



Rural  
Municipality Of  
Leask No. 464  
Official  
Community Plan  
2019

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# Official Community Plan of the RM of Leask No. 464

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## Rural Municipality Of Leask No. 464

### Bylaw No. 3 - 2019

A Bylaw of the Rural Municipality of Leask No. 464 to adopt an Official Community Plan.

**Whereas** the Council of the Rural Municipality of Leask No. 464 has authorized the preparation of an Official Community Plan for the Municipality pursuant to Section 29 of *The Planning and Development Act, 2007* Chapter P-13.2 (the "Act"); and

**Whereas** Section 35 of the Act provides that an Official Community Plan must be adopted by bylaw, in accordance with the public participation requirements of Part X of the Act;

**Whereas**, in accordance with Section 207 of the Act, the Council of the Rural Municipality of Leask No. 464 held a public hearing on \_\_\_\_, \_\_\_\_, \_\_\_\_, in regards to the proposed bylaw, which was advertised in a weekly paper on \_\_\_\_, \_\_\_\_, \_\_\_\_ and \_\_\_\_, \_\_\_\_, \_\_\_\_, in accordance with the public participation requirements of the Act;

Therefore, the Council for the Rural Municipality of Leask No. 464 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This bylaw may be cited as "The R. M. of Leask No. 464 Official Community Plan".
2. Bylaw No.5-92 known as the "Basic Planning Statement" and all amendments to are hereby repealed.
3. The Official Community Plan be adopted to provide a framework to guide and evaluate future development within the Municipality, as shown on Schedule 'A', attached to and forming part of this bylaw.
4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the \_\_5th\_\_ day of June, 2019 \_\_\_\_\_,

Read a Second Time the \_\_\_\_\_ day of \_\_\_\_\_,

Read a Third Time the \_\_\_\_\_ day of \_\_\_\_\_,

Adoption of this Bylaw this \_\_\_\_\_ day of \_\_\_\_\_,

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REEVE

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ADMINISTRATOR



**Schedule A**

Rural Municipality of Leask No. 464

Official Community Plan 2019

Bylaw No. 3-2019 \_\_\_\_\_

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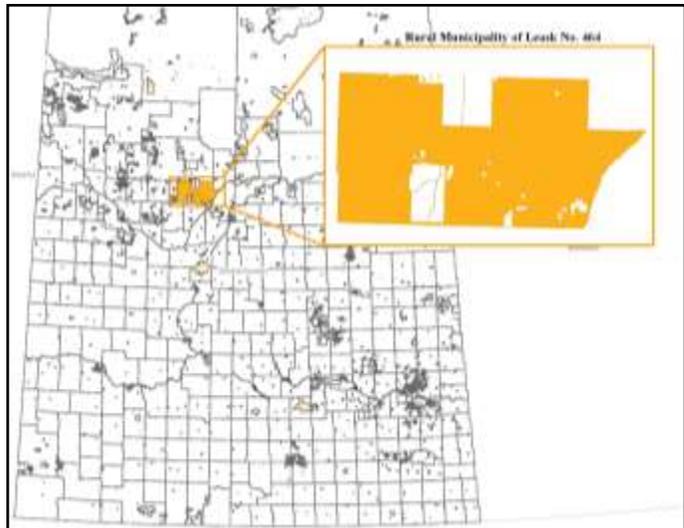
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## 1 Introduction

The Rural Municipality of Leask No. 464 (RM) is located in northwest Saskatchewan and is approximately 80 kilometres (50 miles) southwest of the City of Prince Albert, 130 kilometres (80 miles) northeast of the City of North Battleford and 108 kilometres (67 miles) north of the City of Saskatoon.



The RM includes rolling hills, small fishing lakes and magnificent scenery. Farming and ranching is the main industry in the RM with several large farmers and ranchers and many smaller family farms. Farming and ranching is mainly mixed, consisting of cattle and grain. There are several farms raising purebred animals and specialty grains, as well as commercial cattle herds and cereal crops. With the abundance of lakes in the area, the RM has seen a large increase in lakeshore and recreational development<sup>1</sup>.

The RM has the North Saskatchewan River as its eastern border, while grid roads 783 and 786 generally form its southern border. To the west is the rolling hills of the Royal Community Pasture and to the north the RM borders the Rural Municipality of Canwood No. 494. Two Hutterite Colonies reside in the RM, offering a wide variety of services to the area. Green Leaf Colony is approximately 8 kilometres (5 miles) east of the Village of Marcelin on grid road 783, while the Leask Colony is just off Highway 40 a few kilometres south of the Village of Leask. The RM also includes within its boundaries two Regional Parks, the organized Hamlet of Pelican Cove, the Resort Village of Pebble Bay, the Villages of Parkside and Leask, several lakeshore developments and resort areas, golf courses, small fishing lakes and numerous tourist attractions. The Regional Parks include Martin’s Lake and Emerald Lake, both having seasonal and serviced campsites, swimming lessons, camp kitchens, playgrounds, boating, fishing and golf courses. Fishing can also be done on several small lakes around the area including D’Amour, Emerald, Martins, Iroquois Lake, Wawgaw and Lac La Peche. There are also three First Nations reserves with land surrounded by the RM, Mistawasis Nehiyawak, Beardy’s and Okemasis, and Muskeg Lake. In the region, there are also a number of other First Nations reserves surrounding the RM and Metis Local 77.

Population and Dwelling Counts <sup>2</sup>	RM of Leask
Population in 2016	686
Population in 2011	775
2011 to 2016 Population Change (%)	-11.5
Land Area (Square Kilometre)	1257.36
Total Private Dwellings	704
Population Density per Square Kilometre	0.5

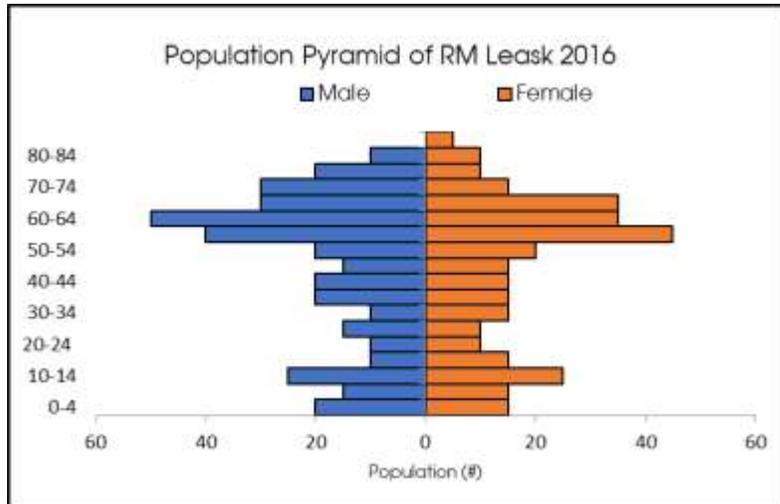
<sup>1</sup> Source: Village and RM of Leask <http://www.leask.ca/>

