

RURAL MUNICIPALITY OF MILDEN No. 286

OFFICIAL COMMUNITY PLAN

Prepared for:

THE RURAL MUNICIPALITY OF MILDEN No. 286

Prepared by:

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

JUNE 2024

The Rural Municipality of Milden No. 286

Bylaw No. 2024-01

A Bylaw of the Rural Municipality of Milden No. 286 to adopt the Official Community Plan.

The Council of the Rural Municipality of Milden No. 286, 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 Milden No. 286 hereby adopts the Official Community Plan, identified as Schedule "A" to this bylaw.
- (2) The Reeve and Administrator of the Rural Municipality of Milden No. 286 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 02-01 the Basic Planning Statement, and all amendments there to, are hereby repealed.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 12th day of June, 2024

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 MILDEN NO. 286

OFFICIAL COMMUNITY PLAN

Being Schedule "A" to Bylaw No. 2024-01
of the Rural Municipality of Milden No. 286

(Reeve)

SEAL

(Administrator)

TABLE OF CONTENTS

1	INTRODUCTION	1
1.1	Scope and Purpose	1
1.2	Authority	1
2	GUIDING PRINCIPLES, VISION & GOALS	3
2.1	Guiding Principals	3
2.3	Goals	3
3	OBJECTIVES & POLICIES	4
3.1	Natural and Heritage Resources.....	4
3.2	Biophysical Constraints and Hazards	9
3.3	Transportation and Infrastructure	12
3.4	Intermunicipal and Jurisdictional Cooperation	17
3.5	Agricultural Land Use and Development	20
3.6	Residential Land Use and Development.....	26
3.7	Commercial / Industrial Land Use and Development.....	34
4	FUTURE LAND USE	39
4.1	Development Considerations	39
4.2	Maps.....	40
5	IMPLEMENTATION	41
5.1	Zoning Bylaw	41
5.2	Other Implementation Tools	42
5.3	Other	44
6	MULTI-PARCEL COUNTRY RESIDENTIAL AND COMMERCIAL / INDUSTRIAL DEVELOPMENT PROPOSAL WORKBOOK	45
1.	Natural and Built Environmental Considerations	46
2.	Economic Considerations.....	52
3.	Regulatory Compliance.....	53

1 INTRODUCTION

1.1 SCOPE AND PURPOSE

The policies in this Official Community Plan address the need for future land use planning in the Rural Municipality (RM) of Milden No. 286 as well as other matters related to its physical, social and economic development.

The policies are intended to provide the RM of Milden 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 Milden No. 286 are governed by separate and / or additional provincial legislation to *The Planning and Development Act, 2007*.

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 Milden No. 286 has prepared and adopted this Official Community Plan to provide the 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;
- (7) the means of implementing the Official Community Plan;
- (8) the co-ordination of land use, future growth patterns and public works with adjacent municipalities;
- (9) the implementation of the intermunicipal development agreement;
- (10) the provision of municipal reserve for school purposes, including policies that:
 - (i) ensure the creation of municipal reserve sites suitable in size to be used for school purposes;
 - (ii) designate the locations of municipal reserve sites to be used for school purposes; and,
 - (iii) provide for the dedication of land or money-in-lieu of land through the subdivision process that supports equity for all subdivision applicants and municipalities within the region; and
- (11) the management of lands that are in proximity to existing or proposed railway operations.

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 (SPI's)*.

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
- (15) Community Health and Well-being
- (16) Economic Growth

2 GUIDING PRINCIPLES, VISION & GOALS

2.1 GUIDING PRINCIPALS

This Official Community Plan:

- (1) Strives to maintain the rural character and quality of life;
- (2) Encourages sustainable development and growth that efficiently uses land and existing transportation networks, and provides for the affordable servicing of land in order to limit the fragmentation of land;
- (3) Builds foundations for a sustainable, healthy, rural economy by planning in the context of land resource quality, geographic location, economic opportunities, environmental conditions, natural features, adjacent land uses and relationships with other municipalities;
- (4) Promotes new development in rural areas that is compatible with agriculture; and,
- (5) Promotes inter-municipal cooperation and public / private partnerships in order to stimulate community initiatives that can contribute positively to the well being of all communities in the municipality.

