

Village of Englefeld

Zoning Bylaw No. 2024-03

OCTOBER 2024

[Signature]

CERTIFIED TRUE COPY

Administrator

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1 INTRODUCTION

Under the authority granted by *The Planning and Development Act, 2007* (the Act), the Council of the Village of Englefeld, in the Province of Saskatchewan, in open meeting hereby enact as follows:

1.1 Title

- (1) This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Village of Englefeld.

1.2 Purpose and Intent

- (1) The purpose of this Bylaw is to regulate development and to manage land use in the Village of Englefeld in accordance with the Official Community Plan Bylaw No. 2024-02.
- (2) The intent of this Zoning Bylaw is to provide elements that contribute to the overall enjoyment of the Village of Englefeld (hereinafter referred to as the Village) and for the health, safety, and general welfare of residents and visitors:
 - a. To minimize land use conflicts
 - b. To establish minimum standards to maintain the amenity of the Village
 - c. To ensure development is consistent with the physical limitations of the land
 - d. To restrict development that places undue demand for services on the Village
 - e. To provide for land use and development consistent with the goals and objectives of the Village.

1.3 Scope

- (1) This Bylaw applies to all land included within the boundaries of the Village. All development within the limits of the Village shall hereafter conform to the provisions of this Bylaw.

1.4 Severability

- (1) If any section, clause, or provision of this Bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw in whole or in part, other than the section, clause, or provision, including anything shown on the Zoning Map, so declared to be invalid.

2 DEFINITIONS

Wherever the following words or terms are used in the Official Community Plan No. 2024-02 and this Bylaw, they shall have the following meaning unless the context provides otherwise:

Abattoir - a facility for butchering or slaughtering animals, and to dress, cut, and inspect meats, refrigerate, cure, and manufacture by-products

Accessory Use - a use customarily associated with, incidental to, and subordinate to, the principal use or building, and located on the same site with such principal use or building.

Act - *The Planning and Development Act*, 2007 Province of Saskatchewan, as amended from time to time.

Administrator - the Administrator of the Village of Englefeld.

Adjacent - contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

Alteration or Altered - with reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw including parking and landscaping.

Ancillary use - a secondary and subordinate use to the principal use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

Apartment - a building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel or rooming house.

Applicant - a person, group or organization applying for a development permit under this Bylaw, and/or a subdivision approval to an approving authority established under *The Planning and Development Act, 2007*.

Approved - approved by the Council of the Village of Englefeld.

Bare Land Condominium - a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

Bare Land Unit - a bare land unit as defined within *The Condominium Property Act, 1993*.

Basement - that portion of a building between two floor levels, which is partly underground and has not more than one-half its height from the finished floor to finished ceiling, above finished grade.

Bed-and-Breakfast Home - a bed-and-breakfast facility in a single detached dwelling, licensed as an itinerant use accommodation under *The Public Accommodation Regulations*, in which

overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

Buffer - a strip of land, vegetation or land use that physically separates two or more different land uses.

Building - a structure constructed or placed on, in or over land but does not include a public highway, and includes any structure covered by a roof supported by walls or columns.

Building, Accessory - a subordinate building detached from a principal building located on the same site, the purpose of which is to enclose a use accessory or part of the principal use.

Building Bylaw - a bylaw of the Village of Englefeld regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to *The Uniform Building and Accessibility Standards Act*.

Building Front Line - the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

Building Height - the vertical distance measured from the finished grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.

See Figure 1: Building Height Measurements for further details.

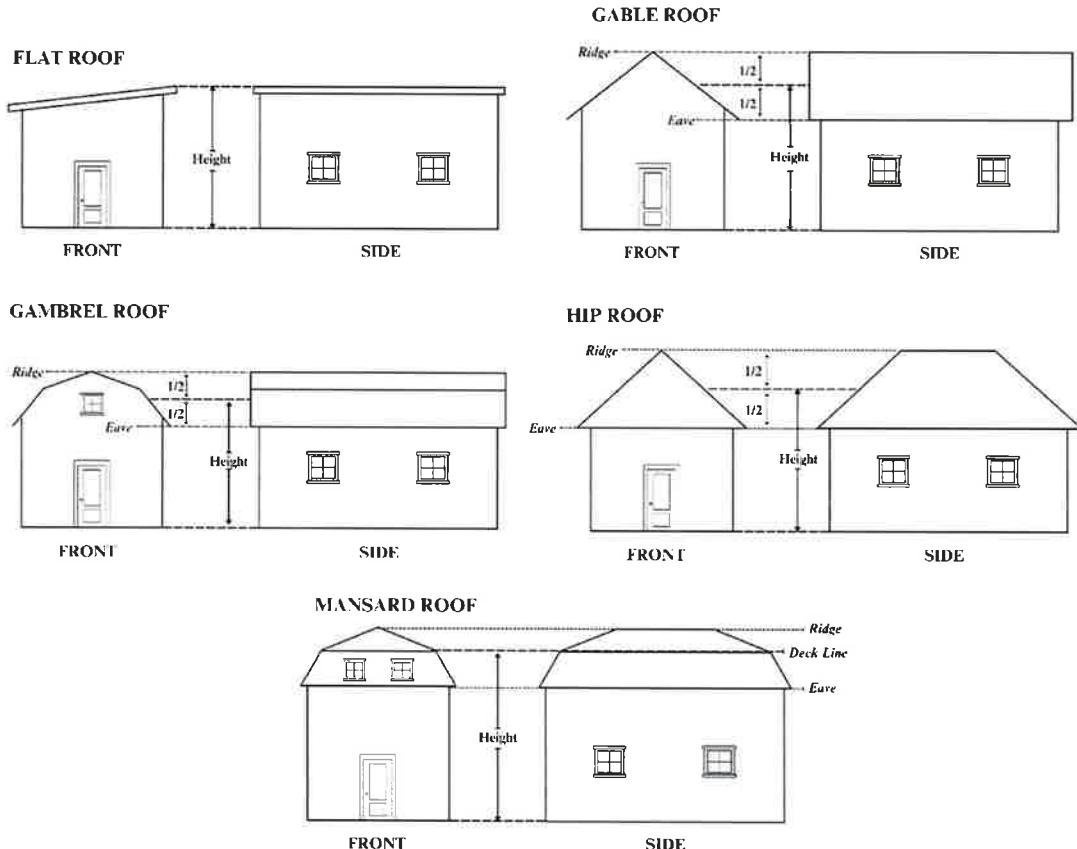


Figure 1: Building Height Measurements

Building Permit - a permit, issued under the Building Bylaw of the Village of Englefeld, authorizing the construction of all or part of a building or structure.

Building, Principal - A building in which is conducted the main or primary use of the site on which the said building is situated.

Building Rear Line - the line of the wall of the building or any projecting portion of the building and projection thereof excluding permitted obstructions which faces the rear site line.

Building Side Line - the line of the wall of the building, or any projecting portion of the building and projection thereof excluding permitted obstructions, which faces the side site line.

Building Line, Established - a reduced front yard requirement pursuant to Section 4.1 (7).

Bulk Fuel Sales and Storage – includes lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key and card lock operations.

Bylaw - the Village of Englefeld's Zoning Bylaw

Campground - an area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

Cannabis Retail Store – a provincially licenced retail store where cannabis or cannabis products are sold, and which may include the sale of related accessories and ancillary items but does not include the manufacturing or processing of products to be sold on-site. A cannabis retail store is not a pharmacy or a medical clinic.

Canopy - a non-retractable, permanent roof-like structure constructed of durable material extending from part or all of a building.

Cemetery - land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. “Cemetery” may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

Club - a service club or private club which involves recreational, social, cultural or athletic activities.

Commercial - the use of land, buildings, or structures for the purpose of buying and selling commodities and supplying professional and personal services for compensation.

Commercial Indoor Storage - a building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.

Communication Facility - (see **(Tele) Communication Facility**).

Community Facilities - a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

Commercial Entertainment Establishment - a recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alley, theatre, billiard parlour, and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).

Community Centre - a facility operated by the Municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

Conservation - the planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against.

Contractors Yard - the yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Convenience Store - a store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day to day service to residents in the vicinity.

Council - the Council of the Village of Englefeld.

Crematorium - a building fitted with the proper appliances for the purpose of the cremation of human remains and includes everything incidental or ancillary thereto.

Day Care Centre - a facility which provides for the non-parental care of pre-school age children or school aged children outside of normal school hours, and includes, but is not limited to: a child care centre or day care centre which is required to be licensed by the Province of Saskatchewan pursuant to *The Child Care Act* a nursery school for pre-school children.

Demolition Permit - a permit issued for the removal or dismantling of a building or structure within Village boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*

Development - the carrying out of any building, engineering, mining or other operations, in, on, or over land, or the making of any material change in the use of any building or land.

Development Agreement: the legal agreement between a developer and the Village which specifies the obligations and the terms and conditions for the approval of a development pursuant to section 172 of *The Planning and Development Act, 2007*.

Development Officer - the officer of the Village of Englefeld appointed pursuant to Section 3.1 to administer this Bylaw.

Development Permit - a permit, issued by the Council of the Village of Englefeld or its designate that authorizes development but does not include a building permit.

Discretionary Use - a use or form of development that may be allowed in a zoning District following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this Bylaw.

Dwelling, Duplex - a building that is divided into two dwelling units with separate entrances and separated by a common wall.

Dwelling, Multiple Unit - a building divided into three or more dwelling units as defined here and shall include, amongst others, town or row houses and apartments as distinct from a rooming house, hotel or motel.

Dwelling, Semi-Detached - two dwelling units side by side in one building unit with a common wall which separates, without opening the two dwelling units throughout the entire structure.

Dwelling, Single Detached - a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including an RTM when attached to its foundation on the site, but not including a mobile or modular home as defined.

Dwelling, Row House - a building with three or more dwelling units side by side with common walls which separate, without opening, each dwelling unit throughout the entire structure, with each dwelling having frontage onto the front street.

Dwelling Group - two or more single detached, semi-detached, duplexes or multiple unit dwellings located on a single site.

Dwelling Unit - 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.

Elevation - the height of a point on the Earth's surface above sea level.

Environmental Reserve - lands that have been dedicated to the Municipality by the developer of a subdivision as part of the subdivision approval process. Environmental reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental reserve may also be a strip of land, which width is to be determined by a flood elevation study at the time of a subdivision (not less than 6.0 metres (19.69 feet) in width, abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or providing access to the bed and shore of the water body.

Existing - in place or taking place, on the date of the adoption of this Bylaw.

Family Child Care Home - a residential premises in which child care services are provided to not more than 12 children at any one time, and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act, 2014*.

Fill - soil, rock, rubble, or other approved, non-polluting waste that is transported and placed on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.

Flood - A temporary rise in the water level that results in the inundation of an area not ordinarily covered by water.

Flood Design

- a. 1:500 year flood.
- b. Flood having a return period greater than 1:500 years.
- c. Recorded flood having a water surface equal to or exceeding that of a 1:500 year flood.

