

Village of Englefeld
Zoning Bylaw No. 2011-02

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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 enacts as follows:

1.1 Title

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

1.2 Purpose

The purpose of this Bylaw is to regulate development in the Village of Englefeld to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the Village.

1.3 Scope

Development shall hereafter be permitted within the limits of the Village of Englefeld only when in conformity with the provisions of this Bylaw.

1.4 Severability

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 this Bylaw, unless the context provides otherwise, they shall have the following meaning:

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.

Administrator - the Administrator of the Village of Englefeld.

Alteration - any structural change or addition made to any building.

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.

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

Awning - a canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.

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.

Beverage Room – an establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.

Building - a structure constructed or placed on, in or over land but does not include a public highway.

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 Height - the vertical distance of a building measured from grade level to the highest point of the roof.

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 Line, Established - a reduced front yard requirement pursuant to Section 4.1.5.

Campground - a site which provides for the location of tents or trailer coaches used by travellers and tourists for overnight accommodation.

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

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

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.

Council - the Council of the Village of Englefeld.

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) 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*
- (b) a nursery school for pre-school children.

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 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 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.

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

Dwelling, Duplex - a building that is divided into two dwelling units with separate entrances and separated by a party 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 party 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 party walls which separate, without opening, each dwelling unit throughout the entire structure, with each dwelling having frontage onto the front street. Where permitted in the Zoning Bylaw, a row house may be subdivided into the separate dwelling units along the party walls.

Family Child Care Home - a child care facility located in a building where the principal use is a dwelling unit, and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act*.

Floor Area - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.

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.

Garage, Public - a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where vehicles are kept for remuneration, hire, sale or display.

Gas Bar - a commercial facility predominately for the sale of gasoline, diesel and propane, and may offer for sale other petroleum products 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.

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.

Group Care Facility - a supervised residential dwelling unit, licensed or approved under provincial statute, for the accommodation of persons, excluding staff, referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.

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.

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

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 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 on which two or more occupied mobile homes are located but does not include an industrial or construction camp or tourist campsite.

Modular Home - a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Modular Home, Single Wide - a modular home that is less than 5 metres (16.40 ft.) in width.

Modular Home, Double Wide - a modular home that is greater than 8 metres (26.25 ft.) in width.

Modular Unit - a factory built frame or shell which comprises supporting and non-supporting walls, siding, and other components of a prefabricated home representing only a Section of a dwelling and has neither chassis, running-gear, nor its own wheels.

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.

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.

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.

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.

Radio and Television Communication Structure - structures used for receiving and broadcasting radio or television signals.

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 facility licensed under provincial statute to provide, in a residential dwelling, long term residential, social, physical or personal care, including accommodation, meals, supervision or assistance for persons who have limits on ability for self-care and self supervision, and who are unrelated to the operator or owner.

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.

'Ready to Move' (RTM) Dwelling - a new single detached dwelling constructed off site to National Building Code or CSA A277 standards to be moved onto a new permanent residential site building foundation.

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.

Sight Triangle, Driveway - the area contained in the triangle formed by the intersection of the edge of a driveway giving access to a street or lane and the property line and a straight line drawn from a point 3 m from that intersection along the driveway within the property to a similar point along the property line 3 m away from the driveway.

Sight Triangle, Street- 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 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.

Special Care Home - a facility licensed pursuant to *The Housing and Special-Care Homes Act* which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.

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.

Tourist Home - a private home or dwelling other than a rooming house, hotel or motel in which rooms are offered for rent to the travelling public for sleeping accommodations.

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).

Village – The Village of Englefeld.

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, 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

The Administrator, 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.

3.2 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 3.2 (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) the installation of fences or accessory buildings under 10 square metres (100 sq. ft.).
- (4) A building permit shall not be issued unless a development permit, where required, has also been issued.
- (5) If the development or use authorized by a development permit is not commenced within six months from the date of issue of a permit, and completed within eighteen months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.

3.3 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, 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.

3.4 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.

3.5 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) for a discretionary use, prepare a report for Council on the proposal respecting the criteria for consideration of that discretionary use and submit the application to Council for decision.
 - (d) 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 to:
 - (a) issue a development permit incorporating any specific development standards set forth by Council, where the development will comply with the standards of this Bylaw, subject to the limitations of the Act.
 - (b) issue a development permit incorporating any specific development standards set forth by Council, where the applicant submits an amended application so that development will comply with the standards of this Bylaw, subject to the limitations of the Act.
 - (c) issue a notice of refusal to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal that he/she may have.
- (3) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.

3.6 Revocation of Decision

Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

3.7 Limitation on Discretionary Use Approvals

3.7.1 Validity of Discretionary Use Approvals

A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use, and:

- the use ceased and was replaced by another use.
- the use ceases for a 12 month period.
- a building required for the approved use is not started within 6 months or completed within 18 months.
- the use is not started within 6 months of completion of the building.
- a use not requiring construction of a building is not started within 12 months.
- the applicant applies to increase the specifically approved intensity of use.

3.7.2 Time Limited Discretionary Uses

Where Council has approved a discretionary use for a limited time as provided in the Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

- (a) The owner or installer of any Sign found in non-compliance shall be liable for all costs of having the Sign removed.

