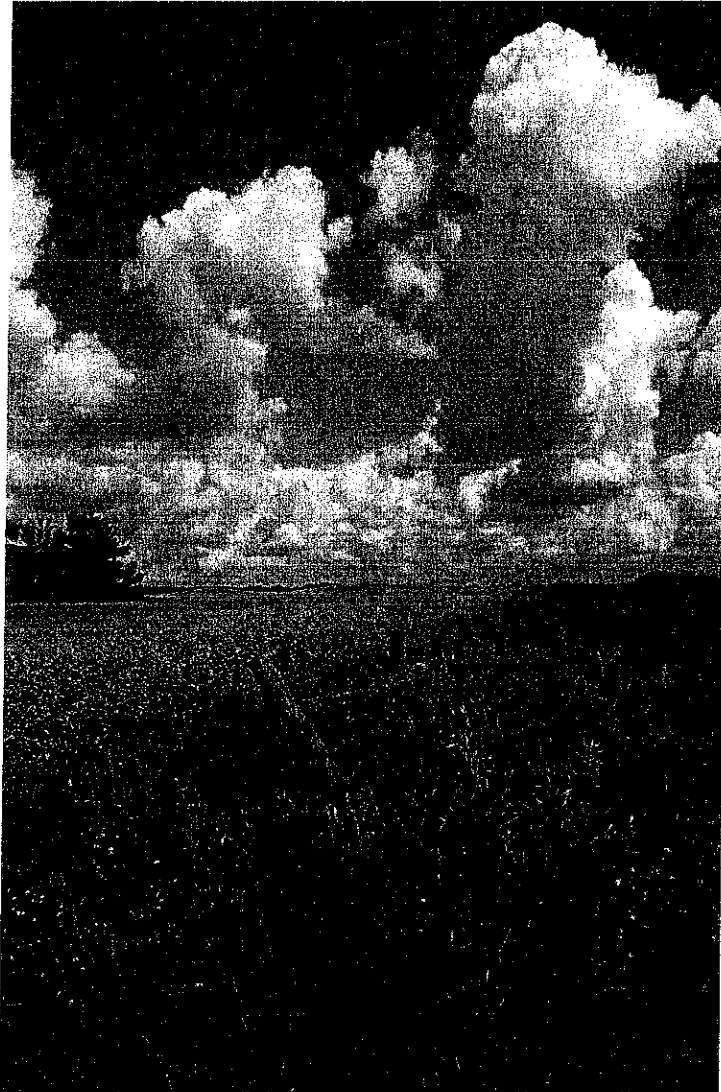


2015

# Official Community Plan

Rural Municipality of Moose Creek No. 33



Prepared by:

**SARM**

RURAL MUNICIPALITY OF MOOSE CREEK NO. 33  
BYLAW NO. 4-2015

A Bylaw of the Rural Municipality of Moose Creek No. 33 to adopt an Official Community Plan.

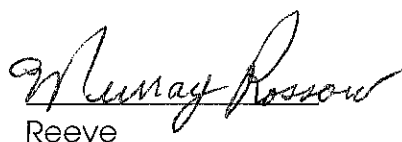
**Whereas** the Council of the Rural Municipality of Moose Creek No. 33 has authorized the preparation of an Official Community Plan for the Municipality pursuant to Section 29 of *The Planning and Development Act, 2007* Chapter P-13.2 (the "Act"); and

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 Moose Creek No. 33 held a Public Hearing on **Nov. 18, 2015** in regards to the proposed bylaw, which was advertised in a weekly paper on **Oct. 23, 2015** and **Oct 30, 2015** in accordance with the public participation requirements of the Act;

**Therefore** the Council for the Rural Municipality of Moose Creek No. 33 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This bylaw may be cited as "The R.M. of Moose Creek No. 33 Official Community Plan."
2. 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.
3. This bylaw shall come into force on the date of final approval by the Minister.

  
Reeve

  
Administrator

SEAL

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Agriculture and the oil and gas industries are the primary source of employment in the area; although there are other sources of economic gain such as construction, manufacturing, business, educational services and health care services among others. The Rural Municipality is supportive of both agricultural and non-agricultural land uses and understands that there are sometimes conflicts between different types of land uses and developments. Through this plan and the municipal 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 of Moose Creek that their land use policies and growth intentions are coordinated with adjacent municipalities and to work together to ensure the residents of the area will benefit from regional cooperation. Planning is a shared responsibility among provincial and municipal governments as well as the residents and all decisions should consider and balance the interests of the stakeholders. Decisions will need to take into account the cultural, physical, social and economic factors of the development and the effects on the community as a whole.

