

**VILLAGE of ST. LOUIS
ZONING BYLAW No. 17/61**

**OFFICE CONSOLIDATION
To October 2006
FOR REFERENCE PURPOSES ONLY**

This reference copy of the St. Louis Zoning Bylaw includes all text changes made up to October 2006. The following bylaws have amended the original bylaw:

Bylaw 1/1976, approved on November 16, 1976 – Map amendment changing from Commercial to Residential portion of Sec 35-45A-27-W2M between the river and highway No. 2; Section 7.2(2)A & B also changed.

Bylaw 1/1981, approved on September 10, 1981 – Map amendment changing from partly Commercial and partly Industrial to Residential, Parcels A, B, F, lot 1-6. Block L.

Bylaw 3/1983, approved on December 5, 1983 – added abattoirs to Agricultural District, Map change for Lot 3, Block 14 from Residential to Agricultural.

Bylaw 4/1986, approved on March 3, 1987 – rezone Lots A & B from Commercial to Residential, Lots 1-8, PR1 in Block 12 from Agricultural to Residential, Lots 9-12 in Block 12 from Agricultural to Commercial.

Bylaw 1/1989, approved on December 14, 1989 – text update, rezone from Residential to Commercial C of T in River Lots 3 & 4; Parcel C; from Commercial to Residential Parcel A, Pt'n. 35-45A-27-W2M between highway 25 and the river; from Residential to Commercial C of T at corner of First Street & Boucher Ave.; from Industrial to Agricultural that part of the CNR right-of-way in the Village; and from Agricultural to Industrial the south part of S ½ Sec. 35-45A-27-W2M.

Bylaw 8/2006, approved on October 10, 2006– text update, add clause for set back requirements on accessory buildings in residential zones, add clause regarding fence locations and height restrictions, add clause to allow for minor variance applications to the zoning bylaw.

VILLAGE OF ST. LOUIS
BYLAW No. 17/61

A bylaw to regulate the use of land and the location and use of buildings and other structures in the Village of St. Louis, so as to provide for the amenity of the Village and the health, safety and general welfare of the inhabitants.

The Overseer and Council of the Village of St. Louis in the Province of Saskatchewan, in open meeting hereby enact as follows:

1. This Bylaw shall be cited as the “Zoning Bylaw”.

DEFINITIONS

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

Accessory use – shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use or building.

Alteration or altered – shall mean a building or structure to which an addition is made or in which any structural change is made.

Building – shall mean any structure constructed or placed on, in or over land but does not include a public highway. (Bylaw 1/89, Dec 14/19 – replaced Building)

Building Accessory – shall mean a subordinate detached building appurtenant to a main building or main use and located on the same site, the purpose of which is to provide better and more convenient enjoyment of the main building or main use.

Building line, established (in a block) – shall mean the average distance from the street line to the main wall of the existing buildings in any block where more than half the frontage has been built on.

Building Principal – shall mean the building in which is conducted the main or primary use of the lot on which said building is situated. (Bylaw 1/89, Dec 14/89)

Clerk – shall mean the clerk of the Village of St. Louis. (Bylaw 1/89, Dec 14/89)

Council – shall mean the Council of the Village of St. Louis.

Development – shall mean 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 use of any building or land. (Bylaw 1/89, Dec 14/89)

Development Permit – shall mean a document authorizing a development, issued pursuant to this zoning bylaw. (Bylaw 1/89, Dec 14/89)

Discretionary Use – shall mean 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. (Bylaw 1/89, Dec 14/89)

Dwelling, Duplex – shall mean a building divided horizontally into two dwelling units as herein defined. (Bylaw 1/89, Dec 14/89)

Dwelling, Multiple Unit – shall mean a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartments but not rooming houses, hotels, or motels. (Bylaw 1/89, Dec 14/89)

Dwelling, Semi-Detached – shall mean a building divided vertically into two dwelling units, separated by a common party wall without openings throughout the entire structure. (Bylaw 1/89, Dec 14/89)

Dwelling, Single-Detached – shall mean a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home as herein defined. (Bylaw 1/89, Dec 14/89)

Dwelling Unit – shall mean one or more habitable rooms constituting a self-contained unit used as a residence, each unit having sleeping, cooking and toilet facilities. (Bylaw 1/89, Dec 14/89 Dwelling Unit)

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

Garage, public – shall mean 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.