Flood Hazard - An area that would be inundated by the design flood.

Flood Level, Design - The elevation of the design flood.

Flood Plain - The area inundated by water from a watercourse or water body during a 1:500 year flood and is made up of the floodway and the flood fringe.

Flood Proofing - Any measure, or combination of structural and non-structural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

Floodway - The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to:

- a. Meet or exceed a depth of one metre; or
- b. Meet or exceed a velocity of one metre per second.

Flood Fringe - That part of the flood plain inundated by the 1:500 year flood that is not floodway.

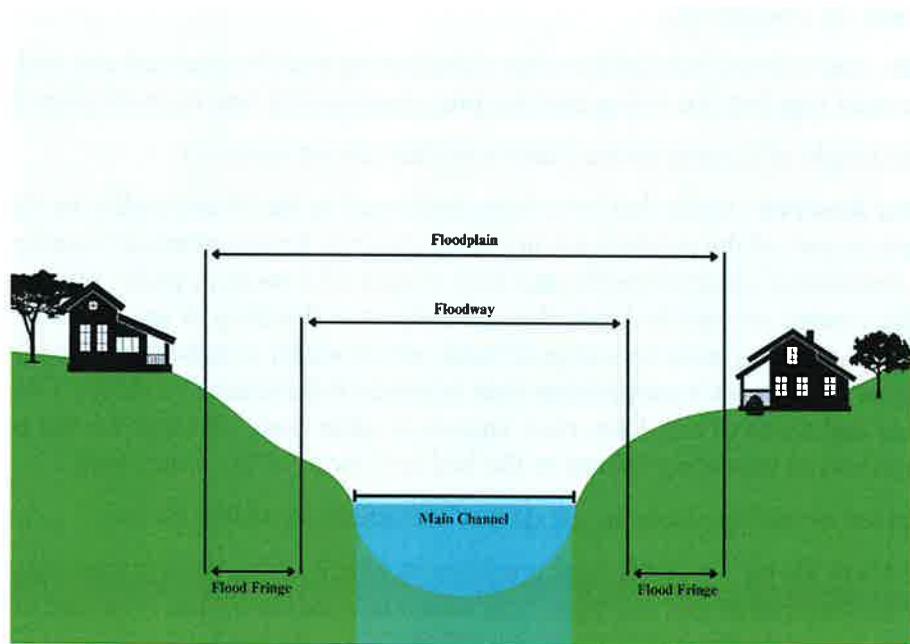


Figure 2: Flood Fringe Diagram

Flood Freeboard Elevation - The elevation of the Estimated Peak Water Level or flood design plus an extra 0.50 meters (1.64 feet).

Frontage - the length of the site line front.

Garage, Private - a building or part of a building or a carport used or intended to be used for the storage of motor vehicles and having a capacity for not more than three motor vehicles for each dwelling unit to which the garage is accessory.

Gas Station - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products, convenience items, and vehicle accessories.

Grade Level - an average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Geotechnical Assessment - an assessment or estimation by a qualified expert of the earths subsurface and the quality and/or quantity of environmentally mitigative measures that would be necessary for development to occur.

Golf Course - a public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges, and similar uses.

Greenhouse - a building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

Greenhouse (Commercial) - a greenhouse that includes a retail aspect catering to the general horticultural needs of the general public for financial gain and includes outdoor storage of landscaping supplies.

Greenhouse (Industrial) - a greenhouse intended to serve intermediate industrial and retail markets with large quantities of horticultural supplies, not including consumer retail.

Greenways - a linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks, streams or rivers and managed as natural environments, or bikeways along landscaped roads.

Gross Floor Area - the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.

Gross Surface Area - the area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.

Hazard Land - land which may be prone to flooding, slumping, landslides, or erosion or any other instability, or is a flood plain or watercourse.

Hazardous Substance - a substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or to other living organisms.

Hazardous Uses - a development which may generate any of the following characteristics:

- a. Excessive noise, odour, dust, vibration
- b. Offensive emissions
- c. Involves dangerous or toxic materials, chemicals and wastes
- d. Air, water or soil pollution
- e. Land use incompatibility
- f. Reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical and grain handling uses.

Height of the Sign - the vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

Helo-Stop (Limited Use) - any landing area used for the taking off and the landing of private helicopters for the purpose of picking up and discharging passengers or cargo and is not open to use by any helicopter without permission having been obtained.

Heritage Property - Any property, whether by a work of nature or of man, that is of interest for its archaeological, historic, cultural environmental, aesthetic or scientific value, and includes a site where archaeological, historic, paleontological, cultural or scientific property is, or may reasonable be expected to be found, or as otherwise defined in *The Heritage Property Act* and regulations.

Heritage Resource - the history, culture and historical resources of an area or community.

Home Based Business - a business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly ancillary and secondary to the residential use and does not change the character of the dwelling.

Hotel - buildings or structures used or advertised as a place where sleeping accommodations are provided in whole or part, and may include accessory uses.

Industrial Park - an industrial park is an area of land set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modality (inter-modal) coincides: highways, railroads, airports, and navigable rivers.

Industrial Use - the use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

Intermodal Shipping Container - is a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system. "Intermodal" indicates that the container can be moved from one mode of transport to another (from ship, to rail, to truck) without unloading and reloading the contents of the container. Lengths of containers, which each have a unique ISO 6346 reporting mark, vary from 2.44 meters to 17.07 meters (8 feet to 56 feet) and heights from 2.44 meters to 2.90 meters (8 feet to 9 feet 6 inches).

Kennel, Boarding - the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding - the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Kennel, Enclosure - an accessory building or enclosure intended to house one or more domestic animals.

Landfill - a specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

Landscaping - the provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

- a. Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and/or
- b. Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.

Landscaping Establishment - the yard of a landscaping contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Land Use Map - a comprehensive document compiled by a local government that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial and conservation.

Land Use Zoning District - divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

Lane - a secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

Legal Access - a lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road, and meets the frontage requirements of appropriate Zoning District hosting the development.

Lot - a parcel of land of a subdivision, the plan of which has been filed or registered in the Land Titles Office.

Lounge - a room or area adjoining a restaurant that permits the sale of beer, wine, or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mini Mall - a single story structure, including a strip mall, in which a minimum of two of the permitted and discretionary uses of the Zoning District are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,000 m².

Mayor - the Mayor of the Village of Englefeld.

Minister - the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

Mobile Home - a trailer coach:

- a. that is used as a dwelling for permanent or year round living
- b. that has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system
- c. which is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.

Mobile Home Site - a parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court - any site under single management on which two or more mobile homes are located but does not include an industrial or construction camp or tourist campsite.

Modular Home - a building that is manufactured in a factory as a whole or modular unit to be used as one single dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association No.A277, and is placed on a permanent foundation.

Motel - means a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

Municipality - the Village of Englefeld

Municipal Reserve - are dedicated lands:

- a. that are provided to a Municipality pursuant to clause 189(a) of *The Planning and Development Act, 2007* for public use; or
- b. that were dedicated as public reserve and transferred to a Municipality pursuant to section 196, whether or not title to those lands has been issued in the name of the Municipality;

Municipal Road - a public road which is subject to the direction, control and management of the municipality, and includes an internal subdivision road.

Museum - an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

Non-Conforming Building - a building:

- a. that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- b. that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

Non-Conforming Site - means a site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use - a lawful specific use:

- a. being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective; and
- b. that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

Parking Lot - an open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

Parking Space - a space within a building, parking lot or area used for the parking of one (1) vehicle, including convenient access to a public lane or road.

Permitted Use - the use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

Permanent Foundation - the lower portion of a building; usually concrete, masonry, or an engineered wood basement which renders the structure fixed and immobile.

Personal Service Establishment - a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

Place of Worship – shall mean a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, and parish halls.

Principal Building, Structure or Use - The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Public Utility - a system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality:

- a. systems for the production, distribution or transmission of electricity.
- b. systems for the distribution, storage, or transmission of natural gas or oil.
- c. facilities for the storage, transmission, treatment, distribution or supply of water.
- d. facilities for the collection, treatment, movement or disposal of sewage and garbage.
- e. telephone or light distribution lines.
- f. microwave and cell phone tower communication facilities.
- g. facilities for optical cable, or cable television services.

Ready-To-Move (RTM) Dwelling - a new single detached dwelling constructed off-site to National Building Code or Canadian Standards Association No.277 standards to be moved onto a new conventional permanent building foundation.

Recreational Vehicle - a vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above a recreational vehicle includes motor homes, camper trailers, truck campers, fifth wheels and tent trailers.

Recycling Collection Depot – a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers, and paper.

Retail Store - establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books and magazines.

Residential Care Home - a licensed or approved group care home governed by Provincial regulations 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 for the protection of the individual.

Residential Care Home – Type I – a residential care home in which the number of residents, excluding staff, does not exceed ten.

Residential Care Home – Type II – a residential care home in which the number of residents, excluding staff, is more than ten.

Restaurant - a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.

Rooming House - a building containing more than one rooming unit.

Rooming Unit - a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this bylaw with sleeping facilities but without private toilet facilities.

Screening or Screening Device - the use of vegetation, berms, fences, walls and similar structures to visually shield, block or obscure one development from another, or from the public.

Secondary Suite - an additional dwelling unit located within a principal single detached dwelling.

Service Station - a building which is a principal use on a site or a structure which is an accessory use in a clearly defined space on a site; where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle, and where the service station is a principal use on the site, it may also include the servicing and repairing of motor vehicles.

Setback - the distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.

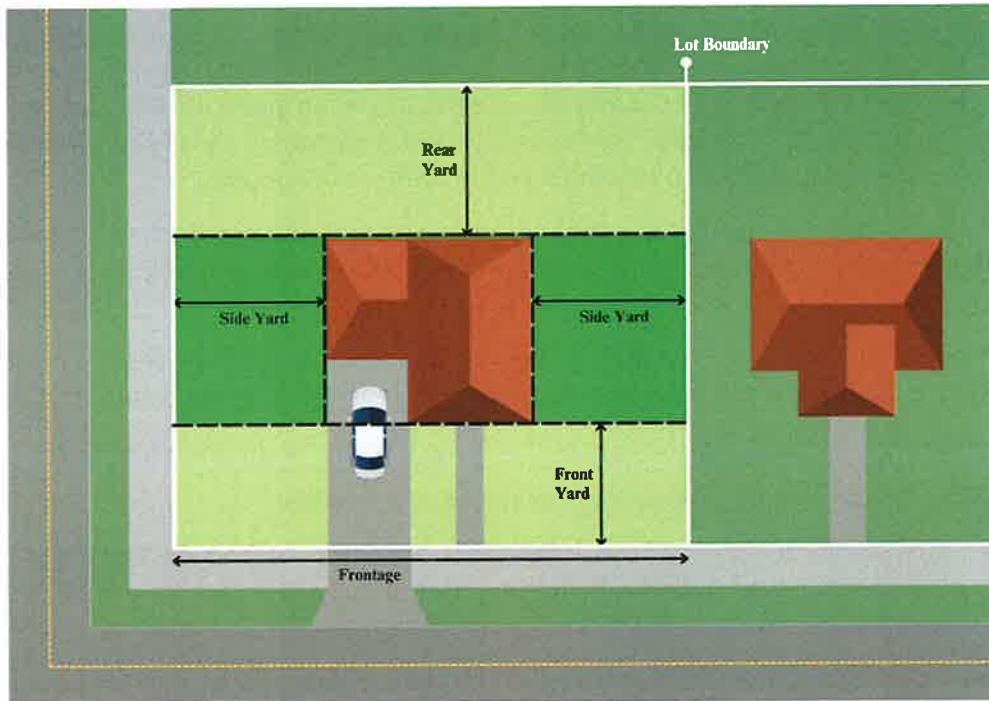


Figure 3: Location and Measurement of Setbacks

Short-term Rental Accommodation - the use of a dwelling that operates or offers a place of temporary residence, lodging, or occupancy by way of concession, permit, lease, license, rental agreement, or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days, throughout all or any part of the calendar year, unless otherwise prohibited by this bylaw, or any other bylaw of the Village of Englefeld.

