

RESORT VILLAGE OF COCHIN

BYLAW NO. 1/89

A BYLAW TO PROVIDE FOR INTERIM DEVELOPMENT CONTROL

Under the authority of Section 106 of The Planning and Development Act, 1983, the Council of the Resort Village of Cochin, in the Province of Saskatchewan, in open meeting, enacts as follows:

1. Title- This Bylaw shall be known and may be cited as the Interim Control Bylaw.
2. Scope- No person shall carry out any development within the corporate limits of the Resort Village of Cochin during the period of the preparation and adoption of a Basic Planning Statement and Zoning Bylaw for the Resort Village of Cochin, unless written permission of Council is first obtained.
3. Interpretation
 - 3.1 Building- A structure constructed or placed on, in or over land, but not including a highway.
 - 3.2 Clerk- The Clerk of the Resort Village of Cochin.
 - 3.3 Council- The Council of the Resort Village of Cochin.
 - 3.4 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 use of any building or land.
 - 3.5 Lot- An area of land with fixed boundaries that is of record in the Land Titles Office by certificate of Title.
4. ADMINISTRATION
 - 4.1 Application- Any person wishing to carry out development within the corporate limits of the Resort Village of Cochin shall make written application to Council for permission to carry out the development. The application shall include a description of the proposed development and a sketch plan showing the lot dimensions together with existing and proposed building locations.
 - 4.2 Delegation- Council hereby delegates the authority of Council to the Clerk to grant the permission of Council with respect to applications for the following types of developments:
 - a.) renovation of existing buildings;
 - b.) expansion of an existing use, not involving new buildings or additions to buildings;
 - c.) construction of buildings less than 9 square metres in area;
 - d.) Erection of fences less than 2 metres in height;
 - e.) Replacement of signs.
 - 4.3 Decision
 - 4.3.1 Council or the Clerk shall within 60 days of receipt of the application;
 - a.) Grant the permission applied for;
 - b.) Grant the permission applied for subject to any terms and development standards Council may specify;

- c.) Refuse the permission applied for.
- 4.3.2 The 60 day time limit may be extended by mutual agreement.
- 4.3.3 The applicant shall be notified in writing of the decision on his application and advised of his right of appeal pursuant to Section 4.4.1.

4.4 Appeal

4.4.1 Where an application has

- a.) not been dealt with within the prescribed time period,
- b.) been approved subject to terms and development standards, or
- c.) Been refused,

The applicant may appeal to the Planning Appeals Committee of the Saskatchewan Municipal Board.

4.4.2 The applicant must admit his appeal within 30 days of the date of Council's decision or of the expiration of the time period.

- 5. Period of Effect: Pursuant to Section 107(2) of The Planning and Development Act, 1983, the Bylaw shall be in force and effect from the date of passage by Council until such time as the Basic Planning Statement and Zoning Bylaws shall come into force, or one year, whichever shall come first.

BYLAW NO.1/90

A BYLAW RESPECTING BUILDINGS

The Council of the Resort Village of Cochin in the province of Saskatchewan enacts as follows:

SHORT TITLE

- 1. This bylaw may be cited as the Building Bylaw.

INTERPRETATION/LEGISLATION

- 2. (1) "Act" means the Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) "Regulations" means regulations made pursuant to the Act.
- (3) "Administrative Requirements" means the Administrative Requirements for Use with The National Building Code 1985.
- (4) "Municipality" means the Urban Municipality of the Resort Village of Cochin.
- (5) "Council" means the council of the Urban Municipality of the Resort Village of Cochin.
- (6) Definitions contained in the Act and regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

- 3. (1) The Uniform Building and Accessibility Standards Act and Regulations and the Administrative Requirements.

(2) Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.

(3) Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting “occupancy permits” shall not apply except as when required by Council or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.

(2) No owner or agent of the owner shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.

(3) The granting of any permit which is authorized by this bylaw shall not:

(a) entitle the grantee, his successor or assignee or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, bylaw, Act and/or regulation affecting the site described in the permit, or
(b) make either the municipality or any municipal officer or any inspector appointed by the municipality liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repair, renovation or reconstruction of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation.

BUILDING PERMITS

5. (1) Every application for a permit to erect, place, construct, alter, repair, renovate or reconstruct a building shall be in “Form A”, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by an inspector plans and specifications need not be submitted.

(2) An inspector may require submission of an up-to-date plan or survey prepared either before construction begins or upon completion of work by a registered land surveyor, as a condition of permit approval.

(3) If the work described in an application for building permit, to the best of the knowledge of the Council or its authorized representative, complies with the requirements of this bylaw, the municipality, upon receipt of the prescribed fee, shall issue a permit in “Form B” and return one set of submitted plans to the applicant.

(4) Council may, at its discretion, have plan review, inspection and other services for the purposes of enforcement of the Act and Regulations provided by an inspector or inspectors designated by the minister to assist with the municipality pursuant to subsection 4(4) of the Act.

(5) Council may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the municipality.

(6) The permit fee for erection, placement, construction, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule;

Building permit Fee Schedule

INPUT AMENDMENT

(7) Approval in writing from council or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.

(8) All permits issued under this section expire:

- (a) six months from date of issue if work is not commenced within that period, or
- (b) if work is suspended for a period of six months, or longer by prior written agreement of the Council.

(9) Council may, at its discretion, rebate a portion of a permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

DEMOLITION OR REMOVAL PERMITS

6. (1) (A) ADD amenddment

(B) The applicant shall deposit with the municipality such sum as the Council or its authorized representative considers sufficient to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is, in the opinion of the council or its authorized representative, not dangerous to public safety. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the council or its authorized representative, the sum deposited shall be refunded.

(2) Every application for a permit to demolish or remove a building shall be in "Form C".