Garage, private – shall mean a building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Hazard land – shall mean land which is subject to flooding, ponding, subsidence, landslides or erosion. (Bylaw 1/89, Dec 14/89)

Hotel – shall mean a building or structure or part of a building or structure kept, used or advertised as a place where sleeping accommodation with or without meals, is provided for transient lodgers, and where a guest register or record is kept, but does not include a motel, boarding house, lodging or rooming house or tourist home.

Lane – shall mean a public highway vested in the Crown as a secondary level of access to a lot or parcel of land. (Bylaw 1/89, Dec 14/89 replaces Lane)

Mayor – shall mean the Mayor of the Village of St. Louis. (Bylaw 1/89, Dec 14/89)

Minister – shall mean the member of the Executive Council to whom, for the time being, the administration of the Act is assigned. (Bylaw 1/89, Dec 14/89 replaces Minister)

Mobile Home Court – shall mean any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court. (Bylaw 1/89, Dec 14/89)

Mobile Home Site – shall mean an area of land in a mobile home court for the placement of a mobile home. (Bylaw 1/89, Dec 14/89)

Motel – shall mean an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or lots and designed for use by the public, and may include a licensed dining room. (Bylaw 1/89, Dec 14/89 updates Motel)

Non-Conforming Building – A building:

- a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective, and
- b) that on the date this Bylaw or any amendment hereto becomes effective does not or when constructed will not comply with this Bylaw. (Bylaw 1/89, Dec 14/89)

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. (Bylaw 1/89, Dec 14/89)

Overseer – shall mean the Mayor of the Village of St. Louis. (Bylaw 1/89, Dec 14/89)

Parking Lot – shall mean an open area of land, other than a street, used for the temporary parking of more than four (4) vehicles and available for public use whether free, for compensation or as an accommodation for clients and customers.

Parking Space, automobile – shall mean a space within a building or parking lot for the parking of one (1) automobile.

Permitted Use – shall mean a use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district. (Bylaw 1/89, Dec 14/89)

Public Work

- a) systems for the production or distribution of electricity;
- b) systems for the distribution of natural gas or oil;
- c) facilities for the storage, transmission, treatment, distribution or supply of water;
- d) facilities for the collection, treatment, movement or disposal of sanitary sewage; or
- e) telephone or light distribution lines,

that are owned or operated by the Crown or a municipality. (Bylaw 1/89, Dec 14/89)

Secretary – Treasurer – shall mean the clerk of the Village of St. Louis. (Bylaw 1/89, Dec 14/89)

Site – shall mean an area of land considered as a unit devoted to a certain use, or occupied by a building or group of buildings that are united by common interest or use, and the customary accessories and open spaces belonging to the same.

Site line, front – shall mean the boundary that divides the site from the street. In the case of a corner location the site boundary that abuts the street to the front of the main building shall be deemed to be the front site line.

Site line, rear – shall mean the boundary at the rear of the site and opposite the front site line.

Site line, side – shall mean a site boundary than a front or rear site line.

Street – shall mean a public thoroughfare which affords the principal means of access to the abutting property.

Street line – shall mean the boundary line between the site and a street.

Structure – shall mean anything that is built, constructed, or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Trailer Court – see mobile home court. (Bylaw 1/89, Dec 14/89)

Trailer Coach – shall mean any vehicle 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 conveyance shall be deemed to be a trailer coach whether mounted on wheels or dismounted from wheel and detached from its conveying vehicle.

Village – shall mean the Village of St. Louis.

Yard – shall mean any part of a site unoccupied or unobstructed from the ground to the sky.

Yard, Front – shall mean a yard, extending across the full width of the site between the front line of the site and the nearest main wall of the main building or structure on the site.

Yard, Rear – shall mean a yard, extending across the full width of the site between the rear line of the site and the nearest main wall of the main building or structure on the site.

Yard, Side – shall mean a yard, extending from the front yard to the rear yard between the side line of the site and the nearest main wall of the main building or structure, exclusive of any chimney breast.

SCOPE

3. No building or structure shall hereafter be erected or structurally altered nor shall any building, structure, land or premises hereafter be used in whole or in part within the limits of the municipality, except in conformity with the provisions of this Bylaw.

PART I

ZONING DISTRICTS

4. CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and regulations of this bylaw, the Municipality is hereby divided into classes of zoning districts, to wit:

Agricultural

Residential
Commercial
Industrial

5. BOUNDARIES OF ZONING DISTRICTS

The boundaries of such districts referred to above, together with explanatory legend, notation and reference, are shown on the map entitled “**Zoning District Map**”.