Should, Shall or May

- a) Shall is an operative word which means the action is obligatory.
- b) Should is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.
- c) May is an operative word meaning a choice is available, with no particular direction or guidance intended.

Sight Triangle - the area contained in the triangle formed by the corner property lines and a straight line drawn from a point 7.5 m from the corner property pin to a similar point 7.5 m along the perpendicular or intersecting property line.

Sign - any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

Site - one or more contiguous surface parcels as defined under *The Land Titles Act, 2000*, and used as a unit for the purpose of regulation under this Bylaw.

Site Area - the total horizontal area within the site lines of a site.

Site Corner - a site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

Site Depth - the horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel the site depth is the length of a line joining the midpoint of such site lines.

Site Line, Front - the boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

Site Line, Rear - the boundary at the rear of the site and opposite the front site line.

Site Line, Side - a site boundary other than a front or rear site line.

Site Width - the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

Street - a public thoroughfare which affords the principal means of access to the abutting property.

Structure - anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.

Structure, Temporary - anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

Tavern - an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the *Alcohol Control Regulations*.

(Tele)Communication Facility - a structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

Temporary Sign - a sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

Townhouse - a multiple unit dwelling under one roof in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall which has no openings.

Trailer Coach - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner to permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

Units of measure - units of measure in this Bylaw are metric abbreviated as follows:

m - metre(s)

m² - square metre(s)
km - kilometres
ha - hectare(s).

Use - the purpose or activity for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, or for which these may be occupied or maintained.

Veterinary Clinic - a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens

Veterinary Hospital - a place used for the care and treatment of small and large animals involving outpatient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Village - The Village of Englefeld.

Waterbody - any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.

Watercourse - a river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

Watershed - the land area from which surface runoff drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.

Wetland - land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes ("water loving") vegetation, and various kinds of biological activity which are adapted to the wet environment.

Yard - any part of a site unoccupied and unobstructed by any principal building or structure.

Yard, Front - a yard extending across the full width of a site between the front site line and the nearest main wall of the principal building or structure on the site.

Yard, Rear - a yard extending across the full width of the site between the rear site line and the nearest main wall of the principal building or structure on the site.

Yard, Required - the minimum yard required by a provision of this Bylaw.

Yard, Side - a yard extending from the front yard to the rear yard between the side site line and nearest main wall of the principal building or structure on the site.

3 ADMINISTRATION

3.1 Development Officer

- (1) The Administrator for the Village, including any person acting under the authority, direction, and with the consent of the Administrator, shall be the Development Officer responsible for the administration of this Bylaw.
- (2) The Development Officer shall:
 - a. Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements.
 - b. Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost.
 - c. Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions.
 - d. Collect development fees, according to the fee schedule identified in section 3.1 of this Zoning Bylaw.
 - e. Perform other duties as determined by Council.
- (3) The Development Officer shall be empowered to make a decision, in consultation with the Council, regarding a development permit application for a "Permitted Use."
- (4) The Development Officer shall receive, record, review and forward to Council:
 - a. Development permit applications for discretionary uses.
 - b. Rezoning amendment applications.
 - c. Subdivision applications.
 - d. Development and servicing agreements.
 - e. A monthly report.
 - f. Applications for minor variances.

3.2 Council

- (1) Council shall make all decisions regarding discretionary use, development and servicing agreements, and Zoning Bylaw amendments.
- (2) Council shall make recommendations regarding all subdivision applications circulated by Saskatchewan Ministry of Government Relations to provide local considerations prior to a decision being made by the Minister.
- (3) Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan.

3.3 Development Permit

- (1) No person shall undertake a development or commence a use unless a development permit has first been obtained, except as provided in Section 3.3 (3).
- (2) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- (3) A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed:
 - a. the maintenance of a public utility by the Municipality or crown corporation.
 - b. the construction of a public utility by the Municipality.
 - c. the installation of public utility on any street or other public right-of-way by the Municipality.
 - d. a municipal facility installed and operated by the Municipality.
 - e. maintenance and repairs that do not include structural alterations.
 - f. accessory buildings under 10 square metres.
 - g. the installation of fences.
- (2) A building permit shall not be issued unless a development permit, where required, has also been issued.
- (3) If the development or use authorized by a development permit is not commenced within six (6) months from the date of issue of a permit and completed within twelve (12) months of its issue, the permit is deemed void unless an extension has been granted in writing by the Municipality prior to its expiry.

3.4 Application for a Development Permit

- (1) The application for a development permit shall be made, to the Development Officer, in "Form A" as adopted or amended by resolution of Council. The application shall be accompanied by two copies of a site or building plan showing dimensions and locations of existing and proposed buildings and structures as well as site lines. Where no new construction is proposed the applicant shall supply a written description of the proposed development in place of such plans.
- (2) Where the application is for a discretionary use, the applicant shall, in addition to subsection (1), provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.5 Referral to Council

The Development Officer may submit any application to Council for a decision on the interpretation of the Bylaw, or upon special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.

3.6 Issue of Permits

(1) Upon completion of the review of an application for development, the Development Officer shall:

- a. for a permitted use, issue a development permit where the application conforms with the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw.
- b. for a permitted use, issue a refusal, where the application does not comply with a provision or regulation of this Bylaw, stating the reason for refusal.
- c. issue a refusal, where the application is for a use that is not provided for in the District in which the property is located.

(2) Council shall make a decision on a discretionary use, by resolution, that approves or refuses the discretionary use on that site, and that instructs the Development Officer based on any conditions of approval.

(3) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.

3.7 Invalid Development Permit

(1) A development permit shall be automatically invalid, and development shall cease, as the case may be:

- a. If the proposed development is not commenced within the period for which the Permit is valid.
- b. If the proposed development is legally suspended, or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer.

3.8 Stop-Work Order

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or a caveat under this Bylaw.

3.9 Development Permit Re-Issuance

A development permit may be re-issued in its original or modified form where a new development permit application is received by the Municipality and found to conform with the provisions of this Bylaw.

3.10 Discretionary Use Applications**(1) Discretionary Use Application Process**

The following procedures shall apply to discretionary use applications:

- a. Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees.

- b. The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations.
- c. The Development Officer may request comments from other government agencies where applicable.
- d. The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval.
- e. The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land.
- f. Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council
- g. Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
- h. The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- i. Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council.
- j. Where an application for a discretionary use is denied by resolution of Council the Development Officer shall advise the applicant of Council's denial of the discretionary use application, stating the reasons for the refusal, and advising the applicant of their right of appeal.

(2) Terms and Conditions for Discretionary Use Approvals

- a. Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:
 - i. Site drainage of storm water.
 - ii. The location of buildings with respect to buildings on adjacent property.
 - iii. Access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic.
 - iv. Appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways.
 - v. Control of noise, glare, dust, and odour.

- vi. Landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties.
- vii. The size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs.
- viii. Prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development.
- ix. Intensity of use.

- b. Council may approve discretionary use application for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
- c. Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the 12 month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- d. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
- e. If an approved discretionary use or form of development ceases to operate for a period of 12 months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
- f. Council may instruct the Development Officer to issue a notice of refusal to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal.

(3) General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and where applicable, the use specific criteria in Section 5, in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

- a. The proposal must be in conformance with all relevant sections of the Official Community Plan and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- b. The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.

- c. The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- d. The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- e. The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- f. Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- g. Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- h. All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- i. Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.11 Development Appeals

(1) Appointment of Board

- a. Council shall appoint a Development Appeal Board in accordance with Sections 214 to 218 of the Act.
- b. Council shall, by resolution, adopt a policy specifying: the terms of office; the manner of filling of vacancies to the board; the remuneration and expenses for board members; the provision for appointment of a secretary to the board; the duties of the secretary; and the remuneration and expenses to be paid for the secretary.
- c. Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.
- d. Should Council enter into an agreement to appoint a District Development Appeal Board, in conjunction with one or more other municipalities, to be the Development Appeal Board for the Municipality; members shall be appointed in accordance with that agreement, and the local Development Appeal Board shall cease to exist.

(2) Notice

On "Form B", the Development Officer shall advise the applicant of the rights of appeal granted by the Act, with respect to that application.

(3) Filing an Appeal

A person who wishes to appeal to the Development Appeal Board shall, within 30 days of receiving the permit or notice, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Board.

(4) Powers of the Development Appeal Board

- a. The Development Appeal Board has the powers given by the Act to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted use or a discretionary use.
- b. Nothing in this Section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a District.
- c. Nothing in this Section allows a Development Appeal Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Bylaw for a District.

(5) Appeal from a Deemed Refusal

An application for a development permit for a permitted use shall be deemed to be refused when the Development Officer has not issued a decision more than 40 days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application had been refused at the end of 40 days.

3.12 Fees**(1) An application for a Development Permit or Zoning Amendment shall pay an application fee in accordance with the Village of Englefeld Planning Fee Bylaw.****3.13 Contract Zoning****(1) Council may enter into an agreement respecting the rezoning of land in accordance with the guidelines established by the Official Community Plan on contract zoning.****(2) Council may include the following in the agreement:**

- a. a description of the proposal
- b. reasonable terms and conditions with respect to the uses of the land and buildings or forms of development
- c. the site layout and external design including parking areas, landscaping, and access and egress
- d. a time limit in which the development must occur in accordance with the agreement, otherwise the site will revert to the previous zoning classification

- e. that on the rezoning of the land none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions and time limit prescribed in the agreement.

(3) Council may require the payment of a performance bond prior to execution of the agreement for rezoning to assure that the terms of the agreement are implemented.

(4) The rezoning agreement will not be signed until the public has had an opportunity to examine the proposed rezoning through a public notice. Public notice and review will be in accordance with the procedure and public notification process provided in Part X of the Act. Final reading of the amending bylaw will be subject to the signing of the agreement. The amendment of the Zoning Bylaw shall take effect upon registration of the interest as contained in Subsection 3.15 (5).