3.8 Development Appeals

3.8.1 Appointment of Board

- (1) Council shall appoint a Development Appeal Board in accordance with Sections 49 and 214 to 218 of the Act.
- (2) 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.
- (3) Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.
- (4) 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.

3.8.2 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.

3.8.3 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.

3.8.4 Powers of the Development Appeal Board

- (1) 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.
- (2) 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.
- (3) 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.

3.8.5 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.

3.9 Fees and Advertising**3.9.1 Amending planning bylaws**

- (1) Where a person requests Council to amend the Official Community Plan, Zoning Bylaw, or other planning bylaw, that person shall pay to the Municipality a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.
- (2) Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to a planning bylaw, at its own cost.

3.9.2 The following provisions apply to the advertisement of a discretionary use application:

- (1) The Development Officer shall direct the applicant for a discretionary use to advertise the proposed use by posting a notice of the application conspicuously on the front the property in question, and by mailing or delivering a copy of the notice to the assessed owner of each property within 75 metres of the subject property for the following:
 - (a) any discretionary residence or any ancillary use to a residence
 - (b) a home based business.
- (2) In addition to the requirements specified in Clause (1), for an application for any discretionary use not listed in Clause (1), the Development Officer shall publish a notice in a newspaper that is circulated in the Municipality.
- (3) The notice shall:
 - describe the use applied for
 - describe the location of the use
 - specify the date, time, and location of the Council meeting at which the application will be considered.

- (4) The notice shall be posted, delivered, and published at least seven days, and mailed at least twelve days, prior to the date of the meeting.
- (5) The applicant shall pay a fee equal to the costs to the Municipality associated with the public advertisement.

3.9.3 An applicant for a development permit shall pay an application processing fee in accordance with the following:

- (a) permitted principal use: \$10.00
- (b) permitted accessory use: \$10.00
- (c) ancillary use: \$10.00
- (d) discretionary principal use: \$10.00
- (e) discretionary accessory use: \$10.00
- (f) sign permit: \$10.00
- (g) minor variance: \$10.00
- (h) development appeal fee: \$100.00
- (i) in addition, if a building permit is required, any fees associated with the issuance of a permit and inspection of construction related to a building permit

These fees shall be in addition to any fee required by Clauses 3.9.1 and 3.9.2.

3.10 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 in the agreement include:
 - a description of the proposal
 - reasonable terms and conditions with respect to the uses of the land and buildings or forms of development
 - the site layout and external design including parking areas, landscaping, and access and egress
 - a time limit in which the development must occur in accordance with the agreement, otherwise the site will revert to the previous zoning classification
 - 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 3.11(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:
 - vary the agreement
 - enter into a new agreement
 - extend any time limit prescribed in an agreement.
- (7) The Council may declare a rezoning agreement void where:
 - any of the land or buildings are developed or used contrary to the provisions of the agreement.
 - 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:
 - give notice of the cancellation and the effect of the cancellation in one issue of a newspaper circulated in the Municipality; and
 - 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.

3.11 Minor Variances to the Zoning Bylaw

- (1) An application for a minor variance 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:
 - (i) the minimum required distance of a building from the site line
 - (ii) the minimum required distance of a building to any other building on the site.
 - (b) The maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the Zoning Bylaw.
 - (c) The development shall conform to the Zoning Bylaw with respect to the use of land.
 - (d) 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 3.10.
- (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 3.11.6, 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.
- (10) The written notice required pursuant to Subsection (8) shall:
- (a) contain a summary of the application for minor variance
 - (b) provide a reason for and an effective date of the decision
 - (c) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer
 - (d) 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.
- (11) The written notice required pursuant to Subsection (8) shall be delivered:
- (a) by registered mail
 - (b) by personal service.
- (12) 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.
- (13) 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 (9), 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
- (14) 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.

3.12 Enforcement, Offences and Penalties

3.12.1 Inspection

Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, he/she may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purposes of inspection.

3.12.2 Order by the Development Officer

- (1) Where the Development Officer has determined that a violation of this Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to Section 242 of the Act.
- (2) The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following: discontinue the development, alter the development so as to remove the contravention, restore the land, building or premises to its condition immediately prior to the development or form of development, and complete the work necessary to comply fully with the Zoning Bylaw.
- (3) The order shall specify the time when the actions required by Clause (2) are to be complete and shall advise of the rights of appeal.
- (4) The Development Officer may register an interest against the title to the property, based on the order, and shall discharge the interest once the order is complied with.
- (5) The Development Officer may apply to the Court of Queen's Bench to enforce the order, or the order as amended by the Development Appeal Board or the Saskatchewan Municipal Board on an appeal.

3.12.3 Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

4 GENERAL REGULATIONS

4.1 All Zoning Districts

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

4.1.1 Licenses, Permits, and Compliance with Other Bylaws

- (1) Development must comply with the provisions of this Bylaw, whether or not a permit has been issued for the development.
- (2) 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 of Englefeld or from obtaining any license, permission, permit, authority or approval required by this or any other bylaw of the Village of Englefeld. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

4.1.2 Multi Parcel Sites

- (1) Where a multi parcel site is used for one development, a proposal to separate the parcels into two or more sites requires a development permit for each of the resulting sites.
- (2) No development permit may be issued for a development creating more than one site as described in Clause (1) unless each of the sites will comply with the Bylaw with respect to the requirements of the District in which it is located.

