

BYLAW No. 2018-11

A BYLAW OF THE R.M. OF MERVIN No. 499 TO AMEND BYLAW No. 94-4 KNOWN AS THE ZONING BYLAW

The Council of the Rural Municipality of Mervin No. 499, in the Province of Saskatchewan, enacts this bylaw to amend Bylaw 94-4 as follows:

1. **PART II ADMINISTRATION, Section (2) Application for a Development Permit** is amended by adding the following clause after clause (d):

“(e) A single recreational vehicle where there is an existing residential dwelling on site, subject to regulations set forth within the specific zoning district.”

2. **PART III – GENERAL REGULATIONS, Section (7) Development Standards for Discretionary Uses**, section (c) Seasonal Campgrounds, is amended as follows:

- a. Removing the text description immediately after the heading, and replacing it with the following:

“This Bylaw establishes a new discretionary use named “Seasonal Campgrounds”. This class shall encompass all RV parks and Seasonal Campgrounds within the RM of Mervin No. 499. The following regulations and standards shall apply to all seasonal campgrounds.”

- b. Removing clause (i) and replacing it with the following:

“(i) The operator of a Seasonal Campground shall provide the Development Officer with a plan of the Seasonal Campground identifying any buildings, uses of land and the location of all roadways and campsites with dimensions. Any addition or rearrangement of campsites, construction or moving of buildings, material change in use of portions of land, or the filling, excavation, or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development.”

- c. Removing clauses (iii) to (x) and replacing it with the following:

“(iii) The operator of a Seasonal Campground shall designate a campsite for each tent, tent trailer, travel trailer, recreational vehicle or camper, to be located within the Seasonal Campground.

(iv) Each campsite shall have a minimum area of not less than 150 square metres, unless the campsite is restricted to use by tents only, in which case, the minimum area shall be 60 square metres. The corners of each campsite shall have its corners clearly marked upon the ground.

(v) No portion of any campsite shall be located within a roadway or required buffer area.

(vi) Each campsite shall have direct and convenient access to a developed roadway, which shall not be located in any required buffer area.

(vii) The campsites within a Seasonal Campground shall be designed and constructed so that tents and Recreational Vehicles shall have a minimum separation of at least 4.5 metres from each other.

(viii) The space provided for roadways within a Seasonal Campground shall be at least 7.5 metres in width, or 15 metres in width where the roadway is located between campsites. No portion of any campsite, other use or structure shall be located in any roadway within the Seasonal Campground.

(ix) A Seasonal Campground may include an accessory laundromat and confectionary designed to meet the needs of the occupants of the sites.

(x) Council shall be notified by the operator respecting compliance with the Public Health Act and the Regulations passed thereunder for all operations and development of the Seasonal Campground.”

d. Removing clause (xiv) and replacing it with the following:

“(xiv) Within each campsite, the location or placement of tents and RV’s shall be designated by area of equal grade and increased elevation to ensure appropriate distances between tents and RV’s.”

e. Removing clause (xviii) and replacing it with the following:

“All streets shall have street signs, where applicable, and campsite numbers shall be displayed and correspond with the site plan provided to the RM of Mervin No. 499.”

3. **PART IV – ZONING DISTRICTS, Schedule A: A – Agriculture District** is amended as follows:

a. **Section (A) PERMITTED USES, subsection (2) Accessory Uses** is amended by adding the following clause after clause (d):

“(e) Recreational Vehicle(s)”

b. **Section (B) DISCRETIONARY USES**, clause (c) is amended by removing the words “seasonal campgrounds”.

c. **Section (B) DISCRETIONARY USES** is amended by removing clause (f) and replacing it with the following:

“(f) Single Parcel Country Residential Subdivisions, as approved by the approving authority:

(i) single detached dwelling, including a ready-to-move (RTM) residential building, a Move-in (MI) building, a single or double wide modular home, manufactured or mobile home on a permanent foundation.

(ii) Recreational Vehicles, as the principal use on site.”

d. **Section (B) Discretionary Uses** is amended by adding the following subsection:

B1. Additional Criteria for Discretionary Uses:

(1) Residential uses:

(a) Applications may be required to demonstrate the retention of agricultural lands within the quarter section.

(2) Commercial uses:

(a) Appropriate locations for the proposed use shall be considered based on the surrounding agricultural industry.

(b) Applications shall be required to demonstrate that the proposed use shall not cause adverse effects in regard to:

(1) Safety;

(2) Surrounding existing development;

(3) Noise;

(d) Site size, in Council’s opinion, shall ensure adequate set back and sufficient screening of any outdoor storage area from incompatible zoning districts or a municipal road allowance. The proposed use may be required to include appropriate screening.