2.3 GOALS

The Rural Municipality (RM) of Milden Official Community Plan responds to the requirements of *The Act*, and the *SPI's*, by providing policies based upon “Community Goals” for the conservation and use of municipal resources. The day-to-day decisions of the Municipal Council will be based upon these goals.

- (1) To preserve and enhance the agricultural economic base of the Municipality.
- (2) To enhance the rural way of life in the Municipality, and provide for new opportunities that support that way of life.
- (3) To support use of the land which will maintain its productivity and protect the quality of the environment.
- (4) To enhance and update public utilities and infrastructure when financially possible.
- (5) To promote balanced economic activities including commercial and industrial services related to agriculture.
- (6) To provide sustainable and economically efficient systems to ensure quality of life within the RM of Milden.
- (7) To maintain highway corridors that lead into and out of the municipality in order to provide a connected network to other municipalities within the region.

3 OBJECTIVES & POLICIES

3.1 NATURAL AND HERITAGE RESOURCES

- *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.*

3.1.1 GENERAL OBSERVATIONS

- The RM of Milden No. 286 landscape areas ranges from the Rosetown Plain in the north, to the Coteau Hills in the South. These landscape areas are located across two different ecoregions, the Moist Mixed Grasslands and the Mixed Grasslands, within the Saskatchewan Prairies.
- Both of the Ecoregions are comprised by broad plains that are interrupted by deep, scenic valleys and subdued, hilly uplands. The RM of Milden is characterized primarily by broad plains with two significant depressions that are filled with water, intermittently drying out during periods of low precipitation.
- The climate across the RM ranges from subhumid in the North, to semi arid in the south.
- Soils tend to be thin and lower in organic matter on upper slopes, becoming progressively thicker and higher in organic matter on mid and lower slopes, in response to an increased supply of soil moisture and plant growth.
- The Rosetown Plain is a large, nearly level glacial lake plain that extends from the base of the Coteau Hills near Dinsmore to the Bad and Bear hills near Rosetown and then northwestward to Tramping Lake.
- Nearly all of the area is cropland. Cereals are the major crop, with small amounts of peas, beans, and other crops. Nearly 40% of the cropland area is summerfallow.
- The Coteau Hills is a hilly upland area southeast of Dinsmore. There is some surface drainage from the upland to the surrounding plains, especially to Luck Lake and the Anerley channel.
- Most of the Coteau Hills are cropland; however, appreciable areas of hilly land are used as rangeland or pasture.
- The Rosetown Plain and Coteau Hills landscape areas are largely dominated by Cereal crops, with small amounts of peas, beans, and other crops. Nearly 40% of the cropland area is summerfallow.
- There are no gravel operations within the RM.
- The Sovereign Hutterite Colony known formally as the "Hutterian Brethren of Sovereign Inc." utilizes one sand drag hose that extends into the RM of Milden to dispose of manure from the communal farm settlement via direct injection into agricultural fields. Regulations for temporary uses extending into the RM of Milden should be identified within the zoning bylaw that allows Council to permit equipment including sand drag hoses at their discretion.

- 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 Milden 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 Milden during land use and development decisions.
- The RM of Milden is a member of the Lake Diefenbaker Watershed Advisory Committee.

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 Milden'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 Lake Diefenbaker Watershed 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. Council may require any studies to be undertaken by qualified professionals at the expense of the developer.
- Policy (c)** Council shall require new development to have adequate surface water drainage to avoid flooding, erosion, or pollution.