4.1.3 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:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw
- (2) all other applicable provisions of this Bylaw are satisfied
- (3) issuing of a development permit required by this Bylaw.

4.1.4 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.

4.1.5 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 principles:

- 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
- 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
- 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
- existing buildings where legally built are conforming with respect to the established building line.

4.1.6 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, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres, nursing homes, senior citizen homes, and approved dwelling groups.

4.1.7 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.

4.1.8 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:

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

4.1.9 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.

4.1.10 Water Supply and Waste Disposal

(1) 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.

- (2) 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.

4.1.11 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.

4.1.12 Geotechnical Analysis Required

If a proposed development is to be located on a site that may be subject to flooding, earth movement or instability, or is otherwise unsuitable for development or hazardous for the proposed use, 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.

4.1.13 Satellite Dish, Radio Tower or Television Antenna for Personal Use

The installation and operation of a free standing satellite dish, 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.

4.2 Residential Districts

4.2.1 Projections in Yards

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

(1) In front yards:

- (a) maximum of 0.6 m projection of cantilevered bay windows or bow windows, chimney chases, gutters, window sills, canopies, eaves, or fire escapes
- (b) maximum of 1.8 m projection of open cantilevered balconies, open porches, or open steps
- (c) wheelchair ramps to main floor level
- (d) fences less than 1 m in height unless provided otherwise in this Bylaw
- (e) light standards, flag poles, and permitted signs.

(2) In Rear Yards

- (a) cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, window sills, canopies, eaves, and fire escapes to a maximum projection of 1.5 m
- (b) unenclosed decks no higher than 0.6 m, balconies, porches, and steps to a maximum projection of 3 m

- (c) a satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 m
 - (d) wheelchair ramps to main floor level
 - (e) fences less than 2 m in height unless provided otherwise in this Bylaw.
- (3) Side Yards
- (a) fire escapes, chimney chases, sills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 m or ½ the required yard whichever is the less
 - (b) walkways and steps less than 0.6 m in height
 - (c) wheelchair ramps to main floor level
 - (d) fences not more than 2 m in height unless provided otherwise in this Bylaw.
- (4) Hedges and other closed landscaping plantings shall comply with the fence requirements.
- (5) Handrails are permitted in all yards uncovered driveways, walkways.
- 4.2.2 Accessory Uses, Buildings, and Structures
- (1) 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.
 - (2) An accessory building shall not be located in a required front yard.
 - (3) 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.
 - (4) Private garages and accessory buildings if less than 10 m², 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.
 - (5) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 m
 - (6) 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.
 - (7) In rear yards laundry drying equipment and garbage stands are permitted
- 4.2.3 Storage
- (1) No side or front yards shall be used for outdoor storage.

4.3 Commercial and Industrial Districts

4.3.1 Projections in Yards

- (1) 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.

4.3.2 Fences and Hedges

- (1) 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.
- (2) 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.

4.3.3 Accessory Buildings and Structures

- (1) Accessory buildings shall comply with the yard requirements for a principal building.
- (2) 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.
- (3) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- (4) 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) obstruct visibility or otherwise jeopardize the safety of the public; and,
 - (c) be maintained in a neat, tidy and safe condition.
- (2) Types of signage allowed:
 - (a) The following types of signage are permitted in all districts:
 - (i) Free standing, sandwich board type signs with a facial area of 1.2 m² (12.9 sq. Ft) or less, that can easily be moved by one person; and,
 - (ii) Temporary signs.
 - (b) The following types of signage are prohibited in all districts:
 - (i) Spot lights intended to illuminate the night sky.
- (3) 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 facial area greater than 0.5 m² (5.4 sq. ft); and
 - (iv) No sign shall be illuminated between the hours of 11:00pm and 7:00am.
 - (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 facial area greater than 4.5 m² (48.4 sq. ft);
 - (iii) No free standing sign shall be taller than 3m (9.8 ft.) above grade; and

(iv) No sign shall be illuminated between the hours of 11:00pm and 7:00am.

(4) 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 facial area of a sign may not exceed 9m² (97 ft.);
- (f) A sign may be double faced;
- (g) No free standing sign shall exceed 6m (19.7 ft.) 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.

(5) 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 facial area does not exceed 1m² (10.8 sq. ft);
 - (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.

(6) Village of Englefeld Signs

- (a) 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:
 - (i) They are located with a sensitivity to surrounding land uses;
 - (ii) The facial area does not exceed 9m² (97 sq. ft) or 4.5m² (14.8 sq. ft.) in the residential districts; and
 - (iii) No freestanding sign shall exceed 6m (19.7 ft) in total height above grade.

(7) Non-Compliance with Signage Regulations

- (a) Subject to the provisions of the Saskatchewan *Highways and Transportation Act* and the Bylaws of the Village, any individual or corporation who maintains or

establishes a Sign that is not in the Highway signing corridor and does not comply with the Zoning Bylaw, shall be fined \$100.00 per day for each day the Sign is deemed illegal (by Council).