<sup>2</sup> Source: Statistics Canada Census Profile, 2016 Census

## Official Community Plan of the RM of Leask No. 464

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The RM is home to approximately 686 people, many of whom have been lifelong residents of the area. From 2011 to 2016, the RM experienced a decline in population and an increase in their seniors population. For this reason, Council finds it important to encourage appropriate growth and development within its boundaries.



Agriculture and other resource-based industries are the primary source of employment in the area; although there are other sources of economic gain such as construction, manufacturing, business and others. The RM is supportive of both agricultural and non-agricultural land uses and understands that there is a need to balance between the diverse types of land uses and development and a need to ensure development is not detrimental to the environment.

## 2 Guiding Growth

### 2.1 Purpose of the Official Community Plan

Through this Official Community Plan (OCP) and the RM's Zoning Bylaw, guidance will be provided to Council for making decisions on land use proposals to enable different uses to co-exist in harmony within the RM. It is important to the RM that their land use policies and growth intentions are coordinated with adjacent municipalities, First Nations and Metis communities, Regional Parks and provincial agencies. By working together, consistent regulations and policies are created which will help build a sustainable future for the RM.

This OCP contains the goals, objectives and policies for all lands within the RM and will provide a plan for sustainable community growth. The plan will also provide direction and guidance to landowners, developers, as well as the municipal Council when reviewing or submitting development proposals.

**Goals** are general statements of desired outcomes of the community and are long term and therefore usually have no completion date.

**Objectives** have an achievable end that will help the municipality's progress towards the goal.

**Policies** create a course of action to achieve the objective and ultimately fulfill the goal.

Without land use planning bylaws the RM does not have the tools they need to protect the current and future land uses within their jurisdiction. This plan will provide goals, objectives and policies to help guide the use of land and future development. Identifying the location of future land use within the RM may sometimes be difficult to predict and, as such, the RM will use these policies to provide guidance in how it wants to evolve towards a sustainable future.

### 2.2 Goals for a Sustainable Future

The RM has identified goals for growth and development within their boundaries. Some of the main goals of this OCP are:

#### 2.2.1 Environment

Maintain and protect the environmental quality of land and water resources in the RM for future generations.

#### 2.2.2 Agriculture

Enhance the existing agricultural economic base and attract new opportunities that will support and enhance the rural lifestyle and agricultural lands.

#### 2.2.3 Cost Effectiveness

Encourage development, where services and transportation networks to support that development exist or are proposed, to a standard acceptable to the RM.

#### 2.2.4 Economic Diversity

Attract resource and recreational development to appropriate lands within the RM.

#### 2.2.5 Differing Land Uses

Minimize conflict and incompatibility among the various land uses within the RM.

### 2.2.6 Effective Planning

Encourage cooperative planning between Council, other jurisdictions, communities, organizations and the public.

### 2.2.7 Co-operation

Promote cooperation with First Nations and Metis communities, provincial, federal and other municipal jurisdictions and administer municipal land use policies in compliance with provincial and federal policies and regulations.

### 2.2.8 Conservation

Promote conservation as part of the decision making process and provide ongoing opportunities to enjoy the natural resources within the RM.

## 2.3 Vision

The RM is a dynamic municipality that offers a variety of lifestyles for residents where different land uses are valued, services are managed responsibly, and development meets the needs of current residents without compromising the future.



### **3 Land Use Policies**

This section outlines the objectives and policies for the RM.

#### **3.1 General Development Policies**

- 3.1.1 Development and new subdivisions shall be encouraged to locate where appropriate services and infrastructure exist.
- 3.1.2 Development shall be compatible with existing and planned transportation infrastructure.
- 3.1.3 The RM will provide for a mix and range of development including agriculture, residential, commercial, resort recreational and lakeshore.
- 3.1.4 When reviewing applications for development, consideration shall be given to the proposals conformity with this OCP.
- 3.1.5 Development shall compliment the natural environment and not cause any undue hardship.
- 3.1.6 Agreements:
  - a) Where a proposed development requires the construction, or upgrading of a road or services, Council may enter into a development levy agreement with the developer, pursuant to *The Planning and Development Act, 2007* to provide for the road and services at the developer's cost. A Development Levy Bylaw shall be adopted by the RM and approved by the Minister of Government Relations prior to entering into such an agreement.
  - b) Where a subdivision of land will require the installation or improvement of municipal services, the developer may be required to enter into a servicing agreement with the RM pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.
  - c) Where a new subdivision requires the installation of new services (such as roads, sewer and/or waterlines, etc.), development permits may not be issued until those services have been completed to the satisfaction of Council. The completion of services to the satisfaction of Council may be a condition of approval for a development permit.
- 3.1.7 Where the RM considers a proposed development to be of a large scale, including but not limited to a commercial, industrial or higher density residential subdivision, it shall be guided by a concept plan provided by the developer.

#### **3.2 Roads, Infrastructure and Services**

##### **3.2.1 Discussion**

A main concern of the RM is to ensure that proper roads, services, utilities and community facilities are provided to their residents. Encouraging development where roads and services already exist will reduce additional demands on the municipal road network and utilities thereby reducing potential costs to the ratepayers. Two provincial highways, Highway 40 and 12, run through the RM and act as connector routes leading to larger urban communities such as Shellbrook, Prince Albert, Big River and Saskatoon. There are no railways within the RM.

All water and waste water services in the RM are private individual systems.

The RM recognizes the importance of regional cooperation to support effective and efficient services including educational, health and emergency services. The majority of residents within the RM obtain educational services within the Village of Leask and Towns of Shellbrook and Blaine Lake. Emergency services are shared between the Village and RM and health services are located in the Village of Leask and Town of Shellbrook.

