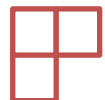


2017

Official Community Plan

Rural Municipality of Moosomin No. 121



Official Community Plan of the RM of Moosomin No. 121

Rural Municipality Of Moosomin No. 121

Bylaw No. 248-17

A Bylaw of the Rural Municipality of Moosomin No. 121 to adopt an Official Community Plan.

Whereas the Council of the Rural Municipality of Moosomin No. 121 has authorized the preparation of an Official Community Plan for the Municipality pursuant to Section 29 of The Planning and Development Act, 2007 Chapter P-13.2 (the “Act”); and

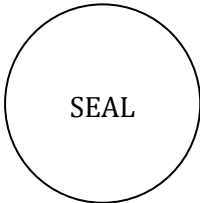
Whereas Section 35 of the Act provides that an Official Community Plan must be adopted by bylaw, in accordance with the public participation requirements of Part X of the Act;

Whereas in accordance with Section 207 of the Act, the Council of the Rural Municipality of Moosomin No. 121 held a Public Hearing on June 16th, 2017, in regards to the proposed bylaw, which was advertised in a weekly paper on _____ and _____ in accordance with the public participation requirements of the Act;

Therefore the Council for the Rural Municipality of Moosomin No. 121 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

- 1) This bylaw may be cited as “The R.M. of Moosomin No. 121 Official Community Plan.”
- 2) Bylaw No. 215/10, known as the “Official Community Plan” including all amendments are hereby repealed.
- 3) The Official Community Plan be adopted to provide a framework to guide and evaluate future development within the Municipality, as shown on Schedule ‘A’, attached to and forming part of this bylaw.
- 4) This bylaw shall come into force on the date of final approval by the Minister.

