

Rural Municipality of Leask No. 464
Basic Planning Statement
Bylaw No. 5-92

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1.0 INTRODUCTION

1.1 GENERAL

This document constitutes the Basic Planning Statement for the Rural Municipality of Leask No. 464. The Basic Planning Statement has been prepared and enacted in accordance with section 39 of *The Planning and Development Act, 1983*.

1.2 AUTHORITY

Pursuant to section 44 of *The Planning and Development Act, 1983*, the Council of the Rural Municipality of the Leask No. 464 hereby adopts the Basic Planning Statement Bylaw.

1.3 SCOPE

The policies of this Statement shall apply to all the lands within the limits of the Rural Municipality of Leask No. 464 and no development shall be carried out that is contrary to the Basic Planning Statement.

1.4 ADOPTION AND AMENDMENT OF A BASIC PLANNING STATEMENT

This Basic Planning Statement is adopted by bylaw according to the procedures outlined under sections 207 to 212 of *The Basic Planning and Development Act, 1983*. The same procedures are used for the amendment of any portion of the Basic Planning Statement.

1.0 THE BASIC PLANNING STATEMENT: PURPOSE, ISSUES, POLICIES AND IMPLEMENTATION

2.1 PURPOSE OF A BASIC PLANNING STATEMENT

Section 39 of *The Planning and Development Act, 1983* enables council to prepare and adopt a Basic Planning Statement. A Basic Planning Statement is a statement of the municipal council's goals and objectives for future planning and development, and it establishes policies to address development issues in the Background Report.

The purpose of a Basic Planning Statement is to provide guidance to the rural municipal council in making development decisions. To accomplish this, the Basic Planning Statement will:

- a) serve as a framework to guide council in making development decisions;
- b) identify issues and concerns which affect the use and development of land;
- c) establish objectives and outline policies for future development;
- d) establish the objectives to be accomplished by a Zoning Bylaw.

2.2 SCOPE OF A BASIC PLANNING STATEMENT

The objectives and policies stated in this Basic Planning Statement apply to the entire area within the boundaries of the Rural Municipality of Leask No. 464. All development within the limits of the municipality shall conform to this Basic Planning Statement.

2.3 POLICIES WITHIN A BASIC PLANNING STATEMENT

A Basic Planning Statement comprises policies, guidelines and implementation measures.

Policies are statements which determine how decisions will be made in the future, that is, policies express current positions on future decisions. There are three kinds of policies in a Basic Planning Statement: regulatory policies, implementation policies and advocacy policies.

Regulatory policies deal with the control and management of land and resource use over which a municipality has direct jurisdiction. For example, regulatory policies would address the appropriate type, location and intensity of various kinds of development or land use within a municipality. Implementation policies identify specific actions needed to achieve objectives desired by a municipality. Whereas, advocacy policies express the position of a municipality on matters which are beyond its direct jurisdiction, but which may affect its operations. Such advocacy policies would be directed towards neighbouring municipal jurisdictions or senior levels of government.

Policies may be expressed in broad, general terms, or they may be quite detailed and specific to address the particular circumstances and issues being considered.

Guidelines are an outline of policy by government or other agencies. Guidelines are not legislated but have been adopted by the governing/generating agency. Implementation measures are instruments used by the governing/generating agency to carry into effect specific policies and guidelines.

2.4 IMPLEMENTATION OF A BASIC PLANNING STATEMENT

The goals and objectives stated within the Basic Planning Statement are implemented by council through the adoption of a municipal Zoning Bylaw.

2.5 AREA AFFECTED BY THE BASIC PLANNING STATEMENT

This Basic Planning Statement affects and is legally binding upon the entire Rural Municipality of Leask No. 464.

2.6 RELATED PLANNING DOCUMENTS

The policies of the Basic Planning Statement are derived from the issues and recommendations presented in greater detail in the Rural Municipality of Leask No. 464 Background Report. The Zoning Bylaw No. 6-92 of the Rural Municipality of Leask No. 464 contains detailed land use controls to assist in the implementation of the Basic Planning Statement's policies. The Background Report as well as the Zoning Bylaw and the associated Zoning District Map constitute separate documents.

3.0 BACKGROUND REPORT ISSUES AND RECOMMENDATIONS FOR THE RURAL MUNICIPALITY OF LEASK NO. 464

A number of concerns and issues affecting the use of lakes, their shorelands and the surrounding area as well as recommendations for appropriate levels of lakeshore development have been identified within the Background Report. These concerns, issues and recommendations were identified through a review of the resources and development patterns of the municipality, comments and suggestions provided by personnel within government agencies and interest groups and through a series of meetings with the Steering Committee. These concerns and issues may be divided into two categories: those concerns and issues that are specifically lakeshore management concerns and issues, and those that are pertinent to the whole municipality.

The **lakeshore management concerns, issues and recommendations** identified in the Background Report include:

Recreational Land use

- *the ability of the recreation resources to be sustained should be ensured through environmental protection of the lakes and shorelands;*
- *lakeshore development should occur in a manner and at locations which are compatible with each other;*
- *benefits should be maximized and costs should be minimized to the municipality resulting from recreation activities;*
- *safe and healthy water-based recreation should be maintained;*
- *land use and access conflicts and incompatibilities should be minimized;*
- *disturbance of critical wildlife habitat, fisheries habitat and other environmentally sensitive areas should be avoided; and*
- *disturbance of heritage sensitive areas should be avoided.*

The other **municipal management concerns, issues and recommendations** identified in the Background Report which relate to the entire Rural Municipality of Leask no. 464 include:

Land Tenure

- *to minimize conflicts and incompatibilities among land uses, and*
- *to ensure coordination in land use planning between the three levels of government.*

Agricultural Land Use

- *agricultural lands and existing farm units should be protected from incompatible uses to ensure the continuing viability of the agricultural industry within the municipality;*
- *conflict between existing and potential users of land resources should be minimized;*
- *the diversification of the agricultural economy should be promoted;*
- *the conservation and sustainable use of soil and water resources should be encouraged; and*
- *non-agricultural developments should be directed to marginal agricultural lands.*

Rural Residential Development

- *the provision of an adequate number of sites for rural residential development;*
- *the economical provision of municipal services to rural residential sties;*
- *support for the agricultural economy; and*
- *appropriate locational and development standards for rural residential development.*

Environmentally Sensitive and Heritage Sensitive Areas

- *the protection, preservation, enhancement and/or management of environmentally sensitive areas and hazard lands; and*
- *the protection and management of the municipality's heritage resources.*

Forestry Land Use

- *the protection and/or management of forested lands by all users in order to maintain and enhance benefits such as sound land use practices, soil conservation, and employment and recreation opportunities; and*
- *to sustain the forest resource.*

Residential Land Use

- *to avoid random, unplanned residential developments and thus premature development;*
- *to achieve efficient municipal servicing; and*
- *to protect the environment.*

Light Industrial and Highway Commercial Land Use

- *light industrial and highway commercial developments should be planned to achieve efficient municipal servicing, avoid premature development, minimize conflicts with other land uses and ensure environmental protection.*

Transportation and Utility Corridors

- *to encourage road developments that transport people and goods in a safe and satisfactory manner, and that are complimentary to the municipality's land use policies;*
- *to encourage wherever possible, the grouping of utility corridors; and*
- *to accommodate all applicable provincial and federal government regulations and policies.*

The following objectives and policies within this Basic Planning Statement address the lakeshore and rural municipal management concerns, issues and recommendations which were identified in the Background Report.

