

RURAL MUNICIPALITY OF LUMSDEN NO. 189
BYLAW NO. 2021-10

A bylaw to amend Bylaw No. 7-2012, known as the Zoning Bylaw of the Rural Municipality of Lumsden No. 189.

Pursuant to Section 29(2) and 39 of *The Planning and Development Act, 2007* the RM of Lumsden No. 189 in the Province of Saskatchewan, by and with the advice and consent of the RM of Lumsden No. 189 Council, enacts to amend Bylaw No. 7-2012 as follows:

1. **Section 3.0 ADMINISTRATION** is amended by adding the following after section 3.15:

“3.16 Specific Development Permit Requirements for the Architectural Control Overlay District

3.16.1 In addition to the requirements of section 3.5, every application for a development permit in the Architectural Control Overlay District for the Organized Hamlet of Deer Valley (R3-AC) shall be accompanied by building construction drawings.

3.16.2 The building construction drawings are required to be drawn at a standard metric scale and at a specific detail to allow review for compliance with the standards in Appendix “A” and shall include the following:

- (a) fully dimensional and annotated plans of all floors;
- (b) fully dimensional and annotated elevations of all sides of the building;
- (c) all materials and colours on all elevations are to be listed on elevational drawings, and/or in a finish schedule, detailing:
 - (i) wall cladding, grout, trim, corner boards, door, and window surround;
 - (ii) roof materials;
 - (iii) main roof: soffits, fascia, eavestrough;
 - (iv) porch roof: soffits, fascia, eavestrough;
 - (v) porch floors and stairs to the house/porch;
 - (vi) columns and column bases, balustrades; and
 - (vii) windows and doors, including garage doors;
 - (viii) clearly annotated existing finishes and/or materials;
 - (ix) elevations on all floors; and
 - (x) slopes of all roofs.”

3.16.3 The complete application will be forwarded to the Deer Valley Design Review Committee to determine conformance with the architectural controls attached as Appendix “A” to this bylaw. The Design Review Committee may request more information from the applicant to assist with the review process.

3.16.4 Upon review of the application, the Deer Valley Design Review Committee shall make a recommendation to:

- (a) Issue a Development Permit
- (b) Deny the Issuance of a Development Permit; or
- (c) Issue a Development Permit subject to specific Terms and Conditions.

3.16.5 The Development Officer may issue a development permit without review by the Deer Valley Design Review Committee, for any alteration, renovation, or repair to an existing building, where, in the opinion of the Development Officer, the intended changes do not significantly alter an existing building or development and are in conformance with the standards attached as Appendix “A”.

3.16.6 The Development Officer shall notify the applicant of the decision in writing.

3.16.7 The applicant will be responsible for any applicable fees associated with the Design Review.

2. **SECTION 5.0 ZONING DISTRICTS**, is amended by adding the following:

Subsection 5.1.1 is amended by adding the following to the list of Districts and Symbols, directly

below "Industrial – M":

Districts	Symbols
"Architectural Control Overlay District"	"AC"

5.7 Overlay Zoning Districts

5.7.1 The overlay zone shall be in addition to and shall overlay all other zones where it is applied so that any parcel of land lying in the overlay zone shall also lie in one of the other zones provided for by this Bylaw. The effect is to create a new zone, which has the characteristics and limitations of the underlying zone, together with the characteristics and limitations of the overlay zone.

5.7.2 Unless specifically exempted, the regulations, standards and criteria of the overlay zone shall also supplement and be applied in addition but not in lieu of any regulations, standards, and criteria applicable to the underlying zone.

5.7.2 Where there appears to be a conflict between the requirements of the overlay zone and those of the underlying zone, the overlay zone regulations shall take precedence."

3. **Section 17.0 MAPS** is amended by renumbering and renaming it to Section 18.0 - MAPS and Section 17.0 is renamed **17.0 AC – Architectural Control Overlay District**.

4. Section 17 is amended by adding the following:

17.1 INTENT

The objective of the AC – Architectural Control Overlay District is to provide appropriate development standards to preserve the physical character of an area or to promote a selected design theme for an area, such as the Organized Hamlet of Deer Valley.

