

AUGUST 6, 1976

## SASKATCHEWAN REGULATION 212/76

## THE WATER RESOURCES MANAGEMENT ACT, 1972 — SECTION 22

Repeal the Reservoir Development Area Regulations, 1968,  
enacted by Order in Council 835/68.

Order in Council 1102/76, dated July 27, 1976.

(Filed July 28, 1976.)

## ORDER:

His Honour the Lieutenant Governor on the recommendation of the Executive Council, pursuant to section 22 of The Water Resources Management Act, 1972, hereby repeals the Reservoir Development Area Regulations, 1968, enacted by Order in Council 835/68 as Saskatchewan Regulation 193/68, and as amended by Order in Council 1903/68, 869/69, 1016/69, 1643/70, 1644/70, 1060/71, 403/73, 404/73, and 426/73, and hereby makes the Reservoir Development Area Regulations, 1976 in substitution therefor in accordance with the schedule hereto, all effective the date of this Order.

## SCHEDULE

RESERVOIR DEVELOPMENT AREA REGULATIONS  
UNDER THE WATER RESOURCES MANAGEMENT ACT

## SHORT TITLE

1. These regulations may be cited as the Reservoir Development Area Regulations, 1976.

## INTERPRETATION

2. In these regulations:

(a) "accessory building" or "accessory structure" means a subordinate detached building or structure appurtenant to the main building or main use and located on the same site with the main building or main use;

(b) "accessory use" means a use customarily incidental and subordinate to the main building or main use and located on the same site with the main building or main use;

(c) "alter" means to structurally change a building or structure;

(d) "building" means a structure used for the shelter or accommodation of persons, animals, goods or chattels;

(e) "construct" means to build, erect or place a building or structure;

(f) "department" means the Department of the Environment;

(g) "dwelling, one family" means a detached building consisting of one dwelling unit and occupied or intended to be occupied as the residence of one family;

(h) "dwelling unit" means one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons;

(i) "floor area" means 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;

(j) "general plan" means the map of a reservoir development area mentioned in the schedule applicable to that area;

(k) "establishment date for a land use district" means the date deemed to be established as such for the land use district as provided in the schedule applicable to the reservoir development area of which it forms part;

(l) "minister" means the Minister of the Environment;

(m) "off-street parking space" means a space within a building or parking lot for the parking of one automobile;

(n) "project" means the project mentioned in the schedule applicable to a reservoir development area;

(o) "reservoir" means a reservoir mentioned in a schedule to these regulations;

(o) "reservoir development area" means a reservoir development area mentioned in a schedule to these regulations;

(p) "restricted building area" means the area designated in the schedule applicable to the reservoir development area as the restricted building area within that reservoir development area;

(q) "road boundary" means the boundary of a street or road allowance shown on a plan registered under statutory authority;

(r) "sewage works" means any works for the collection, transmission, treatment and disposal of sewage;

(s) "site" means 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 a common interest or use and the customary accessories and open spaces belonging to the unit;

(t) "street" or "road" means a public thoroughfare shown on a plan registered under statutory authority which affords the principal means of access to abutting property;

(u) "structure" means anything that is constructed, a use of which requires location on the ground, or attached to something having a location on the ground;

(v) "trailer coach" means a vehicle having no motive power of its own but drawn or designed to be drawn on a road by a motor vehicle and used or designed to be used as a dwelling unit or sleeping place for one or more persons, whether or not the vehicle is mounted on wheels or dismounted from wheels and detached from its conveying vehicle;

(w) "trailer court" means a site occupied or designed to be occupied by two or more trailer coaches either as the main or secondary use, and includes any building, structure, or enclosure used or intended to be used as part of the operation of a trailer court;

(x) "under construction" means incomplete, but constructed to a point where the value of the partially completed building or structure is at least 5 per cent of the value of the building or structure when completed;

(y) "water control works" means works as defined in The Water Rights Act and includes a facility, plant or contrivance controlling, carrying, measuring, processing or treating water.

#### RESTRICTED BUILDING AREA

3.—(1) Notwithstanding anything in these regulations no person shall, unless he has secured a development permit issued pursuant to these regulations in respect thereto, construct or alter a building or structure within a restricted building area.

(2) Where a development permit is issued in respect of the construction or alteration of a building or structure in a restricted building area, the permit is subject to the condition that the applicant waives any claim in respect of loss or damage resulting from the construction or operation of the project to any building or structure constructed or altered pursuant to the development permit, except where:

(a) the department otherwise specifies in the development permit; or

(b) a building or structure is a building or structure moved from a site purchased for reservoir flooding.

#### DEVELOPMENT PERMIT REQUIRED

4. Unless he has secured a development permit issued pursuant to these regulations or the use is one that may, pursuant to these regulations, be exercised without securing a development permit, no person shall, within a reservoir development area established by these regulations:

(a) construct or alter a building or structure;

(b) move a building or structure into or within the area; or

(c) subject to section 12, use a building, structure or land for any purpose.

5.—(1) No person shall apply, pursuant to The Planning and Development Act, to the Minister of Municipal Affairs or to the council of the municipality within whose boundaries the land lies, for the approval of a plan of subdivision of land lying within a reservoir development area, unless the application is accompanied by the written approval of the department to the uses proposed in the subdivision plan.

(2) Notwithstanding anything in these regulations the department may in its discretion, refuse to issue a development permit for the use of land in a subdivision where the application for approval of the subdivision was not accompanied by the written approval of the department.

#### DEVELOPMENT PERMIT NOT REQUIRED IN CERTAIN CASES

6.—(1) Notwithstanding anything in these regulations, land within each of the land use districts in a reservoir development area may be used without securing a development permit for any purpose in respect of:

(a) the construction of a highway by the Province of Saskatchewan;

(b) the construction of a grid road by a municipality;

(c) the construction of a municipal road by a municipality;

(d) the construction of facilities to provide electricity, gas, water, sewer, telephone or other service on a site in respect of which a development permit has been issued, or in respect of which a development permit is not required by these regulations;

(e) mineral exploration and production;

(f) archaeological exploration; and

(g) the construction of an historical marker or monument.

