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FORMS:

Form A - Application for Development Permit

Form B - Notice of Decision

SECTION 1 - INTRODUCTION

Under the authority of The Planning and Development Act, 1983, and Bylaw No. 129, the Basic Planning Statement of the Village of Neilburg the Council of the Village of Neilburg in the Province of Saskatchewan, in open meeting, hereby enact as follows:

- 1.1 Title - This Bylaw shall be known and may be cited as the Zoning Bylaw of the Village of Neilburg.
- 1.2 Scope - Development shall be permitted within the limits of the Village of Neilburg only when in conformity with the provisions of this Bylaw.
- 1.3 Severability - If any section, clause or provision of this Bylaw including anything shown on the Zoning District 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 as a whole or part thereof, other than the section, clause or provision, including anything shown on the Zoning District Map, so declared to be invalid.

SECTION 2 - INTERPRETATION

Whenever in this bylaw the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:

Accessory Use - A use which is customarily associated with the principal use or building, is incidental and subordinate to the principal use or building, and is located on the same lot with such principal use or building.

Act - The Planning and Development Act, 1983.

Administrator - The Clerk of the Village of Neilburg.

Alteration - a structural alteration or addition to a building

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

Building, Accessory - A subordinate detached building appurtenant to a principal building or principal use and located on the same lot.

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

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

Building Line, Established - A line, parallel to the front lot line, and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of the street where more than half the lots have been built on.

Carport - A roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by doors or windows and is attached to a principal building.

Club - A group of people organized for a common purpose, to pursue common goals, interests or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws.

Construction Trades - Offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

Convenience Store - A retail commercial establishment supplying groceries and other daily necessities to the immediate surrounding area.

Corner Lot - A lot at the intersection or junction of two or more streets.

Council - The Council of the Village of Neilburg.

Cultural Institution - Establishments such as museums, art galleries, libraries and similar facilities of historical, educational or cultural interest.

Day Care Centre - A facility for the non - parental care of over four pre - school age children on a daily basis, which is licensed under the Province of Saskatchewan Day Care Regulations, being Saskatchewan Regulation no. 213/75 and amendments thereto.

Deck - A raised open platform with or without rails attached to a principal building.

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 intensity of any building or land.

Development Permit - A document authorizing a development issued pursuant to this zoning bylaw.

Discretionary Use - A use or form of development specified in a zoning district which may be allowed only at Council's discretion in a zoning district following application to, and approval of the Council, and subject to specific development standards provided in this bylaw and prescribed by council.

Dwelling, Duplex - A building divided horizontally into two dwelling units as herein defined.

Dwelling, Multiple Unit - A building divided into three or more dwelling units as herein defined and shall include town or row houses and apartments but not rooming houses, hotels, or motels.

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

Dwelling, Single Detached - A detached building consisting of one dwelling unit as herein defined, and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home as herein defined.

Dwelling Unit - One or more habitable rooms constituting a self-contained unit for use as a residence, each unit having sleeping, cooking and toilet facilities.

Fence - A structure used to enclose or screen areas of land.

Flankage - The side lot line of a corner lot that abuts a street.

Floor Area - The maximum habitable area contained within the outside walls of a building, excluding in the case of:

- (a) a dwelling; any private garage, porch, verandah, sunroom, unfinished attic, unfinished basement, utility room, and laundry room.
- (b) a commercial or industrial building; any utility room.

Frontage - The side of a lot abutting the street; however, in the case of a corner lot, the shorter of the sides shall be considered as frontage.

Garage, Private - A building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Gas Bar - A building or facility used for the retail sale of motor vehicle fuels from fixed pumps, without a building or facilities for the repair of motor vehicles.

Grade Level - The finished ground elevation at the front of the building midway between the front corners of the building.

Group Home - A dwelling unit, operated by a non - profit organization that provides residential services and supervisory personnel for up to nine mentally or physically handicapped persons, but does not include a hospital, special care home, clinic or similar institution.

Health Care Clinic - A facility for medical treatment of humans.