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 on potentially heritage sensitive parcels occurs in accordance with the guidelines and criteria identified by the Heritage Conservation Branch of Saskatchewan. The RM of Milden 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 that 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;
 - (d) minimizing the effect of the operation on infrastructure and services including but not always limited to roadways: and,
 - (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) Multiple 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 3.1.2.6 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 H₂S 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

- *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.*
 - *The province has an interest in safe, healthy, reliable and cost-effective public works to facilitate economic growth, community development, and resilience to extreme weather events.*

3.2.1 GENERAL OBSERVATIONS

- The Barber Lakes and Anerley Lakes exist within the west central and east central portions of the RM respectively. Water levels within these lakes fluctuate and have been reported to have dried out completely during periods of low precipitation.
- Natural gas pipelines exist throughout the RM of Milden:
 - The Alliance Pipeline and a Large TransGas pipeline (nominal pipe size of 6 or larger) exist within the RM of Milden. Both of these pipelines run parallel to one another following a straight line that reaches from the Village of Dinsmore to the community of Sovereign.
 - A TransGas line with a nominal pipe size of 4 (4.5 inches outer diameter) and smaller enters the RM from the Northwest (Town of Zealandia) supplying gas to the Village of Milden before reaching south and branching east/west to supply both the Villages of Dinsmore and Wiseton. This pipeline also branches off to the east from the Village of Milden and serves the Dinsmore Hutterite Colony.
- Potential flood prone areas are identified on **Map 5 – Development Constraints** for general information. Areas around existing 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, identified on **Map 5 – Development Constraints**, running throughout the RM.

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 character of the area.

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 4 – Development Considerations and Map 5 – 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

- *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 and resilience to extreme weather events.*
 - *The province has an interest in safe, cost effective transportation systems that meet existing and future needs for economic growth, community development and diversification.*

3.3.1 GENERAL OBSERVATIONS

- The RM is served by a grid road system which connects to three paved provincial highways - #15, #44, and #42. Highway #15 provides access through the Village of Milden running east/west through the RM. Highway #44 provides access between the Villages of Wiseton and Dinsmore and connects to Highway #42 which runs north/south through the RM. Highway #15 and #44 are connected within the RM via Highway #42.
- Primary Grid Road #655 runs north/south through the northern half of the RM, connecting Highway #15 and Highway #7.
- Primary Grid Road #664 runs north/south from the southern boundary of the RM with connection to Wiseton.
- Approximately 20 separate seasonal roads exist throughout the RM providing access throughout the RM during summer months.
- 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. One Canadian National rail line exists that runs through the southern portion of the RM with access to Wiseton and Dinsmore.
- Irrigation within the RM will be provided as part of the second phase of the Lake Diefenbaker Irrigation Project.
- To ensure that future development does not place additional unnecessary pressure on existing road maintenance obligations of the RM, consideration should be given to the development of municipal servicing policies.
- 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 RM is capable of delivering to country residential developments.
- To ensure that future development in the RM can be adequately serviced by municipal infrastructure systems, consideration should be made towards the development of appropriate infrastructure and servicing policies.

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; or,
- (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-site 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, and adjacent municipalities and jurisdictions 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 RM will not be responsible for the paving of roads in all subdivisions. Council may choose to enter into a servicing agreement with the developer for the paving of roadways.
- 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.
 - (iii) it is determined that all applicable provincial and municipal safety standards are met.

- Policy (g)** Map 4 – 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 RM 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 3.3.2.6 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 may utilize asset management planning 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

- *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 intermunicipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local and regional development.*
 - *The province has an interest in enhancing the participation of First Nations and Métis communities in land use planning and in fostering respectful relationships between municipalities and First Nations and Métis communities.*

3.4.1 GENERAL OBSERVATIONS

- The RM of Milden No. 286 is bordered on the south by the RM of King George No. 256, to the east by the RM of Fertile Valley No 285, to the west by the RM of St. Andrews No. 287 and Monet No. 257, and to the north by the RM of Harris No. 316.
- Urban municipalities located within the RM of Milden include the Village of Milden, the Village of Dinsmore, and the Village of Wiseton.
- There are no First Nation Reserves located within the RM.

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 of Milden will continue to pursue inter-municipal cooperation, with the Village of Milden, the Village of Dinsmore, the Village of Wiseton and other neighbouring municipalities and planning districts in which the RM is a member 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, 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 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 Village of Milden, Village of Dinsmore, the Village of Wiseton or other appropriate municipality 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.

