

**RURAL MUNICIPALITY OF  
LEROY No. 339**

**OFFICIAL COMMUNITY PLAN**

Prepared for:

**THE RURAL MUNICIPALITY OF LEROY No. 339**

Prepared by:

**CROSBY HANNA & ASSOCIATES**  
LANDSCAPE ARCHITECTURE & COMMUNITY PLANNING  
SASKATOON, SK

MARCH 2020



**The Rural Municipality of LeRoy No. 339**

Bylaw No. \_\_\_\_\_

A Bylaw of the Rural Municipality of LeRoy No. 339 to adopt the Official Community Plan.

The Council of the Rural Municipality of LeRoy No. 339, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 29 and 32 of *The Planning and Development Act, 2007* the Council of the Rural Municipality of LeRoy No. 339 hereby adopts the Official Community Plan, identified as Schedule "A" to this bylaw.
- (2) The Reeve and Administrator of the Rural Municipality of LeRoy No. 339 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. \_\_\_\_\_, the Official Community Plan, and all amendments there to, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Read a second time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Read a third time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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

\_\_\_\_\_  
(Reeve)

SEAL

\_\_\_\_\_  
(Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council

On the \_\_\_\_\_ day of \_\_\_\_\_, of the year \_\_\_\_\_



**THE RURAL MUNICIPALITY OF LEROY NO. 339**

**OFFICIAL COMMUNITY PLAN**

Being Schedule "A" to Bylaw No. \_\_\_\_\_  
of the Rural Municipality of LeRoy No. 339

\_\_\_\_\_  
(Reeve)

SEAL

\_\_\_\_\_  
(Administrator)



# TABLE OF CONTENTS

---

- 1 INTRODUCTION ..... 1**
  - 1.1 Scope and Purpose ..... 1
  - 1.2 Authority ..... 1
  
- 2 VISION, MISSION, VALUES & GOALS ..... 3**
  - 2.1 Vision ..... 3
  - 2.2 Mission ..... 3
  - 2.3 Values ..... 3
  - 2.4 Goals ..... 4
  
- 3 OBJECTIVES & POLICIES ..... 7**
  - 3.1 Natural and Heritage Resources ..... 7
  - 3.2 Biophysical Constraints and Hazards ..... 12
  - 3.3 Transportation and Infrastructure ..... 14
  - 3.4 Intermunicipal and Jurisdictional Cooperation ..... 19
  - 3.5 Agricultural Land Use and Development ..... 22
  - 3.6 Residential Land Use and Development ..... 27
  - 3.7 Commercial / Industrial Land Use and Development ..... 35
  - 3.8 Recreation and Tourism ..... 39
  
- 4 FUTURE LAND USE ..... 41**
  - 4.1 Development Considerations ..... 41
  - 4.2 Maps ..... 41
  
- 5 IMPLEMENTATION ..... 47**
  - 5.1 Zoning Bylaw ..... 47
  - 5.2 Other Implementation Tools ..... 49
  - 5.3 Other ..... 50
  
- 6 MULTI-PARCEL COUNTRY RESIDENTIAL AND COMMERCIAL / INDUSTRIAL DEVELOPMENT PROPOSAL WORKBOOK ..... 51**





# 1 INTRODUCTION

---

## 1.1 SCOPE AND PURPOSE

The policies in this Official Community Plan address the need for future land use planning in the RM of LeRoy No. 339 as well as other matters related to its physical, social and economic development.

The policies are intended to provide the RM of LeRoy with direction and guidelines for establishing bylaws, programs and decision making on future land use and development proposals in the Rural Municipality.

All development within the incorporated area of the RM shall conform to the objectives and policies contained in this Official Community Plan. Crown lands that lie within the RM of LeRoy No. 339 are governed by separate and / or additional provincial legislation to *The Planning and Development Act, 2007*.

Insofar as is practical, this Official Community Plan is consistent with the MidSask Municipal Alliance District Plan, but provides a more definitive set of policies that responds to the unique needs of this individual RM. This Official Community Plan represents the most detailed component of the implementation hierarchy. This hierarchy includes the MidSask Municipal Alliance District Plan which has been implemented in order address matters that are of intermunicipal and regional significance and to coordinate community and land use planning and services within the District, and the RM's Official Community Plan which is the framework that guides the physical, environmental, economic, social and cultural development of the rural municipality.

## 1.2 AUTHORITY

In accordance with Sections 29 and 32 of *The Planning and Development Act, 2007 (The Act)*, the Council of the Rural Municipality of LeRoy No. 339 has prepared and adopted this Official Community Plan to provide the Rural Municipality (RM) with goals, objectives and policies relating to approximately twenty years of future growth and development within the community.

Section 32 of *The Act* provides that the Official Community Plan is required to contain statements of policy with respect to:

- (1) sustainable current and future land use and development in the municipality;
- (2) current and future economic development;
- (3) the general provision of public works;
- (4) the management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
- (5) the management of environmentally sensitive lands;
- (6) source water protection; and,
- (7) the means of implementing the Official Community Plan.

The Province of Saskatchewan adopted *The Statements of Provincial Interest Regulations* (effective March 29, 2012) which are applicable to community planning and development under Section 7 of *The Act*. Section 8 of *The Act* provides that every Official Community Plan and Zoning Bylaw must be consistent with *The Statements of Provincial Interest Regulations*.

In general *The Statements of Provincial Interest Regulations* address:

- (1) Agriculture and Value-Added Agribusiness
- (2) Biodiversity and Natural Ecosystems
- (3) First Nations and Métis Engagement
- (4) Heritage and Culture
- (5) Inter-municipal Cooperation
- (6) Mineral Resource Exploration and Development
- (7) Public Safety
- (8) Public Works
- (9) Recreation and Tourism
- (10) Residential Development
- (11) Sand and Gravel
- (12) Shore Lands and Water Bodies
- (13) Source Water Protection
- (14) Transportation

## 2 VISION, MISSION, VALUES & GOALS

---

### 2.1 VISION

We are a progressive group of small and large communities in a rural setting committed to working together as a regional collective for the long-term betterment of the area. Our richness in agriculture, potash and manufacturing creates a strong economy for the region and the province. The area supports a variety and abundance of wildlife and numerous tourist sites and opportunities. Our region contains cooperative and ambitious community spirits that create a unique quality of life for everyone.

### 2.2 MISSION

We are working together to sustain, build, and grow the communities in the region. By sharing information and resources, and identifying our strengths and opportunities, we are finding solutions to common problems and improving the quality of life in the region. We believe that progress is important to enhance the communities and strengthen the region.

### 2.3 VALUES

#### HONESTY, TRANSPARENCY AND INTEGRITY

The RM of LeRoy will move forward with transparent agendas and will portray itself honestly to residents, ratepayers, and newcomers to the area, to governing bodies and to other members of the Mid Sask Municipal Alliance (MSMA).

#### DEDICATION AND COMMITMENT

The RM of LeRoy is dedicated to working with the MSMA and fulfilling responsibilities to reach common goals. We are committed to promoting the shared interests of the MSMA communities.

#### PRESERVATION

The RM of LeRoy will strive to preserve the quality of life in the region and to keep the RM healthy, vibrant and thriving. The RM will also work to continue the strong partnership between the rural and urban communities in the region.

#### UNIFICATION

The RM of LeRoy is dedicated to working with the MSMA as a whole towards common goals. The RM believes that the pursuit of common interests will create a stronger voice and better opportunities for the RM and the area as a whole.

#### TOLERANCE AND OPEN-MINDEDNESS

The RM of LeRoy is committed to be tolerant of one another's ideas and opinions and to be open to change. The RM will work to promote acceptance of newcomers and diversity of culture and ethnicity. The RM will ensure that everyone is heard around the table and will keep an open mind to all ideas.

#### LOGICAL THINKING

The RM of LeRoy will work toward realistic and achievable goals.

#### CO-OPERATIVE, SHARING AND EQUITABILITY

The RM of LeRoy is dedicated to exhibit true cooperation with MSMA municipalities, trusting each other, listening and working together in making equitable decisions.

## 2.4 GOALS

### 2.4.1 NATURAL AND HERITAGE RESOURCE BASE

- (1) To conserve the aquatic and terrestrial ecological resources of the municipality.
- (2) To utilize, preserve and enhance the natural resources of the municipality in a manner which is economically, socially and environmentally sustainable.
- (3) To provide ongoing opportunities for residents and non-residents of the municipality to enjoy and appreciate the water and land resource values of the municipality.

### 2.4.2 PHYSICAL AND ECONOMIC DEVELOPMENT

- (1) To ensure sustainable physical development that reflects both market conditions and public needs that is compatible with municipal financial capabilities and the need for resource conservation. To direct growth in the region that supports the development of the economy and, at the same time is both sustainable and respectful of the environment and the natural resources of the region.
- (2) To strengthen the economic base of the municipality by creating a positive environment for sustainable business development, especially as it relates to resource development and agriculture.

### 2.4.3 INTERGOVERNMENTAL INTERESTS AND INVOLVEMENT

- (1) To obtain the support and assistance of senior governments in the realization of the goals and objectives of this plan.
- (2) To support and complement *The Statements of Provincial Interest Regulations* in land use planning and development, insofar as is practical.
- (3) To engage with neighbouring municipalities to identify issues and common interests in planning, municipal servicing, and growth opportunities.
- (4) To participate in district and regional planning initiatives that are beneficial to the municipality.