17.2 REGULATIONS

(1) No use or development of land or buildings is permitted in an AC Overlay District except where it is consistent with section 73 of *The Planning and Development Act, 2007* and section 9.0 of the Official Community Plan.

(2) The Architectural Control Overlay District for the Organized Hamlet of Deer Valley is established and shall apply to the lands zoned R3 – Planned Valley Residential District (By Agreement) within the Organized Hamlet of Deer Valley.

(3) In the area where the Architectural Control Overlay District for the Organized Hamlet of Deer Valley is established, all development must conform to the architectural controls attached as Appendix "A" to this Bylaw and which forms part of the Bylaw.

17.3 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS

All permitted, discretionary, and prohibited land uses in the underlying zone apply equally as permitted, discretionary, and prohibited land uses in the Architectural Control District Overlay Zone.

5. **Appendix "A" – Deer Valley Architectural Controls** attached hereto as Schedule "A" shall be appended to the Zoning Bylaw immediately following Section 17.0 – AC Architectural Control Overlay District.

6. **The Zoning District Map** referred to in section 5.2.1 is amended by rezoning the ±1780 hectares (4400 acres) portion of land known as the Organized Hamlet of Deer Valley, from R3 "Planned Valley Residential District" to R3 – AC "Planned Valley Residential District - Architectural Control Overlay District" as shown on Schedule "B" attached to this bylaw.

This Bylaw shall come into force and take effect when approved by the Minister of Government Relations.

READINGS

Read a first time this *16th day of December, 2021.*

Read a second time this *5th day of May, 2022.*

Read a third time *5th day of May, 2022.*



Kent Furago

Reeve

[Signature]

Chief Administrative Officer

Architectural Controls

Organized Hamlet of Deer Valley



Appendix A – Bylaw 2021-10

Vision

The Organized Hamlet of Deer Valley within the RM of Lumsden No. 189 has become synonymous with scenic natural surroundings, integration of recreation, an appreciation of nature, as well as quality homes in close proximity to a world class golf course. These characteristics promote a quality of life found in few other locations. It is the intent and spirit of these architectural controls to promote and foster design cohesiveness, a sense of community identity and to preserve the natural amenities of the surrounding area by providing guidance on the form of development that is appropriate for this area.

The development of the Deer Valley Architectural Controls was guided by the following principles:

- The community of Deer Valley considers the valley a haven for wildlife and people alike.
- The community of Deer Valley takes pride in our exceptional location and has made a great effort in working with the lay of the land.
- The Deer Valley Golf Club allowed the landscape and natural contours of the valley to dictate where the 18-hole world class golf course would be located.
- The community of Deer Valley has an established commitment to the valley, maintaining and respecting the delicate balance of land and nature. Residential development within the community is an extension of that commitment by providing lots that are spacious and generously proportioned.

Theme

A key aspect of the Deer Valley community is the interaction with the natural environment. To achieve this blending with the beautiful natural surroundings, several design features will need to be incorporated.