## **1.2 Legislative Authority**

This bylaw shall be known as the "Official Community Plan" of the Rural Municipality of Moose Creek No. 33. The authority for a municipality to authorize the preparation of an Official Community Plan comes from Section 29 of *The Planning and Development Act, 2007*. This bylaw shall apply to all the lands within the limits of the Rural Municipality of Moose Creek No. 33 and no development shall be carried out that is contrary to the Official Community Plan.

## **1.3 Purpose**

The Official Community Plan should be viewed as a growth management tool and is a statement by the municipality to communicate how land uses should be developed and controlled. The RM is interested in promoting high quality development which takes into consideration a holistic approach to planning including the environmental, economic, social and cultural development within the municipality and the region.

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## Part 3 – MUNICIPAL SERVICES AND COMMUNITY FACILITIES

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### 3.1 Discussion

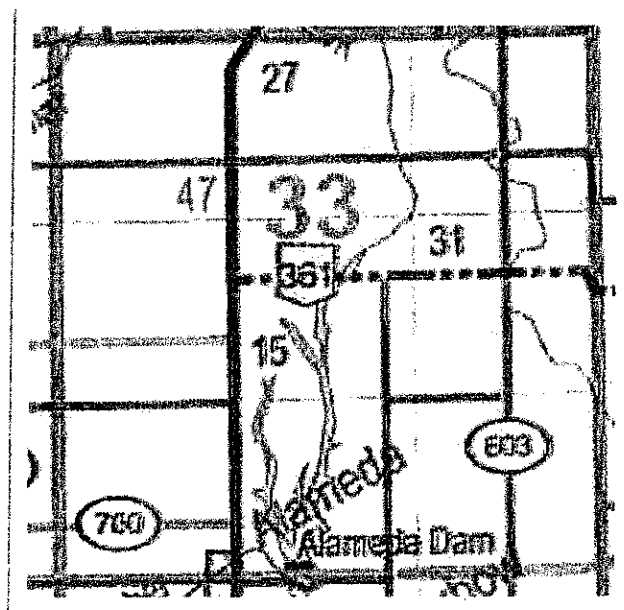
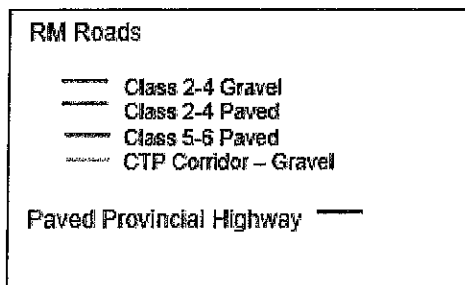
Council's primary concern for future development is the long term maintenance of infrastructure. Council encourages development to take place where services currently exist. Where allowed by the RM, the construction or upgrading of services will be at the cost of the developer.

#### Services:

Inter-municipal cooperation plays an important role for the RM of Moose Creek. The City of Estevan, Town of Alameda and Carlyle, and Villages of Oxbow, and Carnduff in the area provide health, education, emergency and numerous recreational services for the residents of the area. Sewer and water services are provided through individual private systems. There are three non-potable community wells that are for agricultural purposes. The Town of Alameda and RM share a Volunteer Fire Department that provides emergency services to RM ratepayers.

#### Roads:

The major road network consists of provincial Highway 9 and 361, major roads of 603 and 700, and major grid roads throughout the RM. These roads are critical for the flow and function of the agricultural and natural resource industry.



- b. To improve the capacity and efficiency of services and facilities by entering into regional partnerships with neighboring urban and rural municipalities.
- c. To provide for road, utility, parks, and other services at a standard appropriate to the area, and to ensure that development will support the cost of those services.
- d. To provide recreational opportunities for municipal and regional residents.

### **3.3 Policies**

#### **a. Roads and Transportation:**

- i. All development shall require direct access to a developed road.
- ii. Development will be encouraged where roads and services currently exist.
- iii. The RM will ensure, through the subdivision and development process, that future right-of-ways for Highways No. 9 and 361 are protected from land uses which may affect the future acquisition for highway right-of-ways.
- iv. Access and internal subdivision roads should be designed with the consideration for emergency service, school bus and maintenance equipment access.

#### **b. Utilities**

- i. Where pipelines, utility lines or other transportation facilities cross municipal roads the municipality may apply special standards for their construction that are necessary to protect the municipal interest.
- ii. Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the Zoning Bylaw.
- iii. The RM will require adequate water supply and sewage disposal systems for proposed developments which meet the requirements of the local health authority. The water supply of neighboring developments shall not be adversely affected by the proposed development.

- e. The RM will continue to cooperate with adjacent municipalities to provide efficient facilities and services, including recreational services, for the community.
  