Home Occupation - An occupation conducted by the residents of a residential building and which is clearly secondary to the residential use of the dwelling and does not change the exterior character of the building or lot.

Hotel - A building or part of a building used as a place for sleeping accommodation for transient lodgers, with or without a restaurant, and which may have a licensed beverage room for sale of alcoholic beverages, but does not include a motel or rooming house.

Lane - A public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Lot - An area of land with fixed boundaries and which is of record in the Land Titles Office by Certificate of Title.

Lot Coverage - That portion of the lot that is covered by buildings or structures.

Lot Depth - The average distance between the front lot line and the rear lot line measured within the lot boundaries.

Lot Line, Front - The line that divides the lot from the street. In the case of a corner lot, the front lot line shall mean the line separating the narrowest street frontage of the lot from the street.

Lot Line, Rear - The line at the rear of the lot and opposite the front lot line.

Lot Line, Side - A lot line other than a front or rear lot line.

Mayor - The Mayor of the Village of Neilburg.

Minister - The member of the Executive Council to whom, for the time being, the administration of the Act is assigned.

Mobile Home - A trailer coach:

- (a) that may be used as a dwelling all year round;
- (b) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system;
- (c) that has facilities for washing and a water closet or other similar facility that may be connected to a municipal sewage collection system; and
- (d) that conforms to Canadian Standards Association, Construction Standard No. Z240.2.1-1979

Mobile Home Court - Any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment and services of such mobile home court.

Mobile Home, Double Wide - A mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide - A mobile home designed to be towed as a single load and less than six metres wide.

Mobile Home Site - An area of land in a mobile home court for the placement of a single mobile home.

Motel - An establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or lots land designed for use by the public, and may include restaurant or licensed dining room.

Municipality - The Village of Neilburg.

Non-Conforming Building - A building:

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

Non-Conforming Use - A lawful specific use:

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

Parking Lot - An open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether free, for charge, or for accommodation of clients or customers.

Parking Space - A space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.5 metres wide by 5.5 metres deep, and which has access to a developed street or lane.

Permitted Use - An use or form of development, other than a discretionary use, specifically allowed in a zoning district and subject to the regulations applicable to that zoning district.

Personal Service Shops - Establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

Public Work

- (a) Systems for the production or distribution of electricity;
- (b) systems for the distribution 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 sanitary sewage; or
- (e) telephone or light distribution lines,

that are owned or operated by the Crown or a municipality.

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

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

Screening - Structures or vegetation that visually buffer a use from adjoining areas or uses.

Service Station - A building or part of a building other than a private garage used for the retail sale of lubricating oils, motor fuels for vehicles and automobile accessories, storage, care, repair, servicing or equipping of motor vehicles and which may include the hire, sale or display of motor vehicles and may include a cafeteria.

Shopping Centre - A building or group of buildings located on the same lot or site, in which four or more of the uses allowed in the zoning district are located for their mutual benefit, including the use of off - street parking and other joint facilities.

Sign - Any device, letter, figure, symbol, emblem, or pictures which are affixed to, or represented directly or indirectly upon a building or structure which identify or advertise any object, product, place, activity, person, organization or business and which is visible to a street.

Sign, Billboard - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the lot on which the sign is located.

Site - One or more contiguous lots under one title and used, or intended to be used for a single principal use or principal building.

Special Care Home - An extended or intermediate care facility licensed or approved to provide full time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves.

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

Structural Alteration - The construction or reconstruction of supporting elements of a building or other structure.

Tourist Campgrounds - A tract or parcel of land which provides for the location of tents or trailer coaches, other than mobile homes, used by travellers and tourists for overnight accommodation.

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 as will 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.

Village - The Village of Neilburg.

Yard - Any part of a lot unoccupied or unobstructed by any principal building.

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

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

Yard, Required - The minimum size of front, side or rear yard required on a lot under this bylaw.

Yard, Side - A yard extending from the front yard to the rear yard between the side lot line and the nearest wall exclusive of the eaves of the principal building on the lot.

Zoning District - A specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.