Where shown along streets and lanes the boundaries, unless otherwise indicated on the map, shall be interpreted to be the boundaries of the allowances of the streets and lanes; where the zoning district boundaries are not shown along streets and lanes and where the property has been subdivided into blocks of lots lines, the boundaries shall be construed to be the lot lines; in un-subdivided land the boundaries shall be determined by the scale shown on the map.

6. THE ZONING DISTRICT MAP

The map, bearing the statement “**This is the Zoning District Map referred to in the Zoning Bylaw No. 17/61 of the Village of St. Louis**” and signed by the Overseer and Secretary-Treasurer under the seal of the Village, shall be known as the “**Zoning District Map**” and such map is hereby declared to be an integral part of this bylaw, as if embodied herein.

7. DISTRICT SCHEDULES

The following are the schedules of uses and regulations pertaining to the various zoning districts under this bylaw:

7.1 AGRICULTURAL DISTRICT

(1) Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an Agricultural District, only the following uses shall be permitted:

A Agricultural

- Field crops, dairy farming, animal and poultry raising, ranching, grazing, tree nurseries and any other similar use customarily carried on in the field of general agriculture, including the sale, on the premises, of any produce grown or raised on the premises.
- abattoirs (Bylaw 3/83, Dec 5/83)
- public works (Bylaw 1/89, Dec 14/89)
- cemeteries (Bylaw 1/89, Dec 14/89)
- parks, playgrounds or campgrounds (Bylaw 1/89, Dec 14/89)

B Accessory

Buildings, structures or uses accessory to and located on the same site with the main use including single detached dwellings accessory to the principal agricultural use. (Bylaw 1/89, Dec 14/89)

(2) Regulations

- A Site area – minimum holding 40 acres
Abattoirs – minimum 2 acres (Bylaw 3/83, Dec 5/83)
Other uses - no minimum (Bylaw 1/89, Dec 14/89)
- B A maximum of two single detached dwellings is permitted on any agricultural land holding. (Bylaw 1/89, Dec 14/89)
- C All buildings shall be set back at least 50 feet from the edge of any road allowance.

7.2 RESIDENTIAL DISTRICT

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as a Residential District, only the following uses shall be permitted:

(1) Uses Permitted

A Residential

- (1) single detached dwellings (Bylaw 1/89, Dec. 14/89 replace One-family)
- (2) duplex or semi-detached dwellings (Bylaw 1/89, Dec 14/89 replace two-family)
- (3) senior citizen's home (Bylaw 1/89, Dec 14/89)
- (4) multiple unit dwellings (Bylaw 1/89, Dec 14/89)

B Home occupation

Offices of physicians, dentists, drugless practitioners and other customary home occupations.

C Institutional

- (1) schools, educational institutions
- (2) churches, religious institutions
- (3) hospitals, sanatoria, clinics

- (4) lodges, fraternal organizations
- (5) libraries, cultural institutions
- (6) police stations (Bylaw 1/89, Dec 14/89)
- (7) fire halls (Bylaw 1/89, Dec 14/89)
- (8) public works (Bylaw 1/89, Dec 14/89)

D Recreational

Sports fields, parks and other similar uses.

E Accessory Uses

Buildings, structures or uses accessory to and located on the same site with the main use.

(2) Regulations

- A Site area – minimum 5,000 square feet (Bylaw 1/76, Nov 16/76)
- B Site frontage – minimum 50 feet or a mean width of 50 feet and 35 feet frontage for non-rectangular lots. (Bylaw 1/76, Nov 16/76)
 - Duplex dwellings and senior citizen’s homes 60 feet (Bylaw 1/89, Dec 14/89)
- C Floor area – single detached dwelling – minimum 500 square feet (Bylaw 1/89, Dec 14/89)
 - duplex or semi detached dwelling – minimum 1000 square feet (Bylaw 1/89, Dec 14/89)
- D Yard – front – minimum depth – 25 feet
 - side – minimum width – 5 feet on each side. Institutional use and multiple unit dwellings however shall have a side yard on each side of the main building of a width not less than half the height of the building but such side yard shall not be less than 10 feet. (Bylaw 1/89, Dec 14/89)
 - rear – minimum depth – 30 feet or 25% of the depth of the site.
- E Home occupations – shall be located in detached single detached dwellings used as the practitioners own private residence. No external evidence of such home occupation is permitted except for a business or professional sign or notice not exceeding one (1) square foot in area. (Bylaw 1/89, Dec 14/89)
- F Signs and Billboards – are prohibited except as noted for home occupations and those showing the names of the occupants, and signs

bearing notice of sale or lease or other information relating to a temporary condition affecting the premises.