(2) A development permit is not required in respect of:

(a) the use of land or the construction or alteration of a building or structure in a construction district for any purpose in respect of the construction of the project, where such use, construction or alteration is undertaken by or pursuant to a contract with the federal or provincial government or a crown corporation, department or other agency of the federal or provincial government;

(b) the use of land or the construction or alteration of a building or structure in a recreation (public) district, where such use, construction or alteration is undertaken by the Saskatchewan Department of Tourism and Renewable Resources, by a regional park authority, or by a municipality;

(c) the use of land in an agricultural (large acreage) district or in an agricultural (small acreage) district for an agricultural purpose or, except in a restricted building area, the construction or alteration in these districts of a building or structure for an agricultural purpose;

- (iv) the building or structure shall not be altered;
  - (v) the use shall be discontinued where the buildings or structures used are damaged by fire or otherwise to the extent of 50 per cent or more of their assessed value;
  - (vi) the use shall be discontinued where the buildings, structures or land, or any part thereof, have in the opinion of the department ceased to be so used for a period of nine months or more.
- (2) Where, upon the establishment date for the land use district, a building or structure is under construction in that land use district for a use mentioned in subsection (1):
- (a) the use of such building or structure shall be subject to the conditions mentioned in subsection (1);
  - (b) the building or structure may be completed in accordance with the building or site plan for such building or structure, which in the case of a building or structure authorized by a municipality, shall be the building or site plan approved by the municipality;
  - (c) the department may in writing authorize a reduction in the size of the site required by the law in effect prior to the establishment date for the land use district, where in the opinion of the department such reduction is in the interest of the orderly development of the reservoir development area.

13. The boundary of a land use district shown on a general plan is deemed to be coterminous with:

- (a) the township or section line where drawn along a township or section line in an unsubdivided area;
  - (b) the block or lot line where drawn along a block or lot line in a subdivided area; and
  - (c) the road allowance where drawn along a highway, road or street;
- but where the boundary is not drawn along a township, section, block or lot line nor along a road allowance, the boundary is deemed to be in the location indicated by the dimensions shown on the plan and, where dimensions are not shown, by the scale of the plan.

#### PROHIBITIONS

14. No person shall hereafter in any land use district:
- (a) place more than one main building on a site; or
  - (b) in calculating the yard requirements or other open space for a main building or use include any portion of a yard or open space included in calculating the yard requirements of any other main building or use.
15. No person shall in any land use district, construct or alter a building or structure on any site or move a building or structure onto any site in the land use district unless:
- (a) he has secured authority for the construction, alteration or movement pursuant to building regulations made by the department; or
  - (b) the use of the site is a use for which a development permit is not required by these regulations.

#### AGRICULTURAL (LARGE ACREAGE) DISTRICT *Permitted Uses*

16. Subject to these regulations, the following uses and no others are permitted in an agricultural (large acreage) district:

- (a) the cultivation of field crops, the operation of a dairy farm, the raising of animals and poultry, ranching, grazing, the growing of trees, shrubs or vegetables, and any other similar use customarily carried on in the field of agriculture;
- (b) an observation point or picnic area for use by the public in connection with observation of the project, on a site designated by the department;
- (c) an institutional camp or a regional park on a site designated by the department;
- (d) a provincial park on a site designated by the department;
- (e) a garbage disposal area where, in the opinion of the department the use would not be prejudicial to other uses in the area;
- (f) a cemetery where, in the opinion of the department, the use would not be prejudicial to other uses in the area;
- (g) an air strip or landing field for aircraft licensed under regulations made pursuant to the Aeronautics Act (Canada) where, in the opinion of the department, the use would not be prejudicial to other uses in the area;
- (h) a church on a site designated by the department;
- (i) water control works designed, constructed, operated, or maintained by the Saskatchewan Water Supply Board;
- (j) a boat launching site, pier, or dock on a site approved by the department;
- (k) a sand and gravel excavation area where, in the opinion of the department, the

use would not be prejudicial to other uses in the area, and subject to any conditions specified by the department;

(1) an accessory use, including the storage of materials, equipment or produce, or a private landing strip for aircraft, or, subject to clause (b) of subsection (1) of section 17, an accessory building or structure.

*Limitations on Permitted Uses*

17.—(1) Subject to section 12, no person shall in an agricultural (large acreage) district:

- (a) use an area of less than sixteen hectares for an agricultural use;
- (b) construct more than two dwelling units on a site used for agricultural purposes;
- (c) locate a building on a site so that any part of the building is less than sixty metres from the centre-line of a road;
- (d) use a site in an agricultural (large acreage) district on Blackstrap Reservoir for an institutional camp.

(2) For the purpose of clause (b) of subsection (1) a trailer coach is a dwelling unit.

AGRICULTURAL (SMALL ACREAGE) DISTRICT

*Permitted Uses*

18. Subject to these regulations, the following uses and no others are permitted in an agricultural (small acreage) district

(a) the cultivation of field crops, the operation of a dairy farm, the raising of animals and poultry, ranching, grazing, the growing of trees, shrubs or vegetables, and any other similar use customarily carried on in the field of agriculture;

- (b) a one-family dwelling;
- (c) a sports field, park or golf course;
- (d) a trailer court;
- (e) a propane gas establishment;
- (f) a cemetery where, in the opinion of the department, the use would not be prejudicial to other uses in the area;

(g) an air strip or landing field for aircraft licensed under regulations made pursuant to the Aeronautics Act (Canada) where, in the opinion of the department, the use would not be prejudicial to other uses in the area; and

(h) an accessory use, including the storage of materials, equipment or produce, or a private landing strip for aircraft, or an accessory building or structure including a dwelling unit accessory to the main agricultural use.

*Limitations on Permitted Uses*

19. Subject to section 12, no person shall in an agricultural (small acreage) district:

- (a) use a site of less than one and two tenths of a hectare for an agricultural use;
- (b) use a site of less than four tenths of a hectare for a dwelling unit;
- (c) locate a building on a site so that any part of the building is less than sixty metres from the centre-line of a road; or
- (d) construct or alter a trailer court except subject to the regulations under The Health Act with respect to trailers and subject to the conditions, if any, in the development permit issued by the department.