SECTION 3 - ADMINISTRATION

3.1 Development Officer - The Clerk of the Village of Neilburg shall be the Development Officer responsible for the administration of this bylaw.

3.2 Development Permit

- (1) Except as provided in Section 3.2(3) no person shall undertake a development or commence a use unless a development permit has been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw.
- (2) A Development Permit is not required for the following:
 - (a) the maintenance of a public work;
 - (b) the construction of a public work by the Village of Neilburg;
 - (c) the installation of public works on any street or other public right-of-way;
 - (d) the construction of fences;
 - (e) maintenance and repairs that do not include structural alterations;
 - (f) accessory buildings under 9 square metres.
- (3) A building permit shall not be issued unless a development permit has also been issued.
- (4) If the development or use authorized by a Development Permit is not commenced within six months from the date of its issue, and completed within twenty-four months of its issue, the permit is deemed void unless an extension to the period has been granted.

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 attached to and forming part of this bylaw. The application shall be accompanied by two copies of a lot or building plan showing dimensions and locations of existing and proposed buildings and structures as well as lot 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 also provide a written description of the proposed development, describing the intended use and operations, structures to be located on the lot, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.4 REVIEW OF APPLICATIONS

- (1) The development officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this bylaw and the policies contained in the Basic Planning Statement Bylaw.
- (2) Where the application is for a discretionary use, the development officer shall submit the application, along with all other relevant material to Council.

3.5 Decision

- (1) The decision on all applications shall be made in writing to the applicant in Form B as attached to and forming part of this Bylaw.
- (2) Where the application is for a permitted use the development officer shall, upon completion of the review:
 - (a) where the application conforms to all provisions of this Bylaw, issue a development permit; or

- (b) where the class of development or use is subject to special regulations, performance standards or development standards specified in this Bylaw, issue the development permit specifying those regulations or standards to which the development or use is subject; or
 - (c) refuse the application where the provisions of this Bylaw are not met, indicating to the applicant the reason for the refusal.
- (3) Where the application is for a discretionary use the development officer shall submit the application to Council for review. Upon completion of its review, Council shall pass a resolution instructing the Development Officer to either:
- (a) issue a development permit incorporating any special development standards prescribed by Council in accordance with the provisions of this Bylaw; or
 - (b) refuse the application, indicating the reasons for the refusal.

3.6 Development Appeals

- (1) Development Appeals Board - A Development Appeals Board of the Village of Neilburg is appointed in accordance with Sections 71 and 91 to 104 of the Act.
- (2) Where an application for a permitted use has been refused, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Village of Neilburg.
- (3) Where an application for a discretionary use has been approved by Council, with prescribed development standards pursuant to this Bylaw, and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the bylaw, the applicant shall be advised that those development standards may be appealed to the Development Appeals Board of the Village of Neilburg .

- (4) An application for a development permit shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the development officer, and an appeal may be made as provided in Section 3.3(1) as though the application had been refused at the end of the period specified in this subsection.

3.7 Amendment of the Zoning Bylaw

- (1) Fees - Where an application for an amendment to this bylaw is made to council, the applicant shall pay all costs associated with advertisement of the proposed amendment.

3.8 Offences and Penalties - Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the Act.

3.9 Non-Conforming Use and Non-Conforming Buildings - shall be subject be subject to Sections 113 - 118 inclusive of the Act.

