

TOWN OF CRAIK

Bylaw 2011-05

A Bylaw to amend Bylaw No. 4/83 known as the Zoning Bylaw.

The Council of the Town of Craik in the Province of Saskatchewan enacts to amend Bylaw No. 4/83 as follows:

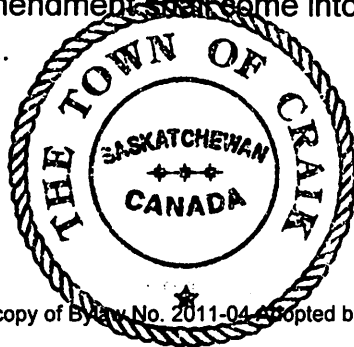
1. Part IV. General Regulations is amended by adding immediately after bullet 9. the following new bullet:

10. MINOR VARIANCES

- A. 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.
- B. The Development Officer shall maintain a register as an appendix to the Zoning Bylaw of all minor variance applications.
- C. The Development Officer may vary the requirements of the Zoning Bylaw subject to the following conditions:
 - i) A minor variance may be granted for variation only of:
 - the minimum required distance of a building from the site line
 - the minimum required distance of a building to any other building on the site.
 - ii) The maximum amount of minor variance shall not exceed a 25% variation of the bylaw requirements of the Zoning Bylaw.
 - iii) The development shall conform to the Zoning Bylaw with respect to the use of land.
 - iv) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.
- D. A minor variance must conform to any applicable provincial land use policies or Statements of Provincial Interest, adopted pursuant to *The Planning and Development Act, 2007*.
- E. On receipt of an application for a minor variance, the Development Officer may:
 - i) approve the minor variance
 - ii) approve the minor variance and impose terms and conditions on the approval
 - iii) refuse the minor variance.
- F. 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.

- G. 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.
- H. The written notice required pursuant to Subsection F. shall:
 - i) contain a summary of the application for minor variance
 - ii) provide a reason for and an effective date of the decision
 - iii) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer
 - iv) where there is an objection described in Clause iii), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.
- I. The written notice required pursuant to Subsection F. shall be delivered:
 - i) by registered mail
 - ii) by personal service.
- J. A decision approving a minor variance, with or without terms and conditions, does not take effect:
 - i) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed
 - ii) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- K. 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 H., the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - i) of the revocation of the approval
 - ii) of the applicant's right to appeal the revocation to the Development Appeal Board within 30 days of receiving the notice
- L. 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.

2. This amendment shall come into force and take effect when adopted by Council.



Richard Roger

 Mayor

Jeff May

 Administrator