- (e) Site size shall be appropriate, in Council's opinion, for the receipt, distribution or dispatch by vehicles of materials, goods or merchandise through the designation of a clearly defined unloading or loading space on the site plan.
- (f) Golf Courses and Clubhouses:
 - (1) Applications shall demonstrate to Council how the natural vegetation of the proposed parcel shall retain the intent of the Agriculture District;
- (3) Intensive Agriculture:
 - (a) Proximity to existing residential development."

e. Section (C) Regulations, subsection (3) Development Standards for Discretionary Uses, clause (c) *Seasonal Campgrounds*, is removed and replaced with the following:

- "(c) Recreational Vehicles, as the principal use on a Single Parcel Country Residential site;
- (1) A recreational vehicle and all accessory buildings shall be removed before January 1, 2024 unless there is an approved development permit for a residential principle use.
 - (3) The applicant shall sign a memorandum of understanding to acknowledge that the recreational vehicle shall be removed as identified in clause 1 above has expired.
 - (a) The applicant shall be required to provide a deposit at time of application that will be returned by the municipality upon execution of all terms and agreements.
 - (4) If the recreational vehicle remains on the land after the period identified in 1 above has expired, Council will enforce the removal of the unit.
 - (5) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.
 - (6) The recreational vehicle not be modified to be made permanent through removal of axles and/or wheels.
 - (7) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.
 - (10) The recreational vehicle must be a self-contained unit and must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.
 - (11) The recreational vehicle is not to be kept for rent, lease or hire.
 - (12) The recreational vehicle is not a mobile home.
 - (13) A copy of the bill of sale or registration and a photo must be submitted with each application.
 - (14) The replacement of a recreational vehicle on a property requires a new development permit.

- f. **Section (c) REGULATIONS** is amended by adding the following subsection after subsection (4):

"5. Recreational Vehicle, where there is an existing principal building on site:

1. A development permit application is not required, as per Part II(2)."

4. **PART IV ZONING DISTRICTS, SCHEDULE C, CR1 – HIGH DENSITY COUNTRY RESIDENTIAL DISTRICT** is amended as follows:

- a. **Section (A) Permitted Uses, subsection (2) Accessory Uses** is amended by adding the following clause after clause (g):

"(h) Recreational Vehicle, where there is an existing principal building on site."

- b. **Section (A) Permitted Uses, subsection (3) Discretionary Uses** is amended by adding the following clause after clause (f):

"(g) Recreational Vehicles, as the principal use on site;"

- c. **Section (A) Permitted Uses** is amended by adding the following subsection:

"4. Discretionary Use Evaluation Criteria:

- (a) Institutional uses:

- (i) Applications may be required to demonstrate that adequate on-site parking is available to accommodate facility use.

- (b) Recreational uses:

- (i) Applications may be required to demonstrate that adequate on-site parking is available to accommodate facility use.

- (ii) Appropriate locations for the proposed use shall be considered based on the surrounding area in relation to the tourist industry.

- (c) Commercial uses:

- (i) Site size, in Council's opinion, shall ensure adequate set back and sufficient screening of any outdoor storage area from adjacent residential districts or a municipal road allowance. The proposed use shall include appropriate screening.

- (ii) Site size shall be appropriate, in Council's opinion, for the receipt, distribution or dispatch by vehicles of materials, goods or merchandise through the designation of a clearly defined unloading or loading space on the site plan."

- d. **Section (B) Regulations** is amended by adding the following subsection:

"9. Recreational Vehicle, where there is an existing principal building on site:

- (a) A development permit application is not required, as per Part II(2).

- (b) A maximum of one (1) recreational vehicle on any residential site that has an existing principal residential dwelling."

- e. **Schedule (C), CR1 – HIGH DENSITY COUNTRY RESIDENTIAL DISTRICT**, is amended by adding the following section:

“C. SPECIFIC DEVELOPMENTAL STANDARDS FOR DISCRETIONARY USES

1. Recreational Vehicles, as the principal use on site:

- (a) A recreational vehicle and all accessory buildings shall be removed before January 1, 2024 unless there is an approved development permit for a residential principle use.
- (c) The applicant shall sign a memorandum of understanding to acknowledge that the recreational vehicle shall be removed as identified in clause (a) above has expired.
 - (1) The applicant shall be required to provide a deposit at time of application, that will be returned by the municipality upon execution of all terms and agreements.
- (d) If the recreational vehicle remains on the land after the period identified in (a) above has expired, Council will enforce the removal of the unit.
- (e) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.
- (f) The recreational vehicle shall not be modified to be made permanent through removal of axles and/or wheels.
- (g) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.
- (h) The recreational vehicle must be a self-contained unit and must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.
- (i) The recreational vehicle is not to be kept for rent, lease or hire.
- (j) The recreational vehicle is not a mobile home.
- (k) A copy of the bill of sale or registration and a photo must be submitted with each application.
- (l) The replacement of an recreational vehicle on a property requires a new development permit.