## 3 OBJECTIVES & POLICIES

---

### 3.1 NATURAL AND HERITAGE RESOURCES

#### 3.1.1 FINDINGS

- The Rural Municipality of LeRoy is located in the Quill Lake Plain of the Aspen Parkland Ecoregion of the Prairie Ecozone. The Aspen parkland Ecoregion represents a zone of transition between the open grasslands of the south and the continuous forests of the north. The Quill Lake plain is a large, nearly level area that extends eastward from Humboldt almost to Canora. Elevations reach 600 m at the margins of the Porcupine and Touchwood hills, but essentially lie between 520 and 550 m throughout most of the area. There is considerable drainage from the Porcupine and Touchwood hills into the Quill Lakes, but there is no surface drainage out of this area.
- Wetlands and other poorly drained soils exist within the RM of LeRoy. In addition to providing often important wildlife habitat, wetlands are generally unsuitable for most forms of development and land use and may also present a flood hazard to many forms of development. Ensuring that land use and development in wetland areas exhibits a high degree of fit with the opportunities and constraints presented by wetland systems is an important consideration in land use and development decisions.
- According to the Saskatchewan Archaeological Resource Management Database, at the Heritage Conservation Branch (HCB) a total of 17 archeological sites have been recorded within the RM of LeRoy as of January 2019. The identified archaeological sites consist of artifact scatters, artifact finds artifact/feature combinations and recurrent features.
- There is one designated Municipal Heritage Property, St. Ignatius Roman Catholic Church, a church situated on a three-hectare parcel in the RM of LeRoy. The property includes a wood-frame church constructed in 1928, a cemetery founded in 1905 and a large wooden cross. The heritage value of the Church lies in its association with Irish settlement in the region, as well as the building's history in functioning as a church, cemetery, post office, hall and school. The building's architecture also has heritage significance, as it is inspired by Gothic Revival architecture, which is representative of the era's country churches in Saskatchewan. The most defining characteristic of the property is its central bell tower with pointed arches and louvered windows.
- Section 63 of *The Saskatchewan Heritage Property Act* empowers the Minister to require a developer to conduct a Heritage Resource Impact Assessment or a Heritage Resources Impact Mitigation for any development project (subdivision) that has the potential to impact significant heritage resources. On the basis of documented heritage resources and criteria set out in *The Saskatchewan Heritage Property Act* heritage sensitive quarter sections have been mapped for the RM for information purposes.
- The Saskatchewan Terrestrial Wildlife Habitat Inventory provides an overview of terrestrial wildlife habitat located in the RM of LeRoy at the time of the inventory. Providing a broad, comprehensive application of terrestrial wildlife habitat, the wildlife concerns of this inventory are primarily with mammals and birds having predominantly terrestrial habitat requirements. Consideration should be given to potentially sensitive wildlife habitats located in the RM of LeRoy during land use and development decisions.
- Areas of potential critical wildlife habitat include four areas throughout the RM as identified on Map 2 – Development Constraints.
- The RM of LeRoy is located entirely within the Lanigan/Manitou Sub-Watershed Planning Unit of the Upper Qu'Appelle River and Wascana Creek Watersheds. The Upper Qu'Appelle watershed (not including the Moose Jaw River watershed) is approximately 14,143 square km.

- In the Lanigan-Manitou sub-watershed the major water courses (rivers/creeks) are Lanigan Creek, Wolverine Creek, Saline Creek and Dellwood Brook. The largest water body is Little Manitou Lake, a closed basin mineral lake that supplies water to the local mineral spa. It is known for its reputed healing properties and brine shrimp. Other lakes include Freshwater Lake east of Little Manitou Lake, Humboldt Lake southeast of Humboldt, and Wolverine Lake located west of Burr. The latter two are operated as flood control measures by the Lanigan Creek – Dellwood Brook Watershed Association as well as a source of water for recreation and irrigation. There are also two dams and reservoirs owned by the Water Security Agency: the Zelma and Dellwood reservoirs. They are fed by water from Lake Diefenbaker through the Saskatoon South East Water Supply (SSEWS) conveyance system. Both systems provide water for rural municipalities, towns and the surrounding potash mines to the east including the proposed new mine near Jansen Lake.
- The Council of the RM of LeRoy recognizes that it has a role and responsibility for stewardship of the environment. Consideration should be given to protection of source water within the RM of LeRoy.
- There are no gravel pits located within the RM.
- Consideration should be made towards the development of land use policy that ensures future development is consistent with the protection of significant natural resources in the Municipality.
- *The Statements of Provincial Interest Regulations* provides the following statements (which are addressed in the objectives and policies that follow):
  - *The province has an interest in ensuring Saskatchewan's cultural and heritage resources are protected, conserved and responsibly used.*
  - *The province has an interest in the protection of water sources that provide safe drinking water.*
  - *The province has an interest in conserving Saskatchewan's biodiversity, unique landscapes and ecosystems for present and future generations.*
  - *The province has an interest in maintaining and encouraging the exploration for and development of mineral resources.*
  - *The province has an interest in environmental stewardship, responsible development and public access to provincial water bodies and shore lands.*
  - *The province has an interest ensuring that sand and gravel resources are accessible for development.*

### 3.1.2 OBJECTIVES AND POLICIES

#### Objective 3.1.2.1 Natural Features

To protect natural features, resources, communities and ecosystems in the municipality, and to encourage the preservation of natural wildlife habitat areas and other significant areas of natural vegetation.

**Policy (a)** Council will work with agencies of the provincial government to protect any significant heritage resources, critical wildlife habitat, or rare or endangered species located in the municipality. Where significant potential for the occurrence of such features or resources 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. Any costs associated with meeting such requirements will be the responsibility of the applicant.

**Policy (b)** The RM of LeRoy's wetland areas along lakes, sloughs or creeks will be protected and, where appropriate, integrated with recreational uses and development. Future development will not alter such wetland areas other than by the addition of appropriate structures such as walkways, pedestrian bridges, boardwalks, and interpretive media.



**Policy (c)** Development shall not damage or destroy fish habitat within the municipality, nor needlessly destroy unique flora or critical wildlife habitat.

**Policy (d)** Development shall avoid land that is environmentally sensitive.

### **Objective 3.1.2.2 Water Resources**

To protect ground water and other water resources from contamination to ensure a safe supply of drinking water and to maintain the highest possible level of overall water quality in the municipality.

**Policy (a)** Development shall not deplete or pollute groundwater in the municipality.

**Policy (b)** Council shall be committed to the protection of ground and surface water, public health, property, and the environment through the use of water management programs that:

- (i) maintain healthy ecosystems; and
- (ii) ensure the provision of safe and reliable drinking water.

**Policy (c)** Developments shall not injuriously affect, and shall be encouraged to protect, sustain, and safely incorporate water bodies, waterways, shore lands, groundwater, wetlands, and riparian areas.

**Policy (d)** Agricultural practices, particularly with regard to manure management and chemical application, shall minimize risks to groundwater and surface water to the greatest extent possible.

**Policy (e)** Chemicals and other products shall be stored, handled, manufactured, managed and used with methods that prevent and avoid contamination with aquifers and well heads.

**Policy (f)** The RM shall work in partnership with the Saskatchewan Water Security Agency to maintain and conserve the Lanigan/Manitou Sub-Watershed Planning Unit of the Upper Qu'Appelle River and Wascana Creek Watersheds and its source water resources.

**Policy (g)** Proponents may be required to investigate subsurface soil and groundwater conditions prior to development work to demonstrate the natural or engineered containment will adequately protect groundwater resources. Such work must be carried out by a qualified professional engineer or geoscientist.

### **Objective 3.1.2.3 Sustainable Development**

To support the subdivision and development of land in the municipality in an environmentally sustainable manner.

**Policy (a)** Council may employ site-specific planning programs, either alone or in cooperation with other agencies, organisations or governments, to protect water bodies, waterways and shore lands. Council may limit, restrict, delay or prohibit development in these areas until site-specific planning has been completed and/or until Council is satisfied that specific development projects will sustain these areas. Site-specific plans may result in limiting or prohibiting development in these areas.

**Policy (b)** No development will begin until Council has considered the size and configuration of an adjoining waterway, water body or shore land, the capacity for public access, the potential impacts (social, economic and environmental) of development, general and site-specific environmental and ecosystem characteristics, and economic potential for development in the area. The developer is responsible for all expenses associated with these recommendations. These studies shall be undertaken by qualified professionals at the expense of the developer.

#### **Objective 3.1.2.4 Historical and Heritage Resources**

To protect historic, archaeological and other features, resources or sites of cultural heritage significance from incompatible development and, where such protection cannot be achieved, to ensure appropriate mitigation of impacts.

**Policy (a)** Development shall not damage, destroy, or otherwise negatively impact any building or site deemed to be of cultural, historical, or heritage significance.

**Policy (b)** Ensure that subdivision of land in potentially heritage sensitive parcels occurs in accordance with the guidelines and criteria identified by the Heritage Conservation Branch of Saskatchewan. The RM of LeRoy may delay development until such time as the requirements of the relevant provincial agencies to protect such resources (such as the undertaking of mitigative measures) has been obtained. The developer may be required to contract a professional to assess potential impact(s) to the development area. Any costs associated with meeting such requirements will be the responsibility of the applicant.

**Policy (c)** Support the designation of provincial heritage and municipal heritage buildings and sites within the municipality.

#### **Objective 3.1.2.5 Aggregate Resources**

To protect known aggregate (gravel) and other mineral sources from incompatible forms of development and accommodate industries which utilize these resources while ensuring that aggregate exploration and extraction uses do not conflict with other land uses and development within the Municipality.

**Policy (a)** Subdivision of land for non-agricultural use shall not be permitted on land known to have source gravel potential so as to not interfere with future extraction.

**Policy (b)** The extraction, processing and storage of raw materials including sand, gravel, clay, earth, topsoil or mineralized rock shall be subject to the following policies:

- (i) Council shall encourage the extraction of significant commercial mineral resources prior to development that would preclude or constrain future extraction of the resource.
- (ii) Aggregate resource industries shall be listed as discretionary uses in the Zoning Bylaw.
- (iii) Council shall consider discretionary use applications for aggregate resource industries subject to:
  - (a) reclamation and restoration of the land for an approved end use;

- (b) the manner in which the pit or quarry is to be operated;
  - (c) limiting or avoiding land use conflict due to noise, vibration, smoke, dust, odour or potential environmental contamination; and,
  - (d) minimizing the effect of the operation on infrastructure and services including but not always limited to roadways.
  - (e) ensuring road access is sufficiently located as to limit impact on existing residential dwelling units.
- (iv) Aggregate resource industries shall meet all municipal bylaws and provincial regulations respecting access to and from provincial highways and municipal roads and shall ensure that road access to the operation is located, as far as possible, from existing residential dwelling units.
  - (v) Multi parcel country residential developments or intensive recreational developments shall not be located within 600 m (2,000 ft) of an aggregate resource deposit.
  - (vi) Single parcel country residences or residential sites shall not be located within 305 m (1,000 ft) of an aggregate resource deposit.
  - (vii) Aggregate resource extraction, processing, and storage industries shall establish a buffer area between the operation and surrounding land uses.
  - (viii) Aggregate resource extraction, processing and storage industries shall ensure that operations within the municipality are screened, bermed or landscaped.

### **Objective 3.1.2.7 Resource Development**

To support potash, oil and gas, and other resource exploration, extraction and development in the municipality.