SECTION 4 GENERAL REGULATIONS

- 4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation - Nothing in this bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements or from obtaining any license, permission, permit, authorization or approval required by such requirements or regulations.
- 4.2 Building Lines - Where a building line in a residential district has been established by existing buildings in a block having greater than one half the lots built on, new development may conform to this line.
- 4.3 Number of Principal Buildings Permitted on a Lot - Not more than one principal building shall be placed on any one lot with the exception of schools, curling and skating rinks, recreation centres, special care homes, multiple unit dwellings, and mobile homes in courts.
- 4.4 Height Restrictions - Any height regulations contained in this bylaw shall not be deemed to limit the height of the following: spires, belfries, cupolas, television antennas and solar collectors, or other appurtenances usually required to be placed above the roof level, and which are clearly not intended for human occupancy.
- 4.5 Required Yards and Open Space
- (1) Minimum Yards Required - No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.
 - (2) Projections into Yards - Where minimum yards are required in any district, such minimum requirements shall not apply to the following:
 - (a) in any front or rear yard, the construction of steps, a deck, porch or verandah having a maximum projection of 2 metres into the required yard;
 - (b) In any yard, the construction of a chimney, sill, cornice, or roof overhang not exceeding 0.6 metres into the required yard.
 - (c) In any side yard the construction of a deck not more than 0.6 metres into the required side yard.

- (3) Buildings and Structures in Required Yards - The following buildings are allowed in required yards:
- (a) In all yards, trees, shrubs, sidewalks, uncovered driveways, lighting fixtures, lamp posts, and fences.
 - (b) in side yards, in addition to the above, car ports not than 0.6 metres into the required side yard.
 - (c) in rear yards, in addition to the above, recreation equipment, laundry drying equipment, private garages and garbage stands.

4.6 Fences and Screening

- (1) In a residential or urban reserve district, fences and other screening may be placed, planted, grown, maintained or erected in any required front yard only when in conformance with the following regulations:
 - (a) Walls, fences or hedges located in any required front yard shall not exceed 1 metre in height.
 - (b) In all other required yards, fences or walls shall not exceed 2 metres in height.
- (2) Screening shall be provided where a lot used for commercial or industrial purposes abuts a residential district without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.5 metres in height in a side or rear yard and over .75 metres in a front yard.

4.7 Off - Street Parking

- (1) Off - Street parking is to be provided in accordance with the following schedule:

<u>USE</u>	<u>Minimum Number of Spaces</u>
<u>Residential</u> - dwelling units	1 per unit
<u>Institutional</u>	
schools	1 per classroom
special care homes	1 per 5 beds
<u>Commercial</u>	
All commercial and office uses in a C1 commercial district	1 per 3 metres of frontage.
<u>Industrial</u>	
All uses in an industrial district	1 per 100 square metres floor area

Where an establishment contains more than one use, off-street parking shall be provided for each use in accordance with this schedule.

4.8 Off-Street Parking Spaces

- (1) An off-street parking space shall be a minimum of 2.5 meters in width by 5.5 meters in length and shall have convenient access to a street or lane.

4.9 Home Occupations

Home occupations shall be subject to the following special development standards:

- (1) Home occupations shall only be permitted at a dwelling.
- (2) The home occupation shall be conducted entirely within a dwelling or in an accessory building to that dwelling.
- (3) No person shall be employed in the home occupation except residents of the dwelling containing the home occupation.

- (4) The home occupation shall not create emission of noise, glare, dust, odour, or radio transmission interference inconsistent with the principal use of the premises as a dwelling.
- (5) All materials and chattels on the premises involved in a home occupation, except a licenced vehicle, shall be kept within the principal or accessory building.
- (6) There shall be no exterior display, storage or other exterior indication of the existence of the home occupation, or variation from the residential character of the dwelling other than a permitted sign.

4.10 Signs - Signs shall be subject to the following requirements:

- (1) No person shall erect, place, suspend, set up or alter a sign without having first obtained a development permit for that sign.
- (2) In Commercial or Industrial Districts
 - a) no more than two permanent signs are permitted on the premises;
 - b) no sign shall have a face area in excess of 4 square metres;
 - c) signs may be double faced;
 - d) the maximum height above grade of any free standing sign or sign projecting above the roof of a building to which it is attached shall be 6 metres.
 - e) illuminated signs shall have a steady light source which shall be internal to the sign or shielded from a street or other lot;
 - f) signs may project over a sidewalk only if not closer in horizontal distance to the curb than 0.1 metre and not less than 2.5 metres above grade.
 - g) an additional temporary sign bearing notice of sale or lease of the premises, or other temporary condition of the premises, so long as the temporary condition exists;