### 3.2.2 Objectives

- a) Improve the capacity and efficiency of services and facilities by entering into specific or general relationships with neighboring urban and rural municipalities.
- b) Provide for road, utilities and other services at a standard appropriate to the area and to ensure that development will support the cost of those services.

### 3.2.3 Policies

#### a) Transportation

- i) All development shall require direct access to a developed road and shall comply with the RM's Road Policy. For new subdivisions and developments, Council will ensure access is sufficient to meet the needs for emergency service vehicles in order to protect the public interests and to ensure public safety.
- ii) Development will be encouraged where roads and services currently exist.
- iii) Proposed development shall be compatible with existing and planned transportation infrastructure, including provincial transportation plans.
- iv) Where pipelines, utility lines or other transportation facilities cross municipal roads the RM may apply special standards for their construction that are necessary to protect the municipal interest.
- v) Land uses which generate significant amounts of traffic shall be encouraged to locate in proximity to primary RM roadways and highways.
- vi) Proposed developments which may be adversely affected by noise, dust and fumes from roadways should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers to mitigate these impacts.
- vii) All developments shall ensure safe access and egress from adjacent roadways.
- viii) Access and internal subdivision roads should be designed with the consideration for emergency service, school bus and maintenance equipment access.
- ix) A railway, including the associated uses accessory to a railway operation, or petroleum or water pipeline and associated pumping or compressor stations, will be considered transportation facilities and permitted. Such uses shall avoid conflict with farmsteads and residential developments.

- x) If a railway is developed in the RM, the RM will require consultation with the railway company for subdivision or development proposed in proximity to the railway prior to issuing a development permit or a subdivision proceeding.
  - xi) Future development that would result in proximity of a railway to development shall take into consideration the Guidelines for New Development in Proximity to Railway Operations document.
- b) Public works
- i) Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the Zoning Bylaw.
  - ii) The RM will require that all development have appropriate sewage disposal and water systems that meet provincial standards.
  - iii) All developments shall have an adequate drinking water supply, where deemed necessary by the RM to provide for the needs of the proposed development. The water supply of neighboring developments shall not be adversely affected by the proposed development. Council may request supporting documentation provided at the developer's expense proving that the adjacent landowners will not be negatively affected by the proposed development.
  - iv) Waste management shall meet all applicable provincial regulations.
  - v) The RM will cooperate with surrounding jurisdictions for the joint provision of services should the need arise and there is benefit.
- c) Education
- i) If the need for a school site is identified, the RM will work with the Ministry of Education and the school division to ensure the creation of a suitable school site and to amend their bylaws accordingly.
  - ii) If the need for a school site is identified in a neighbouring municipality that will accommodate students from the RM, Council will contribute funds from the dedicated lands account for the acquisition of that school site.

### 3.3 Land Management

#### 3.3.1 Discussion

The RM is comprised of significant environmentally sensitive lands including forest, lakes, creeks and a variety of soils which impact drainage. Council recognizes that they have a role to play and a responsibility for special lands, such as hazard lands and environmentally sensitive lands, at the local level.

The RM may require and rely on professional information when evaluating development on potentially hazardous or environmentally sensitive lands or in proximity to such lands. This OCP, along with the Zoning Bylaw, will establish policies and regulations to mitigate the risks associated with developing in environmentally sensitive areas or on hazard lands.

As drainage and water management plays a big part in the RM and surrounding area, the RM will work with other jurisdictions, agencies and organizations to ensure water issues are appropriately addressed. The RM is currently working on drainage plans to address flooding issues and to appropriately plan for future development.

### 3.3.2 Objectives

- a) Encourage developmental practices that can be sustained without significant pollution, nuisance, or damage to environmental resources.
- b) Protect the natural features within the municipality including natural resources, ground and surface water resources, wildlife habitat areas and ecosystems.
- c) Acknowledge and protect natural, environmental features and systems within the RM.
- d) Restrict development in areas considered hazardous for development for reasons of ground instability, erosion, flooding or other environmental hazards.
- e) Extend the responsibility for sound environmental management to property owners and developers.

### 3.3.3 Policies

- a) **Public Safety: Flooding, Slumping and Slope Instability**
  - i) Where development is proposed on potential hazard land, as identified on the Development Constraints Map, and any other lands that Council deems as potentially hazardous, a professional report on the proposed development will be required at the developer's expense. The report shall assess the geotechnical suitability of the site or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.
  - ii) The Water Security Agency or other appropriate agencies or consultants can be utilized as a source of technical advice regarding flood levels and flood proofing techniques. Developments may be referred to the Water Security Agency for review prior to approval.
  - iii) No new development shall be permitted on any potential unstable slope area without the required professional report for the site that identifies risks and appropriate mitigation measures.
  - iv) The RM will prohibit the development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body.
  - v) The RM will require flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres (1.64 feet) above the 1:500 year flood elevation of any watercourse or water body in the flood fringe.
  - vi) Council may prohibit development, where Council is of the opinion that land is unsuitable for development because:

- (i) The cost of providing an all-weather access road would, in the opinion of Council, be prohibitively expensive or difficult to maintain due to poor natural drainage, steep slopes or other features;
  - (ii) It is subject to unstable soil conditions due to high water tables, wetland soils or poor drainage conditions; or
  - (iii) Of hazards associated with fluctuating water levels and the associated processes of flooding and erosion or any other instability.
- b) Source and Groundwater Protection
- i) The RM will seek expert advice where development or activities may have the potential of altering the natural drainage patterns. If the work is a result of a developer's request, the developer will be responsible for all associated expenses.
  - ii) When reviewing new developments and subdivisions surrounding any lake within the RM, the potential effects on water quality and quantity, wildlife habitat, fishery resources and the environment including but not limited to the shorelines, vegetation and natural areas will be considered and any development and/or subdivisions that have the potential of depleting or polluting the lakes or harming significant natural features will be restricted.
  - iii) The RM will consider the impacts of development on water bodies and waterways and referrals will be sent to applicable agencies and departments, if necessary.
  - iv) The RM will support provincial watershed management planning.
- c) Shoreline Protection Standards
- i) The RM will consider the impacts of development on shorelines and referrals will be sent to applicable agencies and departments, if necessary.
  - ii) The RM will encourage private landowners to secure and maintain an undisturbed buffer strip to protect the lakes and shorelines from environmental degradation caused by sediments and nutrients from surface runoff associated with the clearing of land, logging, cattle grazing and other uses in proximity to waterbodies.
  - iii) Shoreline protection measures will be required where the shoreline is threatened by erosion or other instability.
  - iv) Buffer strips may be required around all proposed subdivisions surrounding the lakes in addition to any environmental or municipal reserve which may also be required.
  - v) Shoreline protection measures shall not:
    - Activate shoreline soil movements away from or towards neighbouring property;
    - Lower the quality of adjacent water bodies;
    - Increase the risk of flooding;

- Interfere with other individual's water rights;
- Block access along the shoreline or across public lands; or
- Cause a hazard to the safety of the general public.