4.0 LAKESHORE MANAGEMENT OBJECTIVES AND POLICIES

4.1 LAKESHORE MANAGEMENT OBJECTIVES

- A. To ensure that lakeshore development occurs in a manner, and at locations which are compatible with each other.
- B. To minimize land use and access conflicts and incompatibilities of shorelands.
- C. To promote safety for all lake users.
- D. To maintain, protect and enhance water quality and the fishery resource.
- E. To protect the amenities and environmental quality of the municipality's lakes and shorelands.
- F. To encourage cooperative planning between Council, other jurisdictions and the public.
- G. To promote cooperation with provincial, federal and other municipal jurisdictions and to administer municipal land use policies in compliance with provincial and federal land use policies.

4.2 LAKESHORE DEVELOPMENT POLICIES

- A. Council will co-operate with other jurisdictions and operators to encourage a diversity of recreation opportunities and facilities within the municipality.

Rationale

The provision of a range of recreational opportunities and facilities (both public and private) will encourage the sustainable development of the recreation resources as well as assisting in maximizing the benefits and minimizing the costs to the municipality.

- B. Council, in conjunction with other jurisdictions and the public will encourage and support cooperative planning to secure the sustainable use of the municipality's shorelands and lakes.

B. Rationale

Within the municipality, shorelands are primarily privately owned. However there are also a number of provincial and federal agencies as well as other groups with interests in the municipality. Good land stewardship (both private and public) would be encouraged by cooperative planning between all parties.

- C. Where required, Council will establish lake specific and municipal lakeshore development policies to assist in safeguarding environmental quality and/or the recreational resource, and prevent or minimize land use conflicts between the outdoor recreation resources and other land uses.

D. **Constance Lake Lakeshore Development Policies:**

- D.1 Council will not permit any further recreational development on Constance Lake.

Rationale

Concerns expressed by Fisheries Branch personnel within Saskatchewan Natural Resources indicate that the fishery resource at this small shallow lake would not be able to sustain much additional use. In addition, to ensure varying levels of recreational development and use within the municipality, the current minimal development level at Constance Lake should be maintained.

- D.2 All lands surrounding Constance Lake will be zoned as an Agricultural Resource District (AR) which reflects its current use.

E. **Damour Lake Lakeshore Development Policies:**

- E.1 Council will not permit any further recreational development on Damour Lake.

Rationale

Fisheries Branch personnel within Saskatchewan Natural Resources have indicated that nutrient inputs from lakeshore agricultural operations will eventually degrade water quality, and possibly affect fish population. The affects on water quality of recreational use of this lake and shorelands for sports fishing and picnicking is unknown. The current minimal development of a primitive day-use area and seasonal boat launch site at Damour Lake should be maintained.

- E.2 All lands surrounding Damour Lake will be zoned as an Agricultural Resource District (AR) which reflects its current use. Subject to Section 5.5, Council may consider limited Country Residential District (CR) zoning on lands abutting the south shore of the lake, where it can be demonstrated it will not have an adverse impact on water quality.

F. Emerald Lake Lakeshore Development Policies:

- F.1 Council will not permit any further subdivision of land or rezoning for recreational development on the shorelands of Emerald Lake.

Rationale

Emerald Lake is a small and relatively shallow recreational lake. There is no data on water quality for this lake. Its physical characteristics constrains its ability to absorb nutrients and pollutants and further recreational use may contribute to water quality deterioration through inappropriate waste disposal associated with cottage developments as well as gas and oil spills.

Environmentally sensitive areas such as critical wildlife habitat and heritage sensitive areas should be protected.

Water use conflicts and safety hazards have been observed as well as overcrowding of existing recreational facilities in Emerald Lake Regional Park. Fisheries Branch personnel within Saskatchewan Natural Resources recommend that further development be avoided to ensure the present levels of fish populations are sustained. The cumulative affect(s) of recently developed cottage areas is also unknown at this time.

Thus, any further development of Emerald Lake would disrupt or damage the physical and natural resources, and would result in the degradation (possibly permanently) of recreational opportunities and activities.

- F.2 Council, in conjunction with other jurisdictions and the public will encourage and support cooperative planning to secure the sustainable use of Emerald Lake.
- F.3 In view of the conclusions reached above, Council will encourage the Emerald Lake Regional Park Board to maintain accommodation facilities and campsites at Emerald Lake Regional Park at their current level. This policy will assist in limiting the facilities and campsites and thus, the number of day-users and weekend campers who use the limited resources of Emerald Lake.
- F.4 The Ruxie Lake cottage development will be zoned as a Lakeshore Development District (LD) which will ensure its current recreational use.
- F.5 Duncan's Beach will be zoned as a Lakeshore Development District (LD) and the existing leasehold cottage development will be a permitted use. If the lessees and/or owner wish to subdivide at a later date, Council will permit the subdivision of this development subject to:
- i. meeting the requirements of municipal and/or environmental reserves;

- ii. the provision of a hydrology report by Saskatchewan Water Corporation which reviews the potential of flooding within the proposed subdivision;
- iii. a relaxation of the minimum site, yard and building requirements of the Lakeshore Development District Regulations to accommodate the site areas, yard frontages and building floor areas which exist at the time of subdivision; and
- iv. a Zoning Bylaw amendment based on the plan of subdivision will be required to establish the appropriate development standards for the subdivision.

Rationale

The long-term leasehold cottage developments at Duncan's Beach represent significant investments by cottage lessees over a substantial period of time. The past and current use of this leasehold cottage development should be recognized and accommodated with the Lakeshore Development District.

- F.6 Except for Ruxie Lake cottage development, Duncan's Beach leasehold cottage development and Emerald Lake Regional Park, all shorelands around Emerald Lake will be zoned as an Agricultural Resource District (AR).

G. Iroquois Lake Lakeshore Development Policies:

- G.1 Council will give consideration to limited lakeshore development at Iroquois Lake when the proposed development is likely to be feasible in terms of uptake of existing cottage lot supply, cottage demand, fishery resource protection, environmental quality concerns, timing and any other conditions Council feels are warranted.