G Off street parking – shall be provided in accordance with the schedule in Section 15 of this bylaw.

H Accessory Uses, Buildings and Structures (Bylaw 8/06, Oct 10/06)

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:

(1) Accessory buildings shall be subordinate to and located on the same lot as the principal permitted use.

(2) No accessory building shall be constructed or placed on any lot prior to the construction of the principal building, except where an application for development of a principal building has been approved, Council, at its discretion, may allow prior development of an accessory building where such building is required for storage of construction materials or equipment. If the principal building is not completed within the time period required, the accessory building is to be removed.

(3) Accessory buildings shall not be permitted in any required front yard.

(4) Detached accessory buildings shall be located a minimum of 1 metre (3.27 ft.) from the principal building.

(5) Side yard, minimum – 1 metre (3.27 ft.) and no structure shall have a projection greater than 0.61 metres (2 ft.) beyond the main wall.

Rear yard, minimum – 1 metre (3.27 ft.)

Front yard, minimum – the front yard of the principal building of the Residential Zoning District shall apply.

Height, maximum – 5 metres (26.4 ft.)

(6) 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.

(7) Any stand alone air conditioner unit shall be classified as an accessory building and shall be subject to all set back distances as required in front, side and rear yards.

(8) The following structures are allowed in a required yard and are not subject to setback regulations:

- a. In all yards: sidewalks, uncovered driveways, lighting fixtures, lamp posts.
- b. In rear yards; in addition to clause (a), above, recreation equipment, laundry drying equipment and garbage stands.

7.3 COMMERCIAL DISTRICT

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as a Commercial District, only the following uses shall be permitted:

(1) Uses Permitted

A Commercial

- (1) banks, offices, studios
- (2) bakeries with retail sales
- (3) barbers, hairdressers, receiving stations for dry cleaning and laundry establishments, self-service laundries, shoe repair and similar types of personal service establishments
- (4) bus terminals
- (5) hotels, motels
- (6) lumber and building supply concerns with retail sales
- (7) medical and dental offices, clinics and surgeries
- (8) printing plants, newspaper offices
- (9) restaurants, confectionaries and other places for the sale and consumption of foods and other related items
- (10) retail stores
- (11) service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, farm machinery and equipment
- (12) telegraph offices, express offices
- (13) theatres, assembly halls, commercial recreational establishments
- (14) undertaking establishments

B Institutional

- (1) churches, church halls
- (2) lodges, fraternal organizations
- (3) libraries, cultural institutions
- (4) regional health centres

- (5) fire halls (Bylaw 1/89, Dec 14/89)
- (6) police stations (Bylaw 1/89, Dec 14/89)
- (7) public works (Bylaw 1/89, Dec 14/89)

C Accessory

Buildings, structures or uses accessory to and located on the same site with the main use, including dwellings for caretakers, owners or managers of any of the permitted uses.

(2) Discretionary Uses (Section added by Bylaw 1/89, Dec 14/89)

The following uses are discretionary in the Commercial District:

- A single detached dwellings

(3) Regulations

- A Site area – minimum 2500 square feet
- B Site frontage – minimum
 - motels and service stations – 100 feet
 - all others – 25 feet
- C Yard – front
 - motels and service stations – 25 feet

(4) Standards for Discretionary Uses (Section added by Bylaw 1/89, Dec 14/89)

- A Single detached dwellings are subject to the lot requirements in the Residential District and are not to occupy lots used or required for Commercial development.

7.4 INDUSTRIAL DISTRICT

Subject to all other provisions of this bylaw, on any site, in any district defined, designated or described in this bylaw as an Industrial District, only the following uses shall be permitted:

(1) Uses Permitted

A Industrial

- (1) bulk oil storage, coal yards, lumber yards, builders yards, gravel yards
- (2) grain elevators, feed mills, flour mills, seed cleaning plants

- (3) lumber and building supply establishments
- (4) machine shops, foundry works, boiler works
- (5) service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, farm machinery and equipment
- (6) storage yards, stock yards
- (7) tanneries and hide storage
- (8) warehouses, supply depots
- (9) public works (Bylaw 1/89, Dec 14/89)

B Accessory

Buildings, structures or uses accessory to and located on the same site with the main use, including dwellings for caretakers, owners or managers of any of the permitted uses

(2) Regulations

- A Site area – minimum 12,000 square feet
- B Site frontage – minimum – 100 feet
- C Yard – front – minimum depth – 25 feet
side – minimum – 20 feet on each side
rear – minimum – no requirement
- D Off street parking shall be provided in accordance with the schedule set out in Section 15 of this bylaw.