(5) As required by the Act, an interest will be registered against the lands affected by the agreement binding the owner of the land and future landowners to the agreement.

(6) The Council may, on application by the person who entered into an agreement pursuant to this section or by any subsequent owner of land to which the agreement pertains:

- a. vary the agreement
- b. enter into a new agreement
- c. extend any time limit prescribed in an agreement.

(7) The Council may declare a rezoning agreement void where:

- a. any of the land or buildings are developed or used contrary to the provisions of the agreement.
- b. the development fails to meet a time limit prescribed by an agreement.

(8) Where Council voids a contract agreement, the Zoning District of land reverts to the District in which it was before rezoning by contract.

(9) Where the Council voids an agreement, Council will:

- a. give notice of the cancellation and the effect of the cancellation in one issue of a newspaper circulated in the Municipality; and
- b. withdraw the interests registered in connection with the agreement.

(10) The symbol "C" will be attached to the appropriate Zoning District designation for the property in order to identify land that is zoned by an agreement.

3.14 Minor Variances to the Zoning Bylaw

- (1) An application shall be made to the Development Officer for a minor variance to the Zoning Bylaw in a form as prescribed by the Development Officer.
- (2) The Development Officer shall maintain a register as an appendix to the Zoning Bylaw of all minor variance applications.
- (3) The Development Officer may vary the requirements of the Zoning Bylaw subject to the following conditions:
 - a. A minor variance may be granted for variation only of:

- b. the minimum required distance of a building from the site line.
- c. the minimum required distance of a building to any other building on the site.
- d. The maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the Zoning Bylaw.
- e. The development shall conform to the Zoning Bylaw with respect to the use of land.
- f. The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.

(4) No minor variance is allowed in connection with an agreement on rezoning entered into pursuant to Section 3.15.

(5) A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to the Act.

(6) On receipt of an application for a minor variance, the Development Officer may:

- a. approve the minor variance.
- b. approve the minor variance and impose terms and conditions on the approval.
- c. refuse the minor variance.

(7) Where the Development Officer imposes terms and conditions on an approval pursuant to Subsection 3.16 (6), the terms and conditions shall be consistent with:

- a. minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements.
- b. providing adequate separation between buildings for safety reasons.
- c. avoiding encroachment into adjoining property, by reduction of allowable projects or other potential encroachments.

(8) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.

(9) Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the land that is the subject of the application.

- a. The written notice required pursuant to Subsection (8) shall:
- b. contain a summary of the application for minor variance.
- c. provide a reason for and an effective date of the decision.
- d. indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer.
- e. where there is an objection described in Clause (c), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.

(10) The written notice required pursuant to Subsection (8) shall be delivered:

- a. by registered mail, or
- b. by personal service.

(11) A decision approving a minor variance, with or without terms and conditions, does not take effect

- a. in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed.

- b. in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- (12) If an assessed owner of property having a common boundary with the land that is the subject of the application, objects in writing to the Municipality respecting the approval of the minor variance within the time period prescribed in Subsection (12), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - a. of the revocation of the approval.
 - b. of the applicant's right to appeal the revocation to the Development Appeal Board within 30 days of receiving the notice.
 - c. If an application for a minor variance is refused, or approved with terms and conditions, the applicant may appeal to the Development Appeal Board within 30 days of the date of that decision.

3.15 Holding Zone Provisions

- (1) Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- (2) The purpose of the holding provisions shall be to enable Council to manage development and subdivision proposals in phases.
 - a. The application and management of the holding provision shall be at Council's discretion.
 - b. Council may rezone and manage development and subdivision in phases by designating portions of land with a holding symbol (e.g. "H"), in conjunction with any zone design (i.e. R1-H).
 - c. The holding provision and symbol shall mean that:
 - i. Development shall be restrictively managed under the holding provision.
 - ii. Existing uses may continue, subject to the Official Community Plan and Zoning Bylaw development and subdivision standards.
- (3) The holding designation may only be removed by amendment to the Zoning Bylaw. All bylaws removing the holding designation shall conform to the Official Community Plan and the provisions of the Act.

3.16 Enforcement, Offences and Penalties

- (1) Violations of this Bylaw will be enforced under the provisions of *The Planning and Development Act, 2007*.

4 GENERAL REGULATIONS

4.1 All Zoning Districts

The following regulations shall apply to all Zoning Districts in this Bylaw:

- (1) **Licenses, Permits, and Compliance with Other Bylaws**
 - a. In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of public health, safety, and general welfare.
 - b. Development must comply with the provisions of this Bylaw, whether or not a permit has been issued for the development.
 - c. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Village or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Village. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.
- (2) **Principal Use Established**

In any zoning district in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.
- (3) **Prohibited Development**

Development within is not specified in this Bylaw as a permitted, discretionary, or accessory use shall be prohibited.
- (4) **Buildings or Uses Occupying More Than One Lot**

Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.
- (5) **Non-conforming Buildings and Non-conforming Sites**

Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by Sections 91 to 93 of the Act. These rights are subject to the following:

 - a. the enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw.
 - b. all other applicable provisions of this Bylaw are satisfied.
 - c. issuing of a development permit required by this Bylaw.
- (6) **Non-conforming Uses**

Where a use or intensity of use is being undertaken for part of a site or part of a building that conform to the bylaws in effect before this Bylaw or before an amendment to this

Bylaw, that use may be continued. The use may not be enlarged, not relocated, or the part of the building housing the use may not undergo structural alteration as long as the use is continued, as provided for in Sections 89 and 90 of the Act. Any portion of the property or building may undergo development or reconstruction of the building for a use that does conform to the Bylaw.

(7) **Established Building Lines**

Where a front building line in a residential District has been established by existing buildings in a block and is less than the specified front yard requirement, the required front yard is reduced for new construction according to the following principals:

- a. where the new building is to be constructed on a corner site it shall not be located further into the required front yard than a legal principal building on the abutting interior site.
- b. where the building is to be constructed on an interior site it shall not be constructed further into the required front yard than the average of the encroachments of principal buildings into the required front yard on the two abutting sites.
- c. where the abutting site is vacant, or the building has more than the required front yard the encroachment into the required front yard shall be considered to be zero.
- d. existing buildings where legally built are conforming with respect to the established building line.

(8) **Number of Principal Buildings Permitted on a Site**

Not more than one principal use shall be established and not more than one principal building shall be placed on any one site, except for the following:

- a. Public utility uses.
- b. Institutional uses such as schools, hospitals, nursing homes, and senior citizen homes.
- c. Recreational uses, such as curling and skating rinks and community centres.
- d. Approved Multi-unit residential uses or dwelling groups.
- e. Approved commercial or industrial building groups.
- f. Uses permitted in a Contract Zoning agreement.

(9) **Accessory Buildings, Uses and Structures**

- a. Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is permitted or discretionary use in that same district, and for which a development permit has been issued.
- b. No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- c. Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of

the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.

- d. Unless otherwise specified in this Bylaw, a residential use shall not be defined as an accessory use. Accessory structures shall not be used as a dwelling unless approved as an additional agricultural dwelling.

(10) Building to be Moved

No building, including, but not limited to any residential commercial or industrial building, shall be moved within or into the area covered by this Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

(11) Demolition of Buildings

No building shall be demolished within the area covered by this Bylaw without obtaining a development permit. A development permit shall be granted where all requirements of the Building Bylaw are met, and:

- a. the building is not designated a heritage building which is not to be demolished.
- b. the building is not a residential structure in a Demolition Control District for which building Council has not granted an application to demolish.

(12) Grading and Levelling of a Site

Any site proposed for development shall be graded and levelled at the owner's expense as is necessary to provide for adequate surface drainage. The drainage shall not adversely affect adjacent property and shall comply with the requirements of the Village of Englefeld respecting design and location of flow from the property.

(13) Water Supply and Waste Disposal

- a. Subject to the Acts and Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.
- b. Where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.

(14) Metric Conversion

Where a building was constructed or a site created under a bylaw using the Imperial System of Measurement, a standard under that bylaw that was converted and rounded to an approximate metric measure in a subsequent bylaw, shall be deemed equivalent for the purpose of regulation of that site or building.

(15) Development on Hazard Lands

- a. If a proposed development is to be located on a site considered hazardous, including such concerns as the potential for flooding, slumping, slope instability and any other environmental hazard, Council may require that a geotechnical report be completed and approved by a Professional Engineer in the Province of Saskatchewan, as a condition of the issuance of the development permit. The

report shall indicate the suitability of the site, or sites, for development and any remedial measures required to ensure suitability or to ensure that the natural resource base is not irreparably altered. Remedial measures may be specified as conditions in the development permit.

- b. Development of buildings and additions to buildings is prohibited in the floodway of any watercourse or water body. Additions to buildings in the flood fringe of any watercourse or water body require flood proofing to the safe building elevation (S.B.E.).

(16) Satellite Dish, Radio Tower or Television Antenna for Personal Use

The installation and operation of a free standing radio tower or television antenna and its supporting structure intended for personal use is permitted in all zoning Districts provided that such structures are not located in any front yard or in the case of a corner site, in any portion of the side or rear yard which is within 3 metres of the side site line adjacent to a street.

(17) Development Adjacent to Railway Corridors

Development in proximity to rail lines or rail yards should be consistent with the *Guidelines for New Development to Railway Operations* prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.

4.2 Residential Districts

(1) Projections in Yards

The following projections in required yards are permitted subject to the setback or construction requirements of the National Building Code:

- a. In front yards:
 - i. maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, or windowsills.
 - ii. maximum of 1 m projection of gutters, canopies, eaves, or fire escapes.
 - iii. maximum of 1.8 m projection of open cantilevered balconies, open porches, or open steps.
 - iv. wheelchair ramps to main floor level.
 - v. fences less than 1 m in height unless provided otherwise in this Bylaw.
 - vi. light standards, flag poles, and permitted signs.
- b. In Rear Yards:
 - i. cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, windowsills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m.
 - ii. unenclosed decks no higher than 0.6 m, balconies, porches, and steps to a maximum projection of 3 m.
 - iii. a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m.
 - iv. wheelchair ramps to main floor level.
 - v. fences less than 1.85 m in height unless provided otherwise in this Bylaw.
- b. Side Yards

- i. fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m or $\frac{1}{2}$ the required yard whichever is the less.
- ii. walkways and steps less than 0.6 m in height.
- iii. wheelchair ramps to main floor level.
- iv. fences not more than 2 m in height unless provided otherwise in this Bylaw.

- c. Hedges and other closed landscaping plantings shall comply with the fence requirements.
- d. Handrails are permitted in all yards, uncovered driveways and walkways.