- f. Recreation and Tourism
  - i. 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.
  - ii. 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.
  - iii. 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.
  - iv. Campgrounds and other public or commercial recreation uses will be discretionary uses, where appropriate, in the Zoning Bylaw.

slope instability, silting or undesirable alteration of surface drainage or vegetation.

- b. No development shall be proposed on a parcel deemed to be flood prone, on environmentally sensitive lands or hazardous lands.
  - i. 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.
  - ii. The RM will require flood-proofing of new buildings and additions to building to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourses or water bodies in the flood fringe.
- c. Where development or subdivisions are proposed along any potentially hazardous lands a professional report may be required. The report shall assess the geotechnical suitability of the site, susceptibility to flooding (hydrological report), or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition at the time of a development permit.
- d. The RM will work with agencies of the provincial government to protect any significant heritage resources, conservation district, critical wildlife habitat, or rare or endangered species. Where significant potential has been identified, development will not be approved until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.
- e. The proposed development site shall be environmentally suitable for the proposed development.
- f. The RM will minimize, mitigate or avoid potential development impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater.
- g. Development shall not deplete or pollute groundwater resources or permanent water bodies, or water courses within RM. The RM may require monitoring of the impact of development on groundwater and surface water resources and may incorporate development standards in the Zoning Bylaw to maximize aquifer protection and supply and to protect surface water quality and supply.



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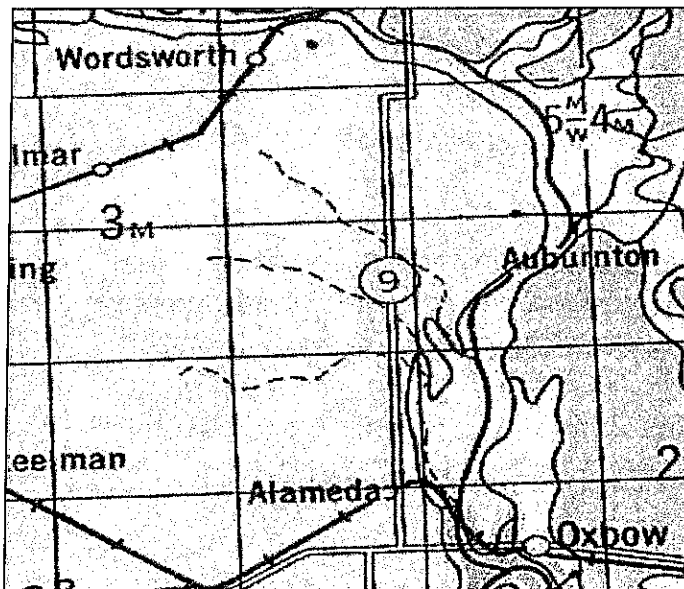
## Part 5 – AGRICULTURAL LANDS

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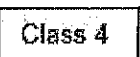

### 5.1 Discussion

Agriculture has been and will continue to be one of the primary areas of focus for the municipality. Agricultural based employment is one of the main sources of income for residents. Council supports the continuation of agricultural land uses for both economic and residential purposes. One of the main reasons for creating this Official Community Plan and the accompanying Zoning Bylaw is to protect existing and future agricultural land uses in community while still being open to exploring other types of business opportunities that can coexist with agricultural land uses.

Land Classification Map for Information Purposes:



#### Classes

	Soils in this class have no significant limitations to use for crops.
	Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.
	Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.
	Soils in this class have severe limitations that restrict the range of crops or require special conservation practices, or both.
	Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, but improvement practices are feasible.

According to Canada Land Inventory ratings, the land within the RM range from Class 2-4 which are well suited for agricultural purposes but also allows the RM to have some flexibility with regards to allowing other compatible uses.

### 5.2 Objectives

- To preserve land with a high capability for agricultural land use and discourage incompatible land uses.

iii. Where conflicting land uses are proposed on the same site or adjacent to one another, the RM may require the uses to construct buffers or screening prior to issuing any development permit.

h. Intensive Operations

- i. Council will support the development of intensive agricultural 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 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.

- 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 form of development, shall also apply to the locating of residential development proposals near those forms of development.
- f. All residential development is required to have adequate sewer and water services at the cost of the developer, which meets RM standards and is approved by the Health District.
- g. Development of residential subdivisions will be planned with the following considerations, but not limited to:
  - i. Maintaining existing water courses and wetlands and activities that integrate storm water management systems with natural water courses.
  - ii. Integrated or natural, open space and recreational areas as habitat corridors.
  - iii. Wherever possible, to preserve existing trees and other natural features.