PART II

GENERAL REGULATIONS

8. MINIMUM YARDS REQUIRED

No portion of any yard or other open space required about any main building or use shall provide any portion of a yard or open space for any other main building or use.

9. PROJECTIONS INTO YARDS

Where minimum front or rear yards are required in any zoning district such minimum requirements shall not apply to prevent the construction or location of a roofed or

open terrace porch or verandah having a maximum projection from the main wall of six (6) feet.

10. BUILDING LINES

Where a building line has been established by existing buildings in a block, and is less than 25 feet from the street line, new construction may conform to the established building line, provided that the established building line is not less than 15 feet from the street line.

11. NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A LOT

Not more than one principal building shall be placed on any one site with the exception of schools, health care centres, curling and skating rinks, recreation centres, nursing homes, senior citizen's homes, housing groups and mobile homes in courts. (Bylaw 1/89, Dec 14/89)

12. USES PERMITTED AT COUNCIL'S DISCRETION

- (1) Mobile home courts, cemeteries, homes for the aged may be located in any zoning district, but only by resolution of council and only in locations specified in such resolution of council. Where established by resolution, such uses must conform with the regulations pertaining to that district. (Bylaw 1/89, Dec 14/89; Propane gas sales deleted by Bylaw 1/89, Dec 14/89)
- (2) Council may issue a permit for the location of mobile home courts for a specified period of time. (Bylaw 1/89, Dec 14/89)

12A HAZARD LANDS

- (1) Development of hazard lands will only be allowed where mitigating measures are taken to reduce or eliminate the hazardous condition affecting the property. Any mitigating measures must be approved or accepted by council and any interested provincial authority before being undertaken to ensure that they are adequate and do not create any problems for the property or adjoining properties. All proposed mitigating measures are to be certified by a qualified professional engineer. (Bylaw 1/89, Dec 14/89)

- 13.** Private garages attached to the main building by a substantial roof structure shall be considered as part of the main building and shall be subject to the regulations for the main building.

14. SERVICE STATIONS

- (1) Service stations shall have a minimum frontage of 100 feet.

- (2) Where service stations occupy a corner site, only one access crossing shall be located on the flanking street.
- (3) Pumps and other devices shall be located at least twenty (20) feet from any street or lot line.
- (4) All automobile parts, dismantled vehicles and similar shall be stored within a building except on those sites located in an Industrial Zone.

15. OFF STREET PARKING

Off street parking shall be provided in accordance with the following schedule:

Zoning District	Uses	Minimum Number of Spaces
(1) Residential	Residential	1 parking space for each dwelling unit.
	Public School, Separate School Private School	1 parking space for each staff member.
	High School, Collegiate	1 parking space for each staff member, plus 3 parking spaces for each classroom.
	Auditorium, churches and other places of public assembly	1 parking space for each 10 seats provided for patrons.
	Other institutional buildings	1 parking space for each 600 sq. ft. of building floor area.
(2) Commercial District	Stores, shops, offices	1 parking space for each 600 sq. ft. of building floor area.
	Restaurants and other eating establishments	1 parking space for each 4 seats provided for patrons.
	Hotels	1 parking space for each 3 guest sleeping rooms.
	Motels	1 parking space for each unit.

	Dwellings	1 parking space for each dwelling unit.
	All other buildings	1 parking space for each 600 sq. ft. of building floor area.
(3) Industrial District	All main buildings or uses	1 parking space for each 500 sq. ft. of building floor area, or one space for each 5 employees, whichever is greater.

16. Parking spaces required in a Commercial District may be located within 1000 feet of the main building or use provided that such spaces are located in a Commercial or Industrial District.