Rationale

Present high fishing levels by anglers and the Treaty Indian food fishery have had considerable impact on reducing the whitefish population. Historically, day-users are the major year-round users of the fishery resource at this lake. Campers from the commercial resort operation, cottagers and the Treaty Indian food fishery also exert considerable pressure on the fishery resource. Fisheries Branch personnel within Saskatchewan Natural Resources suggest that no additional recreational developments take place on this lake in order to safeguard the resource.

Currently, the Resort Village of Pebble Baye and the Organized Hamlet of Pelican Cove has an existing inventory of subdivided, unsold cottage lots.

- G.2 Council will encourage and promote the development of existing subdivided cottage lots at Iroquois Lake in conjunction with the Resort Village of Pebble Baye.

Rationale

The development of existing subdivided cottage lots may improve the viability of recreational developments. Also, by encouraging infill which would be primarily backshore development within existing cottage subdivisions there would be some measure of protection for Iroquois Lake's fishery resource.

G.3 Organized Hamlet of Pelican Cove Infill Policy:

Council, in conjunction with the Organized Hamlet of Pelican Cove will promote and encourage limited infill development of subdivided, unsold cottage lots located in Pelican Cove.

Rationale

This policy would result in broadening the municipal tax base to assist in the ongoing improvement and upgrading of the area.

G.4 Existing subdivided cottage lots, Parcel A and the municipal reserve within the Organized Hamlet of Pelican Cove will be zoned as a Lakeshore Development District (LD) which will ensure its current recreational use and the subdivided lots currently occupied by the Iroquois Lake Resort will ensure its current recreational use and the subdivided lots currently occupied by the Iroquois Lake Resort will be zoned as a Resort Commercial District (RC) which will reflect its current commercial use. The remaining lands within the Organized Hamlet of Pelican Cove will be zoned as an Agricultural Resource District (AR) which reflects the current agricultural use of these lands. Council may consider rezoning within the organized hamlet of Pelican Cove upon submission of an acceptable development proposal.

- a) Council will encourage the Pelican Cove campgrounds located at the former Iroquois Lake resort to maintain accommodation facilities and campsites at Pelican Cove at their **current** levels. This policy will assist in limiting overcrowding of the number of facilities and campsites being used.
- b) Currently at Pelican Cove, Kezmerick campground, (including parcels 131318715, 131318704, 131318692, and 131318681) has nine (9) campsites, and the McHugh Campground (including parcels 131318670, 131318524, and 131318513) has eleven (11) campsites. The total number of campsites for these parcels may not exceed these levels.

G.5 To enhance the long-term viability of Pelican Cove by broadening the municipal tax base and ongoing improvements in the area, Council will consider the further subdivision of up to an additional ten (10) cottage lots for Parcel A within the Organized Hamlet of Pelican Cove subject to:

- i. public access to the nearby lakefront municipal reserve being assured, and
- ii. a subdivision design which is compatible with adjacent cottages.

Rationale

The organized Hamlet of Pelican Cove is primarily a recreational cottaging development. Parcel A is also completely surrounded by subdivided cottage lots and thus, the opportunity for further subdivision is provided.

G.6 Council will consider future rezoning of the Iroquois Lake Resort from a Resort Commercial District (RC) to a Lakeshore Development District (LD) upon application by the owner and compliance with all regulatory requirements. Council may permit up to

seven (7) cottage lots to be developed, and these cottage lots would be contiguously developed to ensure the continuity of a recreational cottage development.

- G.7 Council, in conjunction with the Organized Hamlet of Pelican Cove will encourage the joint planning and upgrading of municipal reserves, parking facilities for day-users and the provision of public access to shorelands.

Rationale

Historically, portions of the municipal reserve in the Organized Hamlet of Pelican Cove have been extensively used by sports fishery recreationists. The majority of anglers and ice fishing recreationists are day-users who reside outside to municipality. Residents of the Organized Hamlet have expressed their concerns about public access to the limited amount of lakefront municipal reserve, the limited amount of public parking available within the Hamlet, and the resulting conflicts that have arisen between local cottage residents and “outside” day-users.

To ensure resolution of these concerns, Council in conjunction with the Organized Hamlet of Pelican Cove will promote the joint planning and upgrading of municipal reserves, public parking facilities and associated access roads.

- G.8 Council will support the rezoning of land which would provide alternative parking and boat/snow mobile trailer storage sites away from existing municipal reserve.
- G.9 Existing unsubdivided leasehold developments located in the SW1/4 26-48-8-W3 will be zoned as an Agricultural Resource District (AR) which is the primary use of the surrounding lands. This is an exception to permitted uses for this District within the Zoning Bylaw. Council will not permit the expansion of this leasehold development.

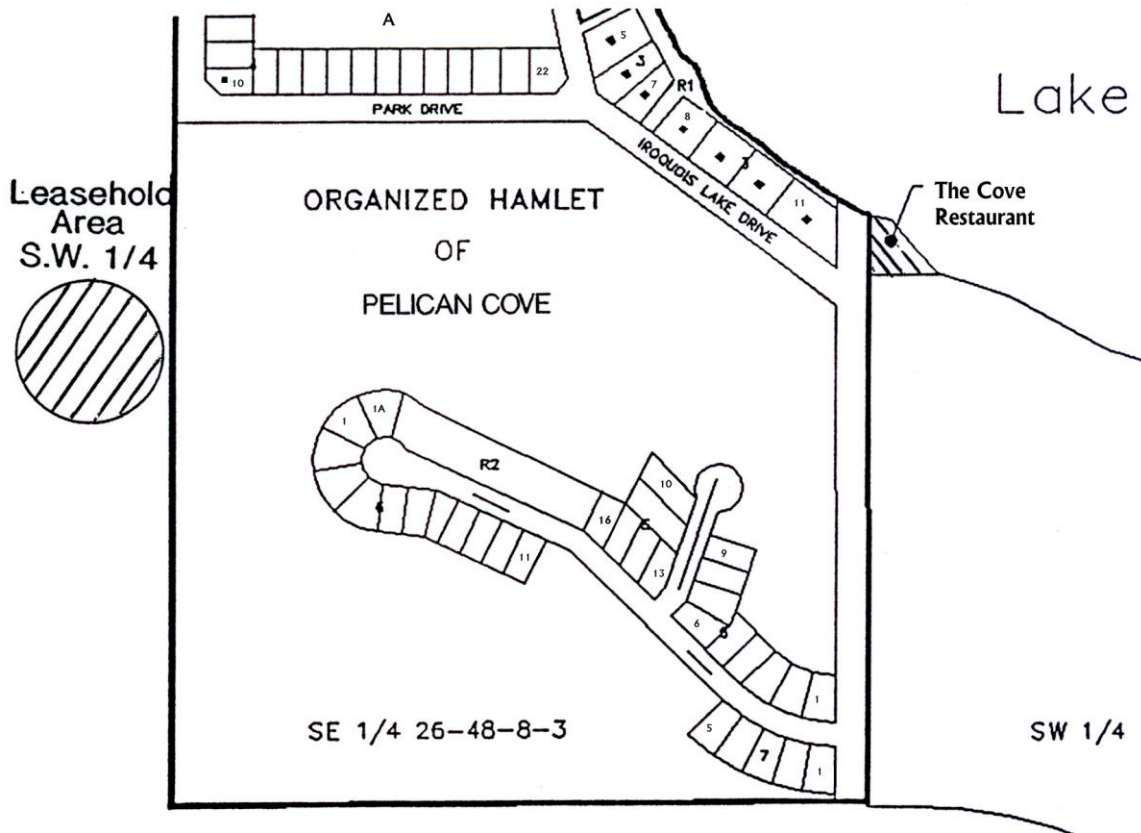
From a sketch plan, the owner and Council will agree to the number of permanent leasehold cottages at the time of adoption of this Bylaw. Those **permanent** leaseholds existing at the time of this Bylaw’s adoption will be deemed to be conforming. Council will consider future rezoning of this leasehold area to a Lakeshore Development District (LD) subject to a relaxation of district regulations consistent with the policy for Duncan’s Beach (see F.5), and the lessees and/or owner acquiring:

- i. subdivision approval;
- ii. public road access;
- iii. servicing agreements; and
- iv. any other requirements Council may consider to be necessary.

Rationale

This unsubdivided leasehold development has developed over a number of years. The

development history of this leasehold and the interests of long-term lessees and the owner will be respected and permitted.



G.10 The Cove Restaurant located to the southeast of the Organized Hamlet of Pelican Cove will be zoned as a Resort Commercial District (RC) which will ensure its current commercial use.

a) Currently The Cove Restaurant Campground (including parcels 131334050 and 131317826) has fourteen (14) campsites, with the potential of an additional twenty-one (21) campsites being developed. The total number of campsites for this parcel may not exceed thirty-five (35).

G.11 Except for the Resort Village of Pebble Baye, the Organized Hamlet of Pelican Cove and the Iroquois Lake Resort and The Cove Restaurant, all shorelands around Iroquois Lake will be zoned as an Agricultural Resource District (AR) which reflects its current use.

H. Lac la Peche Lakeshore Development Policies:

H.1 Council will give consideration to limited lakeshore development at Lac la Peche when the proposed development is likely to be feasible in terms of fishery resource protection,

environmental quality concerns, timing and any other conditions Council feels are warranted.

Rationale

Fisheries Branch personnel within Saskatchewan Natural Resources have indicated that the present number of day-users, campers and cottagers are capable of harvest levels which would meet or exceed the sustainable supply of the fishery resource. Reports of increasing levels of summertime and winter algae may be indicative of nutrient and algae problems which may also lead to reproductive failure in the fish stock.

As this lake is currently experiencing overcrowding, Council may limit the size of any proposed development to ensure the cumulative affects of all recreational developments around the lake do not lead to a severe or permanent degradation of the recreational, natural and physical resources.

- H.2 Council will encourage the Lac la Peche Resort, Nemish Point campground and Roschuk campground to maintain accommodation facilities and campsites at Lac la Peche at their **current** levels. This policy will assist in limiting the number of facilities and campsites that day-user and weekend campers use and thus, the limited resources of Lac la Peche.
- H.3 On Lac la Peche, Roschuk's campground (parcel No. 150006901) shall be allowed a maximum of 40 campsites; Nemish Point (parcel No. 149626299) shall be allowed a maximum of 31 campsites, and Lac la Peche Resort (parcel No. 130404923) shall be allowed a maximum of 21 rental sites including residence, as shown on the map attached hereto and forming part of this bylaw.

Rationale

Lac la Peche is currently experiencing overcrowding, therefore, Council may limit the size of any proposed development to ensure the cumulative affects of all recreational developments around the lake do not lead to severe or permanent degradation of the recreational, natural and physical resources.

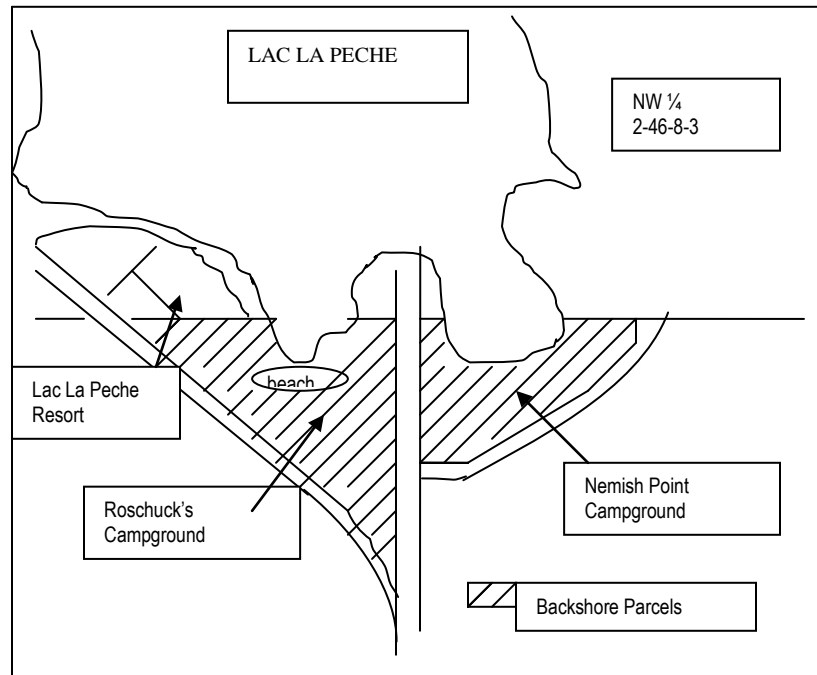
- H.4 The Lac la Peche Resort and associated campground, the Nemish Point campground and the Roschuk campground will be zoned as a Resort Commercial District (RC) which will ensure their current recreational use.

Rationale

The resort and campground facilities on the southern shorelands of Lac la Peche have developed over a number of years. The development history of these facilities and the interests of the owners will be respected and permitted.

- H.5 All recreational developments should meet the requirements of *The Tourist Accommodation Regulations, 1969*.

- H.6 The Lac la Peche cottage development and lands leased from Saskatchewan Natural Resources (SNR) by the Lac la Peche Cottage Owners Association will be zoned as a Lakeshore Development District (LD) which will ensure its current recreational use.
- H.7 Except for Lac la Peche Resort, the Nemish Point campground, Roschuck's campground and the Lac la Peche cottage development and associated leased SNR lands all shorelands around Lac la Peche will be zoned as an Agricultural Resource District (AR) which reflects its current use.
- H.8 On the southern shorelands of Lac la Peche (as shown on the sketch map below), Council will permit limited further subdivision of backshore land parcels which have been created where road rights-of-way cut divide specific quarter sections. The subdivision of up to three new cottage lots per parcel may be permitted for parcels which have reasonable access to the lakeshore.