- b. The Zoning Bylaw will provide criteria for business development, including industrial and commercial uses, allowed within the municipality.
- c. 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.
- d. The RM will encourage commercial and business development that services the general public to locate within or adjacent to the Town of Alameda (not including Home Based Businesses or Bed and Breakfast Operations). The business developments should be a type and scale which is compatible to adjacent residential uses.
- e. Industrial development is encouraged to be directed away from residential development and better agricultural land. Lands should be compatible with rural industrial uses rather than being allowed to be scattered throughout the rural municipality.
- f. Highway commercial development should maintain the functional integrity of the adjacent highway, through the use of service roads, or controlled highway access points, which are approved by the Ministry of Highways.
- g. The Zoning Bylaw will make provisions for an appropriate mix of commercial and industrial land uses as either permitted or discretionary uses in suitable zoning districts.
- h. The applicant will be required to supply supporting information from a qualified engineer where commercial development is proposed in areas that may be potentially hazardous due to flooding, erosion, soil slumping or high water table.
- i. Consultation with the appropriate provincial agencies may be required prior to issuing a development permit or providing recommendations on a subdivision.
- j. Prior to the consideration of business development or subdivision, Council may require a concept be prepared. Were a concept plan is considered necessary, the plan will contain the following:
  - i. the phasing of development;
  - ii. the size and number of parcels proposed;
  - iii. the installation and construction of roads, services, and utilities;

- i. The compatibility of the development with existing or planned neighbouring land uses;
- ii. The services and infrastructure available to the site (including direct access to and from the existing Highway, if necessary);
- iii. The provision of storm-water retention and management;
- iv. Development standards or design criteria which includes such aspects as parking for large trucks, landscaping, screening, storage, signage, and building design and finish; and
- v. The design and phasing of development.

(4) INDUSTRIAL DISTRICT (M2)

The objective of this district is to provide for heavy industrial uses within the RM which are beneficial and well suited to the rural municipality, while minimizing conflicts with other land uses.

(5) ENVIRONMENTAL CONSTRAINT DISTRICT (EC)

The objective of this district is to protect the Alameda Reservoir and to minimize the environmental disruption and pollution on lands adjacent to the Reservoir, most of which are owned by the Saskatchewan Water Security Agency.

### 8.3 Amendments

The RM may consider adding new zoning districts to their Zoning Bylaw; however the objectives of this Official Community Plan must be complied with. If there is a need to amend the objective contained within this Official Community Plan Council must pass a bylaw to accept the amendment to the plan. Amendments may provide for a greater density of development than initially considered in this plan, changes to objectives if supporting documents are accepted, or other changes as accepted by Council.

### 8.4 Other Implementation Tools

#### 8.4.1 Regional Planning

- a. The RM will work together with adjacent municipalities to provide economies of scale and to provide regional policies that will benefit the ratepayers. The RM of Moose Creek will also work with other neighboring rural and urban municipalities to develop joint service programs where such arrangements will be of benefit to the municipality and community.
- b. To coordinate planning and growth, the RM will consult with provincial and federal government agencies and other communities and/or organizations.
- 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.

#### 8.4.2 Provincial Land Use Policies

- a. This Official Community Plan shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations

**Part 9 – Repeal and Adoption**

Bylaw No. 54-91, as amended, is hereby repealed.

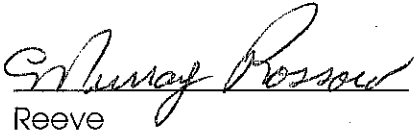
This bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval of the Minister of Government Relations.

Read a First time this 14<sup>th</sup> day of October, 2015

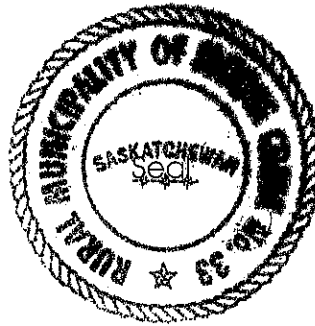
Read a Second time this 18<sup>th</sup> day of November, 2015

Read a Third time this 18<sup>th</sup> day of November, 2015

Adoption of Bylaw this 18<sup>th</sup> day of November, 2015

  
Reeve

  
Administrator



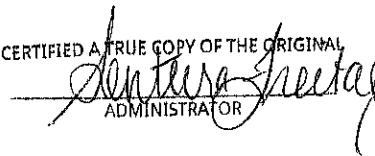
Seal

Provincial Approval Date

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ADMINISTRATOR

- d. Involves the refusal of a developer to enter into a servicing or development agreement.
  - e. Is not located, appropriately arranged or serviced on an environmentally protected site of in an environmentally suitable manner.
3. Where a subdivision or development proposal affects the municipal road system, the municipality may, at its discretion, and pursuant Section 22 of *The Municipalities Act*, require the landowner or developer to enter into a road maintenance agreement.