(2) Accessory Uses, Buildings, and Structures

- a. Except as specifically provided in this Bylaw accessory buildings shall comply with the yard requirements for a principal building. Any building located less than 1 metre from a principal building shall comply with all the minimum yard requirements of the principal building.
- b. An accessory building shall not be located in a required front yard.
- c. No door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 4.5 meters from a street to which it gives direct access, or less than 1.5 meters to a lane to which it gives direct access.
- d. Private garages and accessory buildings if less than 10 m^2 , subject to Clause (3), shall have a minimum side or rear yard of 0.75 m and a maximum projection of 0.5 m into the required yard for any eaves gutters or drain spouts into that yard.
- e. Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 m
- f. Private garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.
- g. In rear and side yards, laundry drying equipment and garbage stands are permitted.

(3) Storage

- a. No side or front yards shall be used for outdoor storage.

4.3 Commercial and Industrial Districts**(1) Projections in Yards**

- a. Projections into required minimum front, rear or side yards are permitted subject to the setback or construction requirements of the National Building Code where they consist of any of the following: eaves and gutters of 0.6 m or less projection into a required yard, or chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.

(2) Fences and Hedges

- a. Fences, hedges and other closed landscaping plantings shall not exceed 1 m in any required front yard or 3 m in any required side or rear yard.
- b. No fence, hedge, closed landscaping, sign, or other structure shall obstruct a sight triangle on a corner site between 0.7 m and 2.5 m above grade.

(2) Accessory Buildings and Structures

- a. Accessory buildings shall comply with the yard requirements for a principal building.
- b. For gas bars and service stations an open canopy may extend over a portion of required yards provide the supports are not located in the required yards and the edge of the canopy is at least 0.6 m from any property line.
- c. Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- d. Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

4.4 Signage**(1) All signage shall:**

- a. be located in a manner such that, in the opinion of the Development Officer, the sign does not restrict vehicle or pedestrian movement;
- b. not obstruct visibility or otherwise jeopardize the safety of the public; and,
- c. be maintained in a neat, tidy and safe condition.

(2) Temporary Signs

- a. Temporary signs, including free standing, sandwich board type signs with a sign face area of 1.2 m² or less, that can easily be moved by one person, are permitted in all districts.

(3) Prohibited Signs

- a. Spotlights intended to illuminate the night sky.

(4) In Residential Districts

- a. Where a site is used for one and two unit dwellings:
 - i. One permanent sign is permitted per site;
 - ii. In the case of a home-based business, one additional permanent sign for the home-based business is permitted;
 - iii. No sign shall have a sign face area greater than 0.5 m²; and
 - iv. No sign shall be illuminated between the hours of 11:00 pm and 7:00 am.
- b. Where a site is not used for one and two unit dwellings:
 - i. One permanent sign is permitted per site;
 - ii. No sign shall have a sign face area greater than 4.5 m²;
 - iii. No free standing sign shall be taller than 3m above grade; and
 - iv. No sign shall be illuminated between the hours of 11:00 pm and 7:00 am.

(5) In Commercial and Industrial Districts

- a. Signs advertising the principal use or the principal products offered for sale on the premises are permitted;
- b. No more than one permanent sign is permitted per principal use;
- c. Where a principal use is located on a corner, one additional, permanent sign per principal use shall be permitted;
- d. If multiple businesses occupy a single site, each occupant is considered to be a separate principal use, however the occupants are encouraged to coordinate their signage;
- e. The sign face area of a sign may not exceed 9 m²;
- f. A sign may be double faced;
- g. No free standing sign shall exceed 6 m in total height above the ground;
- h. Any signage affixed to the top of a building is included in the building height maximum; and
- i. No illuminated signage shall be permitted unless the illuminated portion of the sign is screened or directed away from residential areas.

(6) Temporary and Portable Signs

- a. Temporary signs advertising the sale or lease of the property or other information relating a temporary condition affecting the property are permitted provided:
 - i. The sign face area does not exceed 1 m²;
 - ii. They do not exceed the principal height of the building on the site;
 - iii. No more than two such signs are located on a site; and
 - iv. The signs are removed once the purpose for the sign is no longer valid or after one year, whichever is sooner, and no other temporary sign for the same purpose may be located in the same site for at least three months with the written approval of Council.
- b. Portable signs are permitted provided:
 - i. They are not located on any site containing a mobile home, or a one or two unit dwelling;
 - ii. They do not remain on a site for more than 90 days; and
 - iii. They are not located on a site where a portable sign has been located in the previous 30 days.

(7) Village of Englefeld Signs

Signs for the Village of Englefeld, or for the promotion of activities sponsored or carried out by the Village of Englefeld, are permitted in all districts provided:

- a. They are located with a sensitivity to surrounding land uses;
- b. The sign face area does not exceed 9 m² or 4.5 m² in the residential districts; and
- c. No freestanding sign shall exceed 6m in total height above grade.

4.5 Off Street Parking and Loading**(1) Parking and Loading Spaces Required with Development**

- a. No person shall erect, enlarge, or extend any building or structure permitted under this bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.
- b. When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.
- c. Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.
- d. All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the C1 or C2 districts, where required parking spaces may be located on a remote site. In the C1 and C2 districts, remote parking may be approved where the remote site is within 150 metres of the principal building or use and where the remote site is located within a Commercial or Industrial district.
- e. Pursuant to section 4.5.1 (d), remote parking within the C1 or C2 districts is permitted provided the owner of the principal use site registers an interest on the parking lot title to ensure than the land remains as a required parking lot in accordance with Section 235 of The Act.
- f. When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

(2) Payment in Lieu of Required Off-street Parking Facilities

- a. Council may exempt any applicant for a use permitted in the C1 district and the C2 district from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay the Council the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by \$2,000.
- b. The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.

(3) General Regulation for Off-street Parking and Loading

- a. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents

or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, signage, sale or storage of goods of any kind.

- b. Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:
 - i. All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities.
 - ii. Where warranted, on-site traffic signs shall be provided.
 - iii. In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes.
 - iv. All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the minimum dimensions set out in Table 4.1.
 - v. All required parking and loading spaces shall, without excessive vehicular maneuvering, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

Table 4.1: Minimum Parking Dimensions

Parking Angle in Degrees	Width of Aisle or Driveway
75 to 90	6.0 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)
49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle.

- i. All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets.
- ii. Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of

sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles.

- iii. For multiple unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

Table 4.2: Parking and Loading Space Dimension Requirements

Type of Space	Minimum Dimension	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.7 metres x 6.0 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Parking spaces other than those described above	2.7 metres x 6.0 metres	2.0 metres
Loading space	3.0 metres x 7.5 metres	4.0 metres

(4) Required Off Street Parking and Loading in All Districts

- a. The minimum off street parking requirements for all districts are set out in Table 4.3.
- b. In all residential districts, required off-street parking shall not be located in any required front yard.
- c. Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

Table 4.3 - Parking Schedule

Use Category	R1	R2	CS	C1	C2	I	UH	Unit
Residential	1.0	1.0	-	1.0	1.0	1.0	1.0	Per Dwelling Unit
Lodging	1.0	1.0	1.0	1.0	1.0	1.0	1.0	Per Bedroom
Office	1.0	1.0	1.0	1.0	1.0	1.0	1.0	Per 100 m ²
Restaurant	-	1.0	1.0	1.0	1.0	-	-	Per 8 Seats Intended for Patrons Use
Retail	1.0	1.0	-	1.0	1.0	1.0	1.0	Per 100 m ²
Institutional	1.0	1.0	1.0	1.0	1.0	1.0	1.0	Per 100 m ²

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Recreational	1.0	1.0	1.0	-	-	-	1.0	Per 100 m ²
Industrial	-	-	-	1.0	1.0	1.0	-	Per 100 m ²

5 SPECIAL PROVISIONS

This Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

5.1 Discretionary Uses

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- (1) site drainage of storm water
- (2) the location of buildings with respect to buildings on adjacent properties
- (3) access to, number and location of parking and loading facilities
- (4) appropriate space for vehicle line ups for drive-through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways
- (5) control of noise, glare, dust and odour
- (6) landscaping, screening and fencing to buffer adjacent properties.

5.2 Bed-and-Breakfast Homes

- (1) Bed-and-breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.
- (2) Bed-and-breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed-and-breakfast home.
- (3) In issuing discretionary use approval for a bed-and-breakfast home, Council may specify the maximum number and specific location in the dwelling of approved guest rooms. Any increase in number of guest rooms shall require a new discretionary use approval.
- (4) One off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed-and-breakfast home, in addition to any off-street parking used for the operator of the facility.
- (5) One sign identifying the bed-and-breakfast home in accordance with Section 4.4.
- (6) Council will consider applications with respect to the following criteria:
 - a. The proposed structures are suitable and comfortable for the proposed development.
 - b. There is adequate space on the site for the proposed facility
 - c. There are appropriate levels of access to the site and off-street parking is available for the users of the facility and for the operator
 - d. The development will complement adjacent residential uses
 - e. Use as a bed-and-breakfast home will be considered an asset in the preservation of heritage buildings.

5.3 Home-Based Business

- (1) Where allowed as a discretionary use, a home-based business may be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling.

- (2) A home-based business shall clearly be secondary and ancillary to the use of a dwelling unit as a private residence.
- (3) A home-based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for signs as permitted under Section 4.4.
- (4) A home-based business shall be conducted entirely within the dwelling or accessory building. Client contact and services may only occur within the principal building.
- (5) A home-based business shall not create any conflict with the residential area in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10:00 pm and 7:00 am, that would be disruptive to the surrounding residential uses.
- (6) A home-based business shall not require the parking of more than two client vehicles at any time. Off street parking shall be provided on site for any resident vehicles.
- (7) The home occupation shall not have any exterior display, outdoor storage of materials, or exterior variation from the residential character of the residence or its accessory building.
- (8) Persons employed within the dwelling in the home-based businesses shall be full-time residents of the dwelling. Council may, in its approval, provide for up to two other persons employed by the home-based business where such persons are employed to work off-site.
- (9) No more than 25% of the gross floor area of the principal building, and 50% of the gross floor area of an accessory building shall be used for the home-based business.
- (10) A permit issued for home-based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- (11) The discretionary use approval for a home-based business shall cease to be valid when the operation ceases in accordance with Section 3.7.1, or where the operator relocates to another site. A new discretionary use approval is required before the home-based business may restart operation.

5.4 Service Stations and Gas Bars

- (1) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6.1 metres from any street or other property boundary.
- (2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building or screened to the satisfaction of Council.
- (3) All business shall be conducted, and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the care and control of the vehicle operator.
- (4) The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets or lanes.

5.5 Residential Care Homes

- (1) Where allowed as a discretionary use a residential care home may be developed in a single detached dwelling building, subject to obtaining a provincial licence, pursuant to the particular act under which the home is proposed to operate.
- (2) The residential care home shall maintain the single detached residential character of the property consistent with the neighbourhood.
- (3) A residential care home shall meet all of the regulations for a single detached dwelling as prescribed for the district in which it is located.
- (4) The operator of the residential care home shall be a permanent resident of the dwelling licensed as a residential care home.
- (5) The operator shall ensure that adequate supervision and care is available at the home at all times.
- (6) In approving a residential care home, Council may specify the maximum number of clients that may be cared for in a residential care home.
- (7) Council will consider applications with respect to the following criteria:
 - a. the structures are suitable and comfortable for the proposed development, and provide for the appropriate level of supervision
 - b. there is adequate space on the parcel for the proposed facility
 - c. there are appropriate levels of off street parking for the residents of the facility and the operator
 - d. the concentration of residential care homes will not exceed 2 facilities per residential block, and the home will complement adjacent residential uses.