- Policy (a)** Petroleum pipelines, oil and gas wells, potash mines, and other resource development and related facilities shall be encouraged in the RM and shall be permitted uses in agricultural and industrial zoning districts.
- Policy (b)** Dry and abandoned well sites, stratigraphic test wells, and associated facilities shall be assessed, decommissioned and reclaimed pursuant to Section 56 (1) of *The Oil and Gas Conservation Regulations* upon abandonment or decommissioning.
- Policy (c)** A Detailed Site Assessment (DSA) shall be submitted in conjunction with an application for Acknowledgement of Reclamation (AOR) to substantiate the satisfactory reclamation of the site to the Ministry of the Economy.
- Policy (d)** Oil and gas exploration, extraction and development within the RM shall occur in accordance with *The Oil and Gas Conservation Regulations, 2012*.
- Policy (e)** Multi parcel country residential developments, single parcel country residences and residential sites located in proximity to oil wells may be subject to separation requirements from an oil well, as per *The Subdivision Regulations*.

- Policy (f)** Multi parcel country residential developments, single parcel country residences and residential sites located in proximity to sour gas wells with H<sub>2</sub>S concentrations over 100 ppm may be subject to separation requirements based on guidelines as recommended by the Ministry of Government Relations.

## 3.2 BIOPHYSICAL CONSTRAINTS AND HAZARDS

### 3.2.1 FINDINGS

- Within the RM of LeRoy there are several Conservation and Development Areas, normally drainage or sub-drainage, basins defined by hydrology and “ground-truthing” on the landscape, that give individual landowners within a defined boundary the ability to construct, own and maintain drainage works. These include: St. Gregor South, LeRoy West, Burr, St. Peter’s, and Hatke Lake.
- Potential flood areas are defined on the basis of the most recent and reliable information. There is a need to map these areas more precisely. This need has been identified within the Mid Sask Municipal Alliance District Plan as a priority, to define the land areas that are susceptible to flood hazards and the measures that may be taken to reduce flooding impact in the MSMA District.
- Potential flood prone areas are identified on Map 2 for general information. Areas around exiting water bodies and other low areas in the RM that are not identified as potential flood prone areas have no historical data available and may also be flood prone.
- Policies to address development on or near land potentially susceptible to natural hazards such as flooding, slope instability, erosion and expansive clay soils, and other manmade hazards are imperative.
- Development in the RM will need to continue to have regard for appropriate safe buildings elevations as recommended by the Water Security Agency.
- Other potential hazards that exist within the RM include high pressure pipelines (TransGas), identified on Map 2 – Development Constraints, on the north side of the RM (36-19-2) with service to the Town of LeRoy, as well as on the south side of the RM (34-20-2), servicing the Jansen Potash Mine site.
- *The Statements of Provincial Interest Regulations* provides the following statement concerning biophysical constraints on development (which is addressed in the objectives and policies that follow):
  - *The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.*

### 3.2.2 OBJECTIVES AND POLICIES

#### **Objective 3.2.2.1 Development on Potentially Hazardous Land**

To discourage development on potentially hazardous land and ensure that appropriate development standards are met when development is feasible.

- Policy (a)** Ensure the most recent information on potential flood hazard areas within the municipality as it relates to new subdivision applications and applications for development permits is used.
- Policy (b)** Development shall avoid land that is potentially hazardous due to flooding, erosion, slumping, slope instability or contamination.
- Policy (c)** Where subdivision or development is proposed for what Council considers may be hazard land, or on land within +/- 0.5 metres of the Safe Building Elevation as established, the applicant may be required to submit a report, prepared by professionals certified to assess

relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding, slope instability or other environmental hazards, together with any required mitigation measures. Council may refuse to authorize development on hazard land or may permit development only in accordance with specified mitigation measures. These measures may be attached as a condition for a development permit approval. The costs associated with undertaking specified mitigation measures, and with providing the required documentation related to any specified mitigation measures will be borne by the applicant or proponent of the proposed development.

- Policy (d)** Where there is subdivision of land, any areas that are determined to be hazard land, where mitigation of the identified hazard has been determined by the approving authority as not feasible or as undesirable, shall be designated as environmental reserve in accordance with *The Planning and Development Act, 2007*.
- Policy (e)** As per *The Statements of Provincial Interest Regulations*, insofar as is practical, the development of new buildings and additions to buildings in the flood way in the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- Policy (f)** As per *The Statements of Provincial Interest Regulations*, insofar as is practical, development of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourse or water body in the flood fringe shall be flood-proofed.
- Policy (g)** Establish development standards for development on or near hazard lands in the Zoning Bylaw.
- Policy (h)** Council may require new development to provide adequate surface water drainage to maximize on site infiltration and minimize increased overland flow of water from the development to adjoining land and drainage infrastructure. The use of drainage techniques and material such as permeable pavement to facilitate on-site stormwater infiltration and storage that reduces the amount of runoff will be encouraged. Site design techniques that minimize paved areas and soil compaction and preserve natural open spaces including existing trees and natural drainage channels will also be encouraged. Additionally, Council may require that new development provide an adequate degree of suitable landscaping to enhance the visual amenity of the site in keeping with the existing and preferred neighbourhood character.

### Objective 3.2.2.2 Development Constraints

To manage development on potentially development constrained land and ensure that appropriate development standards are met when development is feasible.

**Policy (a)** The RM will utilize Map 2 - Development Constraints to assess development constraints and acceptability of proposed subdivision and development within the municipality. Future subdivisions or re-zoning for multiple parcel residential, commercial or industrial development shall avoid conflict with existing land uses and be sensitive to development constraints and considerations.

**Policy (b)** All proposed developments adjacent to high pressure pipelines should demonstrate how the development responds to the *Recommended Set Back and Utility Corridor Requirements, 2015* prepared by SaskEnergy and TransGas and all other relevant acts and regulations.

## 3.3 TRANSPORTATION AND INFRASTRUCTURE

### 3.3.1 FINDINGS

- The RM is served by a grid road system which connects to two secondary highways - #667 and #761. Highway #761 connects with Provincial Highway #6. To ensure that future development does not place additional unnecessary pressure on existing road maintenance obligations of the Municipality, consideration should be given to the development of municipal servicing policies.
- The CPR main line runs through the RM. Potential expansion of the rail system to serve the needs of the potash industry may have an impact on the RM's roadway system and / or other parts of the RM's infrastructure such as drainage and transportation.
- The RM is served by a regional landfill located in SW 31-35-21-W2M.
- One sewage lagoon is located in the RM, adjacent to the Town of LeRoy. *The Subdivision Regulations, 2014* requires a 457 metre, or other setback as may be established by the Ministry of Environment, from residential and other types of development.
- The RM of LeRoy will work with the Town of LeRoy in ensuring expansion of the lagoon, located in the RM, can occur when the times comes.
- The development of BHP Billiton's Jansen Potash mine has the potential to stimulate growth in the rural areas of the Mid Sask Municipal Alliance Planning District.
- The RM has a formal asset management plan in place, in order to manage all capital assets (including any new capital purchases or upgrades) over the long term.
- As a condition of subdivision approval, it is suggested that the municipality consider creating a policy stating that applicants shall enter into a servicing agreement with the municipality, as provided in Section 172 of *The Planning and Development Act, 2007*.
- Section 169 of *The Act* provides Council the authority to establish development levies, by bylaw, intended to recover capital costs of services and facilities that directly or indirectly serve land that is not subject to an application for subdivision. Providing Council has passed a Development Levy Bylaw subject to Sections 169 and 170 of *The Act*, Section 171 of *The Act* authorizes Council to enter into a development levy agreement with the applicant or owner to pay development levies.
- With respect to future management and disposal of solid waste and sewage, the development of appropriate waste management policies is needed.
- Consideration should be given towards the development of policies to clarify the level and types of services the Municipality is capable of delivering to country residential developments.

- To ensure that future development in the Municipality can be adequately serviced by municipal infrastructure systems, consideration should be made towards the development of appropriate infrastructure and servicing policies.
- In 2013, The Federation of Canadian Municipalities and the Railway Association of Canada released *Guidelines for New Development in Proximity to Railway Operations* which includes guidelines and best practices that can be applied when converting industrial / commercial property into residential use when in proximity to railway operations. The CPR rail system serves the RM of LeRoy and the region. No other main lines are located within the RM.
- *The Statements of Provincial Interest Regulations* provides the following statements concerning public works and transportation (which are addressed in the objectives and policies that follow):
  - *The province has an interest in safe, healthy, reliable and cost-effective public works to facilitate economic growth and community development.*
  - *The province has an interest in safe, cost effective transportation systems that meet existing and future needs for economic growth, community development and diversification.*

### 3.3.2 OBJECTIVES AND POLICIES

#### Objective 3.3.2.1 Servicing Thresholds

To ensure adequate servicing capabilities for future development by existing facilities or by expansion to infrastructure.

**Policy (a)** All developments shall provide for:

- (i) individual on-site water supply appropriate to the proposed use; or,
- (ii) water supply from a regional water distribution system; or,
- (iii) an independent communal water supply system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.

All developments shall provide for:

- (iv) on-site liquid waste treatment and disposal approved pursuant to *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority; or,
- (v) an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.

**Policy (b)** The RM will not support new development or subdivision applications unless infrastructure and utility systems and services have adequate capacity, including the availability of a licensed solid waste management facility for use by the new development.

**Policy (c)** The RM will not be responsible for the capital costs associated with the provision of municipal services to new subdivisions, except for developments owned by the municipality. Where a private development requires municipal services, the proponent will be responsible for all costs associated with providing the services. Council may require a proponent of a development to undertake an engineering study that clearly articulates the

on- and off-site infrastructure required to support the development. On-site and off-site infrastructure to support new development proposals may:

- (i) already exist and have the capacity to support the development, subject to the payment of applicable levies or fees; or
- (ii) be proposed to be constructed by the developer as an integral component of the development itself.

- Policy (d)** Council will consider all new developments containing communal water and sewer systems on the basis that the users of these systems will be responsible for the costs of their construction, management and operation through the auspices of a public body, a resident association or a private utility arrangement in the form of a cooperative or non-profit corporation.
- Policy (e)** Council will consider any proposals by residents of a multiple lot country residential area for the development of a communal water distribution system. Proposals must be based on a preliminary engineering report outlining design requirements and cost estimates for the proposed system and be accompanied by evidence of resident support for the proposal. Financing for any approved system will be derived pursuant to *The Local Improvement Act*. Council will require in its approval that residents assume responsibility for ongoing operation and maintenance of the system through the auspices of a public or private utility.
- Policy (f)** Council may, subject to a request by the majority of residents of a multi-parcel country residential area, agree to the provision of an extended service such as dust control or greater than normal snow clearing service. The financing of such service will be arranged through enactment of a special tax bylaw pursuant to the provisions of Section 312 of *The Municipalities Act, 2005*.
- Policy (g)** Council may establish, by separate bylaw, policies respecting garbage pickup and solid waste disposal in country residential subdivisions and other areas of the RM.
- Policy (h)** When reviewing development proposals, Council may request utility companies and/or oil companies to indicate their existing and future services in and around the area of the development proposal. The availability of such services will be a consideration in Council's position with respect to development proposals.
- Policy (i)** Storm water management shall be designed by a professional engineer in accordance with appropriate engineering standards.
- Policy (j)** Where the development of new or upgraded liquid and solid waste disposal facilities is proposed, consideration shall be given to the regionalisation of such facilities, provided the projects are also being funded regionally.