(3) Where a building is to be demolished and the municipality is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the municipality, upon receipt of the deposit prescribed, shall issue a permit for the demolition in "Form D".

(4) Where a building is to be removed from the municipality, and the municipality is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the municipality, upon receipt of the deposit prescribed, shall issue a permit for the removal in "Form D".

(5) Where a building is to be removed from its site and set upon another site in the municipality, and the municipality is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the Council or its authorized representative, will conform with the requirements of this bylaw, the municipality, upon receipt of the deposit prescribed, shall issue a permit for the removal in "Form D".

(6) All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the municipality.

ENFORCEMENT OF BYLAW

7. (1) If any building, or part thereof, or addition thereto is erected, constructed, reconstructed, altered, or placed in contravention of any provision of this bylaw, the Council or its authorized representative may take any measures as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw, including, but not limited to:
- a.) entering a building,
 - b.) ordering production of documents, tests, certificates, etc. relating to building,
 - c.) Taking material samples,
 - d.) Issuing notices to owners which order actions within a prescribed time,
 - e.) Eliminating unsafe conditions,
 - f.) Completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - g.) Obtaining restraining orders.

(2) If any building, or part thereof, is in an unsafe condition due to its faulty construction, dilapidated state, abandonment, open or ungraded condition or any other reason, the Council or its authorized representative may take any measures allowed by subsection (1).

(3) The owner of a building for which a permit has been issued or for which actions are being taken in compliance with an order shall give notice in writing to the municipality as required in Section 17.2 of the Act including, but not limited to:

- a.) on start, progress and completion of construction,
- b.) of change in ownership prior to completion of construction, and
- c.) of intended partial occupancy prior to completion of construction.

SUPPLEMENTAL BUILDING REGULATIONS

8. Void.

SPECIAL CONDITIONS

9. (1) An architect or professional engineer registered in the Province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the Council or its authorized representative.
- (2) It shall be the responsibility of the owner to ensure that changes in property lines will not bring the building or an adjacent building into contravention of this bylaw.
- (3) It shall be the responsibility of the owner to ensure that change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
- (4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable Acts and regulations.

PENALTY

10. (1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

***ADD FORMS A + B

BYLAW NO. 3/92

A bylaw of the Resort village of Cochin to amend Bylaw 9/89, known as the Village of Cochin Zoning Bylaw.

Under the authority of the Planning and Development Act, 1983, the Resort Village of Cochin in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. Bylaw No. 9/89, the Village of Cochin Zoning Bylaw, is amended as herein set forth.
2. Sub-section 4.3.2 Clause (1) is amended by deleting all the words and figures in said clause, and replacing therewith the following words and figures:

“(1) in any front or rear yard, the construction of steps a maximum of 2.4 metres into the required yard, and open decks a maximum of 2.4 metres into the required yard, where the deck conforms with the following:

- a.) maximum height of the deck surface above grade at any point in the required yard is less than 1 metre,
- b.) the deck is at least 0.75 metres from any lot boundary,
- c.) Any railing or other structure above the deck surface is not more than 1 metre in height above the deck surface, and
- d.) Any railing is of open design, with construction materials obscuring less than 40% of the view perpendicularly through the railing.”

BYLAW NO.5/93

A bylaw of the Resort Village of Cochin to amend Bylaw No.9/89 known as the Zoning Bylaw.

The Council of the resort Village of Cochin in the Province of Saskatchewan in open meeting hereby amends Bylaw 9/89 as follows:

1. Section 2 is amended by adding a new section 2.35.1 between sections 2.35 and 2.36 as follows:

2.35.1 Shoreland- All the land located between the water’s edge of a water body or water course and a bank surveyed by a registered Saskatchewan Land Surveyor under applicable land titles legislation. Where a bank has not been surveyed, the high water level or a safe building line may be substituted.

2. Section 4 is amended by adding the following after section 4.5;

4.6 Shoreland Development

The following shall apply for any development or form of development on shoreland in any district. The following regulations are intended to preserve shoreland as a public resource retaining, where possible, open space and natural features for public use, natural habitat and fish spawning areas.

4.6.1 Permitted Uses- The following are permitted uses on shoreland:

- (1) public beaches, swimming areas, playgrounds and open space
- (2) public docks, sidewalks, paths and bridges
- (3) public boat launches or ramps
- (4) public streets or driveways and lighting
- (5) public water level control structures
- (6) public works and facilities including buoy anchors

4.6.2 Discretionary Uses- The following are discretionary uses on shoreland:

- (1) privately owned boat docks
- (2) privately owned boat storage lifts and boat transport tracks or ramps
- (3) private buoy anchors
- (4) retaining walls including rip-rapping
- (5) public fish processing facilities
- (6) marinas
- (7) private water supply pipes

4.6.3 Prohibited Uses- The following types of uses are not permitted on shoreland:

- (1) boat storage buildings or boathouses
- (2) dwellings, bunkhouses or other sleeping accommodations
- (3) storage sheds
- (4) the storage of sewage, petroleum or toxic substances
- (5) landscaping work that may directly or indirectly alter the location of a bank

4.6.4 Regulations

4.6.4.1 Council may apply special standards regarding the dimensions and location of any development or form of development proposed to be located on shoreland so that the development or form of development shall:

Not interfere with the public's right to go on or use the shoreland or adjoining waterway or water course,

Not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity,

Not jeopardize public safety nor be a hazard to navigation; and

Where possible, preserve or improve natural banks and vegetation for natural habitat and fish spawning areas.

4.6.4.2 Council may attach to a development permit any standards or conditions related to the above, or that are required in Council's opinion, due to the physical features or characteristics of the shoreland where the development is proposed.

4.6.4.3 Council may require the proponent of any development to contact and obtain written comments from any government department or agency before Council will consider issuing a permit.