- (b) Any individual or corporation shall be liable to a fine of up to \$2,000.00 for any one offence.

4.5 Off Street Parking

- (1) In all zoning districts, off-street parking is to be provided in accordance with Table 1 – Parking Schedule. In any case where different occupancies are on the same site, the more stringent parking requirement shall apply.

Table 1 - Parking Schedule

Land Use	Parking Spaces Required (minimum)
Residential	
single detached dwelling	1 space
semi detached dwelling, attached dwelling, duplex dwelling, mobile or modular home	1 per dwelling unit
multiple unit dwelling	1 per dwelling unit
multiple unit dwelling for senior citizens.....	1 per 4 dwelling units
bed-and-breakfast facility.....	1 plus 1 per guest room
Community Services	
personal care home.....	1 plus 1 per 5 client residents
special care and nursing home	1 per 4 client beds
elementary school	1 per classroom
high school and collegiate.....	4 per classroom
community centre, auditorium, theatre, private club, places of worship	1 per 10 fixed seats or 1 per 25 m ² of space for movable seating
library, cultural institution.....	1 per 20 fixed seating or 1 per 50 m ² for movable seating.
ice rink, curling rink, arena.....	2 per sheet of ice, or playing field plus 1 per 10 fixed seats
gymnasium, tennis court.....	2 per court plus 1 per 10 fixed seats
fitness centre.....	1 per 30 m ²
Commercial	
retail stores	1 per 40 m ²
offices.....	1 per 50 m ²
cafe, restaurant	1 per 4 patron seats, or 1 per 10 m ² patron space if seating not fixed.
lounge, beverage room.....	1 per 4 patron seats, or 1 per 10 m ² patron space if seating not fixed.
hotel or motel	1 per guest room or motel unit.
billiard hall	1 per table plus 1 per 4 patron seats,
lumber yard, home improvement centre	1 per 50 m ²
Industrial	
manufacturing and processing plants	1 per 60 m ²
warehouse (restricted access).....	1 per 100 m ²
All others	1 per 30 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 the standards for a sign identifying a multiple unit dwelling is permitted.
- (6) Council will consider applications with respect to the following criteria:
 - The proposed structures are suitable and comfortable for the proposed development.
 - There is adequate space on the site for the proposed facility
 - 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
 - The development will complement adjacent residential uses

- 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 permitted signs.
- (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 p.m. and 7 a.m., 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 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 but in no case shall the number exceed 10 persons.
- (7) Council will consider applications with respect to the following criteria:
 - the structures are suitable and comfortable for the proposed development, and provide for the appropriate level of supervision
 - there is adequate space on the parcel for the proposed facility
 - there are appropriate levels of off street parking for the residents of the facility and the operator
 - the concentration of residential care homes will not exceed 2 facilities per residential block, and the home will complement adjacent residential uses.

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 2 - Districts

District	Symbol
Residential	R
Main Street Commercial	C1
Highway Commercial	C2
Community Service	CS
Industrial	I
Urban Holding	UH

6.2 The Zoning District Map

The Zoning District Map bears the statement:

“This is the Zoning District Map which accompanies and forms part of Bylaw No. 2011-02 and is referred to in Section 8 adopted by the Village of Englefeld signed by the Mayor and Village Administrator under the seal of the Village.”

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

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 R - Residential District

7.1.1 Permitted Uses

- (1) *Residential uses*
 - (a) single detached dwelling
 - (b) modular home
 - (c) semi-detached or duplex dwelling
 - (d) family child care home where ancillary to a dwelling.
- (2) *Recreational and public uses*
 - (a) parks and playgrounds
 - (b) sports fields
 - (c) swimming pools
 - (d) community centres
 - (e) public utilities (excluding offices, warehouses and storage yards)
 - (f) municipal facilities.
- (3) *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.

7.1.2 Discretionary Uses

- (1) *Residential uses*
 - (a) residential care homes
 - (b) row house dwellings and townhouse dwellings
 - (c) multiple unit dwellings
 - (d) dwelling groups
 - (e) residential care homes
 - (f) home based business where ancillary to a dwelling
 - (g) bed-and-breakfast homes where ancillary to a single detached dwelling.
- (2) *Institutional uses*
 - (a) places of worship, religious institutions
 - (b) lodges, fraternal organizations, clubs
 - (c) libraries and cultural institutions.
 - (d) group care facilities
 - (e) day care centres.
- (3) *Commercial uses*
 - (a) confectionaries
 - (b) drug stores
 - (c) personal service shops.