Rationale

The existing land use on the southern shorelands of Lac la Peche is recreational. Road allowances for roads constructed to service these recreational developments have created several parcels of land in the backshore areas adjacent to the Lac la Peche Resort/Campground and the Nemish Point campground.

The total number of new cottage lots which may be permitted on these parcels is small, there will be no more than six lots. As the land has already been fragmented, the further limited subdivision of these parcels is developing an existing recreation development area,

not a new area. Therefore, the limited subdivision of these existing backshore parcels is acceptable as it is anticipated that the effects associated with the subdivision of these additional cottage lots would be minimal to the recreational, natural and physical resources of Lac la Peche.

I. Martins Lake Lakeshore Development Policies:

- I.1 Council will not permit any further recreational development on the shorelands of Martins Lake.

Rationale

Martins Lake is a small and relatively shallow recreational lake as compared to other lakes in the region. The physical characteristics of this lake and lack of information on water quality are two major environmental concerns.

The protection of environmentally sensitive and heritage sensitive areas are another concern.

Overcrowding of existing recreational facilities as well as water use conflicts and safety hazards are other major concerns. The cumulative affect(s) of recently developed cottage areas on water quality and the recreational resource is unknown at this time.

The extensive recreational developments on this lake have attracted both day-users, campers and cottagers, resulting in considerable potential for overfishing to occur according to Fisheries Branch personnel within Saskatchewan Natural Resources. They have recommended no further development should occur due to these concerns.

Thus, any further development of this lake would disrupt or damage the physical and natural resources, and would result in the degradation (possibly permanently) of recreational opportunities and activities.

- I.2 Council will encourage the Martins Lake Regional Park Board to maintain accommodation facilities and campsites at Martins Lake Regional Park at their current level. This policy will assist in limiting the number of facilities and campsites that day-users and weekend campers use and thus, the limited resources of Martins Lake.
- I.3 The Diehl cottage development will be zoned as a Lakeshore Development District (LD) which will ensure its current recreational use.
- I.4 The Joannette cottage development will be zoned as a Lakeshore Development District (LD) which will ensure its current recreational use.
- I.5 Except for Martins Lake Regional Park, Diehl's cottage development and Joannette's

cottage development, all shorelands around Martins Lake will be zoned as an Agricultural Resource District (AR) which reflects its current use.

J. General Lakeshore Development Policies:

Council will consider lakeshore development at other municipal lakes when the proposed development is likely to be feasible in terms of resource protection, environmental protection concerns, fishery concerns, timing, existing levels of recreational development and use, and any other conditions Council feels are warranted.

J.1 In evaluating any further lakeshore development, Council will give consideration to the following factors:

- the affects on environmental quality
- the protection and management of environmentally sensitive and heritage sensitive areas
- the positive and negative effects to the area's economy
- land use and access conflict and incompatibilities are minimized
- the effect(s) on the viability of existing development(s)
- for proposed cottage developments, the affect on the existing inventory of unsold or undeveloped lots
- the provision of alternate recreational facilities and activities
- water safety conflicts
- an evaluation of development proposals in terms of the financial effects of premature development on the municipality, and
- any other relevant and significant criteria.

J.2 In assessing the inventory of unsold and/or undeveloped cottage lots, those lots which are susceptible to flooding or poor drainage will be considered to be inappropriate for building. Those undeveloped lots that are considered to have a very limited market value due to a lack of tree cover, will be excluded from consideration.

K. Implementation: Lakeshore development objectives and policies may be achieved by means of:

- the Zoning Bylaw and zoning districts such as the Lakeshore Development District (LD), Resort Commercial District (RC), Conservation District (CA) and the Agricultural Resource District (AR) as indicated on the Zoning Map;
- conditions of subdivision approval and the issuance of development permits and building permits;
- service agreements;
- policies for land considered unsuitable for development; and
- any other policies or programs such as shoreline protection policies and safe

building elevations for lakeshore developments as determined by Council to be necessary and not in conflict with the provisions of the Basic Planning Statement.

4.3 SHORELAND USE AND ACCESS POLICY

- A. Council, in conjunction with other jurisdictions and private land owners shall encourage the provision of shoreline buffer strips to separate land uses, and to avoid the creation of a continuous ribbon of recreational development.
- B. **Implementation:** Shoreland use and access objective and policy may be achieved through the use of the zoning bylaw, subdivision control procedures, issuance of development permits, the shoreline protection policy, and through the adoption by Council of an advocacy role to encourage good land stewardship.

4.4 WATER SAFETY POLICIES FOR LAKES AND SHORELANDS

- A. Council, in conjunction with other jurisdictions will encourage the provision of water safety regulations, water hazards, boating etiquette and waste management procedures for motor boat or jet ski fuels and chemicals.
- B. If necessary, Council will establish no-wake restrictions near recreation developments and/or specific water surface use zones to minimize conflicts between ski boats vs. fishing boats; wind surfers vs. power boaters and others.
- C. **Implementation:** Water safety objectives and policies may be implemented through an water safety advocacy policy and/or use of a restrictive zoning bylaw.

4.5 FISHERY RESOURCE POLICIES

- A. Council will continue to encourage close consultation with the Fisheries Branch of Saskatchewan Natural Resources to ensure the sustainable use and cooperative management of the fishery resources of Emerald, Iroquois, Lac la Peche and Martins Lakes and other lakes within the municipality.
- B. In considering any new lakeshore development within municipal jurisdiction, Council

will consider the effect(s) of such a development on the fishery resources of the affected lake(s). Council may require the developer to supply information addressing the effect of the development proposal on the fishery resources. Any development located in or near the water will merit a referral to Fisheries Branch, Saskatchewan Natural Resources for authorization as required under *The Fisheries Act*.

- C. Council will encourage Saskatchewan Natural Resources to consider the cumulative effect(s) of new developments(s) on the fishery resources of all lakes within the municipality.
- D. **Implementation:** Objectives and policies with respect to the fishery resource may be achieved by a cooperative and consultative advocacy policy with Fisheries Branch, Saskatchewan Natural Resources personnel, an advocacy policy of good land stewardship, and the implementation of the Zoning Bylaw, shoreline protection and safe building elevation policies.