(3) In all other Zoning Districts

- a) no more than one permanent sign is permitted on the premises, except for approved home occupations;
- b) an additional sign for a home occupation, stating the nature of the approved home occupation is permitted;
- c) an additional temporary sign bearing notice of sale or lease, sale of produce or other information relating to a temporary condition affecting the premises, so long as the temporary condition exists;
- d) Permanent signs for institutional uses and forms of development shall have a maximum facial area of 4 square metres, and shall be a maximum height above grade of 6 metres;
- e) all other signs shall have a maximum face area of 0.4 square metre;
- f) no sign shall be located in any manner that will visually obstruct traffic on a street or jeopardize the safety of persons or property;
- g) signs shall not project beyond any property line.

4.11 Municipal Facilities - Municipal offices and facilities are permitted in any zone subject to the regulations for public works uses in that zone.

SECTION 5. - ZONING DISTRICTS

5.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this bylaw, the municipality 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 symbols.

Districts	Symbols
Urban Reserve	UR
Residential	R
Village Centre Commercial	C1
Commercial-Industrial	CM

5.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 130" adopted by the municipality and signed by the Mayor and Clerk, and under the seal of the municipality shall be known as the "Zoning District Map" and such map is attached and forms part of this Bylaw.

5.3 Boundaries of Zoning Districts

The boundaries of such districts referred to together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map". Unless otherwise shown, the boundaries of such districts are lot lines, centre lines of streets, lanes, road allowances, and the boundaries of the municipality. In unsubdivided land, the district boundary shall be determined by the scale shown on the map.

5.4 Zoning Districts

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

SECTION 6 - DISTRICT SCHEDULES

6.1 UR - URBAN RESERVE

6.1.1 Permitted Uses - The following uses are permitted in the UR - Urban Reserve District:

- (1) agricultural including crop farms and cultivation of land but not including livestock or poultry raising
- (2) sports fields, parks, playgrounds, golf courses, fair grounds and other similar uses
- (3) cemeteries
- (4) public works and municipal offices, buildings and yards.

6.1.2 Discretionary Uses - The following are discretionary uses in the UR - Urban Reserve District:

- (1) dwellings only where accessory to the principal use and occupied by the owner, manager or caretaker of the principal use
- (2) tourist campgrounds.

6.1.3 Accessory Uses - Uses and forms of development, except dwellings, are permitted on the same lot with a principal permitted or discretionary use where secondary, subordinate and accessory to that principal use.

6.1.4 Regulations

(1) Lot Requirements

- a) Public works no requirements
- b) Cemeteries no requirements
- c) Recreational uses

Lot area: minimum - 1 hectare *Changed 8,2006 to 0.5 hectares*
Lot frontage: minimum - 30 metres
Yards: minimum - abutting a highway - 15 metres
other - 6 metres

d) All other uses

Lot area: minimum - 4 hectares
Lot frontage: minimum - 30 metres
Yards: minimum - abutting a highway -
15 metres
other - 6 metres

(2) Dwellings

- a) Not more than one accessory single detached dwelling appurtenant to a permitted use is permitted on a lot.
- b) Council may require the submission of a possible layout for future street development in consideration of a proposed dwelling as a discretionary use.
- c) No dwelling or accessory building shall be located so as to prejudice the future economical subdivision of the area for urban use.

6.2 R - RESIDENTIAL DISTRICT

6.2.1 Permitted Uses - The following uses are permitted in the R - Residential District:

- (1) single detached dwellings
- (2) semi-detached and duplex dwellings
- (3) libraries and cultural institutions
- (4) parks and playgrounds
- (5) places of worship
- (6) public recreational uses
- (7) schools and educational institutions
- (8) public works excluding offices, warehouses, storage yards and sewage lagoons

6.2.2 Discretionary Uses - The following are discretionary uses in the R - Residential District:

- (1) daycare centres
- (2) home occupations
- (3) hospitals and medical clinics
- (4) mobile homes
- (5) multiple unit dwellings
- (6) nursing homes
- (7) private clubs

6.2.3 Accessory Uses -

- (1) Uses and forms of development, excluding industrial or commercial uses, are permitted on the same lot with a principal permitted or discretionary use where secondary, subordinate and accessory to that principal use.