17. In any Industrial District, where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

18. FENCES AND HEDGES (Bylaw 8/06, Oct 10/06)

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

- (1) No wall, fence, hedge or shrub located along any side or rear lot line, shall exceed 2 metres (6.56 ft.) in height.
- (2) No wall, fence, hedge or shrub located along any lot line in any required front yard in a Residential Zoning District shall exceed 1 metre (3.27 ft.) in height.
- (3) No wall, fence, hedge or shrub located along any lot line in any required front yard in a Commercial, Industrial or Agricultural Zoning District shall exceed 2 metres (6.56 ft.) in height.
- (4) In the case of corner lots, no fences, hedge or shrubs shall be placed so as to create a visual obstruction in an established sight triangle and in no case shall the fence, hedge or shrubs exceed 1 metre (3.27 ft.) in height.

PART III

ADMINISTRATION

19. ADMINISTRATION

- (1) **Development Officer** – The Clerk of the Village of St. Louis shall be the Development Officer responsible for the administration of this bylaw.
- (2) **Development Permit**
 - a) Except as provided in Section 19(2)b, no person shall undertake a development or commence a use unless he obtains a Development Permit for that development or use. A Development Permit is not valid unless it conforms with this Bylaw and the Act.
 - b) A Development Permit is not required for the following uses, provided all other provisions and regulations of this Bylaw are complied with:
 - i) the maintenance of a public work;
 - ii) the construction of a public work by the Village of St. Louis;
 - iii) the installation of public works on any street or other public right-of-way;
 - iv) maintenance and repairs that do not include structural alterations
 - v) accessory buildings under 100 square feet
 - c) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of its issue, the permit is deemed to be void unless an extension to the period shall first have been granted.
 - d) A building permit shall not be issued unless a Development Permit, where required, has also been issued.
- (3) **Application for a Development Permit**
 - a) 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.
 - b) 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.

(4) Review of Applications

- a) 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.
- b) Where the application is for a discretionary use, the Development Officer shall submit the application, along with all other relevant material to Council.

(5) Decision

- a) 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.
- b) Where the application is for a PERMITTED USE the Development Officer shall, upon completion of the review:
 - i) where the application conforms to all provisions of this Bylaw, issue a Development Permit; or
 - ii) where the class of development or use is subject to special regulations, performance standards or development standards specified in this Bylaw, issue the Development Permit specifying those regulations or standards to which the development or use is subject; or
 - iii) refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reason for the refusal.
- c) Where the application is for a DISCRETIONARY USE the Development Officer shall submit the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:
 - i) issue a Development Permit incorporating any special development standards prescribed by Council in accordance with the provisions of this Bylaw; or
 - ii) refuse the application, indicating the reason for the refusal.
- d) Revocation of Decision – Where an approved development is not being developed in accordance with the provisions of this bylaw, or with the standards or conditions specified in the Development Permit, Council may revoke or suspend

the Development Permit. The Development Permit shall not be re-issued or re-instated until all deficiencies have been corrected.

20. DEVELOPMENT APPEALS

- (a) **Development Appeals Board** – A Development Appeals Board of the Village of St. Louis is appointed in accordance with Sections 71 and 91 to 104 of the Act.
- (b) Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Village of St. Louis.
- (c) 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 Village of St. Louis.
- (d) 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 20(b) as though the application had been refused at the end of the period specified in this subsection.

21. OFFENSES AND PENALTIES – Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

22. AMENDMENT OF THE ZONING BYLAW

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

23. MINOR VARIANCES TO ZONING BYLAW (Bylaw 8/06, Oct 10/06)

- (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 and shall be accompanied by a fee of \$25.00.
- (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 only be granted for variation of:
 - (i) the minimum required distance of a building from the lot line; and
 - (ii) the minimum required distance of a building to any other building on the lot;
 - (b) The maximum amount of minor variance shall not exceed a 10% variation of the distance requirements of this 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*; and
- (4) 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
 - (c) Refuse the minor variance.
- (5) Where the Development Officer imposes terms and conditions on an approval pursuant to subsection (4), 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.
- (6) 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.
- (7) 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.
- (8) The written notice required pursuant to subsection (7) 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.
- (9) The written notice required pursuant to subsection (7) shall be delivered:
- (a) By registered mail; or
 - (b) By personal service.
- (10) 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.
- (11) 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 (8), 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.
- (12) 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.