CONSTRUCTION DISTRICT

*Permitted Uses*

20. Subject to these regulations, the following uses and no others are permitted in a construction district:

(a) project construction or maintenance or operation in respect of the project where the use is undertaken by, or pursuant to a contract with, the federal or provincial government or a crown corporation, department or other agency of the federal or provincial government;

(b) an observation point or picnic area for use by the public in connection with observation of the project, on a site designated by the department.

(c) an accessory building, structure or use.

RESIDENTIAL DISTRICT

*Permitted Uses*

21. Subject to these regulations, the following uses and no others are permitted in a residential district:

- (a) a one-family dwelling;
- (b) an office in a dwelling unit, where the office is used by the occupant in connection with the practice of his profession as a medical doctor, dentist or other profession or in connection with a business where it is customary for the occupant to locate his office in his dwelling unit;

the notice, to violate the regulations or conditions mentioned in the notice, the department may cancel the permit and shall notify such person that the permit has been cancelled.

(3) Where a permit is cancelled, the person to whom it was issued, shall, unless otherwise authorized by the department, within ninety days of the date of cancellation of the permit, remove from the site all buildings and structures constructed or altered in violation of these regulations or the conditions of the development permit, as the case may be, as directed by the department.

(4) A notice provided for by this section may be given by handing the notice in writing to the person to whom the permit was issued or by enclosing the notice in an envelope addressed to such person at the address given by him on his application for the permit and forwarding the envelope by registered mail and, where forwarded by registered mail, the notice shall be deemed to have been received by such person on the third day, following the day the envelope containing the notice was mailed.

#### DISCRETIONARY POWERS OF THE DEPARTMENT

10.—(1) Notwithstanding anything in these regulations the department may, in its discretion, issue a development permit in respect of the development within the reservoir development area of:

(a) an observation point or picnic area for use by the public in connection with observation of the project;

(b) a recreation area, where the applicant has maintained and operated a recreation area on lands that will be flooded by the reservoir;

(c) a recreation area, where the applicant proposes to establish a regional park pursuant to The Regional Parks Act, or an institutional camp, and the department is satisfied:

(i) that the applicant can formulate and carry out plans for development of the area to a standard acceptable to the department;

(ii) that a recreation area of the type proposed is desirable in the reservoir development area; and

(iii) that investigations have progressed to a point where sufficient data is available to permit selection of a suitable site;

(d) a provincial park pursuant to The Provincial Parks, Protected Areas, Recreation Sites and Antiquities Act or any former Provincial Parks Act; or

(e) all or any part of a water supply works or water distribution system; sewerage system; power system or any system for the transmission of electricity, sound or light; or a pipeline for any purpose; and any buildings or structures related thereto.

(2) Where a development permit is issued in respect of an institutional camp, the permit is subject to the condition that the site will be developed in accordance with a site plan approved by the department.

11.—(1) Where an applicant claims and the department is satisfied that compliance with a regulation in respect of a specific proposed site would involve practical difficulties or unnecessary hardships by reason of the shape or topographical features of the site, the department may in writing waive compliance with the regulation in respect of the site, subject to conditions specified in the authorization.

(2) The department shall not waive compliance with a regulation where:

(a) the practical difficulty or unnecessary hardship results from the actions of the applicant;

(b) the waiver would injuriously affect neighboring properties or constitute a privilege inconsistent with the regulations affecting neighboring properties; or

(c) the waiver would be contrary to the purpose and intent of the regulations.

(3) A regulation respecting the permitted use of property shall not be waived under this section.

12.—(1) Where, upon the establishment date for a land use district, any building, structure or land is being used for a purpose that is not a use that could be authorized under these regulations, such use may be continued if:

(a) it is a use for which a permit was not required; or

(b) it is a use which was authorized or permitted or not prohibited;

by the law in effect immediately prior to the establishment date for the land use district; subject to the following conditions:

(i) the use shall be limited to the use authorized by the permit, if any, issued in respect thereof by a municipality;

(ii) where a permit was not required, the use shall be limited to the use being exercised on the establishment date for the land use district;

(iii) the use shall be limited to the building, structure or land, or part thereof, being used on the establishment date for the land use district;

(d) the location in an agricultural (large acreage) district or in an agricultural (small acreage) district of not more than one trailer coach on a site for a period not exceeding six months in a twelve-month period, but nothing in this regulation relieves the occupant of the trailer coach from obtaining any licence or permit that he may be required to obtain from a municipality or other licensing authority.

#### APPLICATION FOR A DEVELOPMENT PERMIT

7.—(1) An application for a development permit shall be submitted to the department on a form prescribed by the department.

(2) An application for a development permit shall be accompanied by two copies of a layout or site plan drawn to an appropriate scale, showing the dimensions of the site in respect of which a development permit is required and the size and location on the site of any existing buildings and the main building and accessory buildings to be placed on the site.

(3) The department may, in its discretion, refuse to consider an application that is not properly completed by the applicant or is not accompanied by a layout or site plan satisfactory to the department.

#### CONDITIONS UNDER WHICH A DEVELOPMENT PERMIT MAY BE ISSUED

8.—(1) The department may, in its discretion:

(a) issue a development permit where satisfied that the purpose for which the applicant proposes to use the land in respect of which the permit is requested is a use permitted by these regulations for the land use district in which the land is located;

(b) refuse to issue a development permit where satisfied that the purpose for which the applicant proposes to use the land in respect of which the permit is requested is not a use permitted by these regulations for the land use district in which the land is located;

(c) subject to clause (a), issue a development permit subject to such conditions as in the opinion of the department are designed to promote the early and safe development of the reservoir development area;

(d) refuse to issue a development permit where in the opinion of the department the use of the land for the purpose applied for would be prejudicial to the safe and orderly development of the reservoir development area, notwithstanding that the use is permitted by these regulations for the land use district in which the land is located;

(e) subject to clause (a), issue a development permit for a limited period of time; and

(f) subject to clause (a), issue a development permit subject to the condition that the applicant will take such measures to prevent or alleviate water, soil or air pollution as are required by the department or by statute.