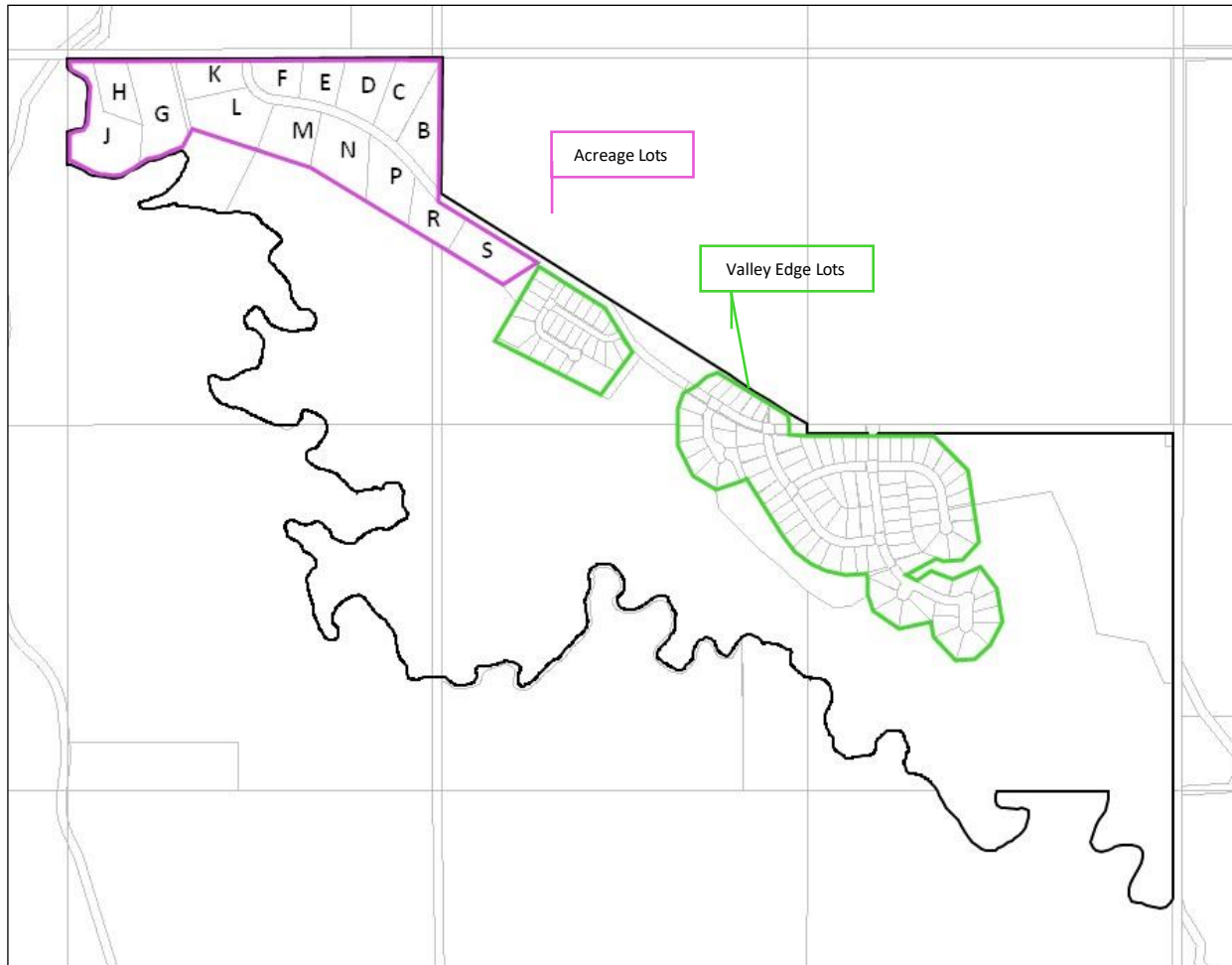
- Each new home must incorporate design features which express the use of natural materials giving the impression of permanence and durability. For example, it is recommended that each new home include a minimum of 25% stone or brick with additional stone or brick features on the other 3 sides.
- Design features include those of Craftsman styling which may include proportioned columns on the front of the house, framing a porch or covered entryway. This is an example of a proven structure that enhances many qualities of the streetscape including the sense of timeless design. Rather than requiring a specific architectural style, emphasis is to be placed on the importance of the front entry as well as detailed door and window trims and an attractive palate of materials and colors. As well, wall articulations and roof shapes create visual interest and character in a house and break up the massing of these surfaces.
- Four-sided architecture is required to respect the near and distant view corridors of other residents. The design should include private open spaces in the front and rear and takes advantage of front, rear, and side views of the house. Architectural design should include covered outdoor area to take advantage of the special environment. The design elements should also reduce the dominance of the garage doors.
- All landscaping development should respect, not dominate, the natural environment. Planting of natural prairie grasses and vegetation is encouraged.

Lot Information

The Organized Hamlet of Deer Valley has two separate standards for the Residences and Acreages. Please refer to the map on the following page to determine which set of standards applies to your property.