6.2.4. Regulations

(1) Lot Requirements

a) Single detached dwellings mobile homes

- Lot area: minimum - 460 sq. metres
- Lot frontage: minimum - 15 metres
- Yard, front: minimum - 6 metres
- Yard, rear: minimum - 6 metres
- Yard, side: minimum - 1.2 metre
- Lot Coverage: maximum - 40 percent

b) Semi-detached and Duplex Dwellings
(Per Dwelling Unit)

Lot area: minimum - 275 sq. metres
Lot frontage: minimum - 9 metres
Yard, front: minimum - 6 metres
Yard, rear: minimum - 6 meters
Yard, side: minimum - 1.2 metre
Lot Coverage: maximum - 40 percent

c) Multiple Unit Dwellings

Lot area: minimum - 550 sq. metres plus
100 sq. metres for
each dwelling unit
in excess of three
on the ground floor

Lot frontage: minimum - 30 metres
Yard, front: minimum - 6 metres
Yard, rear: minimum - 6 metres
Yard, side: minimum - 3.5 metres or one
half the height of
the side wall of
the building,
whichever is the
greater

Lot Coverage: maximum - 50 percent
Floor area: minimum - 30 sq. metres per
unit.

d) Other Permitted and Discretionary Uses -

Lot area: minimum - 450 sq metres
Lot frontage: minimum - 15 metres
Yard, front: minimum - 6 metres
Yard, rear: minimum - 6 metres
Yard, side: minimum - 3.5 metres or one
half the height of
the side wall of
the building,
whichever is the
greater

(2) Accessory Buildings and Structures

garage

- a) All buildings with a door or doors opening onto a lane shall be located not less than 1.2 metres from the lot line abutting the lane.
- b) Accessory buildings shall be located not less than 6 metres from the front lot line and not less than 0.75 metres from any other lot line.

(3) Storage

- a) Front yards shall not be used for the storage of goods, commodities or other forms of materials
- b) No yard shall be used for the storage of machinery outside of an enclosed building.

(4) Home occupations - shall comply with the special standards contained in Section 4.10.

(5) Private clubs.

- a) Private clubs shall be located on corner lots abutting an arterial or collector street.
- b) As a condition of discretionary approval Council may require the provision of screening on the lot to any directly abutting residential use.

(6) Mobile Homes

- a) All mobile homes located in an R District shall comply with Canadian Standards Association Construction Standard Z240.2.1-1979.
- b) Mobile homes shall be permanently attached to a perimeter foundation wall or basement or shall be securely attached to the ground and skirted with a material compatible with the finish of the mobile home prior to occupancy.

6.3 C1 - COMMERCIAL DISTRICT

6.3.1 Permitted Uses - The following uses are permitted in the C1 - Commercial District:

- (1) banks, offices, studios
- (2) bakeries with retail sales
- (3) building supply establishments
- (4) bus terminals
- (5) clubs
- (6) commercial and public recreational establishments
- (7) confectioneries and delicatessens
- (8) news media offices, stations and plants
- (9) funeral homes
- (10) hotels
- (11) libraries, cultural institutions
- (12) licenced beverage rooms, lounges or dining rooms
- (13) medical or dental clinics
- (14) parks and playgrounds
- (15) personal service shops
- (16) places of worship
- (17) public works excluding offices, warehouses, storage yards and sewage lagoons
- (18) restaurants, cafes and fast food outlets
- (19) retail stores
- (20) service stations
- (21) theaters and assembly halls

6.3.2 Discretionary Uses - The following are discretionary uses in the C1 - Commercial District:

- (1) dwelling units located in commercial buildings, and single detached dwellings
- (2) construction trades

6.3.3 Accessory Uses - Uses and forms of development are permitted on the same lot with a principal permitted or discretionary use where secondary, subordinate and accessory to that principal use, including a dwelling unit for the owner, manager or caretaker of a permitted commercial use on the lot.