(2) A development permit is issued subject to the condition:

(a) that no building or other structure shall be constructed on the site;

(b) that no alteration shall be made to any building or other structure on the site;

(c) that no building or other structure shall be moved onto the site;

except in accordance with the building regulations made by the department in respect of the land use district in which the land is located.

#### CONDITIONS UNDER WHICH A DEVELOPMENT PERMIT MAY BE CANCELLED

9.—(1) Where the person to whom a development permit has been issued:

(a) uses the site in respect of which the permit was issued for a purpose not authorized by the permit;

(b) violates any provision of these regulations respecting the location of a building or structure on a site;

(c) violates any condition to which the development permit is subject;

(d) constructs or alters a building or structure on the site in respect of which the permit was issued in a manner that violates any provision of the building regulations made by the department; or

(e) moves onto the site in respect of which the permit was issued a building constructed in a manner that violates the building regulations made by the department; the department may, by written notice to such person, advise him:

(f) in what manner the department considers he is at fault, or has violated these regulations or the conditions of the permit; and

(g) that unless he corrects the fault or ceases to violate these regulations or the conditions of the permit within a period to be specified in the order, his development permit will be subject to cancellation.

(2) Where a person to whom a notice is given pursuant to subsection (1), fails or neglects, within the period specified in the notice, to correct the fault mentioned in the notice, to the satisfaction of the department, or continues, beyond the period specified in

- (c) a school or educational institution;
- (d) a church or religious institution;
- (e) a hospital or clinic;
- (f) a lodge or fraternal hall;
- (g) a library or cultural institution;
- (h) a sports field, park or similar recreation use;
- (i) subject to subsection (c) of section 22, a trailer coach;
- (j) a cemetery where, in the opinion of the department, the use would not be prejudicial to other uses in the area; and
- (k) an accessory building, structure or use, including one trailer coach that is occupied only occasionally or is unoccupied.

*Limitations on Permitted Uses*

22. Subject to section 12, no person shall in a residential district:
- (a) use for any permitted use except a trailer coach an area of less than four hundred and sixty square metres, or a frontage of less than fifteen metres.
  - (b) locate a building on a site so that any part of the building is less than:
    - (i) seven and one-half metres from the front boundary of the site;
    - (ii) nine metres from the rear boundary of the site; or
    - (iii) one and one-half metres from a side boundary of the site;
  - (c) use or locate a trailer coach that is not an accessory use provided for in subsection (k) of section 21 except:
    - (i) for a temporary period not exceeding six months in any twelve-month period;
    - (ii) subject to regulations under The Health Act with respect to trailers; and
    - (iii) subject to the conditions if any, in the development permit issued by the department.
  - (d) erect a sign or billboard, except that:
    - (i) the occupant of a dwelling unit who uses part of it for an office for the practice of his profession as a medical doctor, dentist or other profession or in connection with a business where it is customary for the occupant to locate his office in his dwelling unit, may erect on a wall of the building a sign containing his name, qualifications, the name of his profession or employment and hours of business;
    - (ii) the occupant of a dwelling unit may erect a sign bearing his name, the name of the dwelling unit, if any, and the street address;
    - (iii) the occupant or his agent may erect a sign bearing a notice of sale, lease or other information relating to a temporary condition affecting the premises; and
    - (iv) a sign may be erected respecting any use authorized by subsections (c), (d), (e), (f), (g) and (h) of section 21.

COMMERCIAL DISTRICT  
*Permitted Uses*

23. Subject to these regulations, the following uses and no others are permitted in a commercial district:

**Commercial**

- (a) a bank or office;
- (b) a bakery;
- (c) a bus passenger terminal or ticket office;
- (d) a hotel or motel;
- (e) a lumber or building supply establishment with retail sales;
- (f) a medical or dental office;
- (g) a personal service establishment, including a barber shop, beauty salon, laundry or dry cleaning establishment, shoe repair shop, or other similar establishment providing personal service;
- (h) a post office;
- (i) a restaurant, confectionery, or other establishment for the sale or consumption of food and related items;
- (j) a retail store;
- (k) a service station or establishment for the servicing, storage or sale of motor vehicles, trailers, farm machinery or equipment;
- (l) a theatre, assembly hall, or recreation establishment operated on a commercial basis;

**Institutional**

- (m) a church, church hall or religious institution;
- (n) a library or cultural institution;
- (o) a lodge or fraternal hall; and

Other

(p) an accessory use, building or structure, including one dwelling unit where occupied by the caretaker or manager of the business.

*Limitations on Permitted Uses*

24. Subject to section 12, no person shall in a commercial district:

- (a) use for a permitted use an area of less than two hundred and thirty square metres;
- (b) use for a motel or service station a site that has a frontage of less than thirty metres or for any other permitted use a frontage of less than seven and one-half metres;
- (c) locate a motel or service station on a site so that any part of the building or structure is less than seven and one-half metres from the front boundary of the site.

COMMERCIAL (HIGHWAY) DISTRICT  
*Permitted Uses*

25. Subject to these regulations, the following uses and no others are permitted in a commercial (highway) district:

- (a) a hotel or motel;
- (b) a restaurant, confectionery or other establishment for the sale or consumption of food or related items;
- (c) a service station or establishment for the servicing, storage or sale of motor vehicles, trailers, farm machinery or equipment; and
- (d) an accessory use, building or structure, including one dwelling unit where occupied by the caretaker or manager of the business.