Architectural Controls

Organized Hamlet of Deer Valley



Valley Edge Lots

- Bungalows (may be walk-outs).
- Height restriction 6.6M.
- Street setback 7M.
- Side yard width minimum 3.5M
- House and retaining walls must be designed to follow the natural landscape.

Interior Lots

- Bungalows, Bi-levels, Two Stories.
- Street setback minimum 10M.
- Side yard width minimum 3.5M.

Minimum Square Footages

- Bungalows - 1300 SF
- Two Stories - 1700 SF Height Restriction 9M.
- Minimum floor areas do not include garages, decks, and basements. It applies to gross building area at or above grade only.

Exterior Finishes

- Brick, Tyndall stone, or stucco.
- All stucco-finished homes must have detailed trim around windows and doors.
- Cedar log homes may be approved on an individual basis.
- Vinyl siding will not be approved.
- Any new materials that may become available to the market will be considered on an individual basis.

Colors

- Bright primary colours (red, blue or yellow) shall be prohibited.

Architectural Controls

Organized Hamlet of Deer Valley



- Bright pastel versions of primary or secondary colors (orange, purple, green) shall be prohibited.

Fences

- No fences from street to setback will be approved.
- Fences must be 60% transparent – valley view only.

Roofs

- Roofing materials of high quality are required.
 - Hand split cedar shakes, pine shakes, or cedar shingles; stained or natural color.
 - Clay or colored concrete roofing tiles
 - Asphalt shingles: Mirage or Cathedral XL or equivalent.
- All roofs must have overhangs with a 2-foot minimum.
- Exposed metal flues will not be approved.
- Cedar or pine shakes shall be permitted.
- Stained or natural coloured cedar shingles shall be permitted.
- Clay or coloured (in accordance with 17.3.3 above) concrete roofing tiles shall be permitted.
- Architectural or dimensional shingles shall be permitted.
- 3-tab shingles shall be prohibited.
- Any new materials that may become available to the market will be considered on an individual basis.

Garages

- Architectural treatments of the garage are an ingredient of a more pleasing streetscape.
- Dwellings shall have a minimum of a two-vehicle garage.
- Where three or more garage bays exist on a dwelling, the bays shall be staggered.
- Lot widths are sufficient to accommodate a mix of side entry garages.

Driveways

- Must be interlocking paving stones, concrete, or exposed aggregate.
- Asphalt, gravel, or sand driveways are not permitted.
- Driveways must be completed within two (2) years of occupancy.

Additional Accessory Buildings

- Only one additional accessory building shall be over 15.6 m² (200 ft²).
- The maximum size of any additional accessory building shall be 222.97 m² (2,400 ft²).
- All accessory buildings shall be complementary to the style and character of the principal dwelling.
- Temporary, such as pup and sea can, or permanent fabric covered accessory buildings shall be prohibited.

Slope Stability

- Only minimal grading should be allowed on existing lots, with no imported fill. The slopes to the rear of the lot should not be disturbed and trees on the existing slopes should not be cut.
- All construction debris and excess fill from basement excavations must be removed off-site. Dumping of any type of fill or construction debris adjacent to or on/over the crest of slope is not allowed.
- Detached structures such as surface decks or gazebos could be installed within the setback distances provided in the GE reports, recognizing the risk of movement of these structures due to potential future slope movements.
- Vegetation established at the rear of the lot near the top of slope should be of a drought resistant nature that does not require excessive watering. Irrigation at the top of the slope should be kept to a minimum.
- Surface runoff must be controlled to avoid uncontrolled channelized flow over the slope crest. Minor site grading should be conducted to reduce the drainage area flowing over the crest of the slope.
- All roof drains should be located to direct runoff onto a gentle slope leading away from the house and to the front of the lot to prevent surface erosion.
- Any buried water or sewer lines should be constructed with watertight connections to manholes and catch basins to ensure that excessive seepage into the ground does not occur.