5.6 Cannabis Retail Stores

- (1) Cannabis retail stores shall not be located within 125 metres of a community centre, daycare centre, or playschool.
- (2) Cannabis retail stores shall not be located within 340 metres of an elementary or secondary school.
- (3) Cannabis retail stores shall not be located within 500 metres of another cannabis retail store.

5.7 Day Care Centres

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (2) Required parking spaces shall not be located in a required front yard.

5.8 Short-Term Rental Accommodations

- (1) No exterior alterations shall be undertaken which would be inconsistent with the residential character of the neighbourhood.

- (2) The maximum number of persons, including but not limited to residents or occupants, permitted to stay overnight lodging on any licensed premises, shall be restricted to two (2) persons per guest room and be delineated on the required floor plan. Rooms with murphy beds or pullout couches shall be included as a guest room.
- (3) No licensee shall rent any guest room in a Short-Term Rental Accommodation dwelling other than a guest room that was identified and approved as such on the floor plan submitted with the application for the Short-Term Rental Accommodation License.
- (4) One off-street parking space shall be required for guests. Additional off-street parking spaces may be required where, due to the nature of the site, the Development Officer determines that additional parking is necessary to maintain the residential character of the neighbourhood. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of the Development Officer.
- (5) The short-term rental shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.
- (6) Short-term rental accommodations are subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the has become detrimental to the amenities of adjoining properties and the neighbourhood.

6 ZONING DISTRICTS AND ZONING MAP

6.1 Classification of Zoning Districts

For the purpose of this Bylaw, the Village of Englefeld is divided into the following Zoning Districts, the boundaries of which are shown on the "Zoning District Map." Such Districts may be referred to by the appropriate symbol, as shown in Table 2.

Table 6.1 - Districts

District	Symbol
Residential	R1
Multi-Unit Residential	R2
Commercial Core	C1
Highway Commercial	C2
Community Service	CS
Industrial	I
Urban Holding	UH

6.2 The Zoning District Map

(1) The Zoning District Map bears the statement:

"This is the Zoning District Map which accompanies Bylaw Number 2024- adopted by the Village of Englefeld."

6.3 Boundaries of Zoning Districts

- (1) The boundaries of the districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- (2) Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.
- (3) Where a boundary of a district crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- (4) Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

6.4 Zoning District Schedules

- (1) The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply are contained in the Zoning District Schedules in Section 7.

7 ZONING DISTRICT SCHEDULES

7.1 R1 - Residential District

(1) Purpose

- a. The objective of the R1 - Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, and other compatible uses.

(2) Permitted Uses

- a. Permitted Uses and minimum development standards are listed in Table 7-1P.

R1 – Residential District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard
Table 7-1P: Permitted Uses								
Community centres		30	900	30	-	-	-	-
Family child care home where ancillary to a dwelling		12	550	30	6	3	1.5	6
Modular home		12	550	30	6	3	1.5	6
Municipal facilities		30	900	30	-	-	-	-
Parks and playgrounds		-	900	30	-	-	-	-
Public utilities ^a		30	900	30	-	-	-	-
Semi-detached or duplex dwelling		7.5 ^b	225 ^b	30	6	3	1.5	6
Single detached dwelling		12	550	30	6	3	1.5	6
Sports fields		30	900	30	-	-	-	-
Swimming pools		30	900	30	-	-	-	-

(3) Discretionary Uses

- a. Discretionary Uses and minimum development standards are listed in Table 7-1D.

R1 – Residential District	Minimum Development Standards (in Meters)								
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard	Maximum Floor Area (m ²)
Table 7-1D: Discretionary Uses									
Bed and breakfast homes	5.2	12	550	30	6	3	1.5	6	-
Confectionaries		30	900	30	6	3	3	6	300
Day care centres	5.7	30	900	30	6	3	3	6	-
Drug stores		30	900	30	6	3	3	6	300
Dwelling groups		30	900	30	3	3	1.5	6	-
Home based business	5.3	12	550	30	6	3	1.5	6	-
Libraries and cultural institutions		30	900	30	6	3	3	6	-
Lodges, fraternal organizations, clubs		30	900	30	6	3	3	6	-
Multiple unit dwellings		30	900	30	3	3	1.5	6	-
Personal service shops		30	900	30	6	3	3	6	300
Places of worship, religious institutions		30	900	30	6	3	3	6	-
Residential care homes - Type I	5.5	12	550	30	6	3	1.5	6	-
Residential care homes - Type II	5.5	30	900	30	6	3	3	6	-
Row house dwellings and townhouse dwellings		7.5 ^b	225 ^b	30	3	3	1.5	6	-
Short-term rental accommodations	5.8	12	550	30	6	3	1.5	6	-

(4) Notes on Development Standards

- a. Excluding offices, warehouses, and storage yards.
- b. Per dwelling unit.

(5) Accessory Uses

- a. Accessory buildings and uses shall be permitted subject to Section 4.2.2

(6) Subdivision of Semi-Detached and Row House Dwellings.

- a. Where compliant with the site standards, a semi-detached or row house dwelling site may be subdivided along the common walls to create a separate site for each dwelling, subject to compliance with building bylaw requirements.

(7) Development Standards for Multiple Unit Dwellings, and Attached and Street Town House Dwellings

- a. Where a concept plan has been adopted for an area, the location of all forms of multiple unit dwellings including townhouses and row houses shall conform to the concept plan.
- b. Council will apply the following criteria in considering a multiple unit dwelling and town house applications:
 - i. the services available to the sites and adjacent areas will have sufficient capacity to handle the higher density.
 - ii. sites will be located on corner sites or adjacent to a multiple unit dwelling, row house dwellings, or townhouse development.
 - iii. isolated single detached dwelling sites will not be left on a block undergoing conversion to higher density.
 - iv. good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas.

(8) Development Standards for Dwelling Groups

- a. All parking areas, private garages, or vehicular access to units or sites within a dwelling group shall be from a roadway which is common property internal to the parcel.
- b. All dwelling groups shall have vehicular access to a public street from at least two points which are sufficiently separated to provide separate access and egress in case of emergency.
- c. Council will apply the following criteria in considering dwelling groups:
 - i. the size and location of the development will be consistent with the capacity of the street system to handle the additional development. The development will not cause excessive traffic to pass through existing low density residential areas.
 - ii. the density of a dwelling group will not be significantly different from development with single principal buildings on subdivided sites.
 - iii. building separations shall meet the standards for similar residential structures on separate parcels.

- iv. bare land condominium proposals for dwelling groups will not be considered unless there is a requirement for significant common property on the parcel.

(9) Development standards for Commercial or Institutional uses

- a. Council will apply the following criteria in considering a commercial use in this District:
 - i. good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas.
 - ii. locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred.
 - iii. the development will be of a size and operation intended to serve the neighbourhood in which it is located.
 - iv. the developer of the business may be required to provide a fence or other buffer to an abutting residential use.
- b. Council will apply the following criteria in considering an institutional use in this District:
 - i. locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred; the degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood.
 - ii. large institutional uses will be encouraged to seek sites in or abutting CS - Community Service Districts.

(10) Storage

- a. Subsection 4.2.4 regulations shall apply in the R1 District.

7.2 R2 - Multi-Unit Residential District

(1) Purpose

- a. The objective of the R2 - Multi-Unit Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, multiple-unit dwellings, dwelling groups and other compatible uses,

(2) Permitted Uses

- a. Permitted Uses and minimum development standards are listed in Table 7-2P.

R2 - Multi-Unit Residential District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard
Table 7-2P: Permitted Uses								
Community centres		30	900	30	-	-	-	-
Dwelling groups		30	900	30	3	3	1.5	6
Family child care home where ancillary to a dwelling	12	550	30	6	3	1.5	6	-
Modular home	12	550	30	6	3	1.5	6	-
Multiple unit dwellings	30	900	30	6	3	1.5	6	-
Municipal facilities	30	900	30	-	-	-	-	-
Parks and playgrounds	15	900	30	-	-	-	-	-
Public utilities ^a	30	900	30	-	-	-	-	-
Row house dwellings and townhouse dwellings	7.5 ^b	225 ^b	30	6	3	1.5	6	-
Semi-detached or duplex dwelling	7.5 ^b	225 ^b	30	6	3	1.5	6	-
Single detached dwelling	12	550	30	6	3	1.5	6	-
Sports fields	30	900	30	-	-	-	-	-
Swimming pools	30	900	30	-	-	-	-	-

(2) Discretionary Uses

- a. Discretionary Uses and minimum development standards are listed in Table 7-2D.

R2 - Multi-Unit Residential District	Minimum Development Standards (in Meters)								
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard	Maximum Floor Area (m ²)
Table 7-2D: Discretionary Uses									
Bed and breakfast homes	5.2	12	550	30	6	3	1.5	6	-
Confectionaries		30	900	30	6	3	3	6	300
Day care centres	5.7	30	900	30	6	3	3	6	-
Drug stores		30	900	30	6	3	3	6	300
Home based business	5.3	12	550	30	6	3	1.5	6	-
Libraries and cultural institutions		30	900	30	6	3	3	3	-
Lodges, fraternal organizations, clubs		30	900	30	6	3	3	3	-
Personal service shops		30	900	30	6	3	3	6	300
Places of worship, religious institutions		30	900	30	6	3	3	3	-
Residential care homes - Type I	5.5	30	900	30	6	3	3	6	-
Residential care homes - Type II	5.5	30	900	30	6	3	3	6	-
Short-term rental accommodations	5.8	12	550	30	6	3	1.5	6	-

(3) Notes to Development Standards

- a. Excluding offices, warehouses, and storage yards.
- b. Per unit dwelling unit.

(4) Accessory Uses

- a. Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- b. Accessory buildings and uses shall be permitted subject to Section 4.2.2.

(5) Subdivision of Semi-Detached and Row House Dwellings.

- a. Where compliant with the site standards, a semi-detached or row house dwelling site may be subdivided along the common walls to create a separate site for each dwelling, subject to compliance with building bylaw requirements.

(6) Development Standards for Multiple Unit Dwellings, and Attached and Street Town House Dwellings

- a. Where a concept plan has been adopted for an area, the location of all forms of multiple unit dwellings including townhouses and row houses shall conform to the concept plan.
- b. Council will apply the following criteria in considering a discretionary use application:
 - i. the services available to the sites and adjacent areas will have sufficient capacity to handle the higher density.
 - ii. sites will be located on corner sites or adjacent to a multiple unit dwelling, row house dwellings, or townhouse development.
 - iii. isolated single detached dwelling sites will not be left on a block undergoing conversion to higher density.
 - iv. good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas.