7.1.3 Regulations

- (1) Site requirements

Table 3 - R Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Without Lane				
- single detached dwellings, modular homes	12 m	15 m	550 m ²	30 m
- semi-detached or duplex dwelling (per dwelling)	9 m	9 m	270 m ²	30 m
- row house dwellings (per dwelling)	9 m	9 m	270 m ²	30 m
- residential care home	12 m	15 m	550 m ²	30 m
- multiple unit dwelling or townhouse dwelling	30 m	30 m	900 m ²	30 m
With Lane				
- single detached dwellings, modular homes	12 m	15 m	550 m ²	30 m
- semi-detached or duplex dwelling (per dwelling)	7.5 m	7.5 m	225 m ²	30 m
- attached and street townhouse dwellings (per dwelling)	7.5 m	7.5 m	225 m ²	30 m
- residential care home	12 m	15 m	550 m ²	30 m
Places of worship, religious institutions	30 m	30 m	900 m ²	30 m
Commercial uses (excluding home based business)	30 m	30 m	900 m ²	30 m
Other uses	15 m			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards

Table 4 - R Required Yards*

Use	Front Yard	Side Yard abutting Street	Side Yard other	Rear Yard	Building floor area
Residential (including home based business)	6 m	3 m	1.5 m	6 m	
Accessory buildings residential	As required in Section 4.2.2				
Places of worship, religious institutions	6 m	3 m	3 m	6 m	
Commercial uses	6 m	6 m	3 m	6 m	300 m ² maximum
Recreational and public uses					

*All requirements are the minimum unless specified otherwise.

The limit to commercial uses applies to the sum of all commercial uses on the parcel.

7.1.4 Subdivision of Semi Detached and Row House Dwellings.

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

7.1.5 Development Standards for Modular Homes

- (1) All modular homes shall be place on a permanent foundation at a standard comparable to a single detached dwelling.
- (2) Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.

7.1.6 Development Standards for Multiple Unit Dwellings, and Attached and Street Town House Dwellings

- (1) 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.
- (2) Council will apply the following criteria in considering a discretionary use application:
 - the services available to the sites and adjacent areas will have sufficient capacity to handle the higher density
 - sites will be located on corner sites or adjacent to a multiple unit dwelling, row house dwellings, or townhouse development
 - isolated single detached dwelling sites will not be left on a block undergoing conversion to higher density
 - good access from major streets to the development will exist and the development will not cause excessive traffic through existing low density residential areas.

7.1.7 Development Standards for Dwelling Groups

- (1) 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.
- (2) 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.
- (3) Council will apply the following criteria in considering dwelling groups:
 - the size and location of the development will be consistent with the capacity of the street system to handle the added development. The development will not cause excessive traffic to pass through existing low density residential areas
 - the density of a dwelling group will not be significantly different from development with single principal buildings on subdivided sites
 - building separations shall meet the standards for similar residential structures on separate parcels
 - bareland condominium proposals for dwelling groups will not be considered unless there is a requirement for significant common property on the parcel.

7.1.8 Development Standards for Residential Care Homes

- (1) The maximum number of client residents shall not exceed 10.
- (2) Council will apply the following criteria in considering a residential care home application:
 - the development will comply with the standards and criteria of Section 5.5
 - the development of the business will be entirely consistent with the residential development on adjacent parcels, except for approved signs
 - the development will provide a comfortable home for the client residents
 - adaptive re-use of large historic buildings is an asset.

7.1.9 Development Standards for Group Care Facilities

- (1) Appropriate staff for the care of clients will be on site at all times.
- (2) Council may set a maximum number of residents as a condition of approval.
- (3) Council will apply the following criteria in considering discretionary use application
 - adaptive re-use of large historic buildings is an asset
 - the development will provide a comfortable home for the client residents
 - appropriate measures are provided for the security and safety of clients
 - the applicant provides reasonable justification why a CS District parcel is not appropriate to the application.

7.1.10 Development Standards for Bed-and-Breakfast Homes

- (1) Development of a bed-and-breakfast home shall comply with the standards and criteria of Section 5.2.

7.1.11 Development Standards for Home Based Business

- (1) Council will apply the following criteria in considering a home based business application:
 - the development will comply with the standards and criteria of Section 5.3
 - the development of the business will be entirely consistent with the residential development on adjacent parcels.

7.1.12 Development standards for Commercial or Institutional uses

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

7.1.13 Storage

- (1) Subsection 4.2.4 regulations shall apply in the R District.

7.2 CS - Community Service District

7.2.1 Permitted Uses

The following are permitted uses in the CS - Community Service District:

(1) *Institutional uses*

- (a) community centres
- (b) day care centres
- (c) group care facilities
- (d) hospitals, medical clinics
- (e) libraries and cultural institutions
- (f) lodges, fraternal organizations, clubs
- (g) law enforcement facilities
- (h) nursing homes
- (i) places of worship, religious institutions
- (j) schools, educational institutions.

(2) *Recreational facilities*

- (a) curling and skating rinks
- (b) parks
- (c) sports fields
- (d) swimming pools.

(3) *Public utilities and municipal facilities*

- (a) public utilities (excluding offices, warehouses and storage yards)
- (b) municipal facilities .

(4) *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.

7.2.2 Discretionary Uses

(1) *Residential*

- (a) multiple unit dwellings developed as senior citizen housing

(2) *Commercial use - where ancillary to a permitted or discretionary use*

- (a) confectionaries
- (b) gift shops
- (c) snack bars, restaurants
- (d) personal service shops.