Architectural Controls

Organized Hamlet of Deer Valley



- The stability of the valley slope is highly dependent on the current slope drainage conditions. Underground sprinkler systems, swimming pool and decorative ponds should not be installed without a site-specific geotechnical report; as this could introduce water into the slope and impact the long-term stability of the slopes.

Other Requirements

- Construction completion within one (1) year of construction commencement.
- Occupancy is permitted once the house is 95% complete.
- Landscaping must be complete within two (2) years of occupancy. Trees and shrubs should respect the natural environment, lay of the land and neighbors' views.

Lot Information - Acreages

Valley Edge Acreages

- Bungalows, Bi-levels, Two Stories.
- House and retaining walls must be designed to follow the natural landscape.

Interior Acreages

- Bungalows, Bi-levels, Two Stories.

Minimum Square Footages

- Bungalows - 1400 SF
- Two Stories - 1800 SF Height Restriction 9M.
 - Minimum floor areas do not include garages, decks and basements.
 - Square footage applies to gross building area at or above grade only.
 - Minimum total width of house complete with attached garage is fifty (50) feet.

Building Setbacks

<u>Lots</u>	<u>Road</u>	<u>Golf Course</u>	<u>Side</u>	<u>Back</u>
B to K	50 feet	n/a	25 feet	25 feet
L to P	50 feet	100 feet	50 feet	n/a
R to S	50 feet	85 feet	50 feet	n/a

All dwellings shall be located in an area that complies with the Geotechnical Report.

Exterior Finishes

- Brick, stone, stucco or fiber-cement type sidings.
- Stucco-surfaces on homes must have detailed trim around windows and doors.
- Log homes may be approved on an individual basis.
- Vinyl siding will not be approved.
- Any new materials that may become available to the market will be considered on an individual basis.

Colors

- Bright primary colours (red, blue or yellow) shall be prohibited.
- Bright pastel versions of primary or secondary colors (orange, purple, green) shall be prohibited.

Fences

- Fences must be 60% transparent – valley view.
- No barbed wire or page wire allowed.

Architectural Controls

Organized Hamlet of Deer Valley



- All fences must be aesthetically acceptable and compatible with nature of the development.

Roofs

- Roofing materials of high quality are required.
 - Hand split cedar shakes, pine shakes, or cedar shingles; stained or natural color.
 - Clay or colored concrete roofing tiles
 - Asphalt shingles: Mirage or Cathedral XL or equivalent.
- All roofs must have a minimum overhang of 18”.
- Exposed metal flues will not be approved.
- Cedar or pine shakes shall be permitted.
- Stained or natural coloured cedar shingles shall be permitted.
- Clay or coloured (in accordance with 17.4.3 above) concrete roofing tiles shall be permitted.
- Architectural or dimensional shingles shall be permitted.
- 3-tab shingles shall be prohibited.
- Any new materials that may become available to the market will be considered on an individual basis.

Garages

- A two-car attached garage is a minimum requirement.
- Where three or more garage bays exist on a house, the bays must be staggered.
- Windows are required where the side is visible from the street.

Driveways

- Interlocking paving stones, concrete, asphalt or as a minimum must be completed with a gravel surface.
- Driveways must be completed in conjunction with the building of the residence.

Slope Stability

- Only minimal grading should be allowed on existing lots, with no imported fill. The slopes to the rear of the lot should not be disturbed and trees on the existing slopes should not be cut.
- All construction debris and excess fill from basement excavations must be removed off-site. Dumping of any type of fill or construction debris adjacent to or on/over the crest of slope is not allowed.
- Detached structures such as surface decks or gazebos could be installed within the setback distances provided in the GE reports, recognizing the risk of movement of these structures due to potential future slope movements.
- Vegetation established at the rear of the lot near the top of slope should be of a drought resistant nature that does not require excessive watering. Irrigation at the top of the slope should be kept to a minimum.
- Surface runoff must be controlled to avoid uncontrolled channelized flow over the slope crest. Minor site grading should be conducted to reduce the drainage area flowing over the crest of the slope.
- All roof drains should be located to direct runoff onto a gentle slope leading away from the house and to the front of the lot to prevent surface erosion.
- Any buried water or sewer lines should be constructed with watertight connections to manholes and catch basins to ensure that excessive seepage into the ground does not occur.
- The stability of the valley slope is highly dependent on the current slope drainage conditions. Underground sprinkler systems, swimming pool and decorative ponds should not be installed without a site-specific geotechnical report; this could introduce water into the slope and impact the long-term stability of the slopes.