**Objective 3.3.2.2 Locational Criteria**

**Policy (a)** Public works in the form of solid and liquid waste management or disposal facilities will be allowed at the discretion of Council subject to locational and development standards as specified in the Zoning Bylaw and subject to the following locational policies:

- (i) Public works in the form of solid and liquid waste management or disposal facilities have the potential to negatively affect the general welfare of nearby residents and the quality of recreation opportunity, relating to such factors as odours, blowing debris, decreased land values and perceived hazards. Therefore, in order to minimize conflict between such public works and other development, separation distances between public works in the form of solid and liquid waste management or disposal facilities and other principal land uses are included in the zoning bylaw.
- (ii) Council may require a greater separation than set out in the Zoning Bylaw. This would only apply where an unacceptable land use conflict would result with existing developments (e.g. in instances where higher nearby development intensity or topographic situation results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels).
- (iii) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice of a proposal for the development, expansion or alteration of a solid or liquid waste management or disposal facility and shall hold a public hearing on the proposal.

**Objective 3.3.2.3 Servicing Agreements for New Subdivisions**

To ensure that the cost of required infrastructure for development is known and covered by servicing agreement fees.

**Policy (a)** Where a subdivision of land will require the installation or improvement of municipal services such as roads or streets, utilities, water supply systems, sewage disposal facilities, and fire protection facilities the developer will be required to enter into a servicing agreement with the municipality to cover the capital costs as defined in *The Planning and Development Act, 2007* with respect to the installation or improvements including, where necessary, charges to cover the costs of improvement or upgrading of services that directly or indirectly serve the proposed subdivision. These charges may differ from one proposed subdivision to another based on the particular needs of each development. Council will, by resolution, establish the standards and requirements for such agreements and charges, including the posting of performance bonds or letters of credit.

**Objective 3.3.2.4 Transportation**

To ensure that the road maintenance obligations created by any future residential development can be fulfilled, and that future development does not create any traffic safety issues.

**Policy (a)** The Rural Municipality will cooperate with the Ministry of Government Relations, the Ministry of Highways and Infrastructure, adjacent municipalities and jurisdictions and the Mid Sask Municipal Alliance in long-term planning that addresses its transportation needs.

- Policy (b)** Council will endeavour to upgrade the major access roads in the municipality, within the Rural Municipality's ability to pay for such upgrades, and with the support of senior government funding wherever possible.
- Policy (c)** Development shall not create any potentially unsafe traffic conditions. Council will ensure that appropriate road designs, speed limits and traffic control devices are used to help ensure traffic and road safety.
- Policy (d)** Development along provincial highways shall be consistent with the safety standards and access policies established by the Ministry of Highways and Infrastructure.
- Policy (e)** The Rural Municipality will not be responsible for the paving of roads in all subdivisions unless a service agreement is formed between Council and the developer.
- Policy (f)** Subdivision applications requiring a permanent street or road closure, intended to correct encroachments by development on municipal road right-of-ways, will only be supported after a review by Council, to ensure that:
- (i) it is determined that the permanent street or road closure would not restrict or compromise access to other sites / areas in the municipality; and
  - (ii) it is determined that the street closure would not have an adverse effect on the Rural Municipality's ability to maintain or repair municipal streets and roads.
- Policy (g)** Map 1 – Development Considerations identifies key transportation corridors that could potentially support future development with the least amount of new road infrastructure. Development in these corridors is subject to all other policies in this plan including the ability for on and off-site infrastructure to support the development.
- Policy (h)** The Rural Municipality will work towards partnerships to upgrade roads in the municipality in order to enhance economic development opportunities.

### **Objective 3.3.2.5 Railways**

To ensure railways and rail activity continues to provide vital services to the community while mitigating any negative impacts resulting from ongoing railway operations.

- Policy (a)** The RM will provide for efficient and effective land use and transportation planning, including consultation with railway companies, in order to reduce the potential for land use conflicts and provide appropriate protection for rail infrastructure.
- Policy (b)** Land use conflicts may be minimized in areas adjacent to railway lines and rail yards through the application of the Federation of Canadian Municipalities and the Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations, 2013*.

### Objective 3.3.2.5 Asset Management

To ensure a clear picture of the current state of the RM's municipal infrastructure in order to manage it effectively over the long-term.

- Policy (a)** The RM will continue utilizing and implementing formal Asset Management Plans in order to sustainably provide an appropriate level of service to residents and visitors and to support long term financial planning.
- Policy (b)** Ensure consistency between all long-term planning documents going forward including this Official Community Plan, Asset Management Plans, Long Term Financial Plans, and others.

## 3.4 INTERMUNICIPAL AND JURISDICTIONAL COOPERATION

### 3.4.1 FINDINGS

- The RM of LeRoy is bordered on the south by the RM of Prairie Rose, to the east by the RM of Lakeside, to the west by the RM of Wolverine, and to the north by the RM of St. Peter.
- Communities within the RM of LeRoy include the Town of LeRoy and the LeRoy Leisureland Regional Park. The City of Humboldt is located 50 km northwest of the Town of LeRoy. There are no First Nation Reserves located in the RM.
- The population of the RM of LeRoy experienced a decline between the previous census years (2006 – 2011) but had a slight increase between 2011 – 2016 saw 490 residents grow to 502. The continued development of the Jansen mine stimulates population growth in the RM and the region.
- With respect to inter-municipal / jurisdictional cooperation and the joint delivery of services, the RM of LeRoy has been a member of the Mid Sask Municipal Alliance (MSMA) since 2009 with the intent to work cooperatively on issues that can best be addressed at an intermunicipal or regional level as well as at a municipal level. Member municipalities have agreed to develop a “common line of action”. The Alliance has developed a Community Action Plan as well as a District Plan.
- Communities within the Mid Sask Municipal Alliance include the RM's of LeRoy, Prairie Rose, Osborne, and Morris and the urban communities of Lanigan, LeRoy, Nokomis, Watrous, Watson, Manitou Beach, Drake, and Jansen.
- The Alliance's District Plan contains high level policy statements that support the vision, goals and strategic initiatives of the MSMA region. The policies within this OCP, while specific and unique to the RM of LeRoy, support the relevant policies within the MSMA District Plan.
- The RM of LeRoy has shown a commitment to intermunicipal cooperation through its involvement with the MSMA in addressing housing, infrastructure, health, education, major developments, and population growth and retention. Working together as a regional collective in order to sustain, build and grow the communities in the region will continue to benefit the all communities in the region.
- The RM of LeRoy has several agreements with neighbouring jurisdictions including: REACT (regional landfill organization) and a regional park agreement with LeRoy Leisureland Regional Park.
- *The Statements of Provincial Interest Regulations* provides the following statement concerning intermunicipal cooperation (which are addressed in the objectives and policies that follow):
  - *The province has an interest in promoting inter-municipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local development.*

### 3.4.2 OBJECTIVES AND POLICIES

#### Objective 3.4.2.1 Inter-Municipal Service Provision

To facilitate inter-municipal / jurisdictional cooperation in providing municipal services that are more cost-effective and efficiently delivered on a regional basis.

**Policy (a)** The RM LeRoy will continue to pursue inter-municipal cooperation, with the Town of LeRoy, other neighbouring municipalities and the Mid Sask Municipal Alliance in the provision of municipal services with the interest of improving and providing them on a more cost-effective basis.

#### Objective 3.4.2.2 Inter-Municipal Cooperation

To facilitate communication and cooperation with neighbouring municipalities, the Mid Sask Municipal Alliance and other governmental organizations in joint planning initiatives and future growth directions, based on the planning needs of the overall region.

**Policy (a)** Council will facilitate cooperation with its municipal neighbours and the Mid Sask Municipal Alliance with respect to the impact of development decisions on the neighbouring community's services, facilities, residents and/or natural resources. Council may refer development or subdivision applications to the Town of LeRoy and to the Mid Sask Municipal Alliance for review and comment.

**Policy (b)** In the interests of strengthening regional planning, Council will continue to participate in joint planning studies and initiatives, ideally with the support of senior government funding and in collaboration with the Mid Sask Municipal Alliance.

**Policy (c)** In areas adjacent to the Town of LeRoy, it is important to ensure that developments do not cause adverse effects upon existing or proposed future urban land uses or servicing requirements. In order to ensure that future growth can occur in an orderly and planned fashion, it is imperative for the Town to identify future development areas outside of current Town boundaries for long term growth. Creating a mutually beneficial partnership with the Town of LeRoy will be vital in ensuring complementary development occurs in future growth areas.

**Policy (d)** Lands in proximity to the Town of LeRoy that have been identified as having potential for future urban growth are designated on Map 1 – Development Considerations as: future urban growth areas.

**Policy (e)** Council may reduce the prescribed separation distances contained in the Zoning Bylaw where:

- (i) the land use being separated is located in another Rural Municipality;
- (ii) the Council of the other affected Rural Municipality is consulted prior to approval of the proposed development; and
- (iii) appropriate fencing, screening, berming, building and site orientation, road upgrading or other similar measures are provided to mitigate potential land use conflicts.

### **Objective 3.4.2.3 Communication and Referral Process**

To provide greater certainty for land use decisions where impacts cross municipal boundaries

- Policy (a)** The RM will work with the Town of LeRoy when designating or amending policy areas within the rural-urban fringe as indicated on Map 1 – Development Considerations contained within this Official Community Plan.
- Policy (b)** The RM of LeRoy intends to ensure that future land use and development in the urban interface will be compatible with future town growth aspirations to ensure that development and land use adjacent to this urban area will not hinder future Town growth. All applications for subdivision and development of land situated within the Rural-Urban Fringe as identified on the Map 1 – Development Considerations, as well as zoning map amendments, discretionary uses, transportation plans and drainage plans that may impact across municipal boundaries shall be referred to the Town for review and comment.
- Policy (c)** As a member of the Mid Sask Municipal Alliance, the RM of LeRoy will endeavour to implement the objectives and policies of this Official Community Plan in the context of the Mid Sask Municipal Alliance District Plan Strategy and the rules and procedures as identified in the Mid Sask Municipal Alliance District Planning Agreement, particularly as they relate to impacts that cross municipal boundaries, including rural – rural impacts.

### **Objective 3.4.2.4 Annexation**

To provide opportunity for the Town of LeRoy to grow.