6.3.4 Regulations

(1) Lot Requirements

a) Service stations

Lot area: minimum - 900 sq. metres
Lot frontage: minimum - 30 metres
Yard, front: minimum - 7.5 metres
Yard, rear: minimum - 6 metres where
directly abutting a
lot in a residential
district
Yard, side: minimum - 1.5 metre where
directly abutting a
lot in a residential
district

b) Single Detached Dwellings - subject to the
regulations of
the R - District

c) Public works no requirements

d) All other uses

Lot area: minimum - 225 sq. metres
Lot frontage: minimum - 7.5 metres
Yard, front: minimum - nil
Yard, rear: minimum - 6 metres where
directly abutting a
lot in a residential
district
Yard, side: minimum - 1.5 metre where
directly abutting a
lot in a residential
district

(2) Accessory Buildings and Structures

- a) All buildings with a door or doors opening onto a lane shall be located not less than 1.2 metres from the lot line abutting the lane.

(3) Storage

- a) All goods, commodities or other forms of materials used in the operation of a business, except a service station shall be stored within an enclosed building or within an area hidden from view by screening.

(4) Construction trades

- a) Construction trades shall be conducted entirely within an enclosed building.
- b) All materials used in conjunction with construction trades stored within an enclosed building or within an area hidden from view by screening.

(5) Service stations

- a) Where service stations occupy a corner lot, only one access point shall be located on the flankage.
- b) Fuel pumps and other accessory equipment for the delivery of motor fuels shall be located at least 6 metres from any lot line.
- c) All automobile or other vehicle parts, dismantled vehicles and similar articles shall be stored within an enclosed building or within an area hidden from view by screening.

(6) Dwelling units

- a) Dwelling units shall have a minimum area of 45 square metres.

6.4 CM - COMMERCIAL-INDUSTRIAL DISTRICT

6.4.1 Permitted Uses - The following uses are permitted in the CM - Commercial-Industrial District:

- (1) autobody shops
- (2) bulk fuel or fertilizers sales
- (3) bus terminals
- (4) car washing establishments
- (5) convenience stores
- (6) commercial or public recreational establishments
- (7) drive-in theaters
- (8) grain elevators, feed mills and seed cleaning plants
- (9) licenced beverage rooms, lounges or dining rooms
- (10) motels and hotels
- (11) motor vehicle, farm machinery and equipment, or recreational vehicle sales and service establishments
- (12) public works and municipal offices, buildings and yards
- (13) railway facilities
- (14) restaurants, cafes and fast food outlets
- (15) service stations
- (16) trucking operations
- (17) veterinary hospitals, clinics or offices

6.4.2 Discretionary Uses - The following are discretionary uses in the CM - Commercial-Industrial District:

- (1) building supply establishments
- (2) construction trades
- (3) manufacturing and processing plants
- (4) machine shops and welding shops
- (5) salvage yards
- (6) storage yards
- (7) warehouses and wholesale establishments

6.4.3 Accessory Uses - Uses and forms of development are permitted on the same lot with a principal permitted or discretionary use where secondary, subordinate and accessory to that principal use, including a dwelling unit, which is not a mobile home, for the owner, manager or caretaker of a permitted commercial use on the lot.

6.4.4 Regulations

(1) Lot Requirements

a) Motels and hotels

Lot area: minimum - 1600 sq. metres
Lot frontage: minimum - 30 metres
Yard, front: minimum - 15 metres
Yard, rear: minimum - 6 metres
Yard, side: minimum - 3 metres

b) Public works no requirements

c) All other uses

Lot area: minimum - 900 sq. metres
Lot frontage: minimum - 30 metres
Yard, front: minimum - 7.5 metres *Changed to 5.5m (Aug 07)*
Yard, rear: minimum - abutting a railway -
nil
other - 6 metres *changed to 3m- (Aug 07)*
Yard, side: minimum - 3 metres

(2) Service stations, bulk fuel sales, and auto body shops

a) Fuel pumps and other accessory equipment for the delivery of motor fuels shall be located at least 6 metres from any lot line.

b) All automobile or other vehicle parts, dismantled vehicles and similar articles shall be stored within an enclosed building or within an area hidden from view by screening.