Additional Buildings

- Maximum size is 40’ x 60’ (only one out-building over 200 sq ft is allowed).
- All out-buildings shall be complementary to and in keeping with the style and character of the main dwelling house on the lot.
- Out buildings over 200 square feet in size cannot be located on the Valley Side of the main dwelling house
- Out buildings 200 square feet or less in size only require a 25 ft setback from the side and back property lines. A 50 ft setback from the road is still required.
- Temporary, such as pup and sea can, or permanent fabric covered accessory buildings shall be prohibited.
- No garage, trailer, camper, motor home, mobile home or recreational vehicle shall be used as a residence on the Lot, either temporarily or permanently.
- Only one primary private dwelling house shall be erected and standing on the Lot at any one time.

Architectural Controls
Organized Hamlet of Deer Valley



Other Requirements, Restrictions and Notices

- Construction shall be completed within one (1) year of construction commencement.
- Occupancy is permitted once the house is 95% complete.
- Landscaping must be complete within two (2) years of occupancy. The planting of trees and shrubs that respect the natural environment, lay of the land and neighbors' views is encouraged. Shelter belt trees such as Caragana's will not be allowed in the golf course setback zones on Lots L to S Plan No. 101918279.

Architectural Controls
Organized Hamlet of Deer Valley



Building Plans Checklist - Residential

The following checklist is required for Deer Valley's approval of building plans prior to submission for RM of Lumsden approval.

1. Block _____ Lot _____ Plan _____
2. Owner _____
3. Builder _____ House Type _____
4. Are financial considerations of lot met? _____
5. 4 site plans and 4 sets house plans _____
(3 for RM of Lumsden and 1 for Deer Valley)
6. Height restrictions - Valley Edge Bungalow 6.6M _____
7. Side yard width _____
Street setback _____
8. Ground Engineering Geo-technical Report received? _____
9. Do Plans meet Ground Engineering requirements? _____
(GE reports April 25, 2000, Sept.28, 2000, Jan. 19, 2001) _____
10. Soffits 2 feet minimum _____
11. Roofing - street appeal _____
- materials _____
- color _____
12. Exterior - material(s) _____
- color(s) _____
13. Square footage of house _____
14. Driveway - materials _____
- correct side if applicable _____

Inform Builder:

1. Water and Sewer connection placement _____
(on curb as 'WCB')
2. "Garbage is the Enemy" Reminder _____
(Site Clean-up)

Lot Owner and/or Homebuilder _____ Date _____

Organized Hamlet of Deer Valley _____ Date _____

Architectural Controls
Organized Hamlet of Deer Valley



Building Plans Checklist - Acreages

The following checklist is required for Deer Valley's approval of building plans and must be submitted prior to Building Permit submission to the RM of Lumsden.

1. Acreage Lot No. _____
2. Owner _____
3. Builder _____ House Type _____
4. Are financial considerations of lot met? _____

5. 4 site plans and 4 sets house plans
(3 for RM of Lumsden and 1 for Deer Valley) _____
6. Ground Engineering Geo-technical Report received? _____
7. Do Plans meet Ground Engineering requirements? _____
(GE reports April 25, 2000, Sept.28, 2000, Jan. 19, 2001) _____

8. Soffits -18''minimum _____
9. Roofing - material _____
- color _____
10. Exterior - material(s) _____
- color(s) _____
11. Square footage of house _____

Inform Builder:

1. Water connection placement _____
2. "Garbage is the Enemy" Reminder _____
(Site Clean-up)

Lot Owner and/or Homebuilder _____ Date _____

Organized Hamlet of Deer Valley _____ Date _____