4.6 ENVIRONMENTAL PROTECTION POLICIES FOR LAKES AND SHORELANDS

- A. Council will encourage and promote the cooperation of private landowners and other jurisdictions to secure and maintain an undisturbed shoreline buffer strip of at least 90 metres (300 feet) to protect the lakes and shorelines from environmental degradation caused by sediments and nutrients from surface runoff associated with the clearing of agricultural land and logging.
- B. Council, in conjunction with other jurisdictions will encourage and promote the cooperation of cottagers and other recreational users to install functioning holding tanks for liquid wastes.
- C. Council, in conjunction with other jurisdictions will encourage and promote the cooperation of private landowners to relocate intensive livestock operations from lakeshores and other watercourses that discharge into lakes.
- D. Council may establish Environmentally Sensitive Areas to protect rare or sensitive flora and fauna or critical wildlife or fisheries habitat as identified by, and in consultation with Saskatchewan Natural Resources, Environment Canada, and Fisheries and Oceans Canada personnel.
- E. Council will permit all developments which manage, protect, preserve or enhance Environmentally Sensitive Areas by amendment to the Zoning Bylaw. Council shall permit other developments, subject to conditions established in consultation with Saskatchewan Natural Resources, the Canadian Wildlife Service or appropriate

jurisdiction, if the proposed development is assessed as NOT harmful to the Environmentally Sensitive Area.

- F. Where deemed necessary, Council may adopt regulations under *The Planning and Development Act, 1983* to protect endangered natural vegetation.
- G. Development on lands prone to such hazards as flooding, erosion or slope instability shall be restricted by Council to those uses consistent with the nature of the hazard, and does NOT increase the degree of hazard. Council may require floodproofing, shoreline protection measures or detailed technical studies to be undertaken by the Developer.
- H. Council, in conjunction with other jurisdictions will promote the protection of Heritage Sensitive Areas. If a proposed development is located within a Heritage Sensitive Area, a referral to Archaeological Resources Program, Saskatchewan Community Services is required to assess the need for a Heritage Resource Impact Assessment.
- I. **Implementation:** Environmental protection objectives and policies for lakes and shorelands may be implemented through such instruments as the Zoning Bylaw, conditions of subdivision approval, the issuance of development and/or building permits, servicing agreements; compliance with provincial and federal land use policies; and advocacy policies with Saskatchewan Natural Resources and the Canadian Wildlife Service of Environment Canada for Environmentally Sensitive Areas.

4.7 POLICIES TO ENCOURAGE INTER-GOVERNMENTAL COOPERATION FOR LAKES AND SHORELANDS

- A. Council will continue to cooperate with senior levels of government, other municipalities and public and private agencies to secure the sustainable use of the municipality's lakes and shorelands.
- B. Council will encourage ongoing liaison with the District Land Representative and/or Regional Manager for the Lands Branch of Saskatchewan Rural Development and the Regional Land Manager for the Resource Lands Branch of Saskatchewan Natural Resources. This liaison would provide an opportunity for Council to comment on land use permit applications for Crown lands within one kilometre of the shores of Constance, Damour, Emerald, Iroquois, Lac la Peche, Martins and Royal Lakes or any other lake identified by Council.
- C. **Implementation:** The objectives and policies to encourage inter-governmental cooperation for lakes and shorelands may be implemented as advocacy policies which encourage inter-governmental cooperation and good land stewardship, and the

establishment of a referral process for land use permits on Crown lands under the jurisdiction of Saskatchewan Natural Resources and Saskatchewan Rural Development.

5.0 MUNICIPAL MANAGEMENT OBJECTIVES AND POLICIES

5.1 MUNICIPAL MANAGEMENT OBJECTIVES

- A. To ensure the sustainable development of all water resources (such as agricultural, fishery, forestry and wildlife resources) within and adjacent to the municipality's boundaries occurs in a manner, and at locations which are compatible with each other.
- B. To minimize land use and access conflicts and incompatibilities.
- C. To promote safe transportation developments (such as roads) that are complimentary to the municipality's land use policies.
- D. To protect and enhance the fishery resources of all lakes and streams to ensure their continued viability for use by area residents and visitors.
- E. To protect the amenities and environmental quality of the municipality's land and water resources.
- F. To encourage cooperative planning between Council, other jurisdictions and the public.
- G. To promote cooperation with provincial, federal and other municipal jurisdiction and to administer municipal land use policies in compliance with provincial and federal land use policies.

5.2 AGRICULTURAL LAND USE POLICIES

- A. Council will encourage and promote the cooperation of private landowners and other jurisdictions to secure and maintain an undisturbed shoreline buffer strip of at least 90 metres (300 feet) to protect the lakes and shorelines from environmental degradation caused by sediments and nutrients from surface runoff associated with the clearing of agricultural land logging.
- B. Council will protect and preserve lands most suitable for agricultural production such as Class 1, 2, 3 or 4 lands or combinations thereof according to the Canada Land Inventory Soil Capability for Agriculture.

- C. Developments compatible with agricultural production and accessory uses shall be permitted by Council.
- D. Existing and future animal husbandry and poultry intensive livestock operations shall be permitted subject to these operations conforming with Council's requirements. The development of intensive livestock operations may also be subject to the requirements (i.e. permit) of Saskatchewan Agriculture and Food which administers *The Pollution (By Livestock) Control Act, 1984, The Pollution (By Livestock) Control Regulations, 1991* and associated Intensive Livestock Operations: Guide of Recommended Practice.
- E. Council will encourage intensive livestock operators to engage in good land stewardship.
- F. Existing agricultural land uses and developments shall be deemed conforming by Council, and shall be recognized within the Zoning Bylaw of the rural Municipality of Leask No. 464.
- G. Council shall discourage subdivision of agricultural land into small uneconomical units for non-farm developments. Council may permit land subdivision in the following instances:
 - a) for consolidation of agricultural landholding, farm debt restructuring, lease-to-own options or similar situations;
 - b) to provide for estate planning settlement such as a separate lot for retiring person(s) who have previously used the land for agricultural production.
- H. To maintain and support agricultural production Council will permit one farm residence, and at Council's discretion, up to two (2) additional farm residences per 64.8 hectares (160 acres).
- I. Council shall permit the clearing of land for the purpose of agricultural production except in environmentally sensitive or heritage resource sensitive areas, Council shall consult with the appropriate senior levels of government responsible for these sensitive lands prior to reviewing a land clearing proposal.
- J. **Implementation:** Agricultural land use objectives and policies may be implemented through such instruments as the Zoning Bylaw, subdivision control procedures, the issuance of development and building permits; and through policies which: a) protect and preserve lands most suitable for agricultural production, b) discourage the subdivision of agricultural land into small uneconomical units for non-farm developments, c) permit land clearing for agricultural purposes and d) which permit intensive livestock operations.