- Policy (a)** Council will evaluate annexation proposals by the Town of LeRoy with consideration of its impacts on:
- (a) adjacent land uses;
  - (b) the relationship of annexed lands to the Town’s growth strategy as defined within its Official Community Plan; and
  - (c) on the financial implications of the annexation.
- Policy (b)** Council will favourably consider boundary alteration proposals where the boundary alteration proposal is intended to accommodate community growth and development sufficient to accommodate up to twenty (20) years projected growth as identified in the Town’s Official Community Plan.

## 3.5 AGRICULTURAL LAND USE AND DEVELOPMENT

### 3.5.1 FINDINGS

- Agriculture, agriculture-related businesses and resource development dominate the RM of LeRoy’s economy. A significant proportion of the workforce is involved in agriculture and the resource-based industry. An important component of the agricultural industry in the RM of LeRoy is intensive livestock operations.
- Consideration should be given toward the development of policies that address the location and development of Intensive Livestock Operations. Such policies should reflect the roles and responsibilities of both the province and the Municipality in managing ILO development.
- There are four intensive livestock operations (greater than 100 animal units) located in the RM in **LAND LOCATION**
- In terms of capability for dryland agricultural production of common field crops, 100% of the RM is located on “prime” farmland (Classes 1 – 3 of the Canada Land Inventory) as identified on Map 2 – Development Constraints.
- Protecting prime farmland from being unnecessarily taken out of production for non-agricultural use is an important consideration for the RM of LeRoy, where livelihood and the economy is presently dominated by agriculture. The Mid Sask Municipal Alliance District Plan supports the RM in diversifying its economy while ensuring agriculture remains one of the principal components. The District Plan places high importance on protecting this valuable resource and provides a guide to help define the general range of uses within agricultural areas (prime and lower capability areas) with the ultimate authority resting with each RM.
- Considering the amount of prime farmland located within the RM of LeRoy, the RM requires flexibility within its framework to be able to establish opportunities for complementary, non-agricultural development.
- Flexibility, in terms of site size for agricultural development, is needed in order to accommodate development of intensive agriculture, small-scale farms, farm diversification, and agricultural innovation.
- To accommodate farmland subdivision to reflect the realities of farm debt settlement, farm consolidation, estate settlement, natural and man-made barriers and natural vegetation patterns, consideration should be given toward the development of appropriate and flexible policies.
- Consideration should be given toward the development of policies to provide for the orderly development of farm-based businesses in the municipality (e.g. seed-cleaning plants).
- *The Statements of Provincial Interest Regulations* provides the following statement concerning agriculture and value-added agribusiness (which is addressed in the objectives and policies that follow):
  - *The province has an interest in supporting and promoting a sustainable and dynamic agricultural sector that optimizes the use of agricultural land for growth opportunities and diversification in primary agricultural production and value-added agribusiness.*

### 3.5.2 OBJECTIVES AND POLICIES

#### **Objective 3.5.2.1 Protection of Farmland**

To recognize the value of high-quality agricultural land for continuing productive agricultural use in order to protect agricultural land use from negative impacts of non-agricultural use and development.

**Policy (a)** The primary agricultural uses include grain farming, mixed grain/livestock operations, farm operations and farm residences, intensive agricultural uses, agricultural related commercial and industrial developments, community pasture land, agri-tourism and agri-business, resource extraction, recreational uses and other tourism related businesses, and farm or home-based businesses. The Zoning Bylaw will contain an Agriculture zoning district to provide for these uses and compatible development.

**Policy (b)** Existing farm operations shall be protected from non-agricultural land uses that may undermine the viability and success of these operations. Where a proposed use or activity appears to infringe or have a negative impact on farming, the municipality may disallow such a use or activity.

### **Objective 3.5.2.2 Agriculture**

To accommodate traditional forms of agricultural activity, land use, subdivision and development.

**Policy (a)** Accommodate primary agricultural uses including grain farming, mixed grain/livestock operations, farm operations and farm residences, intensive agricultural uses, agricultural related commercial and industrial developments, and farm or home-based businesses. The Zoning Bylaw will contain an Agriculture District to provide for these uses and compatible development. The quarter section (64.75 hectares or 160 acres) is recognized as the primary land unit for general agriculture; however, reduced areas and specific development standards will be considered in order to accommodate the development of smaller or more intensive forms of agriculture. Smaller parcels of land used for agriculture may be appropriate when full quarter sections are not feasible, and is encouraged when it is deemed to be so, due either to the nature of the development or to the nature of the environment or setting.

#### **Policy (b) *Agricultural Subdivision Policy***

In general, the fragmentation of agricultural holdings is not encouraged. However, subdivision of land into parcels smaller than a quarter section for legitimate agricultural purposes will be permitted under any of the following scenarios:

- (i) The severity of a financial crisis for a particular agricultural operation is demonstrated, in Council's opinion, to warrant the subdivision of a smaller site to assist debt restructuring or settlement.
- (ii) It is fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or manmade (roadway, railway, etc.) barriers.
- (iii) It is intended to be consolidated under one title with adjacent land, in accordance with *The Land Titles Act, 2000*, to create a more viable agricultural unit.
- (iv) The agricultural parcel created results from the subdivision of land for purposes consistent with the objectives and policies in this plan.
- (v) It is intended to accommodate estate planning or settlement.
- (vi) It will accommodate the purchase or lease of Crown land.

- (vii) It is intended to avoid unnecessary changes to, or to work with, the natural vegetation pattern or topography of the area.
- (viii) It will accommodate a new railway or road right-of-way or a widening of an existing railway or road right-of-way.

**Policy (c) *Farm Dwellings***

One farm dwelling will be permitted as an accessory use to a farm operation. One additional dwelling unit may be allowed subject to discretionary use approval, by a resolution of Council, if accessory to a legitimate agricultural operation and if it is intended to accommodate farm workers. The granting of a dwelling development permit by Council for such additional farm dwelling(s) shall not be construed, in any way, as consent or approval for future subdivision.

**Policy (d) *Communal Dwellings***

Communal dwellings may be allowed, subject to discretionary use approval, by resolution of Council, as an accessory use to a farm operation. The granting of a communal dwelling(s) permit by Council shall not be construed, in any way, as consent or approval for future subdivision.

**Policy (e) *Farm-Based Businesses***

- (i) It is recognized that farm-based businesses and on-farm employment opportunities, including but not limited to: bed and breakfast establishments and vacation farms, can provide a valuable contribution to the diversified economic base of the municipality. Farm based businesses shall be listed as discretionary uses in the Zoning Bylaw. Approvals will be based on the evaluation of individual operations relative to specific Zoning Bylaw criteria to ensure that the agricultural character or land value is not diminished.
- (ii) Farm based businesses that include the provision of commercial accommodation, including but not limited to bed and breakfast establishments and vacation farms, shall maintain minimum separation distances from existing industrial and hazardous industrial uses as provided for in the Zoning Bylaw.
- (iii) Farm based businesses shall be restricted to a maximum of ten (10) on-site, non-seasonal employees. Any business with more than ten (10) on-site, non-seasonal employees shall be required to seek commercial or industrial zoning designation.

**Objective 3.5.2.3 *Agricultural and Economic Diversification***

To encourage agricultural and natural resource development that will improve the economic health of the municipality; to provide opportunity for further development and land uses that will result in increased economic diversification, agricultural innovation and agriculture-related value-added activity in the municipality; and to provide for farm-based business opportunities.



**Policy (a)      *Agricultural Related Commercial and Industrial Uses***

- (i)      The Zoning Bylaw will list principal agricultural related commercial and industrial uses as discretionary uses.
- (ii)     Approval for such commercial or industrial developments may be granted if their function is related to agriculture and only after a review by Council, to ensure that:
  - (a)      incompatibility with other land uses will be avoided, including consideration of proximity to urban centres, and multi-parcel country residential subdivisions;
  - (b)      policies for environmental quality control will not be jeopardized, including water and waste disposal servicing;
  - (c)      the design and development of the use will conform to high standards of safety, visual quality and convenience;
  - (d)      the development will be situated along an all-weather municipal road;
  - (e)      all relevant approvals are obtained from government agencies for uses such as anhydrous ammonia fertilizer facilities.

**Objective 3.5.2.4    *Intensive Agricultural Development***

To accommodate intensive agricultural uses in the municipality provided they observe development standards and do not override environmental concerns or create conflict between agricultural land use and existing non-agricultural land use and development.

**Policy (a)      *Intensive Livestock Operations (ILOs)***

- (i)      It is Council's view that development of ILOs is appropriate, provided that unacceptable land use conflicts are not created as a result of such development. In general, Council will support the development of intensive agricultural and livestock operations (ILOs) unless specific locational conflicts would be created.
- (ii)     Intensive livestock operations involving 100 animal units or more will be permitted subject to the discretion of Council in accordance with specific policies contained herein. An expansion of an operation to provide for a greater number of animal units than the maximum number specified in the initial discretionary use approval, or any change in an operation which alters the species of animal reared, confined or fed in the operation, shall require a new discretionary approval.
- (iii)    The Zoning Bylaw may provide for the temporary confinement of cattle on a farm operation during winter months as part of a permitted use general mixed farm operation.
- (iv)    Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice advertisement of a proposal that will result in development of an intensive livestock operation, or in the expansion or alteration of an intensive livestock operation requiring a new discretionary use approval, and shall hold a public hearing on the proposal.

- (v) Council shall require an applicant 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 operation.
- (vi) Council may require an applicant to utilize manure management practices or other technology than conventional stockpiling and spreading.
- (vii) As a condition of approval, Council may impose standards to reduce the potential for conflict with neighbouring uses which specify:
  - (a) the location of holding areas, buildings or manure storage facilities on the site;
  - (b) manure management practices of the operation;
  - (c) use of synthetic or other covers for liquid manure storage lagoons or earthen manure storage facilities;
  - (d) use of ventilation measures in buildings to control odours;
  - (e) requirements for monitoring wells for water quality and quantity purposes;
  - (f) annual confirmation of the availability of sufficient suitable lands for the disposal of manure.

**Policy (b) *Locational Policies for Intensive Livestock Operations***

- (i) In order to minimize conflicts between intensive livestock operations and other development, minimum separation distances between land uses are set out in the Zoning Bylaw. These minimum separation distances shall apply both to development, alteration or expansion of intensive livestock operations and to other development proposed in the vicinity of existing intensive livestock operations.
- (ii) Council may consider approving a lesser separation than that set out in the Zoning Bylaw where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:
  - (a) A copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the separation distances as set out in the Zoning Bylaw. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.
- (iii) Council may require a greater separation from any liquid manure storage lagoon or earthen manure storage facility involved in the operation, to residential and other developments. A separation distance to the lagoon or storage facility from a residence of 1.5 times the distance required as per the Zoning Bylaw will be considered adequate.