Policy (c) In areas adjacent to the Village of Milden, Village of Dinsmore, and the Village of Wiseton 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 these municipalities to identify future development areas outside of current municipal boundaries for long term growth. Creating a mutually beneficial partnership with the municipalities located within the RM of Milden will be vital in ensuring complementary development occurs in future growth areas.

Policy (d) Lands in proximity to all urban municipalities within the RM that have been identified as having potential for future urban growth under the framework of a long-range growth plan are designated on Map 4 – Development Considerations.

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 of Milden intends to ensure that future land use and development in the urban interface will be compatible with the future growth aspirations of all urban municipalities located in the RM to ensure that development and land use adjacent to these urban areas will not hinder future village growth. All applications for subdivision and development of land situated within an urban growth boundary as identified on the Map 4 – 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 appropriate urban municipality for review and comment.

Objective 3.4.2.4 Annexation

To provide opportunities for the Village of Milden, Village of Dinsmore, and Village of Wiseton to grow.

Policy (a) Council will evaluate annexation proposals by the municipalities located within its boundaries with consideration of its impacts on:

- (a) adjacent land uses;
- (b) the relationship of annexed lands to the urban municipality'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 municipality's Official Community Plan.

3.5 AGRICULTURAL LAND USE AND DEVELOPMENT

- *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 agricultural operations and value-added agribusiness.*
 - *The province has an interest in a strong provincial economy that helps improve the quality of life for all Saskatchewan people.*

3.5.1 GENERAL OBSERVATIONS

- Land use within the RM of Milden is primarily used for agricultural crop production with a number of livestock operations and one substantial communal farm settlement known as the Milden Hutterian Brethren. 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.
- 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).
- (Soil capabilities map still to be created)

3.5.2 OBJECTIVES AND POLICIES

Objective 3.5.2.1 Protection of Farm Land

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. Additional dwelling units, up to 2 additional, 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 and will result in increased economic diversification, agricultural innovation and agriculture-related value-added activity in the municipality.

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 300 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 approve lesser separation distances from the recommended separation distances identified in Table 8-1 of the Zoning Bylaw respecting dwelling units, multi-parcel country residential developments, commercial uses, industrial parks or uses, and recreation uses. In considering the approval of lesser than the recommended separation distances, Council shall consider the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:
 - (a) written comments from any landowners within the required separation distance;
 - (b) proposed mitigation measures to minimize impacts;
 - (c) landforms that may affect or be affected by the impacts from the Intensive Livestock Operation;
 - (d) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
 - (e) watershed and drainage patterns, and how runoff from the Intensive Livestock Operation is to be managed;
 - (f) the method of manure storage management and any mitigation proposed to minimize odours;
 - (g) whether the livestock will be housed fully indoors, fully outdoors, or partially indoors and outdoors;
 - (h) the land use designation and future land use of the lands within the separation distance; and
 - (i) other factors that Council deems relevant.
- (iii) Council may require a separation 20% greater than set out in Table 8-1 of 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).

Policy (c) *Wild Boar Operations*

- (i) The keeping of wild boar and all wild boar operations within the RM shall be prohibited.

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.
- (ii) 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.

Objective 3.6.2.8 Remote Cabins

To accommodate existing remote cabins in the municipality and provide for limited remote cabin development under specific conditions.

Policy (a) The Zoning Bylaw will provide for remote cabins as a discretionary use in the Agricultural Residential district. Council will assess proposals under the following criteria to ensure that remote cabins will be seasonal residences that do not require municipal services:

- (i) The site is isolated and access is not required or expected from a dedicated road. In general, sites which are 1.5 km or more from developed roads or highways may be considered.
- (ii) Other municipal or utility services will not be required.
- (iii) The development will contain a single dwelling unit designed for seasonal occupancy.

3.6 RESIDENTIAL LAND USE AND DEVELOPMENT

- *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 well-being of communities.*
 - *The province has an interest in supporting the development of communities that enhance the physical and mental health and well-being of Saskatchewan people.*

3.6.1 GENERAL OBSERVATIONS

- Statistics Canada counted 97 dwellings during the 2021 Census within the RM of Milden, 75 dwellings are occupied by usual residents. Farm-based residential makes up the majority of residential development within the RM.
- 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.
- According to 2021 Census Data, the RM of Milden had a population of 280. This was a decrease of 14.4% from the 2016 population of 327.
- 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.