5.3 RECREATIONAL RESOURCE MANAGEMENT POLICIES

- A. Where appropriate, Council will permit the development of publicly-owned or privately-owned recreational facilities.
- B. Recreational activities may occur in environmentally sensitive areas, heritage resource management areas and hazard lands only to the extent that these lands are not detrimentally affected by recreational users.
- C. **Implementation:** Recreational resource management objectives and policies shall be achieved by implementing all lakeshore management objectives, policies and procedures as well as instruments such as the Zoning Bylaw, subdivision control procedures, the issuance of development permits and building permits, servicing agreements; and policies outlining the provision of information by the developer, for land considered unsuitable for development, and consultation and referral to the appropriate jurisdictions for Environmentally Sensitive Areas and Heritage Sensitive Areas.

5.4 FOREST RESOURCE POLICIES

- A. Council will encourage and promote the cooperation of private landowners and other jurisdictions to secure and maintain an undisturbed shoreline buffer strip of at least 90 metres (300 feet) to protect the lakes and shorelines from environmental degradation caused by sediments and nutrients from surface runoff associated with the clearing of agricultural land and logging.
- B. Council in conjunction with other jurisdictions will encourage and promote the enhancement of sustaining the Nisbet Provincial Forest.
- C. Council in conjunction with private landowners and/or lessees will encourage and promote the sustainable use of forests on private lands as a renewable cash crop.
- D. Council in conjunction with other jurisdictions and private landowners and/or lessees will encourage alternate uses for forest lands such as wildlife habitat, a resource for recreational opportunities and as a soil conservation resource to control wind and water erosion and retard nutrient and pollutant runoff.
- E. **Implementation:** Forest resource objectives and policies may be implemented via instruments such as the Zoning Bylaw, subdivision control procedures, issuance of development permits and building permits, policies for the provision of information by the developer and for land considered unsuitable for development.

5.5 COUNTRY RESIDENTIAL LAND USE POLICIES

- A. Country residential land use is the utilization of land for low density country residential purposes and complementary uses. Random, sprawled and linear development should be avoided.
- B. To avoid premature development, achieve efficient municipal servicing and ensure environmental protection, Council will encourage country residential developments to locate in a contiguous and phased manner, either within or in proximity to existing urban municipalities, hamlets and other locations as determined by Council. Council may require the developer to meet the following locational criteria with respect to multi-parcel country residential development:
- site suitability in terms of slopes, drainage and environmental sensitivity;
 - avoidance of high quality agricultural land (Classes 1 of 3);
 - avoidance of land use conflicts with intensive livestock operations;
 - a minimum parcel size of 1.0 hectares (2.5 acres) and a maximum number of parcels per quarter section to avoid crowding;
 - availability of water supply;
 - economical provision of municipal services; and
 - assurance of developer investment in on- and off-site development costs.

If alternate sites and/or buildings are available near the proposed development, Council may not allow the proposed development.

- C. Applications for rezoning land to country residential land use will be considered by Council if the proposed development is NOT located on hazard lands or within one kilometre of the shoreline of the municipality's lakes unless it can be demonstrated that the proposed rezoning will not have any adverse impact on water quality.
- D. Council will NOT permit further subdivision of the original country residential lot.
- E. **Single Parcel Country Residential Policies:**
- E.1 A maximum of four (4) country residential subdivision(s) per 64.8 hectares (160 acres) will be allowed at Council's discretion, unless the land being subdivided abuts a lake on which exists a lakeshore development or resort commercial district.
- E.2 Subject to the demonstration of a potential land use conflict, single parcel country residential subdivision and development will be prohibited on sites with the following setbacks:
- a. 2 kilometres (1.25 miles) or greater distance as determined by Council from:
 - i. national, provincial, regional or municipal parks, wildlife management areas and bird sanctuaries;
 - ii. existing or proposed industrial developments;
 - iii. airports; and

- iv. the corporate limits of villages, resort villages, hamlets (organized and unorganized), Indian band settlements or a designated country residential district if a land use conflict associated with the future long term development will result.
- b. 305 metres (1,000 feet) from an existing farm dwelling; and
- c. 201 metres (660 feet) from an existing or proposed industry or gravel pit operation.

F. **Implementation:** Country residential land use objectives and policies may be implemented via instruments such as the establishment of a Country Residential District (CR) and provision for single parcel country residential parcels within the Agricultural Resource District (AR) of the Zoning Bylaw, the subdivision approval process, issuance of development permits and building permits, policies for the provision of information by the developer and for land considered unsuitable for development.

5.6 POLICIES FOR HAMLETS

- A. Commercial, institutional, recreational and concentrated residential developments may be accommodated within hamlets.
- B. To avoid premature development, achieve efficient municipal serving and ensure environmental protection, Council will encourage developments in hamlets to locate in a contiguous and phased manner. If the proposed development is located near existing alternate sites and/or buildings, Council will encourage infilling of vacant site and/or buildings.

C. **Policy for the Hamlet of Kilwinning:**

Council will consolidate and cancel any outstanding plans of subdivision for the Hamlet of Kilwinning, and zone the former Hamlet as an Agricultural Resource District (AR) which reflects its current use.

Rationale

The Hamlet of Kilwinning is a former rain delivery point which has experienced a substantial demise in economic activity and population. Future population growth and/or generation of economic activity is not anticipated. Therefore, it is recommended that any outstanding plans of subdivision should be consolidated and/or cancelled to provide Agricultural Resource zoning.

D. **Implementation:** Objectives and policies for hamlets may be implemented via instruments such as the use of an Agricultural Resource District (AR), the subdivision

review process, issuance of development permits and building permits, policies for the provision of information by the developer and for land considered unsuitable for development.

5.7 POLICIES FOR LIGHT INDUSTRIAL AND HIGHWAY COMMERCIAL LAND USES

- A. Council will encourage and promote the establishment of highway commercial enterprises which cater to the travelling public and local rural population as well as the establishment of light or small scale processing and manufacturing industries on sites where conflicts with other land uses will be avoided.
- B. Council will encourage highway commercial and light industrial developments to locate near centres where full municipal services are available, or where unavailable, these services are provided by the developer.
- C. Applications for rezoning of land for highway commercial or light industrial use will require a site plan which may include the following information or any other information requested by Council:
 - i) a map (drawn to scale) showing the proposed shape, dimensions, area and topography of the site;
 - ii) a sketch map (drawn to scale) indicating all existing land uses and structures within two kilometers of the proposed development site; and
 - iii) a description of the location, height, dimensions and use of all structures and outdoor storage areas which will be located on the proposed site, as well as setbacks, drainage provisions, proposed entrances/exits and trucking routes.
- D. Council may request that a development agreement as outlined under section 197 of *The Planning and Development Act, 1984* be entered into between the developer and the rural municipality prior to land development for the proposed highway commercial or light industrial operation. Council may request provisions be made for the following items:
 - i) adequate buffer planting and screening where judged necessary by Council;
 - ii) an established trucking route and provision for continued maintenance of the municipal roads;
 - iii) water supply and waste disposal, whether on-site or off-site and adherence to all regulatory requirements, policies and guidelines established by Saskatchewan Environment and Public Safety, Saskatchewan Health, Saskatchewan Water Corporation and other jurisdictions;
 - iv) the posting of a suitable bond or letter of credit to ensure the fulfillment of the development agreement; and

v) any other matter(s) Council may require to be addressed.