7.2.3 Regulations

(1) Site requirements

Table 5 - CS Site Requirements*

Use	Frontage	Mean width	Parcel area	Depth
Institutional Uses - day care centres, group care facilities, libraries, lodges, fraternal organizations, clubs - other institutional use - residential care home	15 m 30 m	15 m 30 m	550 m ² 900 m ²	30 m 30 m
Multiple unit dwellings (seniors' housing)	30 m	30 m	900 m ²	30 m
Recreational uses	30 m	30 m	900 m ²	30 m
Utilities and municipal facilities	No requirements			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards

Table 6 - CS Required Yards*

Use	Front yard	Side yard abutting Street	Side yard other	Rear yard	Coverage	Building floor area
Institutional uses	6 m	3 m	3 m	3 m		
Accessory buildings	As required in Section 4.2.2				-	-
Multiple unit dwellings (seniors' housing)	6 m	3 m	3 m	3 m		
Recreational uses not including outdoor sports fields	6 m	3 m	3 m	3 m		
Recreational outdoor sports fields, public uses, and municipal facilities	No requirements					

*All requirements are the minimum unless specified otherwise.

7.2.4 Joint use facilities

- (1) 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.
- (2) 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.

7.2.5 Development Standards and Criteria for Multiple Unit Dwellings (Seniors' Housing)

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

7.2.6 Development Standards and Criteria for Commercial Uses

- (1) 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.

7.2.7 Storage

(1) Subsection 4.2.4 regulations shall apply in the CS District.

7.3 C1 - Commercial Core District

7.3.1 Permitted Uses

- (1) *Retail, commercial service, and office uses*
 - (a) banks, financial services, and business offices
 - (b) bakeries with retail sales
 - (c) broadcasting media and commercial communications studios and offices
 - (d) bus terminals
 - (e) cafes, restaurants, and lounges
 - (f) construction trades, artisans, and craft shops offices and workshops
 - (g) government and professional service offices
 - (h) licensed beverage rooms, restaurants and lounges
 - (i) medical, dental, and other health services offices and clinics
 - (j) personal service establishments
 - (k) printing and publishing offices, including related printing presses and equipment
 - (l) retail stores
 - (m) rental stores
 - (n) travel agents
 - (o) undertaking establishments.
- *Tourism, recreational, and cultural uses*
 - (a) art galleries
 - (b) bed-and-breakfast homes subject to the requirements of Section 5.2
 - (c) commercial entertainment establishments
 - (d) libraries, cultural institutions
 - (e) hotels, motels
 - (f) museums.
- *Transportation and vehicle sales and services*
 - (a) service stations with or without car washes
 - (b) gas bars with or without confectionaries.
- *Institutional and public uses*
 - (a) community centres
 - (b) day care centres
 - (c) lodges, fraternal organizations, clubs
 - (d) places of worship, religious institutions
 - (e) public utilities
 - (f) municipal facilities.
- *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, but not including dwellings.

7.3.2 Discretionary Uses

- (1) *Retail or wholesale uses*
 - (a) Mini-malls, strip malls
 - (b) lumber yards

- (c) wholesale trade stores and office.
- *Transportation and vehicle sales and services*
 - (a) establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery.
- *Residential*
 - (a) dwellings accessory to a permitted or discretionary use
 - (b) multiple unit dwellings located above the ground floor
 - (c) single detached dwellings subject to Section 9.4.3 (10).

7.3.3 Regulations

(1) Site requirements

Table 7 - C1 Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Retail, commercial service, and office uses				
- undertaking establishments	30 m	30 m	900 m ²	30 m
- other uses listed in 9.4.1 (1)	7.5 m	7.5 m	225 m ²	30 m
- 2 or more uses in 9.4.1 (1) operating in a single building	15 m	15 m	550 m ²	30 m
- lumber yards, wholesale establishments	30 m	30 m	900 m ²	30 m
Tourism, recreational, and cultural uses				
- hotels and motels	30 m	30 m	900 m ²	30 m
- other uses in 9.4.1 (2)	15 m	15 m	550 m ²	30 m
Residential uses				
- multiple unit dwellings	30 m	30 m	900 m ²	30 m
- single detached dwellings	15.m	15 m	550 m ²	30 m
Transportation and vehicle sales and services	30 m	30 m	900 m ²	30 m
Institutional and public uses				
- day care centres, lodges, fraternal organizations, clubs	30 m	30 m	900 m ²	30 m
- community centres, places of worship, religious institutions	7.5 m	7.5m	225 m ²	30 m
- utilities and municipal facilities	30 m	30 m	900 m ²	30 m
	No requirements			

*All requirements are the minimum unless specified otherwise.