REEVE



ADMINISTRATOR

Schedule A

Rural Municipality of Moosomin No. 121

Official Community Plan 2017

Bylaw No. _____

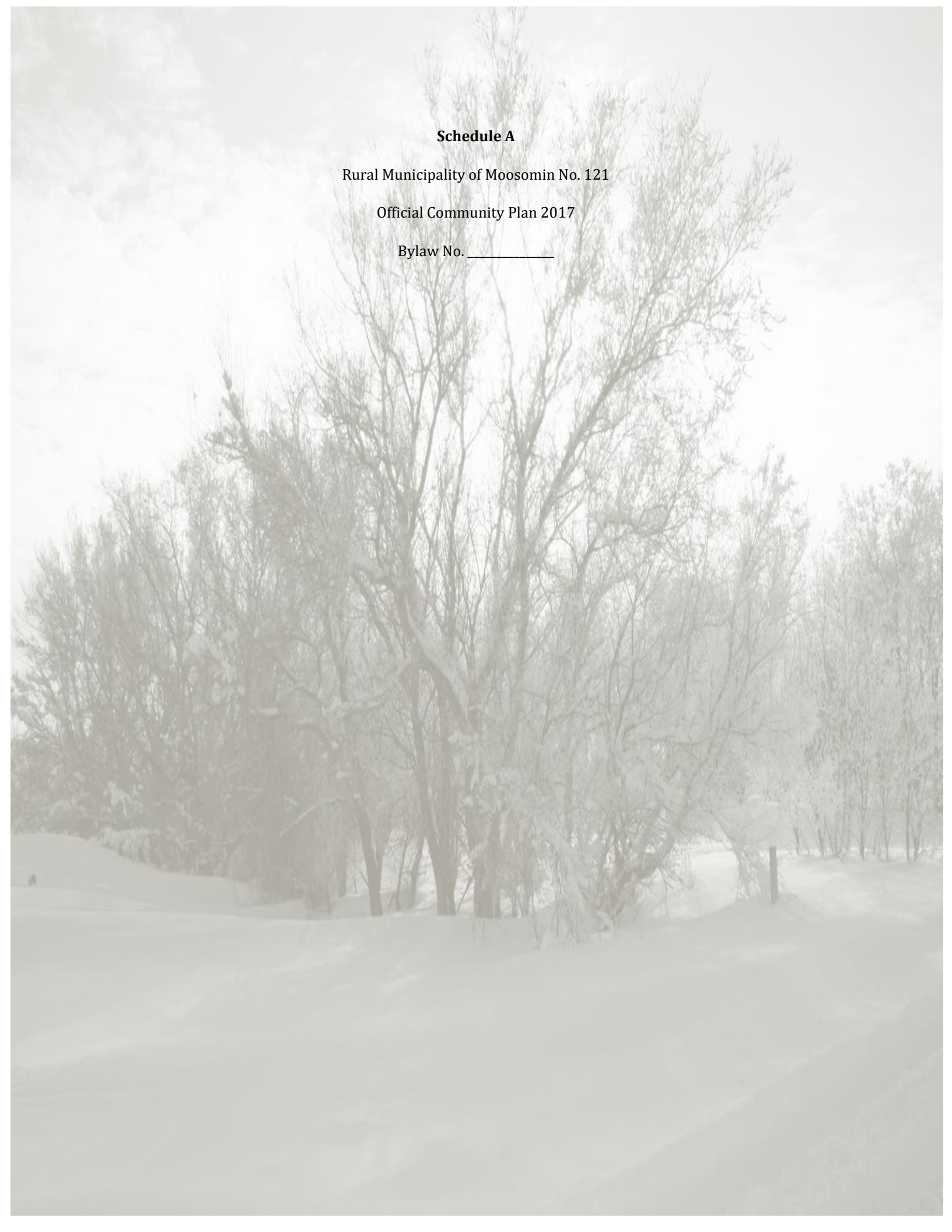


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1 Introduction

1.1 Authority

In accordance with Sections 29, 32 and 102 of *The Planning and Development Act, 2007* (The Act), the Rural Municipality of Moosomin No. 121 (RM) has prepared this document for adoption as the Official Community Plan. The Official Community Plan will provide Council with goals, objectives and policies relating to the future growth and development within the RM.

1.2 Purpose

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

1.3 Scope

This bylaw shall apply to all the lands within the limits of the RM and no development shall be carried out that is contrary to the Official Community Plan.

2 Our Story

2.1 Background

The RM is located in the southeast corner of Saskatchewan along the Trans-Canada Highway. The RM has a population of about 470, as of the 2016 census, with diverse occupation and land-uses, including construction, retail, service industry, education, recreation, farming and ranching. The RM represents an area of approximately 961 square kilometres (371 square miles).

Over the past few years, the RM has seen significant activity in the commercial, resource and residential sectors. The RM has identified the need to update existing bylaws and policies to meet the current development conditions and trends and successfully move forward over the next decade.

The need to balance the different land uses in the area remains one of the most significant challenges for the RM. Interest over land for development and resource extraction have driven up land values and created an interest for various investors and stakeholders.

Growth in the oil and gas industry has created a number of new opportunities for investors. It is important that the RM has effective policies in place to ensure sustainable future growth for the region.

2.2 Our Vision

In the future, the RM will continue to be faced with changing demands and the ongoing need to accommodate growth. As development continues, the RM will remain responsible for providing a wide array of services. By working together with adjacent municipalities, agencies and stakeholders, the RM and region can achieve efficient and effective service delivery, supportive relationships and sustainable growth for all.

2.3 Our Goals for Growth

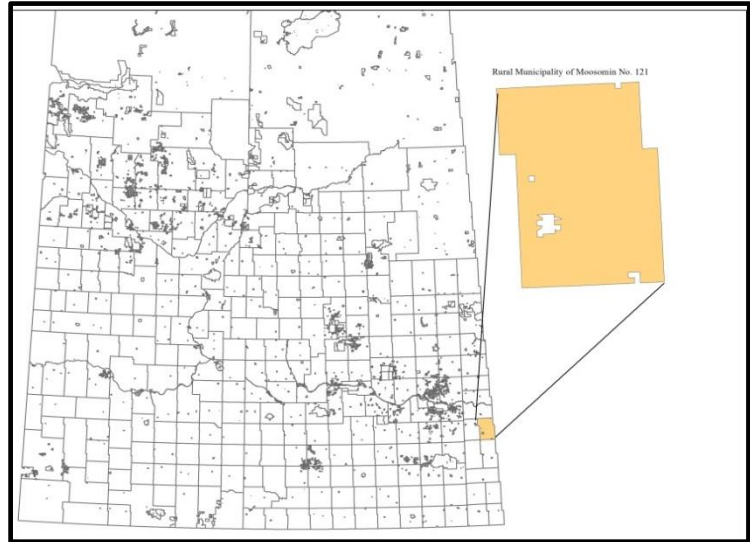
The RM will:

- 2.3.1 Diversify its economy by building on strengths within the community which includes our vibrant resource sector, sustainable agricultural practices, tourism and recreation, diverse commercial establishments and our capacity to sustain a healthy environment;
- 2.3.2 Make sustainable decisions within the parameters of fiscal responsibility;
- 2.3.3 Promote and preserve our heritage and culture;
- 2.3.4 Strengthen the municipality by building a healthy and diverse municipality by sharing resources, and working cooperatively with adjacent municipalities, government agencies, First Nations and Métis Communities and stakeholders;
- 2.3.5 Enable responsible and environmentally compatible development by preserving and protecting existing natural features and habitat while encouraging development to appropriate areas of the RM;

- 2.3.6 Will include opportunities to improve our transportation systems, utilize more sustainable practices, and focus on providing efficient services to our residents in future decisions;
- 2.3.7 Embrace the rural character of the RM by ensuring that agriculture remains the primary land use and way of life in the RM while allowing the expansion of different land uses in the economy.

2.4 Regional Context

The RM is situated in the far eastern side of the Province, approximately 224 kilometres (139.18 miles) east of the City of Regina and adjacent to the Manitoba border. The Village of Welwyn, Towns of Fleming and Town of Moosomin are located within the RM boundaries. The Moosomin and District Regional Park is located in the southwestern tip of the RM. Rich in agriculture, oil and gas, tourism and wildlife, this region is of special significance to the province of Saskatchewan.



2.5 General Development Policies

- 2.5.1 Development and new subdivisions shall be encouraged to locate where appropriate services and infrastructure exist or are planned to support the intensity and type of development.
- 2.5.2 The RM will provide for a mix and range of development including agriculture, commercial, residential, lakeshore and recreation in order to promote economic development opportunities. Lakeshore developments will be encouraged to locate in the areas identified on the Future Land Use Map. Rural areas will be differentiated from urban areas by less dense development and larger land parcels where agricultural and resource development activities are the dominant land use within the Municipality.
- 2.5.3 When reviewing applications for development, consideration shall be given to the proposals conformity with this official community plan. Major deviations from this plan will require an amendment approved by Council.
- 2.5.4 Development shall complement the natural environment and not cause any undue hardship.
- 2.5.5 Agreements:
 - a) Where a proposed development requires the construction or upgrading of a road or services, Council may enter into a development levy agreement with the developer, pursuant to *The Planning and Development Act, 2007* and the RM's Development Levy Bylaw to provide for the road and services at the developer's cost.
 - b) Where a subdivision of land will require the installation or improvement of municipal services, the developer may be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.

- c) Where a new subdivision or development requires the installation of new or upgrading of existing services such as roads, sewer and/or waterlines, etc. development permits may not be issued until those services have been completed to the satisfaction of Council.
- 2.5.6 Large scale development shall be guided by concept plans.
- 2.5.7 Council may require the Developer to provide the municipality with the necessary information to properly assess the following applications:
- a) Official Community Plan amendments;
 - b) Zoning Bylaw amendments;
 - c) Subdivision applications; and
 - d) Development permit applications.
- 2.5.8 The Developer should address the following concerns in their development permit application:
- a) Conformity with the policies of the Official Community Plan and the Zoning Bylaw;
 - b) Conformity with provincial and federal regulatory jurisdictions;
 - c) Site suitability in terms of hazards such as flooding, erosion, slope instability or poor drainage with a geotechnical report from a qualified engineer;
 - d) Site suitability in terms of topography, critical wildlife habitat, or other environmental factors;
 - e) Site suitability in terms of heritage sensitivity;
 - f) The effects on lake usage from the proposed development;
 - g) Cost-benefit analysis of the proposal;
 - h) An outline of appropriate levels of servicing and terms of the servicing agreement; and
 - i) Other information as may be required by Council.
- 2.5.9 The RM will work with adjacent municipalities and First Nations and Metis communities when necessary to ensure complementary and compatible future growth and development.
- 2.5.10 The RM will develop an asset management plan to better manage change and to ensure growth will not place an undue strain on municipal infrastructure or public services.
- 2.5.11 Future subdivisions will be evaluated based on the consideration of the number of unsold and undeveloped sites in adjoining developments.