### d) Conservation and Environmentally Sensitive Lands

- i) The RM will not consider any development that will have an irreversible detrimental effect on environmentally sensitive areas.
- ii) Council will support farming practices and developments that conserve soil, improve soil quality, conserve moisture, and protect water supplies. Council may deny a permit to any development that may significantly deteriorate the land resources or deplete or pollute ground water sources.
- iii) Council will work with agencies of the provincial government to protect any significant critical wildlife habitat, or rare or endangered species. Where significant potential has been identified to Council, Council may delay development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.
- iv) The RM will ensure subdivisions, transportation infrastructure and public works are located to minimize, mitigate or avoid threats to the community from wildfire or other emergencies.
- v) The RM may refer any application, including sites that contain significant natural features such as extensive tree cover and natural habitat areas, to provincial or federal agencies to determine if an environmental assessment is required. Where a provincial or federal agency identifies that an environmental assessment should be undertaken, the assessment shall include appropriate measures to protect significant features or mitigate hazards. Mitigation measures may be attached as a condition of approval for a development permit.

### e) Drainage

- i) Adequate surface water drainage will be required throughout the RM and on new development sites to avoid flooding, erosion and pollutions. A professional drainage report may be required where an area has or exhibits potential for poor drainage.
- ii) Unauthorized drainage of surface water runoff from any land throughout the RM shall be prohibited.

### f) Wildfire Protection

- i) Development should be undertaken with precautions to minimize the risk of damage to property caused by wildfires.
- ii) Council will consider fire response times when assessing applications.
- iii) Subdivision and development applications may be referred to the local fire marshal or the provincial Wildfire Management Branch for comment prior to decision taking place on the application.

- iv) All new development in proximity to Nisbet Provincial Forest or other fire hazard areas may be required to incorporate FireSmart principles. A wildfire hazard assessment may also be required.
- v) Open greenspace may be used to separate building development from trees and vegetation when necessary.
- vi) Roads shall be appropriately designed and maintained in order to provide for emergency vehicle access.

### 3.4 Heritage, Culture, Recreation and Tourism

#### 3.4.1 Discussion

The RM boasts numerous tourist attractions and recreational amenities. The lakes in the RM provide fishing, camping and golfing opportunities for residents and visitors. In addition to the numerous lakes, First Nations reserves include Mistawasis Nehiyawak, Beardy's and Okemasis, and Muskeg Lake which have annual Pow-Wows. There are also a number of tours that are offered in the region which highlight historical sites and areas of natural history.

Three locations have been designated as heritage property within the RM:

- a) The Honeywood Nursery is a Provincial Heritage Property located approximately 6.5 kilometres (4.04 miles) south of the Village of Parkside in the RM. The 65 hectare (160.62 acres) property features a log house, an office, packing sheds, a wood-frame greenhouse, gardens, groves, and orchards featuring a wide variety of trees, shrubs, plants and flowers. The designated property also includes 20 hectares (49.42 acres) of farmland and 12 hectares (29.65 acres) of forest in its natural state.
- b) St. Mary's Church is a Municipal Heritage Property occupying a 0.4 hectare (0.99 acre) parcel of land in the RM. The property features a small one story wood-frame church built in 1913, located approximately 30 kilometres (18.64 miles) northeast of the Village of Leask.
- c) St. Paul's Lutheran Church (Silvergrove) is a Municipal Heritage Property occupying a 0.4 hectare (0.99 acre) parcel of land in the RM. The property features a wood-frame one-story church with metal siding built in 1917 and is located approximately 20 kilometers (12.43 miles) southeast of the Village of Leask.



Source: Tourism Park Culture and Sport: <http://www.tpcs.gov.sk.ca/heritage-property-search>

#### 3.4.2 Objectives

- a) Protect areas of historical or cultural significance or sensitivity and to preserve and enhance their natural, historical, or cultural features.
- b) Coordinate regional recreational service delivery where it is beneficial.
- c) Encourage regional open space, leisure and tourism opportunities within the RM.

### 3.4.3 Policies

#### a) Heritage and Culture

- i) The RM will work with provincial agencies to protect any significant heritage resources; where significant potential has been identified, Council may postpone a decision until the requirements of the relevant provincial agencies to protect such resources have been obtained.
- ii) Cultural and heritage sites or buildings of significance shall be protected and preserved.
- iii) The RM will support applications for the restoration and possible reuse of heritage properties.
- iv) If a proposed development is located on or adjacent to a heritage site, a referral to the appropriate provincial agency may be required to assess the need for a Heritage Resource Impact Assessment.
- v) Where a proposed development is located in a potentially heritage sensitive area, as shown on the Development Constraints Map, the RM will refer the application to the provincial Heritage Conservation Branch to determine if a heritage resource impact assessment is required. Applicants may reference the Heritage Conservation Branch's Exempt Activities Checklist for Private Landowners and the Developer's Online Screening Tool to determine if a proposed development is exempt from requiring further heritage screening.
- vi) A developer shall demonstrate clearance from the Heritage Conservation Branch where a proposed development is located in a heritage sensitive area.
- vii) The RM will not consider any development that will have an irreversible detrimental effect on areas with demonstrated historical or cultural significance.

#### b) Recreation and Tourism

- i) The RM will cooperate with adjacent municipalities, Regional Parks and First Nations to provide facilities and services to the residents, recognizing opportunities for strategic, flexible and innovative partnerships.
- ii) Where appropriate, the RM will permit the development of publicly owned or privately owned recreational facilities.
- iii) Prior to a decision being made on an application, the RM will consider development impacts on existing or planned recreational and tourism areas.
- iv) When making development decisions, the RM will make efforts to preserve and enhance public access to waterbodies and shorelands for recreational use.
- v) Council will exercise its discretion based on the suitability of the location and development with respect to physical access and available services, the separation distance to incompatible land uses, the extraction of future resources and other factors that may make the development unsuitable for the area.