*Limitations on Permitted Uses*

26. Subject to section 12, no person shall in a commercial (highway) district:

- (a) locate a building or structure on a site so that any part of the building or structure is less than:
    - (i) sixty metres from the centre-line of any road;
    - (ii) six metres from a side boundary of the site;
  - (b) construct a sign or billboard, except that there may be constructed on the premises of a permitted use a sign with an area of not more than six and one-half square metres on each side or two signs with an area of not more than three and four-tenths square metres each side, if:
    - (i) no portion of the sign is more than six metres above the ground;
    - (ii) the sign is located between the front wall of the building or the extension of the line of the front wall of the building and the front boundary of the site;
    - (iii) the sign advertises only the use of the premises or the principal products offered for sale on the premises; and
    - (iv) the sign, if illuminated, is illuminated by a source of light that is steady and suitably shielded;
  - (c) use a site for a permitted use without providing the off-street parking space required below for each use which is exercised:
    - (i) one off-street parking space for every four seats in a restaurant;
    - (ii) one off-street parking space for each nine square metres of building floor area in a drive-in food establishment;
    - (iii) one off-street parking space for each guest sleeping room in a hotel or each unit in a motel;
    - (iv) one off-street parking space for each dwelling unit;
    - (v) one off-street parking space for each fifty-five square metres of building floor area for all other permitted uses;
- and where a business is a combination of uses, the above required off-street parking space shall be calculated separately for each use.

COMMERCIAL (LIMITED) DISTRICT  
*Permitted Uses*

27. Subject to these regulations, the following uses and no others are permitted in a commercial (limited) district:

- (a) a bank;
- (b) a barber shop or beauty salon;
- (c) a laundry or dry cleaning branch office, but no laundry or dry cleaning operations shall be carried out on the premises;
- (d) a motor vehicle service station;
- (e) a post office;
- (f) a restaurant, confectionery, or other establishment for the sale and consumption of food and related items; and
- (g) an accessory use, building or structure, including one dwelling unit where occupied by the caretaker or manager of the business.



*Limitations on Permitted Uses*

28. Subject to section 12, no person shall in a commercial (limited) district:
- (a) locate a building or structure on a site so that any part of the building or structure is less than:
    - (i) fifteen metres from the front boundary of the site; or
    - (ii) six metres from a side boundary of the site;
  - (b) construct a sign or billboard, except that there may be constructed on the premises of a permitted use a sign with an area of not more than six and one-half square metres on each side or two signs with an area of not more than three and four-tenths square metres on each side, if:
    - (i) no portion of the sign is more than six metres above the ground;
    - (ii) the sign is located between the front wall of the building or the extension of the line of the front wall of the building and the front boundary of the site;
    - (iii) the sign advertises only the use of the premises or the principal products offered for sale on the premises; and
    - (iv) the sign, if illuminated, is illuminated by a source of light that is steady and suitably shielded;
  - (c) use a site for a permitted use without providing the off-street parking space required below for each use which is exercised:
    - (i) one off-street parking space for every four seats in a restaurant;
    - (ii) one off-street parking space for each nine square metres of building floor area in a general store or drive-in food establishment;
    - (iii) one off-street parking space for each forty-five square metres of building floor area for all other permitted uses;
- and where a business is a combination of uses, the above required off-street parking space shall be calculated separately for each use.

INDUSTRIAL DISTRICT

*Permitted Uses*

29. Subject to these regulations, the following uses and no others are permitted in an industrial district:
- (a) a bulk oil storage establishment;
  - (b) a grain elevator, feed mill, flour mill or seed cleaning plant;
  - (c) a lumber or building supply establishment;
  - (d) a machine shop, foundry, or boiler works;
  - (e) a manufacturing or processing plant;
  - (f) a service station or establishment for the servicing, storage or sale of motor vehicles, trailers or farm machinery or equipment;
  - (g) a stockyard;
  - (h) a tannery or hide storage building;
  - (i) a warehouse or supply depot;
  - (j) a yard for the storage of lumber, coal, gravel or other produce or equipment;
- and
- (k) an accessory building, structure or use.

*Limitations on Permitted Uses*

30. Subject to section 12, no person shall in an industrial district:
- (a) use for a permitted use a site that has an area of less than one thousand one hundred square metres;
  - (b) locate a building or structure on a site so that any part of the building or structure is less than:
    - (i) seven and one-half metres from the front boundary of the site; or
    - (ii) six metres from a side boundary of the site.

INDUSTRIAL SERVICE (TEMPORARY) DISTRICT

*Permitted Uses*

31. Subject to these regulations, the following uses and no others are permitted in an industrial service (temporary) district:
- (a) a temporary industrial service establishment for maintaining, repairing, servicing or parking any vehicle, machinery or equipment for the project; and
  - (b) an accessory building, structure or use.

*Limitations on Permitted Uses*

- 32.—(1) Where a development permit has been issued by the department authorizing the temporary use of a site in an industrial service (temporary) district for a building, structure, vehicle, machine or piece of equipment, such building, structure, vehicle, machine or piece of equipment shall be removed by the owner on or before the date specified for removal in the development permit.

RECREATION (PUBLIC) DISTRICT

*Permitted Uses*

33. Subject to these regulations, the following uses and no others are permitted in a recreation (public) district:

- (a) public recreation facilities established by the Saskatchewan Department of Tourism and Renewable Resources, by a regional park authority, or by a municipality; and
- (b) an accessory building, structure or use.

RECREATION (INSTITUTIONAL) DISTRICT

*Permitted Uses*

34. Subject to these regulations, the following uses and no others are permitted in a recreation (institutional) district:

- (a) an institutional camp on a site designated by the department;
- (b) an accessory building, structure or use.

*Limitations on Permitted Uses*

35. Subject to section 12 and unless the approval of the department in writing has been obtained, no person shall in a recreation (institutional) district:

- (a) sell or otherwise dispose of land, buildings or structures within an institutional camp;
- (b) lease land, buildings, or structures within an institutional camp for which a permit has been obtained to any person for the use of that person.

RECREATION (RESIDENTIAL) DISTRICT

*Permitted Uses*

36. Subject to these regulations, where:

- (a) a recreation (residential) district is designated on the general plan for a reservoir development area; and
- (b) the department has issued a development permit for the use of a site for land subdivision within the recreation (residential) district in accordance with an approved layout or site plan;

then, subject to compliance with the building regulations made by the department;

(i) land in a residential zone established under the aforesaid building regulations, may only be used for:

- (A) a one-family dwelling; and
- (B) an accessory building, structure or use including one trailer coach that is occupied only occasionally or is unoccupied;

(ii) land in a commercial zone, may be used for:

- (A) a commercial building; and
- (B) an accessory building, structure or use;

(iii) land in a boat house zone, may be used for:

- (A) a boat house, pier, boat launching ramp or beach structure; or
- (B) an accessory building, structure or use;

(iv) land in a public reserve zone, may be used for any purpose approved by the municipality in which the land is located.