(2) Required Yards

Table 8 - C1 Required Yards*

Use	Front Yard	Side yard abutting R District	Side yard other	Rear Yard	Parking
Retail, commercial service, and office uses					
- undertaking establishments	6 m	3 m	3 m	6 m	See Section 7
- other uses listed in 9.4.1 (1)	nil	3 m	nil	6 m	1 space per 3 m frontage
- 2 or more uses in 9.4.1 (1) (operating in a single building)	nil	3 m	nil	6 m	1 space per 3 m frontage
- wholesale establishments	6 m	3 m	3 m	3 m	See Section 7
Tourism, recreational, and cultural uses					
- hotels and motels	6 m	3 m	3 m	3 m	See Section 7
- bed-and-breakfast homes	6 m	1.5 m	1.5 m	3 m	See Section 7
- other uses in 9.4.1 (2)	Nil	3 m	3 m	3 m	See Section 7
Residential uses					
- multiple unit dwellings	nil	3 m	3 m	6 m	See Section 7
- single detached dwellings	6 m	1.5 m	1.5 m	6 m	See Section 7
Transportation and vehicle sales and services	6 m	3 m	3 m	3 m	See Section 7
Institutional and public uses					
- day care centres, lodges, fraternal organizations, clubs	Nil	3m	nil	6 m	See Section 7
- community centres, places of worship, religious institutions	Nil	3 m	3 m	6 m	See Section 7
- utilities and municipal facilities	No requirements				

*All requirements are the minimum unless specified otherwise.

7.3.4 Wholesale trade is included to recognize existing development. Development of this use on other than the existing sites will be encouraged to locate on vacant land in the C2 District or on I District lands.

(1) No outside storage is permitted for a wholesale establishment.

7.3.5 Construction Trades, Artisans, and Craft Shop Offices and Workshops

(1) All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building.

(2) No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

7.3.6 Transportation and Vehicle Sales and Services

(1) Service stations and gas bars shall be governed by Section 5.4.

(2) Only corner sites may be developed for service stations or gas bars.

(3) 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 ID District. Council will consider development of C1 sites for these uses when replacing an existing use of a similar type.

7.3.7 Development Standards and Criteria for Multiple Unit Dwellings

- (1) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor.
- (2) The parking required for the multiple unit dwelling is additional to parking for the commercial uses.
- (3) Council will consider discretionary use applications with respect to the following criteria:
 - inclusion of ground level commercial development in the proposal
 - convenience of parking
 - appropriate size and quality of proposed dwelling units.

7.3.8 Single Detached Dwellings

- (1) 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.
- (2) Council may consider rezoning to a Residential District of a C1 District property abutting a Residential District, to accommodate new single detached dwelling development.
- (3) All single detached dwellings shall comply with the standards of the R District except as specifically provided Section 9.4.3.
- (4) Where a bed-and-breakfast use ceases in the C1 District the use may be converted to a single detached dwelling use.

7.3.9 Accessory Dwelling Units. Attached to Stores or Commercial Establishments

- (1) One accessory dwelling unit accessory to a retail or commercial use listed in Section 9.4.1 (1) may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory.
- (2) The accessory dwelling shall be located in the principal building.
- (3) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

7.4 C2 - Highway Commercial District

7.4.1 Permitted Uses

(1) *Commercial uses*

- (a) auto body shops, excluding works related to auto wrecking and salvage
- (b) bus terminals
- (c) cafes and restaurants
- (d) car and truck washes
- (e) commercial entertainment establishments
- (f) construction trades
- (g) equipment and tool rental establishments
- (h) greenhouses, tree and plant nurseries
- (i) gas bars with or without confectionaries
- (j) hotels, motels
- (k) licensed beverage rooms, restaurants and lounges
- (l) lumber Yards, building supply and home improvement stores
- (m) mini malls - which may include retail stores, restaurants, cafes, personal service establishments, offices and small animal veterinary clinics
- (n) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing
- (o) service stations with or without car washes
- (p) undertaking establishments
- (q) veterinary clinics
- (r) wholesale trade establishments.

- *Public uses*

- (a) community centres
- (b) government offices.
- (c) tourist information centres
- (d) public utilities
- (e) municipal facilities.

- *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, but not including dwellings.

7.4.2 Discretionary Uses

- (a) bulk oil dealers and chemical supply dealers
- (b) wholesale trade stores, offices and warehouses
- (c) manufacturing and processing shops and associated storage facilities wherein applicable work activities are conducted wholly within enclosed buildings
- (d) single detached dwellings.

7.4.3 Regulations

(1) Site requirements

Table 9 – C2 Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Public uses - tourist information centres - public utilities - municipal facilities	No requirements			
Residential uses - single detached dwellings	15.m	15 m	550 m ²	30 m
All other uses	30 m	30 m	900 m ²	30 m

*All requirements are the minimum unless specified otherwise.

(2) Required Yards

Table 10 - C2 Required Yards*

Use	Front Yard	Side yard abutting R District	Side yard other	Rear yard	Parking
Public uses - tourist information centres - public utilities - municipal facilities	No requirements				
Residential uses - single detached dwellings	6 m	1.5 m	1.5 m	6 m	See Section 7
All other uses	6 m	3 m	3 m	6 m	See Section 7

*All requirements are the minimum unless specified otherwise.

7.4.4 Transportation and Vehicle Sales and Services

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

7.4.5 Drive Through Restaurants

- (1) 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.
- (2) Access and egress lanes shall not be located so as to create congestion on the adjacent streets.

7.4.6 Mini Malls

- (1) 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.
- (2) 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.