- vi) The RM will consider the development of regional open space and leisure and tourism opportunities when land is identified as being suited for these types of developments.
  - vii) The RM will support access to unoccupied Crown lands and Nisbet Provincial Forest for recreation, tourism, hunting and fishing.
  - viii) Tourist developments, such as bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be discretionary uses in the Zoning Bylaw.
  - ix) Campgrounds and other public or commercial recreation uses will be discretionary uses, where appropriate, in the Zoning Bylaw.
- c) Dedicated Lands
- i) When lakefront subdivisions are proposed, the RM will recommend the dedication of portions of land which abut the lake as municipal reserve or environmental reserve.
  - ii) Environmental reserve dedication will be requested for the subdivision of lands that have environmental constraints. Environmental reserve may also be used for the protection of habitat and environmentally sensitive areas.
  - iii) When appropriate, the RM will encourage the improvement of existing environmental, municipal and public reserve lands for public use and enjoyment.
  - iv) The RM may support the deferral of dedicated lands for single parcel development.
  - v) The RM will support the use of dedicated land funds for municipal reserve development either within the RM or in other municipalities where it will serve the residents of the RM.

### 3.5 Agricultural Development

#### 3.5.1 Discussion

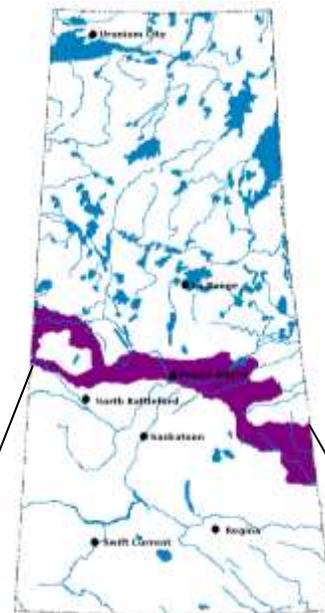
The RM is located within the Boreal Transition Eco Region. Agriculture will continue to have a predominant role in the economy of the RM because of the fertile soils. Council supports the continuation of agricultural land use and encourages development that minimizes land use and access conflicts and incompatibility.

Council recognizes that there is some subdivision of agricultural land that is necessary and desirable. To retain the quarter section as the basic agricultural land amount, Council will discourage the fragmentation of agricultural land, except where supported by the OCP, by limiting subdivision on a quarter section. Multi-parcel residential subdivision proposals are not considered agricultural lands and the country residential policies within this OCP will be used as guidance for residential development. There are four known gravel deposits in the RM. This OCP, along with the Zoning Bylaw, will establish policies and regulations for extraction of mineral resources such as sand and gravel.



3.5.2 Objectives

- a) Protect and promote the continuation and diversification of the agricultural industry.
- b) Reduce land use conflict by limiting land uses on agricultural lands that are not compatible with agricultural production and encouraging the protection of agricultural features.
- c) Allow for intensive forms of agriculture and livestock production, mineral and natural resource extraction and agricultural commercial land uses on appropriate agricultural lands which do not jeopardize reasonable development potentials or create significant environmental concerns.
- d) Provide for areas where non-farm development is compatible.
- e) Encourage aggregate development for the benefit of the RM and protect these lands from incompatible developments.



Boreal Transition

This ecoregion is at the boundary between forest to the north and farm land to the south. Farming is common on the lowlands and plains in this area because the soil is fertile. In hilly upland areas, aspen is common. Other common tree species include white spruce and jack pine.

Source: University of Saskatchewan

3.5.3 Policies

- a) Agriculture activities on lands of a quarter section or more for field crop, pasture and non-intensive livestock operations will not be restricted.
- b) A range of agricultural related uses will be included within the Zoning Bylaw to encourage diversified agriculturally related business development in addition to agricultural production.
- c) Business development to diversify an agricultural production use shall be located on the same site as the agricultural production use and shall be supplementary to the agricultural production use and not the primary use of the property within the Agricultural Resource District.
- d) The RM may restrict development that will have a detrimental effect on environmentally sensitive areas or areas with demonstrated historical or cultural significance.
- e) Rural and agro-tourism ventures shall be encouraged in the Agricultural Resource District where appropriate.
- f) Subdivisions:
  - i) One subdivision will be allowed on agricultural lands (2 separate titles per quarter section) as allowed for in the Agricultural Resource District of the Zoning Bylaw.

- ii) Where a part of a section of land is physically separated from the remainder of the quarter section by a railway, a registered road plan containing a highway or developed road, river, lake or significant stream the separated land may be subdivided from the quarter-section in addition to the one subdivision provided for.
  - iii) Where conflicting land uses are proposed on the same site or adjacent to one another, the RM may require the buffer strips, landscaping or screening prior to issuing any development permit.
- g) Intensive Agricultural and Livestock Development
- i) Council will support the development of intensive agricultural uses such as nurseries, market gardens and other forms of agri-business including agricultural product processing, agro-tourism and livestock operations unless specific land use or environmental locational conflicts would be created or where potential for conflict may arise.
  - ii) Intensive agricultural operations and intensive livestock operations will be discretionary uses within the Agricultural Resource District of the Zoning Bylaw. Any expansion of an operation, to provide for a greater number of animal units or any change in an operation which alters the species of animal, shall require a new permit approval.
  - iii) The RM may require screening or encourage the use of innovative technologies which mitigate odour or other nuisances.
  - iv) Council shall advertise any proposal that will result in an intensive livestock operation and shall hold a public hearing on the proposal. The applicant may be encouraged to conduct public consultation prior to the public hearing.
  - v) The Zoning Bylaw may provide for the temporary confinement of cattle on a farmstead during winter months as an exempt use. The bylaw may also provide for other temporary holding and loading facilities, as discretionary uses, subject to conditions for approval including maximum number and time of confinement.
  - vi) Incompatibility with other land uses will be avoided, including consideration of proximity to urban centres and residential subdivisions. The Zoning Bylaw will provide minimum separation distances for intensive livestock operations.
  - vii) Proponents of intensive agricultural and livestock developments may be required to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed development.
  - viii) Proponents and operators of intensive livestock operations will be required to develop facilities and conduct their operations in a manner which reduces the production of offensive odours and the potential for pollution of soils, groundwater and surface water.
  - ix) Intensive livestock operations will be characterized by the total number of animal units and animal type. Intensive livestock operations will be required to locate where they provide an appropriate land base size to support their operation and where they have a

sufficient land base for manure application. A manure management plan will be required.