24. EFFECTIVE DATE OF THIS BYLAW

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

Copy of a bylaw adopted by resolution of
Council on the twenty-seventh day of
March, A.D. 1961

**VILLAGE OF ST. LOUIS
APPLICATION FOR A DEVELOPMENT PERMIT
FORM A, BYLAW No. 17/61**

Page 1

You are advised to check the regulations in the Village's Zoning Bylaw concerning the type of development being proposed prior to completing this application. Fill out only those sections of the application which are relevant to your proposal. Attach additional sheets where necessary.

PLEASE PRINT

<p>1. APPLICANT:</p> <p>Name: _____ Address: _____ _____ Telephone: _____</p>	<p>2. PROPERTY OWNER: or Same as APPLICANT _____</p> <p>Name: _____ Address: _____ _____ Telephone: _____</p>		
<p>3. LEGAL LAND DESCRIPTION</p> <p>_____ 1/4 Section; _____ Township; _____ Range; W 2nd M</p> <p>Lot or Parcel _____ Block _____</p> <p>Registered Plan No. _____</p> <p>Certificate of Title No. _____</p>			
<p>4. PROPOSED DEVELOPMENT</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border: none;"> <p>___ Change of use of lot or building Describe proposed new use _____ _____ _____</p> <p>___ New building(s) to be constructed</p> <p>___ Existing building(s) to be renovated or altered</p> <p>___ Existing building(s) to be relocated within the lot</p> <p>(a) Number of buildings _____</p> <p>(c) Size of building(s) Principal building _____ Accessory building _____</p> <p>___ Demolish existing building or remove from lot</p> </td> <td style="width: 50%; vertical-align: top; border: none;"> <p>___ Increase in intensity of use of lot or building How is the intensity to be increased?</p> <p>(a) ___ More seating capacity (b) ___ Additional floor area (c) ___ Additional rooms or units (d) ___ Other (describe) _____ _____</p> <p>(b) Intended use of building(s): Principal building _____ Accessory building _____</p> </td> </tr> </table>		<p>___ Change of use of lot or building Describe proposed new use _____ _____ _____</p> <p>___ New building(s) to be constructed</p> <p>___ Existing building(s) to be renovated or altered</p> <p>___ Existing building(s) to be relocated within the lot</p> <p>(a) Number of buildings _____</p> <p>(c) Size of building(s) Principal building _____ Accessory building _____</p> <p>___ Demolish existing building or remove from lot</p>	<p>___ Increase in intensity of use of lot or building How is the intensity to be increased?</p> <p>(a) ___ More seating capacity (b) ___ Additional floor area (c) ___ Additional rooms or units (d) ___ Other (describe) _____ _____</p> <p>(b) Intended use of building(s): Principal building _____ Accessory building _____</p>
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<p>5. LOT PLAN</p> <p>When construction of new buildings or adding to or moving buildings is proposed, provide a sketch or plan on a separate sheet showing the following information:</p> <p>(1) Boundaries of the existing lot and adjacent properties including dimensions; (2) The location of all existing and proposed buildings or additions including their setbacks from the lot boundaries; (3) The location and size of any utility lines or easements within the lot (4) Treed areas, water bodies, landscaping and proposed lot grades; (5) Location of existing and proposed access points to streets and lanes.</p>			

**VILLAGE OF ST. LOUIS
APPLICATION FOR A DEVELOPMENT PERMIT
FORM A, BYLAW No. 17/61**

Page 2

6. OTHER INFORMATION

(1) What are the uses of the adjoining lots? _____

(2) Anticipated number of employees (if applicable) _____

(3) Proposed date of commencement _____

(4) Proposed date of completion _____

(5) Please provide any additional information which may be relevant to the development being proposed: (attach extra sheets if needed) _____

7. DECLARATION OF THE APPLICANT

I, _____ of the _____ of _____
 in the Province of Saskatchewan solemnly declare that the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

 Date Signature

Note: The applicant is responsible for ensuring that all measurements, distances and information shown on the lot plan and indicated in this application is correct.