*Limitations on Permitted Uses*

37. Subject to section 12 no person shall use a site in a recreation (residential) district:

- (a) until a development permit for the site has been issued by the department; or
- (b) except as authorized by section 36.

RECREATION (COMMERCIAL) DISTRICT

*Permitted Uses*

38. Subject to these regulations, the following uses and no others are permitted in a recreation (commercial) district:

- (a) a golf course, marina, boat rental or service establishment;
- (b) a rental establishment for cabins, rooms, or facilities for trailers, tents, house-boats, cabin boats, or any other acceptable form of accommodation on land or water;
- (c) an establishment for the performance of winter sports, with associated facilities, and facilities for the consumption of food and related items;
- (d) a restaurant or similar establishment for the sale and consumption of food and related items;
- (e) an establishment for the rental or sale of sporting articles and facilities for the use of such articles;
- (f) an amusement establishment with associated facilities for the consumption of food and related items.

*Limitations on Permitted Uses*

39. Subject to section 12, no person shall in a recreation (commercial) district:

(a) locate a building or structure on a site so that any part of the building or structure is less than:

- (i) fifteen metres from the front boundary of the site;
- (ii) six metres from a side boundary of the site;

(b) construct a sign or billboard, except that there may be constructed on the premises of a permitted use a sign with an area of not more than six and one-half square metres on each side or two signs with an area of not more than three and four tenths square metres on each side; if:

- (i) no portion of the sign is more than six metres above the ground;
- (ii) the sign is located between the front wall of the building or the extension of the line of the front wall of the building and the front boundary of the site;

(iii) the sign advertises only the use of the premises or the principle products offered for sale on the premises; and

(iv) the sign, if illuminated, is illuminated by a source of light that is steady and suitably shielded;

(c) use a site for a permitted use without providing the off-street parking space required below for each use which is exercised:

(i) one off-street parking space for every four seats in a restaurant;

(ii) one off-street parking space for each nine square metres of building floor area in a general store or a drive-in food establishment;

(iii) one off-street parking space for each forty-five square metres of building floor area for all other permitted uses;

and where a business is a combination of uses, the above required off-street parking space shall be calculated separately for each use.

**EFFECT OF REGULATIONS ON ZONING BY-LAW**

40. These regulations suspend any zoning by-law affecting the area designated as a reservoir development area insofar as any such by-law conflicts with these regulations.

**SCHEDULE "A"**

**LAKE DIEFENBAKER RESERVOIR DEVELOPMENT AREA**

**Article 1 ESTABLISHMENT DATE**

The Lake Diefenbaker Reservoir Development Area shall be deemed to have been established on the date on which the regulations to which this is a Schedule came into force.

**Article 2 PROJECT**

"Project" means the South Saskatchewan River Project, the works of which are described in Appendix A of the Memorandum of Agreement between Canada and Saskatchewan with respect to the South Saskatchewan River Project. (For Appendix A see Statutes of Saskatchewan, 1959, Chapter 100.)

**Article 3 DESIGNATION OF RESERVOIR DEVELOPMENT AREA**

(1) Subject to subsection (2) the following lands, all west of the third meridian, shown on the general plan on file in the office of the Director, of the Land Protection Branch, of the department are hereby designated as the reservoir development area:

(a) Range 3 — townships 22, 23 and 24;

(b) Range 4 — townships 22, 23, 24 and 25;

(c) Range 5 — townships 22, 23, 24 and 25; township 26, sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33; township 27, sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33.

(d) Range 6 — townships 22, 23, 24, 25, 26 and 27;

(e) Range 7 — townships 20, 21, 22, 23, 24, 25, 26, and 27;

(f) Range 8 — townships 20, 21, 22 and 23; township 24, sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36; township 25, sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36; township 26, sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36; township 27, sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36;

(g) Range 9 — townships 20 and 21;

(h) Range 10 — townships 19, 20 and 21;

(i) Range 11 — townships 19 and 20;

(j) Range 12 — townships 19 and 20;

(k) Range 13 — townships 19 and 20;

(l) Range 14 — townships 19 and 20;

(m) Range 15 — townships 19 and 20;

(n) Range 16 — townships 19 and 20;

(o) Range 17 — townships 19, 20 and 21;

- (p) Range 18 — townships 20, 21, 22 and 23;
- (q) Range 19 — townships 21, 22 and 23; and
- (r) Range 20 — townships 22 and 23;

(2) The following lands are excluded from the reservoir development area described in subsection (1):

- (a) all land within the boundaries of the Villages of Birsay, Dunblane, Lawson, Riverhurst, Stewart Valley and Tugaske;
- (b) legal subdivisions 1, 2, 3, 6, 7, 8, 9, 10, 11, 14, 15 and 16 in section 11, township 25, range 5, west of the third meridian, the boundaries of which section form the boundaries of the Village of Elbow; and
- (c) the east half of section 5, township 19, range 10, the west half of section 4, township 19, range 10, and the north half of section 32, township 18, range 10, all west of the third meridian, which contain the Hamlet of Main Centre.

**Article 4 RESTRICTED BUILDING AREA**

For the purpose of these regulations, restricted building area means the area of land within the reservoir development area that lies between the South Saskatchewan River and the restricted building area boundary, as shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled "Restricted Building Area, Lake Diefenbaker Reservoir Development Area," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

**Article 5 GENERAL PLAN**

The boundaries of the Reservoir Development Area mentioned in Article 3, Subsection (1) are as shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Lake Diefenbaker," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

**Article 6 LAND USE DISTRICTS**

The reservoir development area is hereby divided into the following land use districts:

- (a) agricultural (large acreage) district;
- (b) agricultural (small acreage) district;
- (c) residential district;
- (d) commercial district;
- (e) commercial (highway) district;
- (f) commercial (limited) district;
- (g) industrial district;
- (h) recreation (public) district;
- (i) recreation (residential) district; and
- (j) recreation (institutional) district.