### 3.6 Country Residential Development

#### 3.6.1 Discussion

The purpose of country residential lands is for the development of low density residential and complementary uses. The RM encourages multi-parcel residential development subdivision proposals within their municipal boundaries where appropriately located. Subdivisions that are planned and orderly will be considered favourably.

Developers will be responsible for the installation and construction of all services required to facilitate the proposed multi-parcel residential subdivision. A servicing agreement between the developer and the RM will be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required. The RM will require the developer to meet locational criteria with respect to multi-parcel country residential development to ensure development is compatible with other land uses.

#### 3.6.2 Objectives

- a) Encourage country residential development where land use conflicts would be minimal and where efficient cost effective municipal services can be provided.
- b) Ensure that any residential development can be served by a road of a sufficient standard to provide the needed level of access to the site.
- c) Ensure that residential land uses are compatible with the natural environment and hazard lands.

#### 3.6.3 Policies

- a) Residential subdivisions are required to be planned and orderly and, as such, will be required to have access to an existing all-weather road or enter into an agreement with the RM to upgrade an existing road or develop a new road access to the municipal standard. Other locational criteria are as follows:
  - i) Site suitability in terms of slopes, drainage and environmental sensitivity;
  - ii) Avoidance of land use conflicts with intensive livestock operations or other forms of agricultural operations that may cause land use conflicts;
  - iii) Availability of residential water supply;
  - iv) Services such as school bussing, snow removal and protection services can be provided with reasonable efficiency and without undue cost to the RM; and
  - v) Economical maintenance of municipal services.
- b) The RM will support clustered development, by encouraging subdivisions to locate adjacent to each other or adjacent to existing developed areas, in order to conserve agricultural land and reduce servicing costs, such as roads and utilities.

- c) A buffer strip may be required in residential subdivisions to separate residential uses and agricultural development.
- d) Residential development on hazard lands will be restricted.
- e) The required separation distances from residential developments for locating of an intensive livestock operation, an anhydrous ammonia facility, a waste disposal facility, rendering facility or other forms of development, shall also apply to the locating of residential development proposals near those forms of development.
- f) The RM will consider access for emergency services when reviewing development applications and subdivisions.
- g) All development shall be in accordance with the policies (including hazard land and environmental policies) in this plan.
- h) Residential subdivisions shall not be permitted:
  - i) Within 1 km (0.6 miles) of an industrial site or hazardous industry except in instances where transition and buffering can mitigate concerns;
  - ii) Within the required separation distances from an intensive livestock operation and solid waste disposal facility as provided for in the Zoning Bylaw.

### 3.7 Commercial and Economic Development

#### 3.7.1 Discussion

The RM encourages business and commercial development opportunities to locate within their municipal boundaries. Council recognizes that business development in the RM includes the development and/or expansion of agriculture based businesses, resource development, highway commercial as well as commercial and recreational businesses related to lakeshore development. Council encourages business development and expansion that are appropriate and compatible with the surrounding land uses. All business development and resource development shall be accompanied by appropriate services and utilities at the cost of the developer.

#### 3.7.2 Objectives

- a) Ensure that business development occurs in a manner which minimizes negative impacts on surrounding land uses and the environment.
- b) Ensure that any development is serviced to a standard that meets municipal standards and can be served by a road of a sufficient standard to provide the needed level of access to the site.

#### 3.7.3 Policies

- a) All business development shall have adequate services, including roads, parking and utilities that meet municipal standards.
- b) The RM will encourage all business development to locate near centers where full municipal services are available or, where unavailable, these services are provided at the cost of the developer.

- c) Business development to diversify an agricultural production use shall be located on the same site as the agricultural production use and shall be supplementary to the agricultural production use and not the primary use of the property within the Agricultural Resource District.
- d) Resource development and extraction operations shall generally be located where the resource is located and in accordance with the criteria in the Zoning Bylaw.
- e) The RM will have the ability to require screening, landscaping or buffering as a condition of approval and in accordance with the criteria in the Zoning Bylaw.
- f) The RM will encourage and promote the establishment of highway commercial businesses which cater to the travelling public and local rural population as well as the establishment of light or small scale processing and manufacturing industries on sites where conflicts with other land uses will be avoided.
- g) The Future Land Use Map identifies areas where highway commercial and industrial development may be appropriate and where such development will be encouraged to locate. Other forms of development may still occur in these areas where Council is of the opinion they would be appropriate.
- h) Prior to the consideration of business development or subdivision, Council may require that a concept plan be prepared. Where a concept plan is considered necessary, the plan will contain the following:
  - i) Phasing of development;
  - ii) Size and number of parcels proposed;
  - iii) Availability, installation and construction of roads, services, and utilities;
  - iv) Types of businesses to be contained on the site;
  - v) Potential impacts on adjacent land uses and proposed measures to reduce those impacts;
  - vi) Environmental suitability of the site with particular consideration to the soils, topography, drainage, proximity to wildlife management and conservation areas and hazard land;
  - vii) Access, egress and potential impacts on roadway and highway systems, including traffic safety; and
  - viii) Any other matters which the RM considers necessary.
- i) The approval of any business development will be based on:
  - i) Site suitability and compatibility of the development with existing or planned neighbouring land uses;
  - ii) Suitability of services and infrastructure available to the site, including direct access to and from the existing highway if necessary;

- iii) Provision of stormwater retention and management;
  - iv) Development standards or design criteria which includes such aspects as parking, landscaping, screening, storage, signage and building design; and
  - v) Design and phasing of development.
- j) Mineral Resource Development
- i) Mineral resource exploration, extraction and development will be accommodated in the Zoning Bylaw as a permitted use, as required by the Statements of Provincial Interest Regulations.
  - ii) Related processing and service development will be accommodated as a discretionary use in the Zoning Bylaw.
  - iii) The approval of a development may be based on the results of any environmental impact assessment, availability of appropriate water and other resource supplies, compatibility of the operation with adjacent residences and other uses, and arrangements proposed for development or upgrading of necessary municipal services including the standard of roads necessary to support the development.
  - iv) The RM may apply special standards when issuing development permits for the resource industry. The Zoning Bylaw and other municipal bylaws may be used when issuing conditions on a development permit.
- k) Sand and Gravel Extraction
- i) Sand and gravel development will be a discretionary use in the Zoning Bylaw.
  - ii) The approval of a development will be based on the regulations in the Zoning Bylaw and the compatibility of existing and planned land uses, the disturbance to the environment and aquifers, the impact on municipal services and infrastructure, and a reclamation plan.
  - iii) Lands disturbed by mineral and aggregate extraction activities shall be rehabilitated to a condition that is environmentally safe, stable and compatible with adjoining lands.