- E. **Implementation:** Light industrial and highway commercial land use objectives and policies may be implemented via instruments such as the creation of a Light Industrial and Highway Commercial District (M1) within the Zoning Bylaw, the subdivision approval process, issuance of development permits and building permits, policies for the provision of information by the developer and for land considered unsuitable for development.

5.8 POLICIES TO ENCOURAGE INTER-GOVERNMENTAL COOPERATION FOR LAND AND WATER RESOURCES

- A. Council shall continue to cooperate with the senior levels of government, other municipalities and public and private agencies to secure the sustainable use of the municipality's land and water resources.
- B. **Implementation:** The objectives and policies to encourage inter-governmental cooperation for land and water resources may be implemented as advocacy policies which encourage inter-governmental cooperation and good land stewardship. The promotion of ongoing liaison with Crown land managers within Saskatchewan Natural Resources and Saskatchewan Rural Development, and the establishment of consultative and referral processes for environmentally sensitive areas under the jurisdiction of Saskatchewan Natural Resources and Canadian Wildlife Service, Environment Canada as well as heritage sensitive lands under the jurisdiction of the Archaeology Program, Saskatchewan Community Services are the major advocacy policies.

6.0 IMPLEMENTATION POLICIES AND INSTRUMENTS

6.1 ZONING BYLAW AND ASSOCIATED POLICIES

- A. Pursuant to section 45 of *The Planning and Development Act, 1983*, Council shall prepare and adopt, in conjunction with this Bylaw, a Zoning Bylaw for the Rural Municipality of Leask. 464.
- B. The Zoning Bylaw shall implement the goals, objectives, and policies of this Development Plan as outlined in *The Planning and Development Act, 1983*.
- C. The Zoning Bylaw as deemed appropriate by Council, shall provide for development zones, permitted and discretionary uses, and general and/or specific development standards to carry out the intent of this Bylaw.
- D. The zoning of land shall usually reflect its existing current use and the premature zoning of land for development shall be discouraged.
- E. Rezoning of land shall only be considered by Council when specific development proposals, subdivision applications and servicing agreements, where required, have been presented to and reviewed by Council.

6.2 SHORELINE PROTECTION POLICIES

- A. Council will require that every proposed subdivision plan for shorelands shall make provision for the dedication of an Environmental Reserve to a minimum depth of 50 metres (164 feet) back from the shoreline along the entire shoreland frontage, unless due to factors associated with the physical condition(s) of the shoreline, Council directs otherwise by resolution.
- B. Any shoreland development within 457 metres (1500 feet) of the shoreline is subject to *The Shoreland Pollution Control Regulations, 1976* as administered under *The Public Health Act, R.S.S. 1978, c. P-37*.

6.3 POLICY FOR THE PROVISION OF INFORMATION BY THE DEVELOPER

- A. Council may require the Developer to provide the municipality with the necessary information to properly assess the following applications:
- a) Basic Planning Statement amendment,
 - b) Zoning Bylaw amendment, or
 - c) subdivision approval.

The Developer should address the following concerns in his/her application:

- a) conformity with the policies of the Basic Planning Statement and the Zoning Bylaw;
- b) conformity with provincial regulatory jurisdictions including Saskatchewan Community Services, Saskatchewan Energy and Mines, Saskatchewan Environment and Public Safety, Saskatchewan Natural Resources, Saskatchewan Rural Development, Saskatchewan Water Corporation or others.
- c) conformity with federal or other regulatory jurisdictions including Agriculture Canada, Environment Canada, the North American Waterfowl Management Plan or others.
- d) site suitability in terms of topography, hazards such as flooding, erosion or poor drainage, critical wildlife habitat, or other environmental factors;
- e) site suitability in terms of heritage resource sensitivity;
- f) the effects on lake use and on the fishery resource of the proposed development;
- g) cost-benefit analysis of the proposal; and
- h) an outline of appropriate levels of servicing and terms of the servicing agreement.

6.4 POLICIES FOR SERVICING OF LAND

- A. Council will require a servicing agreement between all proponents of the subdivision of land and the municipality as required by section 143 of *The Planning and Development Act, 1983*, prior to approval being granted by the Director of Community Planning, Saskatchewan Rural Development.
- B. Such a servicing agreement will embody the principle that the proponent will construct all works and improvements required by the municipality which include but are NOT

limited to:

- a) roads, streets and lanes;
- b) drainage ditches and culverts;
- c) the provision of water and sanitary sewer as required;
- d) utilities;
- e) street lighting;
- f) landscaping of public reserve areas, parks, and/or boulevards; and
- g) other improvements within the proposed subdivision, as stipulated by the municipality.

Council may require the posting of a performance bond to guarantee adherence to the provisions of the servicing agreement.

- C. Council may require that the servicing agreement stipulate the payment of developer levies for the cost of constructing, expanding, upgrading or improving public works or off-site improvements that directly or indirectly service the proposed subdivision. Such off-site improvements may include drainage, public roads or highways, parks, recreational facilities and other improvements pursuant to section 142 (1)(b) of *The Planning and Development Act, 1983*.
- D. Council will establish the standards to which improvements will be designed and constructed. Public improvements will be designed by a professional engineer licensed to practice in Saskatchewan, where appropriate.

6.5 POLICIES FOR LAND CONSIDERED UNSUITABLE FOR DEVELOPMENT

- A. Where Council is of the opinion that land is unsuitable for development because it is subject to unstable soil conditions due to high water tables, wetland soils or poor drainage conditions; hazards associated with fluctuating water levels and the associated processes of flooding and erosion or any other instability, then Council may prohibit such development.
- B. Where the cost of providing an all-weather access road would, in the opinion of Council, be prohibitively expensive or difficult to maintain due to poor natural drainage, steep slopes of other features, Council may prohibit such development.
- C. Where Council is of the opinion that any of the foregoing conditions may exist on a particular site, Council may request the proponent of the development to pay for a site inspection by a professional consultant of Council's choice. A Development Permit shall

NOT be issued unless a favorable site report is presented by the professional consultant to Council.

6.6 PROVINCIAL LAND USE POLICIES

- A. Council will administer and implement this Bylaw in conformity with applicable provincial land use statutes, regulations, policies and guidelines, and in cooperation with provincial agencies.

6.7 FEDERAL LAND USE POLICIES

- A. Council will administer and implement this Bylaw in conformity with applicable federal land use statutes, regulation, policies and guidelines and in cooperation with federal agencies.