**Policy (c) *Wild Boar Operations***

- (i) As a condition of approval for wild boar operations, Council shall require that a containment plan be submitted, setting out in detail the techniques and methods to be used to keep the wild boars contained. The containment plan shall also contain a contingency plan that sets out in detail how the operator will deal with escaped wild boar.

**Policy (d) *Other Intensive Agricultural Uses***

- (i) Intensive agricultural uses, such as nurseries, market gardens and other forms of agribusiness including agricultural product processing, energy production, and agro-tourism aimed at diversification of the farm economy, will be encouraged and permitted subject to the discretion of Council. Council may require the proponents of such developments 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 operation, as a basis for approval.
- (ii) The Zoning Bylaw will contain minimum site size standards for intensive agricultural uses. Smaller sites will be permitted for intensive agricultural uses, excluding intensive livestock operations, to facilitate their development.
- (iii) New intensive agriculture development in the form of market gardens shall maintain minimum separation distances from existing industrial and hazardous industrial uses as provided for in the Zoning Bylaw.

## 3.6 RESIDENTIAL LAND USE AND DEVELOPMENT

### 3.6.1 FINDINGS

- Statistics Canada counted 200 dwellings during the 2016 Census within the RM of LeRoy. Farm-based residential makes up the majority of residential development with the RM however the community is supportive of providing opportunities for acreage style country residential development, contributing to residential options within the region.
- With acreage style homes becoming more commonplace in rural areas, policies related to country residential development (e.g. unique servicing needs) needs to be considered, particularly with the continued development of other types of industry (mining).
- The unorganized Hamlets of Shady and Sinnett are also located within the RM. Several vacant lots exist in the Hamlet providing opportunity for additional development to take place. Consideration should be made for the management of development within the Hamlets of Shady and Sinnett.
- Consideration should be made for the development of land use policy that minimizes the costs of country residential development - including potential and future development - to the RM, and to ensure that it is undertaken in an orderly, well-planned manner.
- The MidSask Municipal Alliance Future Land Use Concept and District Plan identifies Country Residential Potential areas while specifying that these areas should not necessarily be viewed as definitive sites suitable for multiple parcel country residential development. Guidance is provided within the District Plan for each individual RM within the District to develop their own implementation tools and policies. Subsequent to the development of the MidSask District Plan (YEAR) and the Future Land Use Concept, in particular, the RM of LeRoy undertook a detailed

planning exercise in order to update its approach and process in responding to the unique needs of the municipality.

- Given the extent of prime farmland within the RM of LeRoy and the policies surrounding the designating of sites that precludes the development of multiple parcel country residential on prime farmland (in the MidSask District Plan), the RM of LeRoy requires an alternative set of implementation tools that can provide guidance and flexibility for Council to continue to protect farmland while considering potential development proposals. Map 1 – Development Considerations and Map 2 – Development Constraints, along with the policies that follow, will guide the RM in making informed decisions surrounding residential development opportunities, while ensuring protection of agricultural land.
- *The Statements of Provincial Interest Regulations* provides the following statement concerning residential development (which is addressed in the objectives and policies that follow):
  - *The province has an interest in citizens having access to a range of housing options to meet their needs and promote independence, security, health and dignity for individuals, and enhancing the economic and social wellbeing of communities.*

### 3.6.2 OBJECTIVES AND POLICIES

#### Objective 3.6.2.1 General Residential Policies

To accommodate a range of residential development in the municipality.

- Policy (a)** The Zoning Bylaw will provide for some residential uses, forms and densities, as permitted or discretionary uses, in other zoning districts, as appropriate.
- Policy (b)** Residential building construction will be regulated by the municipality’s building bylaw and *The National Building Code of Canada*.
- Policy (c)** Residential development shall avoid land that is prohibitively expensive for the municipality to service.

#### Objective 3.6.2.2 Building and Lot Construction Standards

To ensure that buildings and lots are constructed and maintained to acceptable standards.

- Policy (a)** The Zoning Bylaw will regulate the distances to buildings or structures from the property line, the minimum space to be allowed between buildings, the maximum height of buildings and structures and the maximum coverage of a site by buildings or structures.
- Policy (b)** Development on residential sites, including accessory buildings and structures, which include but are not limited to decks, patios and fences, shall be entirely contained within the boundaries of the site on which it is proposed to be situated.

#### Objective 3.6.2.3 Single Parcel Country Residential Development

To accommodate single parcel country residential development on quarter sections.

- Policy (a)** *Single Parcel Country Residential*

To retain the agricultural character of the municipality, a maximum of four (4) single-parcel country residential subdivisions per quarter-section (64.75 hectares) will be allowed to be subdivided on a discretionary basis in the A – Agriculture District. Additional residential subdivision(s) may be permitted to be subdivided from a quarter-section for:

- (i) any site fragmented from the balance of a quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barriers; or

**Policy (b) *Locational Criteria***

In order to minimize conflict between single-parcel country residential subdivisions and other development, Council will observe the separation distances between single-parcel country residential development and other existing land uses as listed in the Zoning Bylaw. Council may consider approving a lesser separation than that set out in the Zoning Bylaw where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:

- (i) A copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the separation distances as set out in the Zoning Bylaw. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.

**Policy (c) *Services***

- (i) Single parcel country residential subdivision and development will be permitted only where direct all-weather public road access has been provided to the satisfaction of Council or the development of a direct all-weather public road is undertaken to the satisfaction of Council.
- (ii) Single parcel residential subdivision and development must accommodate a private, on-site supply of water and a sewage system (both of which must meet provincial standards) and have frontage on a developed municipal road.

**Policy (d) *Development Standards***

- (i) The Zoning Bylaw will prescribe maximum and minimum site sizes and other appropriate development standards for single parcel country residential development, with the aim of limiting the amount of productive agricultural land taken out of production and ensuring that such development does not result in increased road hazards related to obstruction of sight lines, etc.
- (ii) Council may permit a larger or smaller site size than what is outlined in the Zoning Bylaw to:
  - (a) minimize prime agricultural land to be taken out of production;
  - (b) accommodate existing developed farm yard sites;

- (c) accommodate sites fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barrier; or
- (d) accommodate larger sites that include poor agricultural land.

**Policy (e)     *General***

To facilitate the resolution of encroachment issues, Council will, in general, support applications for the subdivision of two or more residential sites that will result in a realignment of residential property lines intended to correct an encroachment.

**Objective 3.6.2.4   Multiple Parcel Country Residential Development**

To accommodate a range of multi-parcel residential development options in identified areas, in order to provide a growth stimulus to the community and choice of lifestyles for residents, while ensuring that residential land uses do not jeopardize essential agricultural or other natural resource activities, the environment or other surrounding land uses.

**Policy (a)     *Development Options***

The Zoning Bylaw may contain a series of country residential zoning districts to accommodate multiple-lot country residential subdivisions at various densities.

**Policy (b)     *Scale and Density***

Subdivision for non-farm multiple-lot country residential development at a density greater than four (4) residential sites per quarter-section will be considered on the basis of project merits relative to the policies in this section. Such subdivision shall be implemented in association with a rezoning to a country residential zoning district.

**Policy (c)     *Locational Guidelines***

In order to provide for effective and efficient municipal and other services, and to protect prime agricultural land and important wildlife habitat in the municipality, multiple-lot country residential subdivisions should be located:

- (i) Near a school of sufficient capacity to handle the increase in enrolment or on an existing school bus route.
- (ii) Near power, natural gas and telephone lines of sufficient capacity to handle such development.
- (iii) So that adequate police and fire protection can be conveniently provided.
- (iv) To protect or enhance existing treed areas, critical wildlife habitat and environmentally sensitive areas.
- (v) Only where direct all-weather public road access has been provided to the satisfaction of Council.

**Policy (d)      *Locational Requirements***

- (i) In order to minimize conflict between multiple lot country residential subdivisions and other development, Council shall observe the separation distances set out in the Zoning Bylaw.
- (ii) Council may consider approving a lesser separation than that set out in the Zoning Bylaw where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:
  - (a) A copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the separation distances as set out in the Zoning Bylaw. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.
- (iii) Council will use Map 1 – Development Considerations and Map 2 – Development Constraints to assess the constraints, benefits and acceptability of the subdivision. Multiple-lot country residential subdivisions shall not be located:
  - (a) Where direct all-weather public road access has not been developed, except where arrangements have been made, to the satisfaction of Council, for the development of such access.
  - (b) On land subject to flooding, or land where there is a high water table or potential for soil slumping or subsidence unless it can be demonstrated, in accordance with Section 3.2.2.1 that the land is safe for development or that recommended mitigation measures will assure the necessary level of safety.
  - (c) In a linear fashion stretched along municipal roads (clusters).
  - ~~(d) On prime agricultural land (Class 1 – 3).~~
  - (e) In locations where existing and future land uses would become compromised.
  - (f) Within the required separation distances, provided for in the RM of LeRoy’s Zoning Bylaw, for multiple parcel country residential sites.

### **Objective 3.6.2.6 Multiple Parcel Country Residential Development and Design**

To accommodate orderly and planned multiple parcel country residential development while minimizing the associated municipal servicing costs of residential development on the municipality.

#### **Policy (a) *Phasing***

A maximum of three multiple lot country residential subdivisions in developmental stages will be allowed at any point in time. Multiple-lot country residential subdivisions with less than 75% of buildings lots with completed residential construction will be considered to be in developmental stage. However, if 75% of available lots in one or more of those subdivisions are vacant but it appears that development is lagging because the developer/land owner is holding land vacant or is encountering difficulty with financing the development then that subdivision will be deemed to not be in a developmental stage. Council may consider additional subdivision proposals on a case by case basis where the developer can demonstrate that housing demand, market conditions, and/or innovative proposals are beneficial to the Municipality.

#### **Policy (b) *Scale and Density***

Each multiple lot residential subdivision development shall be limited to a maximum area of 64.8 hectares (160 acres), or one quarter section.

#### **Policy (c) *Comprehensive Development Application***

- (i) In the interests of ensuring a comprehensive and planned approach to development, the Municipality may require a developer to prepare a Comprehensive Development Application (CDA) for proposed multiple parcel country residential developments. A Comprehensive Development Review may include the following information:
  - (a) A completed copy of the RM of LeRoy No. 339 Multiple Parcel Residential and Commercial/Industrial Development Proposal Workbook.
  - (b) Concept plans showing an integrated layout for all lands intended for development, including internal roadways, access to external public roads, municipal and environmental reserve parcels, utility parcels, and phasing of the development.
  - (c) Reports, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding or other hazards together with any required mitigation measures.
  - (d) Engineering reports to address water supply, surface water drainage, sewage treatment and disposal, and fire suppression.
  - (e) Any other information Council deems necessary in order to appropriately evaluate an application.