**Article 7 ESTABLISHMENT DATE OF LAND USE DISTRICTS**

The establishment date for land use districts established by this Schedule shall be deemed to be the date on which the regulations to which this is a Schedule came into force.

**Article 8 BOUNDARIES OF LAND USE DISTRICTS**

The boundaries of land use districts mentioned in Article 6 above are as shown on the following maps on file with the Director, of the Land Protection Branch, of the department and signed by the Deputy Minister of the Environment.

- (a) "General Plan, Reservoir Development Area, Gardiner Dam," dated January 1, 1976.
- (b) "General Plan, Reservoir Development Area, Qu'Appelle Dam," dated January 1, 1976.
- (c) "General Plan, Reservoir Development Area, Riverhurst," dated January 1, 1976.
- (d) "General Plan, Reservoir Development Area, Saskatchewan Landing," dated January 1, 1976.
- (e) "General Plan, Reservoir Development Area, Birsay," dated January 1, 1976.
- (f) "General Plan, Reservoir Development Area, Elbow," dated January 1, 1976.

**SCHEDULE B**

BRIGHTWATER RESERVOIR DEVELOPMENT AREA  
 BRADWELL RESERVOIR DEVELOPMENT AREA  
 DELLWOOD RESERVOIR DEVELOPMENT AREA  
 ZELMA RESERVOIR DEVELOPMENT AREA

**Article 1 ESTABLISHMENT DATE**

The following reservoir development areas shall be deemed to have been established on the date on which the regulations to which this is a Schedule came into force: Bright-

water Reservoir Development Area; Bradwell Reservoir Development Area; Dellwood Reservoir Development Area; Zelma Reservoir Development Area.

#### **Article 2 PROJECT**

"Project" means the Saskatoon-Southeast Water Supply Project Approved by Order-in-Council No. 629/66, dated March 29, 1966.

#### **Article 3 DESIGNATION OF RESERVOIR DEVELOPMENT AREAS**

(1) Subject to subsection (2), the following lands shown on the general plans on file in the office of the Director, of the Land Protection Branch, of the department are hereby designated as the reservoir development areas:

(a) Brightwater Reservoir, all west of the third meridian:

Range 4 — township 30 — sections NE $\frac{1}{4}$  9, N $\frac{1}{2}$  10, 15, 16, N $\frac{1}{2}$  17, E $\frac{1}{2}$  19, 20, 21, SW $\frac{1}{4}$  22, 29, E $\frac{1}{2}$  30, E $\frac{1}{2}$  31 and 32.

(b) Bradwell Reservoir, all west of the third meridian:

Range 2 — township 34 — sections N $\frac{1}{2}$  14, N $\frac{1}{2}$  15, 22 and 23.

(c) Dellwood Reservoir, all west of the second meridian:

Range 24 — township 32 — sections 33 and 34;  
— township 33 — sections 3, 4, E $\frac{1}{2}$  9, 10, NW $\frac{1}{4}$  14, 15, SE $\frac{1}{4}$  16, SE $\frac{1}{4}$  22 and W $\frac{1}{2}$  23.

(d) Zelma Reservoir, all west of the second meridian:

Range 27 — township 33 — sections 7, 18 and 19;

Range 28 — township 33 — sections NE $\frac{1}{4}$  11, 12, 13, 14, 23 and 24.

(2) The following lands are excluded from the reservoir development areas described in subsection (1):

(a) all those portions of section 7, township 33, range 27 and sections 11, 12, and 14 of township 33, range 28, all west of the second meridian lying to the south and west of a certain surveyed road as shown upon a Plan of Record in the Saskatoon Land Titles Office as No. CW3623.

#### **Article 4 RESTRICTED BUILDING AREA**

For the purpose of these regulations, restricted building area means the area that lies between the reservoir and the restricted building area boundary, as shown on maps on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Brightwater Reservoir," "General Plan, Reservoir Development Area, Bradwell Reservoir," "General Plan, Reservoir Development Area, Dellwood Reservoir," "General Plan, Reservoir Development Area, Zelma Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

#### **Article 5 GENERAL PLANS**

The boundaries of the land use districts mentioned in Article 6 are as shown on maps on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Brightwater Reservoir," "General Plan, Reservoir Development Area, Bradwell Reservoir," "General Plan, Reservoir Development Area, Dellwood Reservoir," and "General Plan, Reservoir Development Area, Zelma Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment herein called the general plans.

#### **Article 6 LAND USE DISTRICTS**

The reservoir development areas are hereby divided into the following land use district:  
(a) agricultural (large acreage) district.

#### **Article 7 ESTABLISHMENT DATE OF LAND USE DISTRICTS**

The establishment date for land use districts established by this Schedule shall be deemed to be the date on which the regulations to which this is a Schedule came into force.

### **SCHEDULE C**

#### **BLACKSTRAP RESERVOIR DEVELOPMENT AREA**

##### **Article 1 ESTABLISHMENT DATE**

The Blackstrap Reservoir Development Area shall be deemed to have been established on the date on which the regulations to which this is a Schedule came into force.

##### **Article 2 PROJECT**

"Project" means the Saskatoon-Southeast Water Supply Project approved by Order-in-Council No. 629/66, dated March 29, 1966.

##### **Article 3 DESIGNATION OF RESERVOIR DEVELOPMENT AREA**

(1) Subject to subsection (2), the following lands, all west of the third meridian, as shown on the general plan on file in the office of the Director, of the Land Protection Branch,

of the department are hereby designated as the reservoir development area:

Blackstrap Reservoir:

- Range 3 — township 32 — sections 30, 31 and 32;
- township 33 — sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28 and 29;
- Range 4 — township 32 — sections E $\frac{1}{2}$  10, 11, 12, 13, 14, SE $\frac{1}{4}$  15, 23, 24, 25, 26,  
E $\frac{1}{2}$  34, 35, and 36;
- township 33 — sections 1, 2, 3, S $\frac{1}{2}$  10, S $\frac{1}{2}$  11 and S $\frac{1}{2}$  12.