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 three (3) 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.

Policy (b) *Locational Criteria*

- (i) In order to minimize conflict between single-parcel country residential subdivisions 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, with consideration the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:
 - (a) written comments from any landowners within the required separation distance;
 - (b) proposed mitigation measures to minimize impacts;
 - (c) landforms that may affect or be affected by the impacts from the country residential development;
 - (d) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
 - (e) watershed and drainage patterns, and how runoff is to be managed;
 - (f) the land use designation and future land use of the lands within the separation distance; and
 - (g) other factors that Council deems relevant.

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).

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 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 subdivisions at various densities.

Policy (b) *Scale and Density*

Subdivision for non-farm multiple-lot country residential development at a density greater than two (2) 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-parcel country residential subdivisions 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, with consideration the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:
 - (a) written comments from any landowners within the required separation distance;
 - (b) proposed mitigation measures to minimize impacts;
 - (c) landforms that may affect or be affected by the impacts from the country residential development;
 - (d) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
 - (e) watershed and drainage patterns, and how runoff is to be managed;
 - (f) the land use designation and future land use of the lands within the separation distance; and
 - (g) other factors that Council deems relevant.
- (iii) Council will use Map 4 – Development Considerations and Map 5 – 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) Within the required separation distances, provided for in the RM's Zoning Bylaw, for multiple parcel country residential sites.

Objective 3.6.2.5 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*

- (i) Multiple Lot Country Residential
 - (a) 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 Milden No. 286 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, protecting important wildlife habitat in the community, and ensuring that 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 may 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 3.6.2.6 *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 3.6.2.7 Hamlets

To accommodate any future development of Hamlets 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 any future Hamlets. The provision of additional lots adjacent to hamlets will not proceed until such time as a detailed layout and servicing concept is prepared for Hamlets and is adopted by Council.

3.7 COMMERCIAL / INDUSTRIAL LAND USE AND DEVELOPMENT

- *The Statements of Provincial Interest Regulations* provides the following statement concerning economic development (which is addressed in the objectives and policies that follow):
 - *The province has an interest in a strong provincial economy that helps improve the quality of life for all Saskatchewan people.*

3.7.1 GENERAL OBSERVATIONS

- There are currently no commercial or industrial developments located within the RM of Milden. Industrial and commercial policies should be considered to accommodate future land use development within the RM.
- Other home-based businesses or businesses ancillary to agricultural or resource procurement operations are sure to exist within the RM. One business ancillary to an agricultural operation was identified during field investigations located adjacent to Highway #44.
- 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.
- The creation and development of policies to avoid conflict with other land uses/development is important, particularly 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 commercial and industrial zoning districts 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 4 – Development Considerations and Map 5 – Development Constraints to assess the constraints, benefits and acceptability of the subdivision.

Policy (c) In order to minimize conflict between commercial and industrial developments 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, with consideration the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:

- (a) written comments from any landowners within the required separation distance;
- (b) proposed mitigation measures to minimize impacts;
- (c) landforms that may affect or be affected by the impacts from the commercial or industrial development;
- (d) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
- (e) watershed and drainage patterns, and how runoff is to be managed;
- (f) the land use designation and future land use of the lands within the separation distance; and
- (g) other factors that Council deems relevant.

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 Milden No. 286 Multiple Parcel 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) In order to minimize conflict between hazardous industries 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, with consideration the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:
 - (h) written comments from any landowners within the required separation distance;
 - (i) proposed mitigation measures to minimize impacts;

- (j) landforms that may affect or be affected by the impacts from the country residential development;
 - (k) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
 - (l) watershed and drainage patterns, and how runoff is to be managed;
 - (m) the land use designation and future land use of the lands within the separation distance; and
 - (n) other factors that Council deems relevant.
- (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 (j) The Zoning Bylaw will contain landscaping and screening requirements for commercial and industrial developments.