### 3.9 Lakeshore Development

#### 3.9.1 Discussion

The RM is home to a variety of lakes and water bodies. As such, lakeshore development has increased over the years. The RM wants to ensure future lakeshore development is sustainable and allows for the continued enjoyment of the lakes. Lakeside areas are recognized as both an extremely valuable asset and a highly sensitive zone requiring careful development and ongoing management. The RM may consider limited lakeshore development subdivision proposals on land that is not considered hazardous or environmentally sensitive, where there is no concern of overcrowding or overdevelopment and it is demonstrated development will not adversely impact water quality and the environment. Developers may be responsible to provide environmental assessments by a professional to determine if the land is suitable for development. Council also finds it necessary to work with the appropriate government agencies to ensure proposed developments surrounding the various lakes comply with provincial and/or federal policies and regulations.

#### 3.9.2 Objectives

- a) Ensure that lakeshore development occurs in a sustainable and efficient manner at compatible locations within the RM.
- b) Prevent land use and access conflicts along shorelines.
- c) Promote safety for all lake users.
- d) Maintain, protect and enhance water quality and the fishery resources.
- e) Protect the amenities and environmental quality of the lakes and shorelines within the RM.
- f) Encourage cooperative planning between the RM, First Nations, Regional Parks and the public.
- g) Promote cooperation with provincial, federal and other municipal jurisdictions and administer municipal land use policies in compliance with provincial and federal policies and regulations.
- h) To identify and implement ways to address the issue of overcrowding and overdevelopment surrounding the lakes within the RM.
- i) Consider larger lot developments on lands abutting the lakes, where it can be demonstrated it will not have an adverse impact on the environment.
- j) To encourage lot consolidation of existing developed areas abutting lakes where appropriate.
- k) Seek expert advice where certain developments or activities may have the potential of altering the natural drainage patterns or impacting water quality. If the work is a result of a developer's request, the developer will be responsible for all associated expenses.
- l) To limit future subdivisions along Martins, Emerald, Iroquois, D'Amour, Lac La Peche and Burnette Lake.

### 3.9.3 Policies

- a) Subdivisions will be required to be located adjacent to existing roads and be serviced in a manner that meets municipal standards, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer.
- b) The RM, in conjunction with other jurisdictions and the public, will encourage and support cooperative planning to secure the sustainable use of the municipality's shorelines and lakes.
- c) The RM may consult with other provincial or federal departments or agencies prior to granting any form of approval for development to ensure they are supporting and complementing provincial interests.
- d) The primary uses in any lakeshore district will be residential developments on separate lots; however, some public, recreational and resort commercial uses may be accommodated.
- e) To ensure appropriate planning, the RM will review all proposals with regard to the following criteria:
  - i) Adequate, appropriate and suitable recreational uses and facilities, including beaches, parking, boat launches, and similar recreational uses to support new development or subdivisions;
  - ii) Potential effects on water quality, wildlife habitat and natural areas;
  - iii) Cost of municipal servicing and maintenance;
  - iv) Viability of the development and benefits to the community when vacant and undeveloped lots exist; and
  - v) Avoidance of overdevelopment and overcrowding.
- f) Development and/or subdivisions shall not deplete or pollute the lakes and water. Any development that has the potential of doing so will be restricted. Demonstration that the proposed development and/or subdivision will not have an adverse impact on water quality and/or quantity may be required.
- g) All development shall comply with the land management policies within this OCP.
- h) To avoid issues from overdevelopment and overcrowding, no further subdivisions, excluding boundary adjustments and lot consolidations that comply with the Zoning Bylaw regulations, shall occur surrounding Martins, Emerald, Iroquois, D'Amour, Lac La Peche and Burnette Lake. The area in which further subdivision is not supported is identified on the Future Land Use Map.
- i) In order to reduce negative environmental impacts on the lakes within the RM, future proposed lakeshore subdivisions shall only be zoned to the LD2- Lakeshore District 2 or RC – Resort Commercial District. The LD- Lakeshore District, LD1 – Lakeshore District 1, Country Residential Lakeshore District - CRLD and Duncan's Beach Resort District - DB shall only be used for existing subdivisions.

- j) The RM may refer any application to the provincial or federal agencies to determine if an environmental assessment is required if the site contains sloughs and/or extensive tree cover. The assessment shall include appropriate measures to protect significant features or mitigate hazards.
- k) In considering any new development and/or subdivision, the RM will consider the effects of such development on the fishery resources of affected lakes. Council may require the developer to supply information addressing the effect of the development proposal on the fishery resources. Any development surrounding a lake will merit a referral to the applicable provincial and federal agencies.
- l) The RM will encourage private landowners to secure and maintain an undisturbed shoreline buffer strip to protect the lakes and shorelines from environmental degradation caused by sediments and nutrients from surface runoff associated with the clearing of land.
- m) The RM will promote and encourage infill development of subdivided unsold lots, where appropriate.
- n) A buffer strip or landscaping requirements may be required in a lakeshore subdivision to separate residential uses and agricultural development.
- o) Council may require the preparation of a concept plan for the entire area of a proposed lakeshore development. Information shall include:
  - i) Professional reports which assess the geotechnical suitability of the site, susceptibility to flooding or other environmental hazards and impacts including mitigation measures;
  - ii) Engineered reports to address water supply, drainage and sewage disposal methods; and
  - iii) A plan/outline for the services, road layout, access to public roads, and the phasing of developments including dedicated lands.