(2) The following lands are excluded from the reservoir development area described in subsection (1):

- (a) all those portions of the east half of section 34, township 32, range 4 and section 3, and the south half of section 10 of township 33, range 4, all west of the third meridian, lying to the west of Provincial Highway No. 11.

#### Article 4 RESTRICTED BUILDING AREA

For the purpose of these regulations, restricted building area means the area that lies between the reservoir and the restricted building area boundary, as shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Blackstrap Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

#### Article 5 GENERAL PLAN

The boundaries of the land use districts mentioned in Article 6 are as shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Blackstrap Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment, herein called the general plan.

#### Article 6 LAND USE DISTRICTS

The reservoir development area is hereby divided into the following land use districts:

- (a) agricultural (large acreage) district;
- (b) recreation (public) district;
- (c) recreation (institutional) district;
- (d) recreation (residential) district;
- (e) recreation (commercial) district;
- (f) commercial (highway) district;

#### Article 7 ESTABLISHMENT DATE OF LAND USE DISTRICTS

The establishment date for land use districts established by this Schedule shall be deemed to be the date on which the regulations to which this is a Schedule came into force.

### SCHEDULE D

#### AVONLEA CREEK RESERVOIR DEVELOPMENT AREA

##### Article 1 ESTABLISHMENT DATE

The Avonlea Creek Reservoir Development Area shall be deemed to have been established on the date on which the regulations to which this is a Schedule came into force.

##### Article 2 PROJECT

"Project" means the Avonlea Creek Reservoir Area as shown on Plan 42279-8 and 42279-9 on file in the office of the Water Rights Branch, Saskatchewan Department of the Environment.

##### Article 3 DESIGNATION OF RESERVOIR DEVELOPMENT AREA

The following lands, all west of the second meridian, shown on the general plan on file in the office of the Director, of the Land Protection Branch, of the department are hereby designated as the reservoir development area:

- Range 22 — township 11 — section N $\frac{1}{2}$  22
- township 12 — section 5
- section N $\frac{1}{2}$  6
- section 7
- section SW $\frac{1}{4}$  8
- section W $\frac{1}{2}$  18
- Range 23 — township 12 — section E $\frac{1}{2}$  12
- section E $\frac{1}{2}$  13

##### Article 4 RESTRICTED BUILDING AREA

For the purpose of these regulations, restricted building area means the area that lies between the reservoir and the restricted building area boundary, as shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled "General Plan, Reservoir Development Area, Avonlea Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

##### Article 5 GENERAL PLAN

The boundaries of the land use districts mentioned in Article 6, are shown on a map on file in the office of the Director, of the Land Protection Branch, of the department entitled, "General Plan, Reservoir Development Area, Avonlea Reservoir," dated January 1, 1976, and signed by the Deputy Minister of the Environment.

##### Article 6 LAND USE DISTRICTS

The reservoir development area is hereby divided into the following land use districts:

- (a) agricultural (large acreage) district;
- (b) recreation (public) district;
- (c) recreation (residential) district.

##### Article 7 ESTABLISHMENT DATE OF LAND USE DISTRICTS

The establishment date for land use districts established by this Schedule shall be deemed to be the date on which the regulations to which this is a Schedule came into force. F-108



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## SASKATCHEWAN REGULATION 276/79

### THE WATER RESOURCES MANAGEMENT ACT—SECTION 22

Order in Council 1744/79, dated September 25, 1979

*(Filed September 26, 1979.)*

#### ORDER:

His Honour the Lieutenant Governor on the recommendation of the Executive Council, pursuant to section 22 of The Water Resources Management Act hereby amends the Reservoir Development Area Regulations, 1976 enacted by Order in Council 1102/76 as Saskatchewan Regulations 212/76 as set forth in the Schedule hereto, effective the date of this Order.

#### SCHEDULE

The Reservoir Development Area Regulations, 1976 are amended by repealing section 33 and substituting the following therefor:

33. Subject to these regulations, the following uses and no others are permitted in a recreation (public) district:

(a) public recreation facilities established by the Saskatchewan Department of Tourism and Renewable Resources, by a regional park authority, or by a municipality, and an accessory building, structure or use;

(b) where, within a regional park, the department has issued a development permit for the use of a site for land subdivision in accordance with an approved layout or site plan, then, subject to compliance with any building regulations made under section 22 of The Water Resources Management Act, land in a residential zone established under the aforesaid building regulations, may be used for:

(i) a one family dwelling; and

(ii) an accessory building, structure or use including one trailer coach that is occupied only occasionally or is unoccupied.

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## SASKATCHEWAN REGULATIONS 157/81

*THE WATER RESOURCES MANAGEMENT ACT* — SUBSECTION 22(1)

Order in Council 1176/81, dated July 21, 1981

(Filed July 23, 1981.)

## ORDER:

His Honour the Lieutenant Governor in Council, on the recommendation of the Minister of the Environment, pursuant to subsection 22(1) of *The Water Resources Management Act*, amends Saskatchewan Regulations 212/76 in accordance with the attached Schedule, effective the date of this Order.

## SCHEDULE

1. These regulations may be cited as *The Reservoir Development Area Amendment Regulations, 1981*.
2. The Reservoir Development Area Regulations, 1976 are amended in the manner set forth in these regulations.
3. The following clause is added after the second clause 2(o):
  - “(o.1) ‘residential site’ means any parcel of land that is:
    - (i) whole, continuous and undivided;
    - (ii) at least 0.8 hectares in area;
    - (iii) free from slumping, subsidence, erosion or any other instability; and
    - (iv) not susceptible to flooding”.
4. The following clause is added after clause 16(1):
  - “(m) a dwelling unit that is not an accessory building or accessory structure where:
    - (i) the dwelling unit is located on a residential site;
    - (ii) no other dwelling unit that is not an accessory building or accessory structure is located in the same quarter section;
    - (iii) the dwelling unit was an accessory building or accessory structure or the residential site on which the dwelling unit is located is, by reason of its location or physical characteristics, unsuitable for agricultural purposes; and
    - (iv) access to the residential site on which the dwelling unit is located is provided by an all-weather road”.