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;
- (4) the development conforms to all other relevant provisions of the Official Community Plan and the Zoning Bylaw.

The maps are as follows:

Map 1 – Location and Access – Identifies the location of the RM of Milden No. 286 and the Provincial Highways that provide key access points to the RM.

Map 2 – Satellite Map – The satellite map identifies the locations of urban municipalities within the RM and shows the present land use patterns articulated by clearly demarcated parcel boundaries.

Map 3 – Soil Capabilities – Identifies the capability of land for dry land crop production. (TBD)

Map 4 – Development Considerations – Reflects present land use patterns and identifies the following features, considerations, and constraints found with the RM of Milden: (TBD)

- 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; and
- Existing development areas land use activities.

Map 5 – Development Constraints – Identifies areas, features and potential biophysical constraints such as: (TBD)

- Waterbodies and Watercourses;
- Potential Flood Prone Areas
- Saskatchewan Environmental Terrestrial Wildlife Habitat;
- Provincial and National Parks
- Infrastructure Setbacks; and,
- Other development constraints / hazards.

4.2 MAPS

Map 1 – Location and Access

Map 2 – Satellite Map

Map 3 – Soil Capabilities

Map 4 – Development Considerations

Map 5 – Development Constraints

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 Milden No. 286.

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. Development standards 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

Council will not pre-zone land. In other words, the rezoning of land will only be favourably considered on the basis that a comprehensive development application has been received and approved by Council and, if relevant, a subdivision referral letter from the Community Planning Branch has been received.

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.
- (3) The RM will consult with the Province, appropriate School Divisions, and affected regional partners regarding Municipal Reserve dedication for school purposes.
- (4) The following factors shall be considered in making decisions on the provision of municipal reserves:
 - (i) Smaller municipal reserve areas within new residential subdivisions should be provided for neighbourhood parks and playgrounds.
 - (ii) In commercial and industrial subdivisions, cash-in-lieu of municipal reserve dedication will be considered as the primary method of meeting the municipal reserve requirement, unless the requirement can be transferred to an acceptable area and dedicated.
 - (iii) School site needs, as identified by the Sun West Division No. 207 ensuring the creation of municipal reserve areas large enough to be used for schools.

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 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 Milden No. 286.

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

Rural Municipality of Milden No. 286 Multiple Parcel Residential and Commercial/Industrial Subdivision Evaluation Workbook

This workbook is intended to allow the Rural Municipality of Milden to thoroughly evaluate the impact of new commercial, industrial and multiple parcel country residential subdivision proposals in the Municipality. The workbook is intended to raise awareness of current development issues and identify best practices with respect to community design. Council will base decisions on moving forward with rezoning applications related to new commercial, industrial or multiple parcel country residential subdivision proposals on the responses provided by applicants to the questions contained within this workbook, subject to other relevant Bylaws and policies of the Municipality.

Please answer questions in the space provided within this workbook and attach additional sheets if necessary.

1.4 Are there potential geotechnical hazards (steep slope, stream sides, shorelines)?

Early recognition of geotechnical hazards is an important step in reducing the incidence of expensive and potentially unsafe situations.

Yes/No

Describe

1.5 Is this a “brown-field” site or other potentially contaminated area (e.g. old farm yard, railway right-of-way)? If yes, is environmental site remediation to be part of the development process?

Brown-field sites or land that may have been used for potentially noxious industrial or commercial purposes (e.g. dry cleaning, farm sites, gas stations) that may have been contaminated by hazardous waste or pollution and need to be restored / decontaminated before development occurs. Brown-field sites are unsafe to redevelop before an environmental remediation takes place.

Yes/Not Applicable

If yes, briefly outline the nature of the potential contamination and the proposed (actual) remediation approach (including the standards that were adhered to):

Comment on inclusion of the following methods to reduce energy use and improve air quality:

- 1.6** Energy efficiency of proposed structures and / or subdivision layout (e.g., building location responding to daily sun/shade patterns, north-south orientation of residential sites, high performance envelopes, passive solar gain, solar shading, natural ventilation, ground heating/cooling).