#### **Policy (d) *Comprehensive Development Application Evaluation***



- (i) In evaluating a Comprehensive Development Application (CDA), Council may ensure compliance with any municipal requirement or standard through the provision of a servicing agreement or condition of the approval of a development permit as appropriate.
- (ii) Once a CDA has been approved by Council, no subsequent subdivision or development that is inconsistent with the approved CDA will be permitted without the approval of a revised CDA as appropriate.

**Policy (e)      *Services***

Based on the recommendations of engineering reports as per the Comprehensive Development Application:

- (i)      *Water:*
  - (a)      each site in the proposed development area shall have its own independent water system; or
  - (b)      each site in the proposed development area will be connected to a Regional Water Distribution system; or
  - (c)      each site in the proposed development area will be serviced with an independent communal water supply system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (ii)      *Sewer:*
  - (a)      each site in the proposed development area shall have its own independent sewage disposal system approved by the Regional Health Authority; or
  - (b)      each site in the proposed development area will be serviced with an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (iii)      *Solid Waste:*
  - (a)      Council will approve new development subject to the availability of facilities for the disposal of solid waste by future residents in a licensed solid waste management facility.

**Policy (f)      *Development Standards***

The Zoning Bylaw will prescribe maximum and minimum lot sizes and other appropriate development standards for multiple lot country residential development, with the aim of preserving productive agricultural land and ensuring that such development does not result in increased road hazards related to obstruction of sight lines, etc.

**Policy (g)      *Drainage***

The Zoning Bylaw will require the submission of a site grading plan for development of sites in country residential districts to ensure that there is adequate drainage from a site and that neighbouring properties and municipal infrastructure will not be adversely affected by potential runoff from the development.

**Policy (h)      *Alternative to Conventional Subdivision***

Subject to all other policies in this document, Council will consider bare-land condominium development as an alternative to conventional subdivision, to achieve the goals and residential objectives set out in this document.

**Policy (i)      *Innovative Design***

Innovative country residential subdivision and development that addresses current broad societal issues respecting energy conservation and production, climate change, food security/self-sufficiency and health and safety for communities will be encouraged.

**Objective 3.6.2.7    Other Associated Development**

To accommodate recreational uses, home based businesses, community facilities and other forms of development normally associated with multiple parcel country that are consistent with and complementary to the overall residential character of the development.

**Policy (a)**      Approvals for home-based businesses will be based on the evaluation of individual operations relative to specific Zoning Bylaw criteria to ensure that the residential character or land value is not diminished.

**Policy (b)**      The Zoning Bylaw will provide for other forms of development, facilities and recreational uses in residential districts that are consistent with and complementary to the overall residential and recreational uses of the district.

**Objective 3.6.2.8    Hamlets**

To accommodate future development in the Hamlets of Shady and Sinnett that will minimize conflict with other land uses while ensuring future development is consistent with the capacities of the Municipality's infrastructure to support it.

**Policy (a)**      The Zoning Bylaw will contain a hamlet zoning district to accommodate the range of existing residential, commercial and community service uses and to regulate the form and density of these types of development.

- Policy (b)** Limited residential and commercial growth in the form of infilling of existing vacant sites shall be allowed in the Hamlet of Shady and Sinnett. The provision of additional lots adjacent to these hamlets will not proceed until such time as a detailed layout and servicing concept is prepared for the Hamlet and is adopted by Council.

### 3.7 COMMERCIAL / INDUSTRIAL LAND USE AND DEVELOPMENT

#### 3.7.1 FINDINGS

- Significant areas of the RM (southern portion) have been acquired by BHP for development of the Jansen mine.
- Other home-based businesses or businesses ancillary to agricultural or resource procurement operations exist within the RM, however, are not always easily identifiable due to their accessory nature.
- To avoid conflict with other land uses / development, consideration should be given to the development of policies to set locational guidelines and other conditions under which industrial and commercial development may be permitted.
- Consideration should be given to the most optimal location for commercial and industrial development, in order to take advantage of existing infrastructure within the RM.

#### 3.7.2 OBJECTIVES AND POLICIES

##### **Objective 3.7.2.1 Commercial and Industrial Development**

To encourage and provide for responsible commercial and industrial development in the municipality while maintaining and enhancing the existing nodes of commercial and industrial development in the municipality.

- Policy (a)** Ensure that commercial and industrial buildings and lots are constructed and maintained to acceptable standards through the use of the Rural Municipality's Building Bylaw and *The National Building Code of Canada*.
- Policy (b)** The Zoning Bylaw will contain a commercial and an industrial district that will accommodate existing legally established and future commercial / industrial developments.
- Policy (c)** Principal light industrial uses, including resource exploration and development will be accommodated as permitted uses within the industrial zoning district. Principal heavy industrial uses will be accommodated as discretionary uses within the industrial zoning district.
- Policy (d)** Commercial and industrial development is encouraged to locate along existing primary transportation corridors.
- Policy (e)** Highway commercial uses should maintain the functional integrity of the highway, through the use of service road systems, or controlled highway access points, which are approved by Saskatchewan Highways and Infrastructure.

**Policy (f)** New commercial and industrial development is encouraged to locate in close proximity to existing nodes of development, where possible.

### **Objective 3.7.2.2 Land Use Conflicts and Environmental Considerations**

To minimize land use conflicts between commercial and industrial developments and any existing land uses, as well as any potential environmental impacts as a result of such development.

**Policy (a)** Future commercial or industrial subdivisions or re-zoning for commercial or industrial development shall avoid conflict with existing land uses and development. Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:

- (i) anticipated levels of noise, odour, smoke, fumes, dust, night lighting, glare, vibration or other emissions emanating from the operation will be sufficient to affect the residential character of existing residential areas;
- (ii) anticipated increased levels or types of vehicle traffic may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas;

**Policy (b)** Council will use Map 1 – Development Considerations and Map 2 - Development Constraints to assess the constraints, benefits and acceptability of the subdivision.

**Policy (c)** In order to minimize land use conflict between industrial development and other existing land uses, Council shall observe the separation distances as set out in the Zoning Bylaw. Council may consider approving a lesser separation than that set out in the Zoning Bylaw where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:

- (i) A copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the separation distances as set out in the Zoning Bylaw. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.

**Policy (d)** In association with an application for a development permit, Council may require submission of a site grading plan demonstrating that there is adequate drainage from a site and that neighbouring properties and municipal infrastructure will not be adversely affected by potential runoff from the development.

**Policy (e)** Where Council is of the belief that a proposed commercial or industrial development may require large volumes of water, Council may require the applicant 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 operation.

**Policy (f)      *Development Application Requirements***

Before considering an industrial or commercial development, subdivision or rezoning application, Council may require that the development application contain information with respect to:

- (i) the types of industry or commercial use to be contained on the site.
- (ii) the size and number of parcels proposed.
- (iii) the installation and construction of roads, services, and utilities.
- (iv) the potential impacts on adjacent land uses, and proposed measures to mitigate any negative impacts.
- (v) the environmental suitability of the site and other potentially affected lands with particular consideration to the soils, topography, drainage and availability of services, proximity to public recreation and wildlife management areas and hazard land.
- (vi) the access, egress, and the potential impacts of the proposed development on the highway system and traffic safety.
- (vii) development standards or design criteria that include such aspects as parking for large trucks, landscaping, screening, storage, and signage.
- (viii) any other matters that Council considers necessary.

**Policy (g)      *Comprehensive Development Application***

- (i) In the interests of ensuring a comprehensive and planned approach to development, the Municipality may require a developer to prepare a Comprehensive Development Application (CDA) for proposed commercial and industrial developments. A Comprehensive Development Application may include the following information:
- (ii) A completed copy of the RM of LeRoy No. 339 Multi-parcel Country and Residential and Commercial/Industrial Development Proposal Workbook (see Section 6).
- (iii) Plans showing an integrated layout for all lands intended for industrial or commercial development, including internal roadways, access to external public roads, municipal and environmental reserve parcels, utility parcels, and phasing of the development.
- (iv) Reports, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding or other hazards together with any required mitigation measures.
- (v) Engineering reports to address water supply, surface water drainage, sewage treatment and disposal, and fire suppression.

- (vi) Any other information Council deems necessary in order to appropriately evaluate an application.

**Policy (h) *Comprehensive Development Application Evaluation***

- (i) In evaluating a Comprehensive Development Application (CDA), Council may ensure compliance with any municipal requirement or standard through the provision of a servicing agreement or condition of the approval of a development permit as appropriate.
- (ii) Once a CDA has been approved by Council, no subsequent subdivision or development that is inconsistent with the approved CDA will be permitted without the approval of a revised CDA as appropriate.

**Policy (i) *Hazardous Industries***

Industrial uses involving hazardous materials or chemicals will be permitted only at the discretion of Council, subject to approval required by any government regulatory agency, and subject to the following locational policies:

- (i) It is Council's view that hazardous industries have the potential to negatively affect the general welfare of nearby residents and farm operations, relating to such factors as decreased land values and perceived hazards. Therefore, in order to minimize conflict between hazardous industrial uses and other development, policies for minimum separation distances between hazardous industrial uses and other principal land uses are listed in the Zoning Bylaw. These minimum separation distance policies shall apply both to development, alteration or expansion of hazardous industries and to other development proposed in the vicinity of existing hazardous industries.
- (ii) Council may consider approving a lesser separation than that set out in the Zoning Bylaw where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:
  - (a) A copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the separation distances as set out in the Zoning Bylaw. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.
- (iii) Council may require a separation twenty per cent (20%) greater than that set out in Zoning Bylaw where an unacceptable land use conflict would result with existing developments (e.g. in instances where higher nearby development

intensity or topographic situation results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels).

- (iv) All uses involving hazardous materials or chemicals shall be separated from permanent surface water bodies or water courses by at least 1.6 km (1 mile).
- (v) Buildings or yards used for the storage, handling or processing of hazardous materials shall be located at least 75 m (250 feet) from any road or railway right-of-way.
- (vi) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice of a proposal that will result in development, expansion or alteration of a hazardous industrial use and shall hold a public hearing on the proposal.

**Policy (i)** The Zoning Bylaw will contain landscaping and screening requirements for commercial and industrial developments.