5. PART IV ZONING DISTRICTS, SCHEDULE C1, CR2 – MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT is amended as follows:

- a. **Section (A) Permitted Uses, subsection (2) Accessory Uses** is amended by adding the following clause after clause (g):

“(h) Recreational Vehicle, where there is an existing principal building on site.”

- b. **Section (A) Permitted Uses, subsection (3) Discretionary uses** is amended by adding the following clause after clause (f):

“(g) Recreational Vehicles, as the principal use on site;”

c. **Section (B) Regulations** is amended by adding the following subsection:

"9. Recreational Vehicle, where there is an existing principal building on site:

- (a) A development permit application is not required, as per Part II(2).
- (b) A maximum of one (1) recreational vehicle on any residential site that has an existing principal residential dwelling."

d. **Schedule (C1), CR2 – MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT**, is amended by adding the following section:

"C. SPECIFIC DEVELOPMENTAL STANDARDS FOR DISCRETIONARY USES

1. Recreational Vehicles, as the principal use on site:

- (a) A recreational vehicle and all accessory buildings shall be removed before January 1, 2024 unless there is an approved development permit for a residential principle use.
- (c) The applicant shall sign a memorandum of understanding to acknowledge that the recreational vehicle shall be removed as identified in clause (a) above has expired.
 - (1) The applicant shall be required to provide a deposit at time of application that will be returned by the municipality upon execution of all terms and agreements.
- (d) If the recreational vehicle remains on the land after the period identified in (a) above has expired, Council will enforce the removal of the unit.
- (e) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.
- (f) The recreational vehicle shall not be modified to be made permanent through removal of axles and/or wheels.
- (g) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.
- (h) The recreational vehicle must be a self-contained unit and must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.
- (i) The recreational vehicle is not to be kept for rent, lease or hire.
- (j) The recreational vehicle is not a mobile home.
- (k) A copy of the bill of sale or registration and a photo must be submitted with each application.
- (l) The replacement of an recreational vehicle on a property requires a new development permit.

6. **PART IV ZONING DISTRICTS, SCHEDULE D, LD1 – LAKESHORE DEVELOPMENT 1 DISTRICT** is amended as follows:

a. **Section (A) Permitted Uses, subsection (2) Accessory Uses** is amended by removing all clauses and replacing it with the following:

- "(a) Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

- (b) Recreational Vehicle, where there is an existing principal building on site.”
- b. **Section (A) Permitted Uses, subsection (3) Discretionary uses** is amended by adding the following clause after clause (f):
 - “(g) Recreational Vehicles as the principal use on site;”
- c. **Section (A) Permitted Uses** is amended by adding the following subsection:
 - “**4. Discretionary Use Evaluation Criteria:**
 - (a) Appropriate locations for the proposed use shall be considered based on the surrounding area in relation to the tourist industry.
 - (b) Applications shall be required to demonstrate that the proposed use shall not cause adverse effects regarding:
 - (i) Safety;
 - (ii) Surrounding existing development;
 - (iii) Noise;
 - (c) Recreational Uses:
 - (i) In Council’s opinion are in close proximity to an RM’s municipal boat launch outside nearby Organized Hamlets.
 - (ii) Includes nearby amenities to service guests of the proposed campground.
 - (iii) Applications shall demonstrate to Council how the natural vegetation of the proposed parcel shall retain the intent of the surrounding district.
 - (iv) In the opinion of Council the proposed use shall not cause adverse visual aesthetics of the treed lakeshore area.
 - (d) Commercial Uses:
 - (i) Site size, in Council’s opinion, shall ensure adequate set back and sufficient screening of any outdoor storage area from adjacent residential districts or a municipal road allowance. The proposed use shall include appropriate screening.
 - (ii) Site size shall be appropriate, in Council’s opinion, for the receipt, distribution or dispatch by vehicles of materials, goods or merchandise through the designation of a clearly defined unloading or loading space on the site plan.”
- d. **Section (B) Regulations** is amended by adding the following subsection:
 - “**10. Recreational Vehicle, where there is an existing principal building on site:**
 - (a) A development permit application is not required, as per Part II(2).
 - (b) A maximum of one (1) recreational vehicle on any residential site that has an existing principal residential dwelling.”
- e. **Schedule (D), LD1 - LAKESHORE DEVELOPMENT DISTRICT**, is amended by adding the following section:
 - “**C. SPECIFIC DEVELOPMENTAL STANDARDS FOR DISCRETIONARY USES**
 - 1. Recreational Vehicles, as the principal use on site:**
 - (a) A recreational vehicle and all accessory buildings shall be removed before January 1, 2024 unless there is an approved development permit for a residential principle use.