(7) Development Standards for Dwelling Groups

- a. All parking areas, private garages, or vehicular access to units or sites within a dwelling group shall be from a roadway which is common property internal to the parcel.
- b. All dwelling groups shall have vehicular access to a public street from at least two points which are sufficiently separated to provide separate access and egress in case of emergency.
- c. Council will apply the following criteria in considering dwelling groups:
 - i. the size and location of the development will be consistent with the capacity of the street system to handle the additional development. The development will not cause excessive traffic to pass through existing low density residential areas.
 - ii. the density of a dwelling group will not be significantly different from development with single principal buildings on subdivided sites.

- iii. building separations shall meet the standards for similar residential structures on separate parcels.
- iv. bareland condominium proposals for dwelling groups will not be considered unless there is a requirement for significant common property on the parcel.

(8) Development standards for Commercial or Institutional uses

- a. Council will apply the following criteria in considering a commercial use in this District:
 - i. good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas.
 - ii. locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred.
 - iii. the development will be of a size and operation intended to serve the neighbourhood in which it is located.
 - iv. the developer of the business may be required to provide a fence or other buffer to an abutting residential use.
- b. Council will apply the following criteria in considering an institutional use in this District:
 - i. locations on major streets, on corner parcels, and at the periphery of the neighbourhood are preferred; the degree to which the development will be considered for internal areas to the neighbourhood will relate to the size of the development and to the degree to which it serves the local neighbourhood.
 - ii. large institutional uses will be encouraged to seek sites in or abutting CS - Community Service Districts.

(9) Storage

- a. Subsection 4.2.4 regulations shall apply in the R2 District.

7.3 CS - Community Service District

(1) Purpose

- a. The objective of the CS - Community Service District is to provide for development in the form of a range of community services and other compatible uses.

(2) Permitted Uses

- a. Permitted Uses and minimum development standards are listed in Table 7-3P.

CS - Community Service District	Minimum Development Standards (in Meters)							
	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard	
Table 7-3P: Permitted Uses								
Community centres		15	900	30	6	3	3	3
Curling and skating rinks		30	900	30	6	3	3	3
Day care centres	5.7	15	550	30	6	3	3	3
Hospitals, medical clinics		15	8000	30	6	3	3	3
Law enforcement facilities		30	900	30	6	3	3	3
Libraries and cultural institutions		15	550	30	6	3	3	3
Lodges, fraternal organizations, clubs		15	550	30	6	3	3	3
Municipal facilities				No requirements				
Nursing homes		30	900	30	6	3	3	3
Parks		30	900	30	6	3	3	3
Places of worship, religious institutions		30	900	30	6	3	3	3
Public utilities ^a				No requirements				
Residential Care Home - Type I	5.5	30	900	30	6	3	3	3
Residential Care Home - Type II	5.5	30	900	30	6	3	3	3
Schools, educational institutions		30	900	30	6	3	3	3
Sports fields		30	900	30	6	3	3	3
Swimming pools		30	900	30	6	3	3	3

(3) Discretionary Uses

- a. Discretionary Uses and minimum development standards are listed in Table 7-3D.

CS - Community Service District	Minimum Development Standards (in Meters)							
	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting street	Side Yard other	Rear Yard	
Table 7-3D: Discretionary Uses								
Cemeteries	30	8000	30	6	3	3	3	
Commercial education facilities	30	8000	30	6	3	3	3	
Confectionaries ^b				Development standards of principal use apply				
Convention and exhibition facilities	30	8000	30	6	3	3	3	
Gift shops ^b				Development standards of principal use apply				
Multiple unit senior citizen housing	30	900	30	6	3	3	3	
Personal service shops ^b				Development standards of principal use apply				
Restaurants ^b				Development standards of principal use apply				
Snack bars ^b				Development standards of principal use apply				
Telecommunication facilities	15	-	-	6	1.5	-	3	
Tourist campgrounds	30	8000	30	6	3	3	3	

(4) Notes to Development Standards

- a. Excluding offices, warehouses, and storage yards.
- b. Where ancillary to a permitted or discretionary use.

(5) Accessory Uses

- a. Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- b. Accessory buildings and uses shall be permitted subject to Section 4.2.2.

(6) Joint use facilities

- a. Two or more institutional uses in a CS District may be developed and operated on a single parcel where owned and operated by public authorities.
- b. To create a joint use facility, public authorities may, by agreement, join two parcels together to be considered one parcel for the purpose of regulation under this Bylaw.

(7) Development Standards and Criteria for Multiple Unit Senior Citizen Housing

- a. Council must be satisfied that the development will be used for restricted or assisted housing for seniors to grant discretionary use approval.
- b. Proposals not meeting Clause (1) will be considered for rezoning to a Residential District if appropriate.

(8) Development Standards and Criteria for Commercial Uses

- a. Council will consider discretionary use applications for ancillary commercial uses where it is satisfied that the development will support the basic function of the institutional use.

(9) Storage

- a. Subsection 4.2.4 regulations shall apply in the CS District.

7.4 C1 - Commercial Core District

(1) Purpose

- a. The objective of the C1 - Commercial Core District is to provide for development in the form of a range of core commercial, community centre commercial and other compatible uses.

(2) Permitted Uses

- a. Permitted Uses and minimum development standards are listed in Table 7-4P.

C1 - Commercial Core District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side yard other	Rear Yard
Table 7.4P: Permitted Uses								
Art galleries		15	550	30	-	3	3	3
Bakeries with retail sales		7.5	225	30	-	3	-	6
Banks, financial services, and business offices		7.5	225	30	-	3	-	6
Bed and breakfast homes	5.2	7.5	225	30	-	3	-	6
Broadcasting media and commercial communication studios and offices		7.5	225	30	-	3	-	6
Bus terminals		7.5	225	30	-	3	-	6
Cafes, restaurants, lounges, and taverns		7.5	225	30	-	3	-	6
Commercial entertainment establishments		15	550	30	-	3	3	3
Community centres		30	900	30	-	3	3	6
Construction trades, artisans, and craft shops offices and workshops		7.5	225	30	-	3	-	6
Day care centres	5.7	7.5	225	30	-	3	-	6
Gas bars with or without confectionaries	5.4	30	900	30	6	3	3	3
Government and professional service offices		7.5	225	30	-	3	-	6
Hotels, motels		30	900	30	6	3	3	3
Libraries, cultural institutions		15	550	30	-	3	3	3
Lodges, fraternal organizations, clubs		7.5	225	30	-	3	-	6
Medical, dental, and other health services offices and clinics		7.5	225	30	-	3	-	6
Municipal facilities		No requirements						
Museums		15	550	30	-	3	3	3
Personal service establishments		7.5	225	30	-	3	-	6
Places of worship, religious institutions		30	900	30	-	3	3	6
Printing and publishing offices, including related printing presses and equipment		7.5	225	30	-	3	-	6
Public utilities		No requirements						
Rental stores		7.5	225	30	-	3	-	6
Retail stores		7.5	225	30	-	3	-	6
Service stations with or without car washes	5.4	30	900	30	6	3	3	3
Travel agents		7.5	225	30	-	3	-	6
Undertaking establishments		30	900	30	6	3	3	6

(3) Discretionary Uses

- a. Discretionary Uses and minimum development standards are listed in Table 7-4D

C1 - Commercial Core District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side Yard other	Rear Yard
Table 7-4D: Discretionary Uses								
Cannabis Retail Store	5.6	7.5	225	30	-	3	-	6
Dwellings accessory to a permitted or discretionary use		15	550	30	6	1.5	1.5	6
Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery		30	900	30	6	3	3	3
Lumber yards		30	900	30	6	3	3	3
Mini-malls, strip malls		15	550	30	-	3	-	6
Multiple unit dwellings located above the ground floor		30	900	30	-	3	3	6
Recycling Collection Depot		15	550	30	-	3	3	6
Single detached dwellings		15	550	30	6	1.5	1.5	6
Wholesale trade stores and offices		30	900	30	6	3	3	3

(4) Accessory Uses

- Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- Accessory buildings and uses shall be permitted subject to Section 4.2.

(5) Wholesale trade and lumber yards are included to recognize existing development.

Development of these uses on other than the existing sites will be encouraged to locate on vacant land in the C2 District or on I District lands.

- No outside storage is permitted for a wholesale establishment.

(6) Construction Trades, Artisans, and Craft Shop Offices and Workshops

- All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building.
- No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

(7) Transportation and Vehicle Sales and Services

- Service stations and gas bars shall be governed by Section 5.4.
- Only corner sites may be developed for service stations or gas bars.
- Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery will be encouraged to establish on sites in the C2 District or I District. Council will consider development of C1 sites for these uses when replacing an existing use of a similar type.

(8) Development Standards and Criteria for Multiple Unit Dwellings

- Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal service uses on the main floor.

- b. The parking required for the multiple unit dwelling is additional to parking for the commercial uses.
- c. Council will consider discretionary use applications with respect to the following criteria:
 - i. inclusion of ground level commercial development in the proposal.
 - ii. convenience of parking.
 - iii. appropriate size and quality of proposed dwelling units.

(9) Single Detached Dwellings

- a. To recognize existing use, Council will only consider building or expansion of single detached dwellings in a C1 District on a site that holds an exiting single detached dwelling.
- b. Council may consider rezoning to a Residential District of a C1 District property abutting a Residential District, to accommodate new single detached dwelling development.
- c. All single detached dwellings shall comply with the standards of the R District except as specifically provided in Section 7.4(3).
- d. Where a bed-and-breakfast use ceases in the C1 District the use may be converted to a single detached dwelling use.

(10) Accessory Dwelling Units. Attached to Stores or Commercial Establishments

- a. One accessory dwelling unit accessory to a retail or commercial use listed in Section 7.4(2) may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory.
- b. The accessory dwelling shall be located in the principal building.
 - i. Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provide a fire exit secondary to the required entrance.

7.5 C2 - Highway Commercial District

(1) Purpose

- a. The objective of the C2 - Highway Commercial District is to provide for development in the form of a range of highway commercial and other compatible uses

(2) Permitted Uses

- a. Permitted Uses and minimum development standards are listed in Table 7-5P

C2 - Highway Commercial District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side Yard other	Rear Yard
Table 7-5P: Permitted Uses								
Auto body shops ^a		30	900	30	6	3	3	6
Bus terminals		30	900	30	6	3	3	6
Cafes, restaurants, lounges, and taverns		30	900	30	6	3	3	6
Car and truck washes		30	900	30	6	3	3	6
Commercial entertainment establishments		30	900	30	6	3	3	6
Community centres		30	900	30	6	3	3	6
Construction trades		30	900	30	6	3	3	6
Equipment and tool rental establishments		30	900	30	6	3	3	6
Gas bars with or without confectionaries	5.4	30	900	30	6	3	3	6
Government offices		30	900	30	6	3	3	6
Greenhouses, tree and plant nurseries		30	900	30	6	3	3	6
Hotels, motels		30	900	30	6	3	3	6
Lumber yards, building supply and home improvement stores		30	900	30	6	3	3	6
Mini malls ^b		30	900	30	6	3	3	6
Motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing		30	900	30	6	3	3	6
Municipal facilities		No requirements						
Public utilities		No requirements						
Service stations with or without car washes	5.4	30	900	30	6	3	3	6
Tourist information centres		No requirements						
Undertaking establishments		30	900	30	6	3	3	6
Veterinary clinics		30	900	30	6	3	3	6
Wholesale trade establishments		30	900	30	6	3	3	6

(3) Discretionary Uses

- a. Discretionary Uses and minimum development standards are listed in Table 7-5D.