### 3.10 Forest District

#### 3.10.1 Discussion

As shown on the Future Land Use Map, a portion of the Nisbet Provincial Forest is located within the boundaries of the RM. Council understands the importance to work together and support provincial interests where identified. By including a zoning district for this small area of land, the RM is assisting with and ensuring sustainable future growth and development for the area. The Ministry of Environment has prepared the Nisbet Integrated Forest Land Use Plan to establish sustainable and adaptive management strategies for the forest. Where development is being proposed, the RM will encourage the developer to discuss their plans with the applicable provincial agencies prior to submitting an application to the RM.

#### 3.10.2 Objectives

- a) Minimize negative impacts on the environment and on the ecosystem.
- b) Cooperate and work with the appropriate government agencies to manage development within the Nisbet Provincial Forest.

### 3.10.3 Policies

- a) The entire area of the Nisbet Provincial Forest that lies within the RM shall be zoned as the Forest District within the Zoning Bylaw.
- b) To recognize Crown rights and responsibilities to regulate activities related to the utilization and protection of forest resources, any proposed development shall be referred to the Ministry of Environment prior to the RM making a decision on a proposed development.
- c) Development shall be limited to recreation activities and traditional resource uses.

## **4 Implementation**

### **4.1 Zoning Bylaw**

4.1.1 The RM will implement a Zoning Bylaw which will be the principal method of implementing the objectives and policies contained in this OCP.

4.1.2 Content and Objectives

- a) Council will ensure the Zoning Bylaw is consistent with the OCP.
- b) The Zoning Bylaw will implement land use policies by prescribing and establishing zoning districts and regulations.

### **4.2 Amendments**

4.2.1 Council may consider adding new zoning districts to the Zoning Bylaw; however, the objectives of this OCP must be complied with. Council may also consider amending the OCP, providing the amendment will not compromise the objectives of the RM.

4.2.2 Prior to considering a bylaw amendment in relation to a subdivision application, Council must receive notification from the appropriate provincial agency that the subdivision has been applied for. Bylaw amendments to accommodate a proposed subdivision will not be considered or approved in principle by Council. Prior to any amendment being approved by Council, the developer will only be provided information regarding the criteria already established in the OCP and Zoning Bylaw.

### **4.3 Other Implementation Tools**

4.3.1 Inter-Municipal Cooperation

- a) Council will work together with adjacent municipalities to provide economies of scale and to provide regional policies that will benefit the ratepayers. The RM will also work with other neighbouring rural and urban municipalities to develop joint service programs where such arrangements will be of benefit to the RM and region.
- b) Council will continue to cooperate with senior levels of government, other municipalities and public and private agencies to secure the sustainable use of the RM's lakes and shore lands.
- c) Pursuant to Section 32.1(1) of *The Planning and Development Act, 2007*, Council may enter into an inter-municipal development agreement with another municipality to address issues that cross jurisdictional boundaries.
- d) The RM will cooperate with adjacent municipalities to ensure that development will not hinder future growth areas. The RM will develop a coordinated approach for review of applications with urban municipalities where future developments are proposed in close proximity to an urban area.

4.3.2 First Nations and Metis Engagement

- a) Council will work with Muskeg Lake, Beardy's and Okemasis and Mistawasis Nehiyawak First Nations and other surrounding First Nations and Metis Local where there is common interest in development initiatives or common land and regional interests.
- b) Council will discuss development applications with First Nations and Metis Local communities where there may be adverse impacts on treaty rights such as hunting, fishing, trapping and the carrying out of traditional uses on unoccupied Crown lands and public water bodies. Council recognizes that impacts may extend to surrounding First Nations and not just those sharing a boundary with the RM.
- c) The RM will encourage open communication with adjacent First Nations and the development of a coordinated approach for review of development applications where future developments are proposed in close proximity to a reserve.
- d) Council will work to resolve land use issues and to cooperate on joint service programs to achieve shared goals of the RM and the First Nations.
- e) Council will encourage engagement and communication with First Nations and Metis Local communities on local and regional planning initiatives where there is a common interest and to identify areas where there may be potential mutual interest.

### 4.3.3 Provincial Policies

- a) This OCP shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations and in cooperation with provincial agencies.
- b) Council will review this OCP and the accompanying Zoning Bylaw for consistency with provincial land use policies, including the Statements of Provincial Interest Regulations.
- c) Wherever appropriate and feasible, and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by provincial agency controls.

### 4.3.4 Administration

- a) This OCP is binding to Council and all development within the RM.
- b) The interpretation of words as contained in the accompanying Zoning Bylaw shall apply to the words in this OCP.
- c) If any part of this OCP is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the plan as a whole, or any other part, section or provision of this plan.

## **Appendix A      *Development Review Criteria***

1. When considering applications to rezone, subdivide and develop land, Council shall have regard to the following concerns:
  - a) Conformity with the plan goals, objectives and policies and the Zoning Bylaw development standards.
  - b) Viability and necessity of the proposed use.
  - c) Degree of prematurity (ie. time, location, servicing, cost, municipal capabilities, etc.).
  - d) Availability of alternative sites and buildings to accommodate the proposed development to achieve the intent of this OCP and Zoning Bylaw.
  - e) Ability of the RM to provide the required public utilities and to enter into suitable servicing and development agreements, to ensure the costs do not outweigh the benefits to all parties concerned.
  - f) Compatibility and suitability of the proposed use with nearby land uses, existing and preferred public utilities, the character of the area, and the environmental protection goals, objectives and policies.
  - g) Effect of the proposed development on proposed municipal projects identified in the bylaw, including public reserve and recreational policies.
  - h) Any additional reports, studies, development issues, resident concerns, provincial comments and public hearing submissions.
2. Subdivision and development proposals shall not be approved where the proposal:
  - a) Is detrimental to the health, safety, convenience or general welfare of the persons residing or working in the area.
  - b) Is injurious to or incompatible with existing or proposed developments or public utilities in the vicinity.
  - c) Involves, in Council's opinion, prohibitively expensive public utility construction or maintenance costs.
  - d) Involves the refusal of a developer to enter into a servicing or development agreement.
  - e) Is not located, appropriately arranged or serviced in an environmentally suitable manner or will negatively impact an environmentally protected site.
3. Where a subdivision or development proposal affects the municipal road system, the municipality may, at its discretion and pursuant to Section 22 of *The Municipalities Act*, require the landowner or developer to enter into a road maintenance agreement.