(3) Discretionary use special standards

a) Where located within 100 metres of a Provincial Highway, all materials and goods used in the discretionary use shall be stored within an enclosed building or hidden from view by screening.

- b) Where located abutting a Residential District without intervention of a street, Council may require the provision of screening on the site from the discretionary use to that Residential District.

SECTION 7 - COMING INTO FORCE

7.1 Coming Into Force

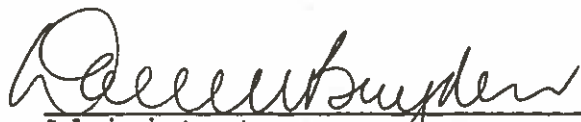
This Bylaw shall come into force and take effect on the date of approval by the Minister of Urban Affairs.


MAYOR

S E A L


ADMINISTRATOR

Certified a true copy of Bylaw No. 130 adopted by resolution of Council this 8th day of AUGUST 1988.


Administrator

APPROVED
REGINA, SASK.
AUG 23 1988

Deputy Minister of Urban Affairs

VILLAGE OF NEILBURG
APPLICATION FOR DEVELOPMENT PERMIT

1. Applicant:

Name: _____ Phone: _____
Address: _____ Postal Code: _____

2. Registered Owner: ___ as above or,

Name _____ Phone: _____
Address: _____ Postal Code _____

3. Property (Legal Description)

Lot(s) _____ Block(s) _____ Registered Plan No. _____
(LSD or 1/4 _____ Sec _____ Twp _____ Rge _____ W _____)
Certificate of Title No. _____ Date _____

4. Site: Frontage _____ m, Depth _____ m, Area _____ m² or ha

5. Existing Land Use _____

6. Proposed Land Use and Description of Proposed Development:

7. a) Proposed Date of Commencement _____

b) Proposed Date of Completion _____

8. Other Information: (e.g. amount of seating, location of parking) _____

9. Mobile Homes: CSA Construction Standard Z240.2.1-1979
approval number (from black and silver sticker).

10. For new construction, a Site Plan on a separate sheet showing where applicable the following (check those shown and attach):

- a) ___ dimensions of the site
- b) ___ location and size of all existing and proposed buildings and structures
- c) ___ utility lines, easements, topographic features
- d) ___ proposed site drainage and finished lot grades
- e) ___ streets and sewer lines servicing the site
- f) ___ landscaping (parking and loading areas, entrance and exit points to the sites, fences, screening, trees, hedges)

11. Declaration of the Applicant:

I, _____ of the _____ of _____ in the Province of Saskatchewan solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Date

Signature

VILLAGE OF NEILBURG
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: _____
(Applicant) (Address)

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR A
_____ PERMITTED USE OR FORM OF DEVELOPMENT, or
_____ DISCRETIONARY USE OR FORM OF DEVELOPMENT,
HAS BEEN:

- a) _____ Approved.
- b) _____ Approved subject to the conditions or standards listed in the attached "Schedule A".
- c) _____ Refused for the following reason: _____

If your application has been approved, this form is considered to be the Development Permit referred to in Section 3.2 of Bylaw No. 130, the Zoning Bylaw.

Please be advised that, under Section 74 (4) and Section 96 of The Planning and Development Act, 1983:

- _____ you may appeal the refusal of your application for a permitted use or form of development (Section 96 (1)).
- _____ you may appeal those standards that you consider excessive in the approval of the discretionary use or form of development subject to standards (Section 74 (4)),
- _____ you may not appeal the refusal of your application for approval of a discretionary use or form of development (Section 96 (4)),

to the Development Appeals Board of the Village of Neilburg. In addition you may appeal if you feel that the development officer has misapplied the Zoning Bylaw in the issuing of this permit (Section 96 (1)).

Your appeal must be made in writing within 30 days of the date of issue of this form to:

Date

Development Officer