Reducing energy consumption through design and layout of buildings and communities' conserves non-renewable fossil fuels, reduces air, water and land pollution, and reduces energy costs to the public. Site planning and building design are key components in increasing energy efficiency.

Yes/No

Describe

- 1.7** What proportion (%) of the sites in the subdivision have a north-south orientation appropriate for taking maximum advantage of passive solar energy?

Passive Solar Energy makes use of a steady supply of energy by means of building design and orientation. It reduces fuel consumption, lowers energy bills and increases natural light. Appropriate solar orientation for residential sites shall be defined as sites oriented within 30 degrees of a north-south axis.

Proportion (%):

- 1.8** Are there any existing wetlands that would be affected by this proposal?

Yes/No

Describe

- 1.9** Will landscaping and trees be provided within the subdivision (includes retention of existing trees)?
Are there unique landscaping provisions that will contribute to the sustainability of the development?

Yes/No

Describe

- 1.10** Are there any significant existing environmental features that will be maintained, enhanced or destroyed on the site (e.g., tree and/or shrub or other natural feature preservation, cultural / heritage resource preservation)?

Maintaining or enhancing environmental features and significant archaeological sites helps to create a sense of community, protects the natural environment, a community's past and creates unique and distinctive places for people to live and enjoy.

Yes/No

Describe

- 1.11** What is the length (in lane metres) of the streets (by type, including walkways) in the development?

The total amount of transportation infrastructure can be compared to the size of the subdivision and expected population of the subdivision at full build-out size. A lane metre is defined as 1 metre x 2.5 metres (2.5 m²).

Length of streets:

1.12 Are actions proposed to mitigate noise (e.g., traffic, industry, agricultural uses)?

Mitigative measures could include noise attenuation walls, buffers, berms, vegetation, etc.

Yes/No

Describe

1.13 What is the layout of the street network (e.g. grid, curvilinear)?

Street layout can influence maintenance costs as well as connectivity with surrounding development. Intersections and sight lines related to streets affect traffic and pedestrian safety.

Describe

1.14 Is the development proposed to be located within 1.6 km. of a significant grassland area? If so, have you considered subdivision design elements or building standards that are intended to reduce the potential risk to the development from wildfires?

Subdivision design and development standards can minimize risk through the selective placement of perimeter fire buffer areas, access roads, trail development, parks and open space areas. Fire Smart building construction and design techniques that provide for building separation, achieve fuel modified building sites and provide landscaping, can be implemented by developers through restrictive covenants on land titles.

Describe

- 1.15** Have you consulted with all existing residents, land owners and adjacent municipalities within 1.6 km (1 mile) of the proposed development?

Yes/No

If concerns were raised by surrounding residents / land owners or municipalities, please list and explain how you propose to mitigate those concerns.

Describe

- 1.16** Does the development meet all of the locational requirements as required by the R.M. of Milden?

Yes/No

Describe

2. Economic Considerations

The importance of economic considerations in the development review process relate to the integrity of our ecological and economic systems and helps to ensure long term prosperity through the responsible use of our resources. Economic sustainability enables the maintenance, service and support of communities without upward pressure on levies, property taxes and other development charges.

- 2.1** Is any prime farmland (Class 1 or 2) proposed to be developed (and therefore taken out of agricultural production) as part of this proposal?

The preservation of prime agricultural land is important to future agricultural production.

Yes/No

Describe (include approximate amount)

- 2.2** Does the subdivision have any features that will reduce the long-term costs to the municipality of operating and maintaining public services and infrastructure (e.g. reduce roads and pipes for servicing that will have to be maintained by the R.M.)?

Yes/No

Describe

- 2.3** Does the development result in special or additional costs that are specific to this particular subdivision (e.g. special storm water issues, transportation, fences) that would not be fully recovered by municipal taxes?

Yes/No

Describe

3.1 Does the development comply with the policies and standards that are currently outlined in the Rural Municipality of Milden Official Community Plan and Zoning Bylaw (assuming a rezoning must occur)? What zoning district(s) will be required to accommodate your proposal?

Comments

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

- Comments

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