7.4.7 Processing and Manufacturing Operations

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

7.4.8 Bulk Oil Dealers and Chemical Supply Dealers

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

7.4.9 Single Detached Dwellings

- (3) 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.
- (4) Council may consider rezoning to a Residential District of a C2 District property abutting a Residential District, to accommodate new single detached dwelling development.
- (5) All single detached dwellings shall comply with the standards of the R District except as specifically provided Section 9.4.3.

7.5 I - Industrial District

7.5.1 Permitted Uses

- (1) *Commercial uses*
 - (a) auto body shops
 - (b) bulk oil dealers and chemical supply dealers
 - (c) custom meat cutting and packaging (excluding slaughtering)
 - (d) car and truck washes
 - (e) construction trades
 - (f) equipment and tool rental establishments
 - (g) gas bars
 - (h) grain elevators and related grain handling facilities.
 - (i) lumber Yards, building supply and home improvement stores
 - (j) machine shops
 - (k) manufacturing and processing plants and associated storage facilities
 - (l) industrial services
 - (m) motor vehicles, recreational vehicles or trailers, or farm machinery, sale, storage and servicing
 - (n) printers and publishers

- (o) railway operations
- (p) service stations with or without car washes
- (q) truck, bus and other transport terminals and yards
- (r) veterinary hospitals and clinics
- (s) wholesale trade
- (t) warehouses.

- *Public uses*

- (a) public utilities, including , workshops, warehouses and storage Yards
- (b) municipal facilities.

- *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, but not including dwellings.

7.5.2 Discretionary Uses

- (a) abattoirs and stock yards
- (b) auto wrecking yards
- (c) concrete manufacturing plants, and gravel yards
- (d) equipment maintenance and storage yards
- (e) feed mills, and seed cleaning plants
- (f) mining and petroleum industry service
- (g) tanneries and hide storage establishments.

7.5.3 Regulations

(2) Site requirements

Table 11 - I Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Public uses - public utilities - municipal facilities	No requirements			
All other uses	30 m	30 m	900 m ²	30 m

*All requirements are the minimum unless specified otherwise.

(3) Required Yards

Table 12 - I Required Yards*

Use	Front Yard	Side yard abutting R District	Side yard other	Rear yard	Parking
Public uses - public utilities - municipal facilities	No requirements				
All other uses	6 m	3 m	3 m	3 m	See Section 7
Any use where the Yard abuts a rail line		nil	nil	nil	

*All requirements are the minimum unless specified otherwise.

7.5.4 Accessory Cafes

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

7.5.5 Discretionary Uses

- (1) Council will consider the applications for discretionary use with respect to the following criteria:
 - the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system
 - the potential for noise, dust, smoke and other emissions causing pollution has been effectively mitigated
 - adequate separation exists from the development to residential and tourist service uses
 - 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.
- (2) All signage will be considered pursuant to the standards and criteria of Section 3.8.

7.6 UH - Urban Holding District

7.6.1 Permitted Uses

- (1) Agricultural uses
 - (a) crop farming on an existing parcel without any buildings
 - (b) crop farming including a dwelling and farm buildings.
- (2) Public uses
 - (a) public utilities, including , workshops, warehouses and storage Yards
 - (b) sewage lagoons and sanitary land fills operated by a public authority
 - (c) cemeteries
 - (d) municipal facilities.
- *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, but not including dwellings.

7.6.2 Discretionary Uses

- (1) Dwellings
 - (a) single detached dwellings as a principal use
 - (b) single detached dwellings accessory or ancillary to any other use.
- (2) Commercial Uses
 - (a) green houses, market gardens, horticultural supply, tree and plant nurseries
 - (b) veterinary clinics
 - (c) private airports
 - (d) dog kennels ancillary to a dwelling.
- (3) Recreational Uses

- (a) golf courses
- (b) sports fields
- (c) sports arenas
- (d) tourist campgrounds.

7.6.3 Regulations

(1) Site requirements

Table 13 - UH Site Requirements*

Use	Frontage	Mean Width	Parcel area	Depth
Public uses - cemeteries - public utilities - municipal facilities	No requirements			
Agricultural uses - including dwellings or farmstead - crop farming only	30 m		16 ha	
Discretionary uses - golf courses - all other discretionary uses	30 m 30 m		16 ha 2 ha	

*All requirements are the minimum unless specified otherwise.

(2) Required Yards

Table 14 – UH Required Yards*

Use	Front yard	Side yard	Rear yard	Parking
Public uses - cemeteries - public utilities - municipal facilities	No requirements			
All other uses	15 m	3 m	3 m	See Section 7

*All requirements are the minimum unless specified otherwise.

7.6.4 Single Detached Dwellings

- (1) 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.
- (2) 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.
- (3) 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.

7.6.5 Discretionary Uses

(1) Council will consider the applications for discretionary use with respect to the following criteria:

- the sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being served by the system
- 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
- the development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Official Community Plan
- 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.

_____ - Mayor

SEAL

Lani Best – Village Administrator

INTRODUCED AND READ a first time this ____ day of _____, 20__.

READ A SECOND TIME this ____ day of _____, 20__.

READ A THIRD TIME and passed this ____ day of _____, 20__.

CERTIFIED a true copy of Bylaw No. ____
adopted by Resolution of Council on the
____ day of _____, 20__.