOWANCE SHOWN ARE 20.117m IN WIDTH.
 MERIDIAN SURVEYS LTD. MAKES NO GUARANTEE AS TO THE EXACT LOCATION OF THE UNDERGROUND FACILITIES SHOWN. THE LOCATION OF UNDERGROUND FACILITIES MUST BE VERIFIED BY THE OWNER OF SAID FACILITIES PRIOR TO ANY CONSTRUCTION ACTIVITY.
 SPOT ELEVATIONS WERE DERIVED FROM GNSS OBSERVATIONS
 SBE-501.90m
 BUILDING ENVELOPE SHOWN THUS [Symbol]

Ministry of Government Relations
 Community Planning Branch
 Approval



[Signature]
 Ian C. Isackson
 Saskatchewan Land Surveyor

Susan Hinger
 Approval: Owner PARCEL D, REG'D PLAN No. 88B07551

Reynold Hinger

November 29, 2017
 September 15, 2017
 May 18, 2017
 DWG.FILE: LS150484(PPS)



[Handwritten signature]