- (c) The applicant shall sign a memorandum of understanding to acknowledge that the recreational vehicle shall be removed as identified in clause (a) above has expired.
 - (1) The applicant shall be required to provide a deposit at time of application, that will be returned by the municipality upon execution of all terms and agreements.
- (d) If the recreational vehicle remains on the land after the period identified in 1(c) above has expired, Council will enforce the removal of the unit.
- (e) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.
- (f) The recreational vehicle shall not be modified to be made permanent through removal of axles and/or wheels.
- (g) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.
- (h) The recreational vehicle must be a self-contained unit and must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.
- (i) The recreational vehicle is not to be kept for rent, lease or hire.
- (j) The recreational vehicle is not a mobile home.
- (k) A copy of the bill of sale or registration and a photo must be submitted with each application.
- (l) The replacement of a recreational vehicle on a property requires a new development permit.

7. **PART IV ZONING DISTRICTS, SCHEDULE I, CON - CONSERVATION DISTRICT** is amended as follows:

- a. **Section (A) Permitted Uses, subsection (2) Accessory Uses** is amended by adding the following clause after clause (c):

“(d) Recreational Vehicle, where there is an existing principal building on site.”

- b. **Section (A) Permitted Uses, subsection (3) Discretionary Uses, clause (a), item (1)** is amended by adding the following subitem after subitem (b):

“(c) Recreational Vehicles, as the principal use on site;”

- c. **Section (B) Regulations**, is amended by adding the following subsection after subsection (7):

8. Recreational Vehicle, where there is an existing principal building on site:

- (a) A development permit application is not required, as per Part II(2).
- (b) A maximum of one (1) recreational vehicle on any residential site that has an existing principal residential dwelling.”

- d. **Section (B), clause (8) Specific Discretionary Standards for Discretionary Uses**, is amended by removing the heading and replacing it with the following:

“C. SPECIFIC DEVELOPMENTAL STANDARDS FOR DISCRETIONARY USES”

- e. **Section (B), clause (8) Specific Discretionary Standards for Discretionary Uses**, clause (a) Residential Development is amended by adding the following item after item (3):

“(4) **Recreational Vehicles, as the principal use on site:**

- (a) A recreational vehicle and all accessory buildings shall be removed before January 1, 2024 unless there is an approved development permit for a residential principle use.
- (c) The applicant shall sign a memorandum of understanding to acknowledge that the recreational vehicle shall be removed as identified in clause (a) above has expired.
 - (1) The applicant shall be required to provide a deposit at time of application, that will be returned by the municipality upon execution of all terms and agreements.
- (d) If the recreational vehicle remains on the land after the period identified in (a) above has expired, Council will enforce the removal of the unit.
- (e) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.
- (f) The recreational vehicle shall not be modified to be made permanent through removal of axles and/or wheels.
- (g) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.
- (h) The recreational vehicle must be a self-contained unit and must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.
- (i) The recreational vehicle is not to be kept for rent, lease or hire.
- (j) The recreational vehicle is not a mobile home.
- (k) A copy of the bill of sale or registration and a photo must be submitted with each application.
- (l) The replacement of a recreational vehicle on a property requires a new development permit.

8. **PART IV – ZONING DISTRICTS, Schedule J: RV – Recreational Vehicle District, Section (B) Prohibited Uses** is amended by adding the following clause after clause (e):

“(f) Accessory buildings with kitchens, water, or sanitary facilities (i.e., washrooms, kitchen sinks, and other similar uses).

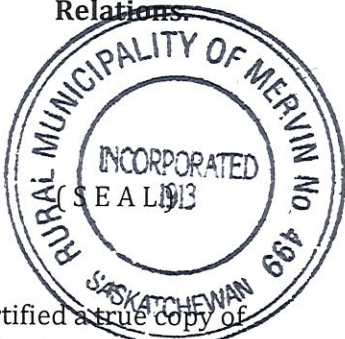
9. **PART V – DEFINITIONS**, is amended by removing the following definitions: “seasonal campground”, “recreational vehicle (RV)”, “RV trailer”.

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

"Recreational Vehicle or RV: shall mean a tent trailer, travel trailer, truck camper, fifth wheel trailer, motor home or other similar structure intended to provide temporary accommodation for travelers, tourists and campers.

Seasonal Campground: shall mean an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there are two (2) or more units (i.e., campers, recreational vehicles, etc.) within site boundaries. A seasonal campground may contain temporary campsites, or seasonal campsites, or both."

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



Certified a true copy of
Bylaw No. 2018-11 adopted by
resolution of Council this

24th day of JULY, 2018

Tom Bruce

Reeve

Z Ryan

Administrator

Tom Bruce

Reeve

Z Ryan

Administrator