FOR USE BY VILLAGE OFFICE ONLY

APPLICATION NUMBER _____ DATE RECEIVED _____

1. Present Zoning Designation _____ 2. Proposed Use: Principal _____
 Accessory _____

Use is:
 _____ Permitted _____ Discretionary _____ Not Allowed

3. Lot Regulations:	Required	Proposed
Lot area	_____	_____
Lot frontage	_____	_____
Yard, front	_____	_____
Yard, rear	_____	_____
Yard, side	_____	_____
Lot coverage	_____	_____
Floor area	_____	_____
Height	_____	_____

4. APPLICATION STATUS:

(1) Meets all provisions of the Zoning Bylaw _____

(2) Does not meet the following provisions _____

 DATE

 DEVELOPMENT OFFICER

VILLAGE OF ST. LOUIS
FORM B
BYLAW No. 17/61
NOTICE OF DECISION for DEVELOPMENT PERMIT APPLICATION

Application No. _____

To Applicant: _____

Name

Address

This is to advise you that your application for a DEVELOPMENT PERMIT for a PERMITTED / DISCRETIONARY development on the following property: _____ has been:

___ 1. **APPROVED**, and this Notice may be taken to be a DEVELOPMENT PERMIT as referred to in Section 19(2) of the Zoning Bylaw.

___ 2. **APPROVED**; subject to the following STANDARDS and CONDITIONS:

and this Notice may be take to be a DEVELOPMENT PERMIT as referred to in SECTION 19(2) of the Zoning Bylaw. You are advised that, in the case of a DISCRETIONARY USE only, you have the right to APPEAL any standards or conditions considered excessive, as noted below.

___ 3. **REFUSED** for the following reasons:

You are advised that, in the case of a PERMITTED USE only, you have the right to APPEAL a refusal as noted below.

If this is a DEVELOPMENT PERMIT it is subject to the following legal limitations and qualifications:

1. It does not constitute a building permit and does not eliminate the need to apply for a building permit where required under a Building Bylaw.
2. It does not constitute Council's approval of a subdivision application for the subject property.
3. It does not eliminate the need to comply with the requirements of any other government department or authority, nor with any other requirements that the Village may impose at a later date under provisions of the *Planning and Development Act, 1983* and the *Municipalities Act*.
4. It is valid for a period of 12 months from the date of issue.

APPEALS

If you wish to appeal this decision, as provided above, you must notify the Secretary of the Village of St. Louis Development Appeals Board, in writing, at Box 40, St. Louis, Saskatchewan SOJ 2C0 within THIRTY (30) days of issue of this decision.

DATE

DEVELOPMENT OFFICER

**VILLAGE OF ST. LOUIS
MINOR VARIANCE APPLICATION
ZONING BYLAW 17/61**

Application No. _____

1. I (we) _____, hereby apply to the Village of St. Louis, for a minor variance of Zoning Bylaw No. 17/61 for the following property:

Legal Description: _____
(Lot, Block, Parcel, Registered Plan No.)

Applicant: Name: _____
Address: _____ Postal Code: _____
Telephone Number: _____

Property Owner (if not same as above):
Name: _____
Address: _____ Postal Code: _____

Signature of Consent: _____ Date: _____

2. Describe the nature and extent of relief applied for:

3. The reason(s) for the minor variance to the Zoning Bylaw is:

4. I (we) have enclosed a scaled site-plan indicating the dimensions of the existing and/or proposed building and the building setback(s) dimensions for the property. (If available, please provide a copy of the surveyor's certificate or real property report for the subject property). Any additional information that may be requested by the development officer, will be forwarded upon request.

5. I have enclosed the \$25.00 minor variance application fee as required by the Zoning Bylaw.

Dated this _____ day of _____, 20 _____.

Signature of Applicant : _____

VILLAGE OF ST. LOUIS
MINOR VARIANCE APPLICATION
NOTICE OF DECISION

Application No. _____

To: _____
(Applicant) (Address)

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR A MINOR VARIANCE
HAS BEEN:

_____ **APPROVED** (*see note below*).

_____ **APPROVED SUBJECT TO TERMS AND CONDITIONS**, as listed in the
attached "Schedule A" (*see note below*).

_____ **REFUSED** for the following reason:

Note: Adjacent assessed owners of property are required to be provided with a notice of an approval with or without terms and conditions. This decision does not take effect:
· in the case of a notice sent by registered mail, until 23 days from the date of the notice was mailed;
· in the case of a notice delivered by personal service, until 20 days from the date of the notice was served.
If an assessed owner objects to the approval with or without conditions, the approval is revoked and you have the right of appeal to the Development Appeals Board within 30 days of receiving a notice revoking the approval.

RIGHT OF APPEAL

Please be advised that you may appeal:

_____ the refusal of your application for a minor variance;

_____ the terms and conditions;

to the Development Appeals Board within 30 days of this decision at the following address:

Secretary
Development Appeals Board
Village of St. Louis
Box 40
St. Louis, Saskatchewan
S0J 2C0

Date

Development Officer: