



Lac La Ronge Indian Band

Zoning Law

2022-01

March 9, 2022

TABLE OF CONTENTS

PART 1 PRELIMINARY MATTERS	4
1. Citation.....	4
2. Definitions	4
3. General Interpretation.....	7
4. Severability	8
5. Application	8
PART 2 GENERAL PROVISIONS	9
6. Administration of Law	9
7. General Prohibitions	9
8. Zonings	9
9. Non-Conforming Uses	10
PART 3 REGULATIONS FOR ALL ZONES	12
10. Permitted Activities, Structures, Uses, and Works in All Zones	12
11. Development Regulations	13
PART 4 REGULATIONS FOR SPECIFIC USES AND ZONES	14
12. Accessory Uses and Accessory Buildings or Other Structures.....	14
13. Home-Based Businesses	14
14. Barbed Wire Fencing.....	14
15. Intermodal Storage Containers.....	14
PART 5 PRINCIPAL USES.....	16
16. Agricultural Zone.....	16
17. Commercial Zone	16
18. Community Service Zone	16
19. Residential Zone.....	17
20. Resource Conservation Zone.....	17
PART 6 OTHER MATTERS	18
21. Coming into Force	18
SCHEDULE "A" ZONE MAP – GRANDMOTHER'S BAY I.R. No. 219	19
SCHEDULE "B" ZONE MAP – KITSAKIE I.R. No. 156B.....	20
SCHEDULE "C" ZONE MAP – LAC LA RONGE I.R. No. 156	21
SCHEDULE "D" ZONE MAP – LITTLE RED RIVER I.R. No. 106C & 106D	22
SCHEDULE "E" ZONE MAP – MORIN LAKE I.R. No. 217	23
SCHEDULE "F" ZONE MAP – STANLEY MISSION I.R. No. 157	24
SCHEDULE "G" ZONE MAP – SUCKER RIVER I.R. No. 156C.....	25



LAC LA RONGE INDIAN BAND LAND INSTRUMENTS LAW PREAMBLE

Whereas Lac La Ronge Indian Band has an inherent right to self-government which emanates from our people, culture, and land and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

Whereas Lac La Ronge Indian Band has taken over control and management of Lac La Ronge Indian Band Land and resources pursuant to the Framework Agreement on First Nation Land Management and has enacted the *Lac La Ronge Indian Band Land Code*, effective September 10, 2019, and which outlines the law-making powers of Council at section 7.1;

Whereas specifically at section 7.2(a) of the Land Code, Council may make Land Laws on the regulation, control, and prohibition of zoning in relation to Lac La Ronge Indian Band Land;

And Whereas it is the intention of Lac La Ronge Indian Band to adopt this law as an interim zoning law until a land use plan for Lac La Ronge Indian Band Land is developed under the Land Code.

NOW THEREFORE, Council of the Lac La Ronge Indian Band enacts:

PART 1 PRELIMINARY MATTERS

1. Citation

- 1.1 This law is called the *Lac La Ronge Indian Band Zoning Law*.

2. Definitions

- 2.1 Unless otherwise defined in this law or required by the context, words and expressions used in this law have the same meaning as they have been given in the Land Code.

- 2.2 In this law,

“Accessory Building or other Structure” means a detached Building or other Structure, the use of which is incidental or secondary to that of the principal Building or other Structure on the same Parcel of Land;

“Accessory Use” means a use customarily incidental and subordinate to the Principal Use;

“Agricultural Use” means a use of land, Buildings, or other Structures for the purpose of field crops or fruit, market gardening, dairying, animal husbandry, poultry raising, beekeeping, and such other uses as are customarily and normally related to agriculture;

“Alteration” means a structural change to a Building or other Structure and includes:

- (1) an addition to floor area or height,
- (2) the removal of a portion of a Building or other Structure, and
- (3) construction of, cutting into, or removal of a wall, partition, column, beam, joist, floor, or chimney;

“Building” has the same meaning as in the Lac La Ronge Indian Band Building Regulation Law and if no Lac La Ronge Indian Band Building Regulation Law is in force then “Building” has the same meaning as found in the version of the National Building Code of Canada in force in Saskatchewan pursuant to *The Construction Codes Act*;

“Cabin” means a small Building or other Structure designed for and intended to be occupied on a seasonal basis for cultural, recreational, or traditional purposes;

“Commercial Use” means a use of land, Buildings, or other Structures for the provision of goods or services for sale—on either a for-profit or not-for-profit basis—and includes all types of businesses operating on Lac La Ronge Indian Band Land as of December 13, 2021;

“Community Care Facility” means a licensed or approved care home that provides, in a residential setting, 24-hour care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or the protection of the individual;

“Community Service Use” means a use of land, Buildings, or other Structures for the provision of public services to members of Lac La Ronge Indian Band by the band government, federal government, provincial government, or a not-for-profit organization and includes:

- (1) any band government office,
- (2) parks,
- (3) kindergartens, playschools, daycares, and childcare facilities,
- (4) Community Care Facilities,
- (5) Elder’s Lodges,
- (6) schools,
- (7) community centres,
- (8) community halls.
- (9) fire halls,
- (10) places of worship,
- (11) auditorium,
- (12) youth centre,
- (13) libraries,
- (14) cemeteries,
- (15) sports fields, and
- (16) group camps;

“Elder’s Lodge” means a facility that includes multiple Residential Units that is used for the accommodation of senior citizens and may include social, cultural, and meeting facilities for use by the residents and their families;

"Home-Based Business" means an Accessory Use of a Residential Unit by an occupant of the Residential Unit for a business which is secondary and incidental to the Principal Use and which does not change the residential character of the Parcel of Land or Building;

"Intermodal Storage Container" means a standardized intermodal freight container, of any size, that can be or was primarily used as a reusable transport and storage unit for moving products and raw materials between locations;

"Lands & Resources Department" means the Lands & Resources Department of Lac La Ronge Indian Band;

"Parcel of Land" means a specific section or area of the Lac La Ronge Indian Band Land with a unique legal description and parcel identification number;

"Principal Use" means the primary use for which a Parcel of Land, Building, or other Structure is used, designed, or intended to be used;

"Public Works" means any or all of the following:

- (1) systems for the production, distribution, or transmission of electricity,
- (2) systems for the distribution, storage or transmission of natural gas or oil,
- (3) facilities for the storage, transmission, treatment, distribution, or supply of water,
- (4) facilities for the collection, treatment, movement, or disposal of sanitary sewage,
- (5) telephone, internet, cable television or light distribution or transmission lines,
- (6) facilities for the collection, storage, movement, and disposal of storm drainage,
- (7) facilities for any recycling depots, and
- (8) solid waste disposal and/or transfer stations;

"Residential Unit" means a self-contained set of rooms capable of occupancy by one or more persons, including provisions for living, sleeping, cooking, sanitation, and which does not include:

- (1) buses,
- (2) any type of motor vehicle,
- (3) recreation vehicle,

- (4) tents, and
- (5) travel trailers;

“Residential Use” means a use of land, Buildings, or other Structures for one or more Residential Units and includes all types of Residential Units on Lac La Ronge Indian Band Land as of December 13, 2021;

“Resource Conservation Use” means a use of land, Buildings, or other Structures for the protection of undeveloped land, green spaces, and land for the collection or growing of medicines;

“Structure” means a construction or portion thereof of any kind, whether fixed to, supported by, or sunk into land or water, but specifically excludes landscaping, fencing, paving, and retaining structures less than 1.2 meters in height;

“Surveyor” means a Canada Lands Surveyor within the meaning of section 2 of the *Canada Lands Surveyors Act*;

“Tourist Accommodation” means a use of land, Buildings, or other Structures for temporary accommodation of 30 days or less and includes:

- (1) bed and breakfasts,
- (2) country inns,
- (3) hostels,
- (4) vacation rentals, including through services like Airbnb and VRBO,
- (5) hotels, and
- (6) motels;

“Watercourse” means a river, creek, stream, wetland, or other natural body of water;

“Zone Maps” means the maps referenced in section 8.2 and which are attached as Schedules “A” to “G” of this law.

3. General Interpretation

3.1 In this law:

- (1) headings and subheadings are for convenience only, do not form part of this law, and in no way define, limit, alter, or enlarge the scope or meaning of any provision of this law;

- (2) unless the context requires otherwise, the use of the singular is to be construed as including the plural and vice versa;
- (3) unless the context requires otherwise, a reference to one gender includes reference to all other genders;
- (4) “must” is to be construed as imperative;
- (5) the words “include”, “includes”, and “including” are to be read as if they are followed by the phrase “without limitation”; and
- (6) a reference to an enactment includes every amendment to it, every subordinate enactment—including laws, by-laws, and regulations—made under it, and any replacement enactment.

3.2 If there is an inconsistency or conflict between this law and the Land Code, the Land Code prevails to the extent of the inconsistency or conflict.

3.3 If there is an inconsistency or conflict between this law and another enactment of Lac La Ronge Indian Band, except an approved land use plan, this law prevails to the extent of the inconsistency or conflict.

3.4 This law must be interpreted in a fair, large, and liberal manner and in accordance with the Land Code

4. Severability

4.1 If a portion of this law is found invalid by a court of competent jurisdiction, it will be severed and the validity of the remaining portions of this law will not be affected.

5. Application

5.1 This law applies to the whole area of Lac La Ronge Indian Band Land, including to the surface of water and all Parcels of Land, Buildings, and other Structures located within the boundaries of Lac La Ronge Indian Band Land.

5.2 Where any other enactment—including a law, by-law, or regulation—of Canada or Lac La Ronge Indian Band applies to any matter covered by this law, compliance with this law does not relieve any person from also needing to comply with the provisions of other applicable enactments.

PART 2

GENERAL PROVISIONS

6. Administration of Law

- 6.1 The Lands & Resources Department is expressly appointed by Council to administer this Law.

7. General Prohibitions

- 7.1 No person may allow or cause any Building or other Structure to be constructed, placed, reconstructed, altered, moved, or extended in contravention of this law.
- 7.2 No person may allow or cause any Parcel of Land, Building, or other Structure within a zone to be used for any other use than those uses that are expressly permitted for the zone in which the Parcel of Land, Building, or other Structure is located.

8. Zonings

Division of Lac La Ronge Indian Band Land into Zones and Unzoned Areas

- 8.1 For the purposes of this law, the area within the boundaries of Lac La Ronge Indian Band Land is divided into unzoned areas and zones with the following zone designations:
- (1) Agricultural Zone;
 - (2) Commercial Zone;
 - (3) Community Service Zone;
 - (4) Residential Zone; and
 - (5) Resource Conservation Zone.

Zone Maps and Boundaries

- 8.2 The locations of zones established by this law are shown in the Zone Maps, copies of which are attached as Schedules "A" to "G" and which form an integral part of this law.
- 8.3 The locations of unzoned areas are those areas shown marked as Unzoned Areas on the Zone Maps as well as all areas within the boundaries of Lac La Ronge Indian Band Land not shown on the Zone Maps.
- 8.4 The official versions of the Zone Maps are kept in electronic form in the Lands & Resources Department's electronic database and in the event of any conflict or inconsistency with a paper or other copy of the Zone Maps, the official versions prevail.

- 8.5 Where the boundary of an unzoned area or zone coincides with a highway allowance, rail right-of-way, utility line, easement, or Watercourse, the zone boundary must be deemed to be the center of such highway allowance, rail right-of-way, utility line, easement, or Watercourse.
- 8.6 Where an unzoned area or zone boundary zone boundary does not follow a legally-defined line or boundary, and where distances are not specifically indicated, the location of the zone boundary must be determined by scaling from the Zone Maps by a Surveyor.

Split Zones

- 8.7 Where a Parcel of Land contains more than one zone or is split between a zone and an unzoned area, the portion of the Parcel of Land in each zone or unzoned area—as the case may be—must be treated as a separate and distinct Parcel of Land for the purpose of determining compliance with this law.

Unzoned Areas

- 8.8 Parcels of Land, Buildings, or other Structures within unzoned areas may only be used as permitted by a Band Council Resolution.

9. Non-Conforming Uses

- 9.1 If at the time this law is adopted or amended, as the case may be,
- (1) a Parcel of Land, Building, or other Structure to which this law applies is lawfully used, and
 - (2) the use does not conform to a permitted use under this law,
- the use may be continued as a non-conforming use.
- 9.2 A Building or other Structure that is lawfully under construction at the time of the adoption or amendment of this law—as the case may be—is deemed for the purposes of this law:
- (1) to be a Building or other Structure existing at that time;
 - (2) to be then in use for its intended purpose as determined from the applicable authorizations for its construction.
- 9.3 Any Alteration to a non-confirming use may only occur in conformity with this law or as required by another enactment.
- 9.4 If a Building or other Structure, the use of which does not confirm to the provisions of this law, is damaged or destroyed to the extent of 75% or more of its value above its

foundations, as determined by a qualified professional, the Building or other Structure may only be repaired or reconstructed to conform with this law.

- 9.5 If a Building or other Structure, the use of which conforms to the provisions of this law but the design of which does not conform with a development regulation under this law, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by a qualified professional, the Building or other Structure may only be repaired or reconstructed to conform with this law.

PART 3

REGULATIONS FOR ALL ZONES

10. Permitted Activities, Structures, Uses, and Works in All Zones

10.1 Except as otherwise expressly stated in this law, the following activities, Structures, uses, and works are permitted in all zones:

- (1) Accessory Buildings or other Structures;
- (2) Accessory Uses;
- (3) Cabins;
- (4) community gardens and community horticulture projects;
- (5) Community Service Uses;
- (6) cultural institutions;
- (7) ecological reserves;
- (8) fish and wildlife habitat enhancement or protection projects;
- (9) flood control works undertaken by a government agency or other public entity;
- (10) highways;
- (11) Lac La Ronge Indian Band government services;
- (12) picnic sites;
- (13) projects related to the enhancement, protection, or restoration of the natural environment;
- (14) Public Works;
- (15) temporary Buildings and other Structures, as well as the temporary storage of materials, required for an approved construction or development project, subject to the following regulations:
 - (a) they can be located on a Parcel of Land for a maximum of one (1) year,
 - (b) they must be located on the same Parcel of Land as the approved construction or development project is taking place, and

- (c) they must be removed within 30 days of completion of the approved construction or development project;
- (16) trails;
- (17) utility services, excluding related offices, maintenance garages, and storage areas; and
- (18) watershed protection projects.

11. Development Regulations

Explosives

11.1 The storage of explosives, unless authorized pursuant to the *Canada Explosives Act*.

Nuisances

11.2 Notwithstanding any other provision of this law, no Parcel of Land, Building, or other Structure may be used to cause, create, or emit a nuisance of any kind, including in relation to.

- (1) odour;
- (2) toxic or noxious matter or vapours;
- (3) heat, glare, electrical interference, or radiation;
- (4) recurring ground vibration; and
- (5) noise.

11.3 For clarity, there is deemed to be a nuisance where any of those things listed in section 11.2(1) to (5) is discernible beyond the boundaries of the Parcel of Land from which it is being caused, created, or emitted.

PART 4

REGULATIONS FOR SPECIFIC USES AND ZONES

12. Accessory Uses and Accessory Buildings or Other Structures

- 12.1 No Parcel of Land may be used for an Accessory Use unless that Parcel of Land is either actively being used for its Principal Use or the Principal Use is simultaneous being constructed, erected, or installed.
- 12.2 Unless otherwise expressly permitted by this law, no Accessory Building or other Structure may be used for a Residential Use or for Tourist Accommodation

13. Home-Based Businesses

- 13.1 The following regulations apply where a Home-Based Business is a permitted use:
- (1) a Home-Based Business must be conducted within a Residential Unit or a wholly-enclosed Accessory Building or other Structure;
 - (2) the operation of a Home-Based Business must not alter the Principal Use of the Parcel of Land in which the Home-Based Business is located;
 - (3) a Home-Based Business must not cause excessive traffic;
 - (4) a Home-Based Business must not discharge wastewater into a Watercourse;
and
 - (5) there must not be any external display or advertisement for the Home-Based Business other than a maximum of one non-illuminated sign, which must not exceed 0.4 m².

14. Barbed Wire Fencing

- 14.1 Unless otherwise expressly permitted by this law, barbed wire fencing is prohibited in the Commercial Zone and Residential Zone.

15. Intermodal Storage Containers

- 15.1 The following regulations apply where an Intermodal Storage Containers is permitted:
- (1) they must be used for auxiliary storage purposes only;
 - (2) they must not be reconstructed, altered, or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;

- (3) they must not be used to store animals, trash, refuse, or contaminated or hazardous materials;
- (4) they must be placed on a hard, dust-free surface pad area made from concrete, asphalt, or similar materials;
- (5) they must not be permanently affixed to the ground; and
- (6) they must not be stacked or placed side by side.

15.2 Without limiting section 15.1, the following additional regulations apply to Intermodal Storage Containers located in the Commercial Zone:

- (1) only one Intermodal Storage Container is permitted per Parcel of Land; and
- (2) they must not be located within any front yard area or project beyond the front face of any Building or other Structure.

PART 5 PRINCIPAL USES

16. Agricultural Zone

16.1 The following Principal Uses are permitted in the Agricultural Zone:

- (1) Agricultural Uses.

16.2 Without limiting the Accessory Uses permitted in the Agricultural Zone, the following Accessory Uses are permitted in the Agricultural Zone:

- (1) Intermodal Storage Containers.

17. Commercial Zone

17.1 The following Principal Uses are permitted in the Commercial Zone:

- (1) Commercial Uses.

17.2 Without limiting the Accessory Uses permitted in the Commercial Zone, the following Accessory Uses are permitted in the Commercial Zone:

- (1) Intermodal Storage Containers; and
- (2) Residential Uses.

17.3 The following development regulations apply in the Commercial Zone:

Development Regulation	
Maximum Building Height for a Warehouse (in meters)	15.0 m
Maximum Building Height for all other Buildings (in meters)	10.0 m for a Principal Use and 5.0 m for an Accessory Use

18. Community Service Zone

18.1 The following Principal Uses are permitted in the Community Service Zone:

- (1) Community Service Uses.

18.2 Without limiting the Accessory Uses permitted in the Community Service Zone, the following Accessory Uses are permitted in the Community Service Zone:

- (1) Intermodal Storage Containers.

18.3 The following development regulations apply in the Community Service Zone:

Development Regulation	
Maximum Building Height (in meters)	10.0 m

19. Residential Zone

19.1 The following Principal Uses are permitted in the Community Service Zone:

- (1) Residential Uses.

19.2 Without limiting the Accessory Uses permitted in the Residential Zone, the following Accessory Uses are permitted in the Residential Zone:

- (1) Home-Based Businesses; and
- (2) Intermodal Storage Containers.

19.3 The following development regulations apply in the Residential Zone:

Development Regulation	
Maximum Building Height for all other Buildings Containing a Residential Unit (in meters)	10.7 m for a Principal Use and 5.0 m for an Accessory Use
Maximum Height for a Mobile Home or a Modular Home (in meters)	4.11 m for a Principal Use and 3.0 m for an Accessory Use
Maximum Building Height for a Cabin (in meters)	4.11 m for a Principal Use and 3.0 m for an Accessory Use

20. Resource Conservation Zone

20.1 The following Principal Uses are permitted in the Resource Conservation Zone:

- (1) Resource Conservation Uses.

PART 6 OTHER MATTERS

21. Coming into Force

21.1 This law comes into force upon approval by a majority of Council at a duly-convened meeting of Council.

BE IT KNOWN that this law entitled Lac La Ronge Indian Band Zoning Law is hereby enacted by a quorum of Council at a duly convened Council of the Lac La Ronge Indian Band, open to Members and held on March 9 , 2022 and comes into force and effect on the 9th day of March, 2022.



Chief Tammy Miriam Cook-Searson



Councillor Michael James Bird

Councillor Jimmy Bryce Charles

Councillor Linda Ann Mary Charles



Councillor Gerald Robin McKenzie

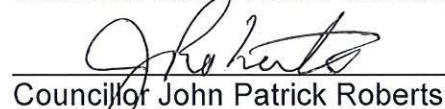
Councillor Keith Robert Mirasty

Councillor Ann Rachel Ratt

Councillor Devin Daniel Bernatchez



Councillor Harry Sam Roberts



Councillor John Patrick Roberts



Councillor Norman Paul Ross

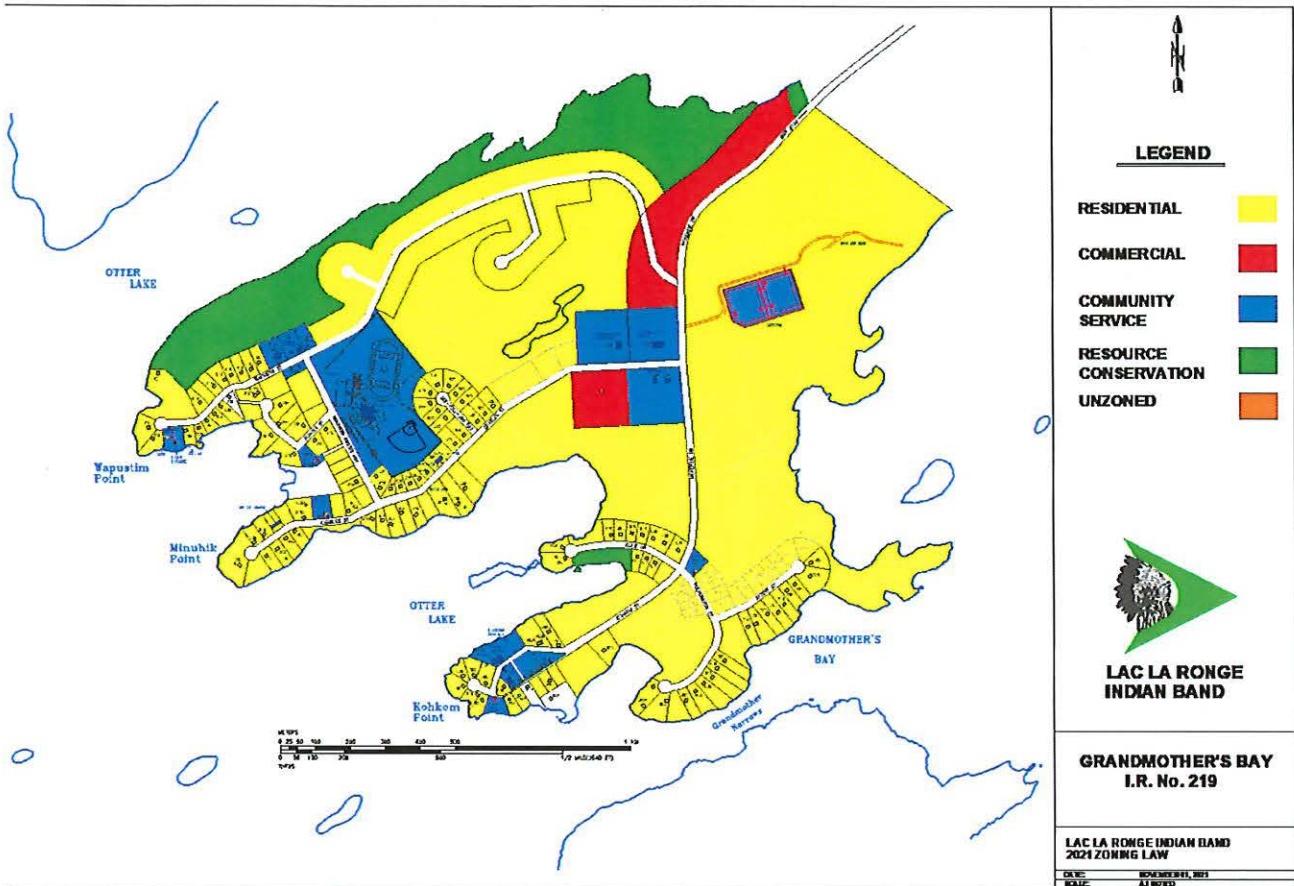


Councillor Dennis Bruce Sanderson

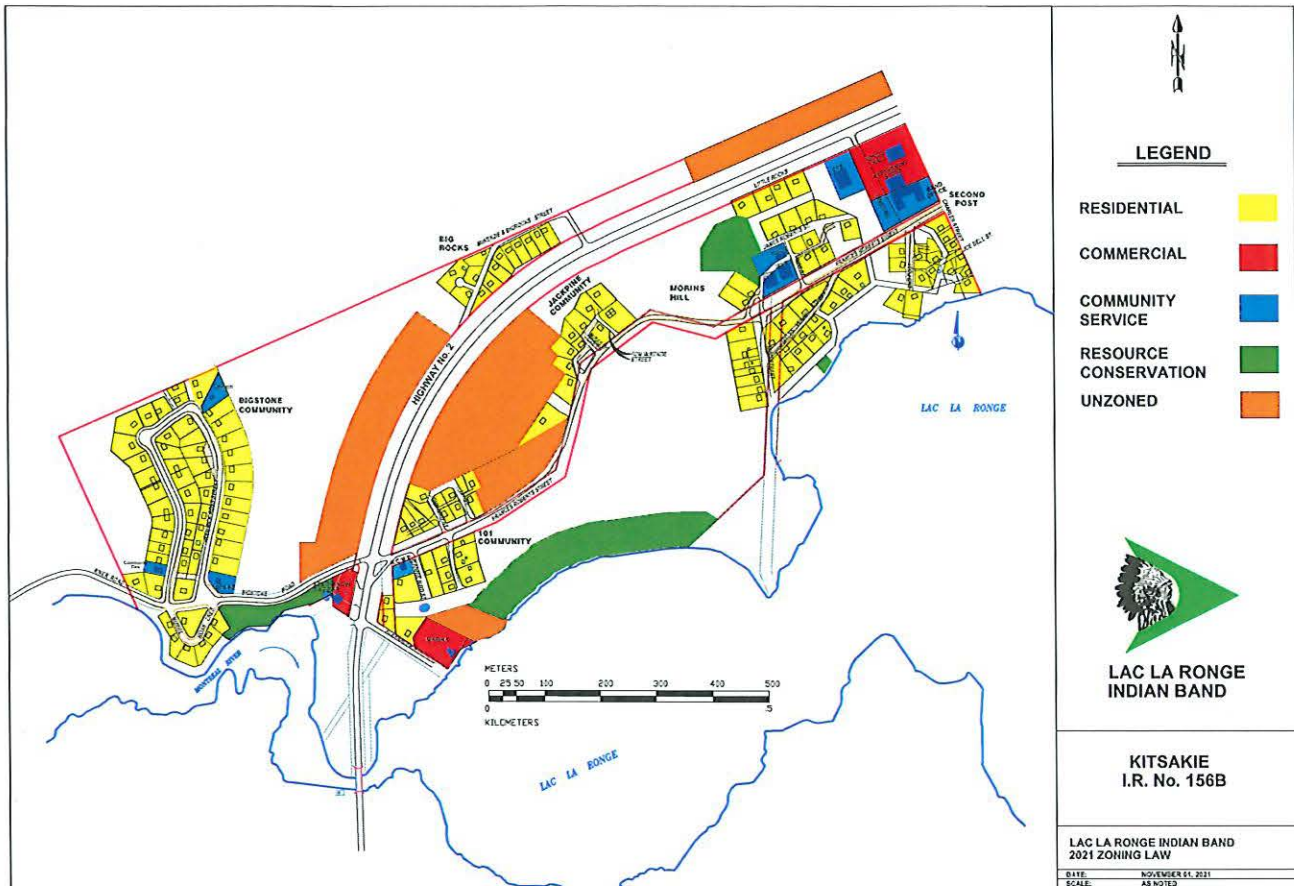
Councillor John Richard Halkett

Quorum of Council is 7.

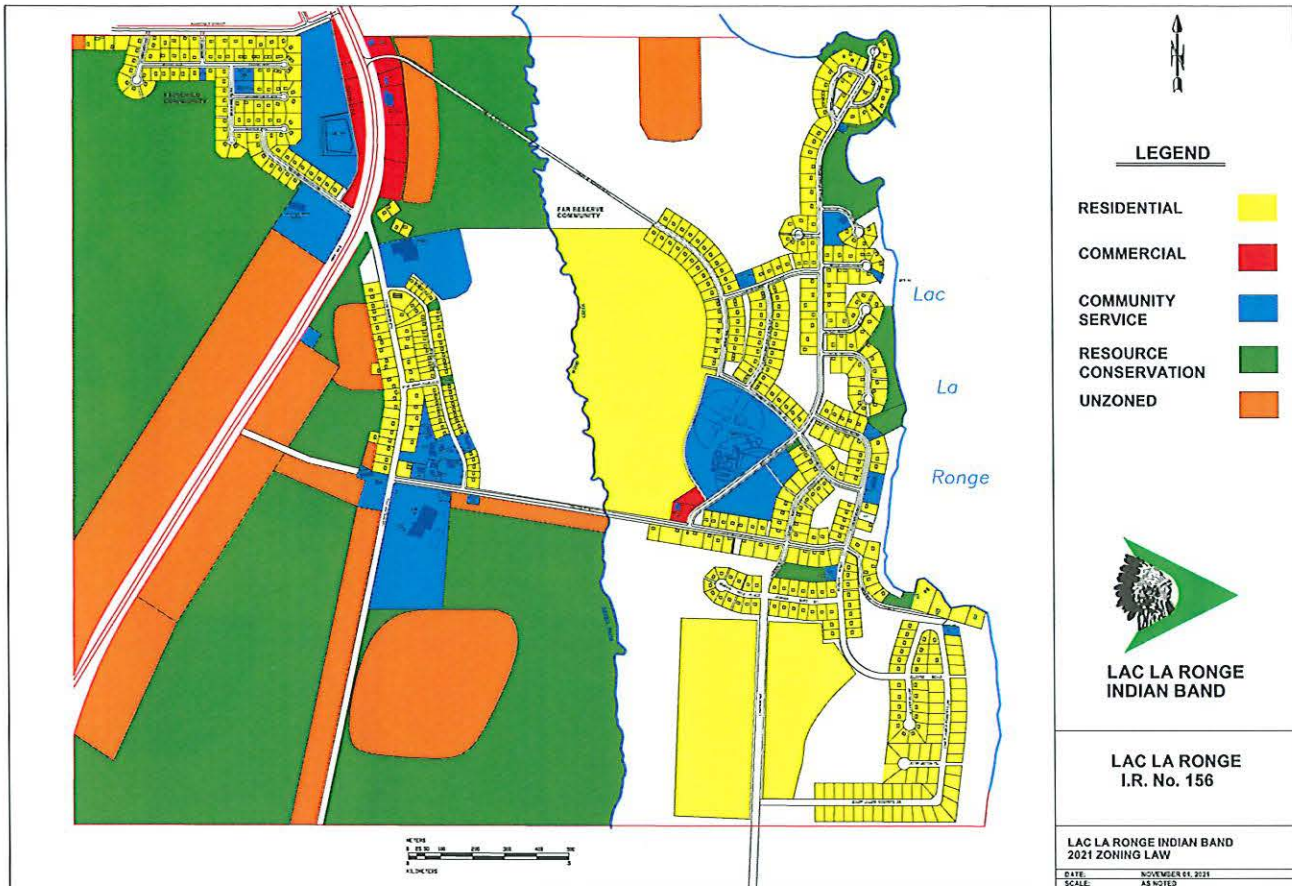
SCHEDULE "A" ZONE MAP – GRANDMOTHER'S BAY I.R. No. 219



SCHEDULE "B" **ZONE MAP – KITSAKIE I.R. No. 156B**

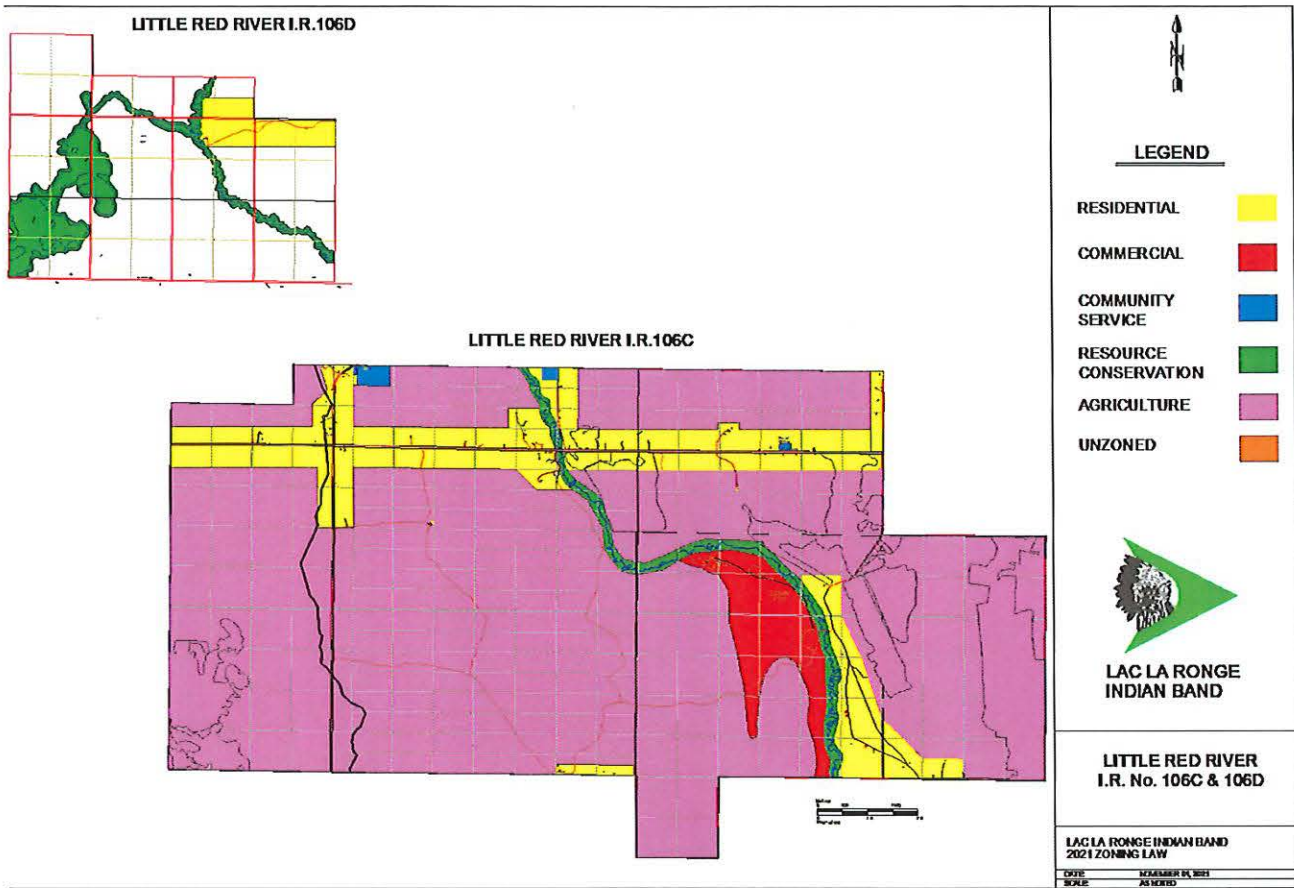


SCHEDULE "C" **ZONE MAP – LAC LA RONGE I.R. No. 156**

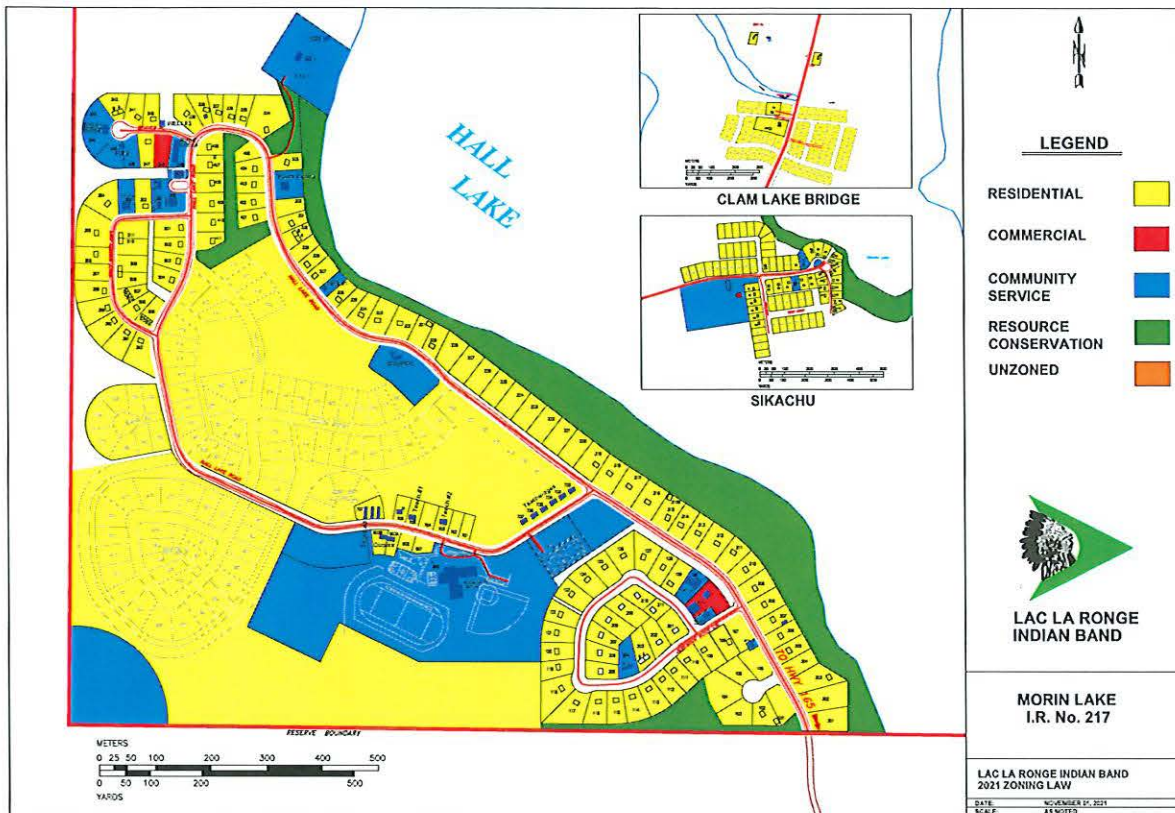


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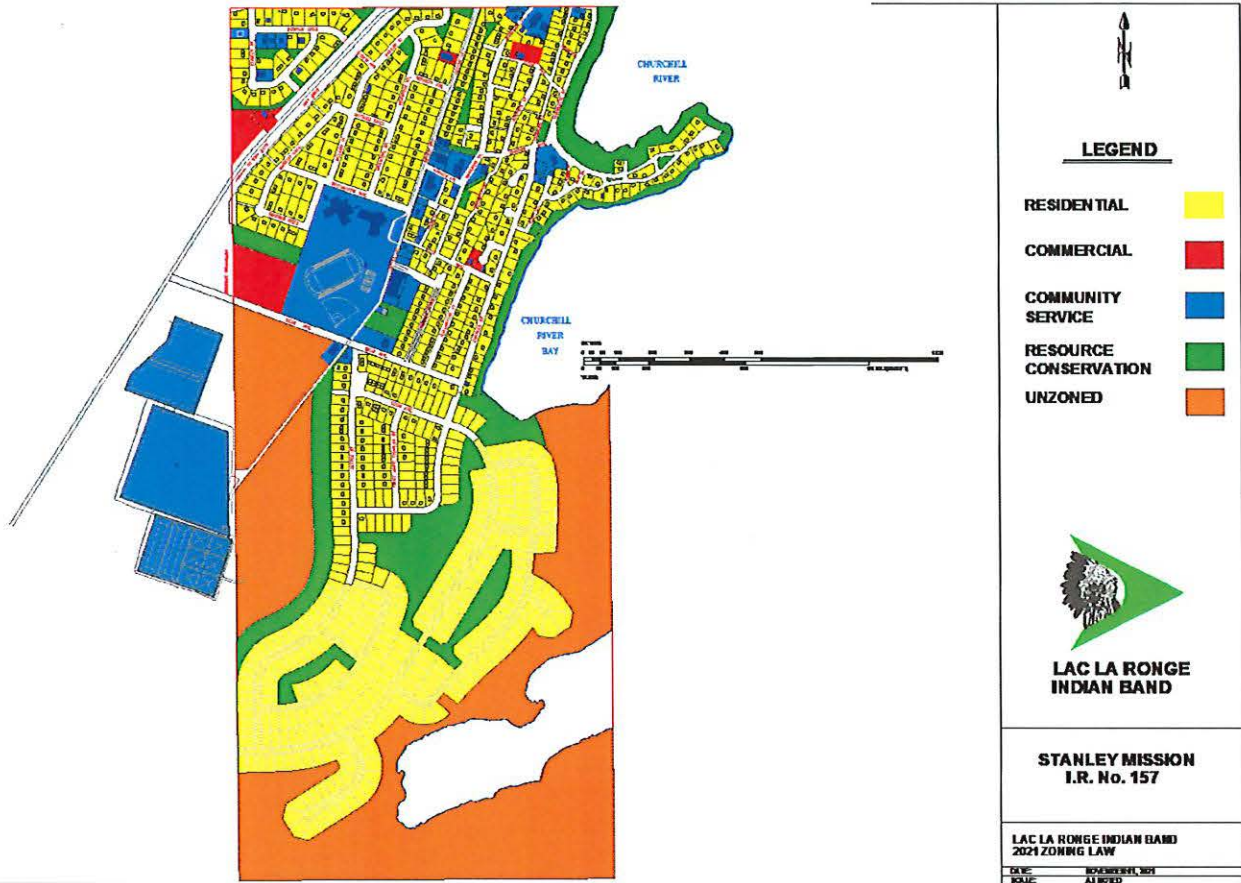
ZONE MAP – LITTLE RED RIVER I.R. No. 106C & 106D



SCHEDULE "E" **ZONE MAP – MORIN LAKE I.R. No. 217**



SCHEDULE "F" **ZONE MAP – STANLEY MISSION I.R. No. 157**



SCHEDULE "G" **ZONE MAP – SUCKER RIVER I.R. No. 156C**