### 3.8 RECREATION AND TOURISM

#### 3.8.1 FINDINGS

- The LeRoy Leisureland Regional Park is located 6 km west of the Town of LeRoy and includes a 9-hole golfing course, camping and swimming facilities. This regional recreation site has the potential to create opportunities for enhancing the economy of the RM and the region.
- Development of recreation and tourism within the RM of LeRoy and the region is best accomplished through collaboration with neighbouring municipalities and jurisdictions, including the Mid Sask Municipal Alliance.
- Consideration should be made towards the development of appropriate tourism and recreational policies in order to minimize the cost to the Municipality and maximize the benefit to the residents.
- *The Statements of Provincial Interest Regulations* provides the following statement concerning recreation and tourism (which is addressed in the objectives and policies that follow):
  - *The province has an interest in supporting a high quality of life for Saskatchewan's citizen's and visitors by providing and actively promoting recreation and tourism opportunities.*

#### 3.8.2 OBJECTIVES AND POLICIES

##### Objective 3.8.2.1

To recognize the natural and scenic significance of the RM of LeRoy and to promote its conservation and preservation in order that this resource may be preserved and managed for natural habitat and for the use and enjoyment of future generations.

**Policy (a)** Cooperate with adjoining rural municipalities, the Mid Sask Municipal Alliance, the Town of LeRoy, and the LeRoy Leisureland Regional Park Authority in achieving the preservation of natural areas to the greatest extent possible in the region.

##### Objective 3.8.2.2

To realize opportunities for recreation and tourism-oriented development in the RM of LeRoy that are complementary to the natural environment.

**Policy (a)** The RM of LeRoy will consider responsible recreation and tourism development that protects and conserves ecologically important features and landscapes and considers the integration of compatible land use activities with environmental protection measures.

**Objective 3.8.2.3**

To recognize and maintain the shared provision of recreational opportunities to residents and visitors of the region as a whole between the RM of LeRoy, the Town of LeRoy, the Mid Sask Municipal Alliance, and other interested adjoining municipalities and other authorities.

**Policy (a)** The RM of LeRoy will continue to collaborate with the Town of LeRoy, the Mid Sask Municipal Alliance, the LeRoy Leisurland Regional Park, and others within the region in providing recreational amenities and opportunities for the area, and seek out mutually beneficial opportunities with organizations and authorities in the interest of promotion, preservation, and enhancement of recreation and tourism in the region.



## 4 FUTURE LAND USE

---

### 4.1 DEVELOPMENT CONSIDERATIONS

The development maps contained in this section are intended to guide land use decisions within the municipality by identifying opportunities and constraints on future land use and development. Council will consider new subdivision and development proposals in the context of the information shown on these maps, which form part of this Plan. Council may consider amending the Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:

- (1) Site conditions are suitable for the type of development;
- (2) negative environmental impacts of such development are avoided or suitably mitigated;
- (3) the proposed development would not conflict with surrounding land uses and development; and,
- (4) the development conforms to all other relevant provisions of the Official Community Plan, the Zoning Bylaw and the Midsask Municipal Alliance District Plan.

The maps are as follows:

**Map 1 – Development Considerations** reflects present land use patterns and identifies the following features and development considerations within the RM of LeRoy:

- Specific land uses that may require separation distance from certain land use activities;
- Key / preferred transportation corridors that could potentially support future development with the least amount of new road infrastructure;
- First Nation Reserves and other municipal jurisdictions;
- Transportation and other infrastructure;
- Recreation areas; and,
- Critical drainage areas.

**Map 2 – Development Constraints** identifies areas, features and potential biophysical constraints such as:

- Potential heritage sensitivity;
- Waterbodies and wetlands;
- Potential hazard lands;
- Potential critical wildlife habitat areas;
- Class 1 - 3 soil capability for agriculture - prime farmland (as identified under the Canada Land Inventory);
- Transportation and other infrastructure; and
- Potential nuisance and hazardous land use activities (e.g. gravel pits, sewage lagoon, intensive livestock operations, etc.).

The purpose of spatially identifying development considerations and potential constraints on development is to help apply the goals, objectives and policies of the Official Community Plan, as they relate to land use and development within the RM and the broader region.

### 4.2 MAPS

Map 1 – Development Considerations

Map 2 – Development Constraints

**Map 1**



**Map 2**



## 5 IMPLEMENTATION

---

### 5.1 ZONING BYLAW

The Zoning Bylaw will be the principal method of implementing the objectives and policies contained in this Official Community Plan, and will be adopted in conjunction herewith by the RM of LeRoy No. 339.

#### 5.1.1 PURPOSE

The purpose of the Zoning Bylaw is to control the use of land providing for the amenity of the area within the jurisdiction of the Rural Municipality for the health, safety and general welfare of its inhabitants.

#### 5.1.2 CONTENT AND OBJECTIVES

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts for residential uses, manufactured homes, community service uses, retail commercial uses, highway commercial uses, industrial uses, future urban development lands and restricted development lands. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, off-street parking, landscaping and so forth.

#### 5.1.3 AMENDING THE ZONING BYLAW

When considering applications to amend zoning regulations or standards, or requests for the rezoning of land, Council shall consider such proposals within the context of:

- (1) The nature of the proposal and its conformance with all relevant provisions of this Official Community Plan.
- (2) The need to foster a rational pattern of relationships among all forms of land use and to protect all forms of land use from harmful encroachments by incompatible uses.
- (3) The need for the form of land use proposed and the supply of land currently available in the general area capable of meeting that need.
- (4) The capability of the existing road system to service the proposed use and the adequacy of the proposed supply of off-street parking.
- (5) The capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools and other utilities and community services.

#### 5.1.4 ZONING BY AGREEMENT

- (1) Where an application is made to Council to rezone land to permit the carrying out of a specified proposal, Council may, for the purpose of accommodating the request, enter into an Agreement with the Applicant pursuant to Section 69 of *The Planning and Development Act, 2007*.

- (2) Section 5.1.3 of this Official Community Plan shall apply in the review of applications for rezoning by agreement.
- (3) Council may enter into an agreement with the applicant setting out a description of the proposal and reasonable terms and conditions with respect to:
  - (a) The uses of the land and buildings and the forms of development.
  - (b) The site layout and external design, including parking areas, landscaping and entry and exit ways.
  - (c) Any other development standards considered necessary to implement the proposal, provided that the development standards shall be no less stringent than those set out in the requested underlying zoning district.
- (4) Council may limit the use of the land and buildings to one or more of the uses permitted in the requested zoning district.

#### 5.1.5 USE OF THE HOLDING SYMBOL "H"

- (1) Pursuant to Section 71 of *The Act*, Council may use the Holding Symbol "H" in conjunction with any zoning district designation, to specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment to the zoning bylaw.
- (2) Council may use the Holding Symbol "H" to accommodate multiple phase subdivisions and developments.
- (3) In making a decision as to whether to remove the Holding Symbol "H" by amendment to the zoning bylaw, Council shall consider whether development has progressed to a point where extension of municipal services is appropriate.



## 5.2 OTHER IMPLEMENTATION TOOLS

### 5.2.1 SUBDIVISION APPLICATION REVIEW

In reviewing any application for subdivision, Council shall indicate support for such application only when it has:

- (1) Ensured that all policies and guidelines established regarding occupancy levels, development standards and design of the subdivision, as set out in this Official Community Plan, have been satisfied.
- (2) Ensured that the application is in conformity with the Zoning Bylaw.
- (3) Negotiated the terms of a servicing agreement, if required, with the applicant.
- (4) Determined its wishes with respect to the dedication of lands.

### 5.2.2 DEDICATED LANDS

- (1) When reviewing any application for subdivision, Council may indicate to the approving authority, its desire to have unstable or flood-prone areas set aside as environmental reserve and/or municipal reserve, as a condition of subdivision approval, pursuant to Section 185 of *The Planning and Development Act, 2007 (The Act)*.
- (2) Pursuant to *The Act*, Council may elect to request that an approving authority require the owner of land that is the subject of a proposed subdivision to provide money in place of all or a portion of land that would otherwise be required to be dedicated as municipal reserve.

### 5.2.3 DEVELOPMENT LEVIES AND SERVICING FEES

- (1) In accordance with Section 169 of *The Act*, the Council may establish, by separate bylaw, development levies for the purpose of recovering all or a part of the capital cost of providing, altering, expanding or upgrading services and facilities associated with a proposed development within an existing subdivided area. Such bylaw must be based on studies to establish the cost of municipal servicing and recreational needs and on a consideration of future land use and development and the anticipated phasing of associated public works.
- (2) In accordance with Section 172 of *The Act*, a Council may require a servicing agreement with the proponent of a subdivision development. In order to provide overall direction and guidance in the negotiation of individual agreements with developers a Council may establish, by resolution, a schedule of development specifications and servicing fees. Such servicing specifications will provide a consistent set of development standards for provision of services and works by developers within a proposed subdivision development. Subdivision servicing fees contribute in whole or in part towards the capital costs of services within or outside the subdivision that directly or indirectly serve the proposed subdivision.

## 5.3 OTHER

### 5.3.1 UPDATING THE OFFICIAL COMMUNITY PLAN

Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this Official Community Plan, including the Future Land Use Concept, shall be reviewed and updated within five years of adoption.

### 5.3.2 FURTHER STUDIES

As necessary, Council will undertake such studies or programs required to facilitate and encourage the growth and development of the Rural Municipality of LeRoy No. 339.

### 5.3.3 COOPERATION AND INTER-JURISDICTIONAL CONSIDERATION

Council shall cooperate with senior governments, other municipalities, and public and private agencies to implement this Official Community Plan.

### 5.3.4 PROGRAMS

Council shall participate in senior government economic development, public utility, resource enhancement, housing, social and environmental protection programs and projects, where such will help in achieving its goals and objectives.

### 5.3.5 PROVINCIAL LAND USE POLICIES AND INTERESTS

This bylaw shall be administered and implemented in conformity with applicable provincial land use policies and interests, statutes and regulations and in cooperation with provincial agencies. Where a reference is made in this Plan to a provincial statute or regulation and that statute or regulation is amended or repealed and substituted with a replacement statute or regulation, the reference herein to the statute or regulation shall be taken to mean the amended or replacement statute or regulation.

### 5.3.6 BINDING

Subject to Section 40 of *The Planning and Development Act, 2007*, the Official Community Plan shall be binding on the Rural Municipality, the Crown, and all other persons, associations and other organizations, and no development shall be carried out that is contrary to this Official Community Plan.

### 5.3.7 DEFINITIONS

The Zoning Bylaw definitions shall apply to this Official Community Plan.

## 6 MULTI-PARCEL COUNTRY RESIDENTIAL AND COMMERCIAL / INDUSTRIAL DEVELOPMENT PROPOSAL WORKBOOK

---