C2 - Highway Commercial District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side Yard other	Rear Yard
Table 7-5D: Discretionary Uses								
Bulk fuel sales and storage		30	900	30	6	3	3	6
Bulk oil dealers and chemical supply dealers		30	900	30	6	3	3	6
Cannabis Retail Store	5.6	30	900	30	6	3	3	6
Manufacturing and processing shops and associated facilities wherein applicable work activities are conducted wholly within enclosed buildings		30	900	30	6	3	3	6
Recycling Collection Depot		30	900	30	6	3	3	6
Single detached dwellings		15	550	30	6	1.5	1.5	6
Wholesale trade stores, offices and warehouses		30	900	30	6	3	3	6

(4) Notes to Development Standards

- a. Excluding works related to auto wrecking and salvage.
- b. May include retail stores, restaurants, cafes, personal service establishments, offices, and small animal veterinary clinics.

(5) Accessory Uses

- a. Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- b. Accessory buildings and uses shall be permitted subject to Section 4.2.2.

(6) Transportation and Vehicle Sales and Services

- a. Service stations and gas bars shall be governed by Section 5.4.
- b. Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles, trailers, or farm machinery may include service stations and gas bars.
- c. Required parking and access aisles to fuel dispensing equipment may not be used for the display of vehicles and goods for sale.

(7) Drive-Through Restaurants

- a. Restaurants with drive-through sales shall have room on site for at least 5 cars in the ordering line and this line shall not block access to parking stalls.
- b. Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

(8) Mini Malls

- a. Council will consider the appropriate separation to industrial and other uses that may be incompatible with restaurant and retail uses and access to the site when making a discretionary use decision on a proposed mini mall.
- b. Parking stalls for mini mall clients shall be accessible from the street by way of access lanes located on the site and shall not be directly accessed from the street.

(9) Processing and Manufacturing Operations

- a. All operation with respect to processing and manufacturing shall be conducted within an enclosed building.
- b. No exterior storage of materials, goods, or of waste products is permitted except within a waste disposal bin for collection.
- c. The operation shall not emit levels of noise, odour, or dust not common to the other uses in the District.
- d. Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision.

(10) Bulk Oil Dealers and Chemical Supply Dealers

- a. Council will consider appropriate separation to residences, tourist facilities, restaurants, and mini malls in making a discretionary use decision.
- b. Locations with direct access to a highway or highway frontage road are preferred.

(11) Single Detached Dwellings

- a. To recognize existing use, Council will only consider building or expansion of single detached dwellings in a C2 District on a site that holds an exiting single detached dwelling.
- b. Council may consider rezoning to a Residential District of a C2 District property abutting a Residential District, to accommodate new single detached dwelling development.
- c. All single detached dwellings shall comply with the standards of the R District except as specifically provided Section 7.5(3).

7.6 I - Industrial District

(1) Purpose

a. The purpose of the I - Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

(2) Permitted Uses

a. Permitted uses and minimum development standards are listed in Table 7-6P.

I - Industrial District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side Yard other	Rear Yard
7-6P: Permitted Uses								
Auto body shops		30	900	30	6	3	3	3
Bulk fuel sales and storage		30	900	30	6	3	3	3
Bulk oil dealers and chemical supply dealers		30	900	30	6	3	3	3
Car and truck washes		30	900	30	6	3	3	3
Construction trades		30	900	30	6	3	3	3
Custom meat cutting and packaging (excluding slaughtering)		30	900	30	6	3	3	3
Equipment and tool rental establishments		30	900	30	6	3	3	3
Gas bars	5.4	30	900	30	6	3	3	3
Grain elevators and related grain handling facilities		30	900	30	6	3	3	3
Lumber yards, building supply and home improvement stores		30	900	30	6	3	3	3
Machine shops		30	900	30	6	3	3	3
Manufacturing and processing plants and associated storage facilities		30	900	30	6	3	3	3
Motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing		30	900	30	6	3	3	3
Municipal facilities		No requirements						
Printers and publishers		30	900	30	6	3	3	3
Public utilities, including workshops, warehouses and storage yards		No requirements						
Railway operations		30	900	30	6	3	3	3
Recycling Collection Depot		30	900	30	6	3	3	3
Service stations with or without car washes	5.4	30	900	30	6	3	3	3
Truck, bus and other transport terminals and yards		30	900	30	6	3	3	3
Veterinary hospitals and clinics		30	900	30	6	3	3	3
Warehouses		30	900	30	6	3	3	3
Wholesale trade		30	900	30	6	3	3	3

(3) Discretionary Uses

a. Discretionary uses and minimum development standards are listed in Table 7-6D.

I - Industrial District	Minimum Development Standards (in Meters)							
	Subject to Section	Site Width	Site Area (m ²)	Site Depth	Front Yard	Side Yard abutting R District	Side Yard other	Rear Yard
Table 7-6D: Discretionary Uses								
Abattoirs and stock yards		30	900	30	6	3	3	3
Agriculture and related uses		30	2	-	15	3	3	30
Auto wrecking yards		30	900	30	6	3	3	3
Concrete manufacturing plants, and gravel yards		30	900	30	6	3	3	3
Crematorium		30	900	30	6	3	3	3
Equipment maintenance and storage yards		30	900	30	6	3	3	3
Feed mills, and seed cleaning plants		30	900	30	6	3	3	3
Mining and petroleum industry service		30	900	30	6	3	3	3
Tanneries and hide storage establishments		30	900	30	6	3	3	3

(4) Accessory Uses

- a. Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- b. Accessory buildings and uses shall be permitted subject to Section 4.2.2.

(5) Accessory Cafes

- a. A cafe may be developed within a principal building and operated as accessory to another use in an I District.

(6) Discretionary Uses

- a. Council will consider the applications for discretionary use with respect to the following criteria:
 - i. the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system.
 - ii. the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated.
 - iii. adequate separation exists from the development to residential and tourist service uses.
 - iv. access to truck routes major streets and railway transportation is appropriate to the type of development. For agricultural product processing, railway spur sites will be considered an asset.
- b. All signage will be considered pursuant to the standards and criteria of Section 3.8.

7.7 UH - Urban Holding District**(1) Purpose**

- The purpose of the UH – Urban Holding District is to provide for public open space within the Village boundaries and to limit development therein in the interest of potential future development.

(2) Permitted Uses

- Permitted uses and minimum development standards are listed in Table 7-7P.

UH - Urban Holding District	Minimum Development Standards (in Meters)					
	Site Width	Site Area (ha)	Site Depth	Front Yard	Side Yard	Rear Yard
Table 7-7P: Permitted Uses						
Cemeteries	No requirements					
Crop farming on an existing parcel without any buildings	No requirements					
Crop farming including a dwelling and farm buildings	30	16	-	15	3	3
Municipal facilities	No requirements					
Public utilities, including workshops, warehouses and storage yards	No requirements					
Sewage lagoons and sanitary land fills operated by a public authority	No requirements					

(3) Discretionary Uses

- Discretionary uses and minimum development standards are listed in Table 7-7D.

UH - Urban Holding District	Minimum Development Standards (in Meters)					
	Site Width	Site Area (ha)	Site Depth	Front Yard	Side Yard	Rear Yard
Table 7-7D: Discretionary Uses						
Agriculture and related uses	30	2	-	15	3	3
Dog kennels ancillary to a dwelling	30	2	-	15	3	3
Golf courses	30	16	-	15	3	3
Green houses, market gardens, horticultural supply, tree and plant nurseries	30	2	-	15	3	3
Private airports	30	2	-	15	3	3
Single detached dwellings accessory or ancillary to any other use	30	2	-	15	3	3
Single detached dwellings as a principal use	30	2	-	15	3	3
Sports arenas	30	2	-	15	3	3
Sports fields	30	2	-	15	3	3
Tourist campgrounds	30	2	-	15	3	3
Veterinary clinics	30	2	-	15	3	3

(4) Accessory Uses

- Accessory uses that are an integral part of the principal use, and are secondary, subordinate, and lesser in extent to the principal permitted or approved discretionary use; including accessory buildings that are secondary, subordinate and lesser in size to the principal building.
- Accessory buildings and uses shall be permitted subject to Section 4.2.2.

(5) Single Detached Dwellings

- To recognize existing use, Council will consider building or expansion of single detached dwellings in a UH District on a site that holds an exiting single detached dwelling.

- b. The approval of development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a concept plan to the Official Community Plan that designates the area for large site residential use.
- c. Council may consider approval of a single detached dwelling accessory or ancillary to another existing use, where the location will not interfere with future development pursuant to the Official Community Plan and any concept plan adopted under that plan. All single detached dwellings shall comply with the standards of an R District except as specifically provided Section 9.7.3.

(6) Discretionary Uses

- a. Council will consider the applications for discretionary use with respect to the following criteria:
 - i. the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system.
 - ii. the proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan.
 - iii. the development will not require the development of new streets and utility lines except as may be provided for in existing plans under the Official Community Plan.
 - iv. the proposal is not premature.

8 EFFECTIVE DATE OF THE BYLAW

8.1 Coming Into Force

This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.



Charles Biemans - Mayor



Rhona Jimenez - Administrator



INTRODUCED AND READ a first time this 8th day October 2024.

READ A SECOND TIME this 15th day of July 2025.

READ A THIRD TIME and passed this 15th day of July 2025.

VILLAGE OF ENGLEFELD
ZONING BYLAW
BYLAW No. 2024-03

The Council of the Village of Englefeld, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

1. Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Village of Englefeld hereby adopts the Village of Englefeld Zoning Bylaw, identified as Schedule "A" to this Bylaw.
2. The Mayor and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
3. Bylaw No. 2011-02, the Village of Englefeld Zoning Bylaw, and all amendments thereto, are hereby repealed.
4. This Bylaw shall come into force on the date of final approved by the Minister of Government Relations.

Read first time this **17th day of November, 2025.**

Read second this **17th day of November, 2025.**

Read a third time and passed this **17th day of November, 2025.**



MAYOR



CHIEF ADMINISTRATIVE OFFICER



APPROVED
REGINA, SASK.
DEC 10 2025



Minister of Government Relations



CHIEF ADMINISTRATIVE OFFICER