3 Municipal Services and Infrastructure

3.1 Discussion

Council recognizes that the planning and management of development are required to ensure the provision of cost-effective municipal services that don't create a financial burden on the municipality.

The primary servicing and administrative concerns of the municipality have been to provide and maintain roads; however, it is also recognized that there is an increasing public expectation for other services from the municipality.

Three (3) highways (highways 1,8 and 308) run through the RM. Highway 308 has a weight restriction of 8000 kilograms (17636.98 pounds) and an inter-municipal agreement exists between the Ministry of Highways, the RM of Moosomin, and the RM of Rocanville No. 151 to push restricted vehicles to specific roads. Many roads have been developed into heavy haul routes to accommodate the growing industries as well as existing business and residential traffic. The RM of Moosomin, the Town of Moosomin, and the Ministry of Highways have discussed constructing a heavy haul route bypass around the Town of Moosomin. Currently large and heavy trucks are coming down Main Street in the Town of Moosomin which is also Highway 8. A traffic study was conducted and it recommended that a heavy truck route bypass should be constructed on the west side of the Town of Moosomin. The RM has begun to develop plans for roads that the RM will need to build to facilitate the bypass plan.

The RM also has two rail lines operated by the CPR and CN rail companies, as well as multiple pipe lines operated by TransCanada, Keystone, Spectra and Plains corporations. The RM also has an inland grain terminal operated by Parrish and Heimbecker, multiple oil wells, and a compressor/pump station for the TransCanada Pipeline/Keystone proposed energy east line and tank facility.

The RM has six community dugouts and wells for access to non-potable water for agricultural use, individual landowners are responsible for their water source, water disposal, and garbage disposal at this time.

The RM currently has inter-municipal agreements with neighbouring urban municipalities for fire and emergency services as well as policing. Education, libraries and cemeteries are also all found within the neighbouring urban municipalities of the Town of Moosomin, Village of Welwyn and the Town of Fleming. RM residents can also pay for garbage and recycling through the Town of Moosomin program. The Town of Moosomin and the RM have a joint waterline to service a commercial subdivision within the RM.

3.2 Objectives

- 3.2.1 To ensure adequate services are provided to future developments through existing or upgraded municipal infrastructure.
- 3.2.2 To improve the capacity and efficiency of services and facilities by entering into regional partnerships with neighboring urban and rural municipalities where appropriate.
- 3.2.3 To provide for road, utility, parks, and other services at a standard appropriate to the area, and to ensure that development will support the cost of those services.
- 3.2.4 To provide a municipal road network that accommodates anticipated traffic movements and provides an effective and efficient link to the Provincial Highway system.

3.3 Policies

- 3.3.1 Where a development or subdivision requires new or improved municipal services and roads, the proponent will be responsible for all costs associated with providing the services. Council may establish the standards to which services and roads will be designed and constructed. Council may require a proponent of a development to undertake an engineering study that identifies the infrastructure and services required to support the development.
- 3.3.2 Roads and Transportation:
- a) All development shall require direct access to a developed road. A developed road shall mean an existing good-quality road on a registered right of way, or a road for which a signed servicing agreement has been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
 - b) Development will be encouraged where roads and services currently exist. The future land use map identifies key transportation corridors that could support future development with the least amount of new road infrastructure.
 - c) The RM will ensure, through the subdivision and development process, that the future acquisition for highway right-of-ways are protected from land uses which may affect them.
 - d) Access and internal subdivision roads should be designed with the consideration for emergency service, school bus and maintenance equipment access. Safe and efficient access shall be integrated at all stages of the planning process.
 - e) Council may enter into Road Maintenance Agreements pursuant to *The Municipalities Act* to ensure that costs for road repair are appropriately recovered.
 - f) Where high volumes of truck traffic exist or is anticipated, the RM may designate certain roads as truck routes in order to limit deterioration of the municipal road system and to minimize safety and nuisance factors with adjacent land uses.
 - g) All developments shall ensure safe access and egress from adjacent roadways without disrupting their transportation function; the RM may require certain developments to have consolidated access at major points of intersection of provincial highways and/or municipal roadways.
 - h) All proposals within the areas of the Provincial Highways will be subject to review by the Ministry prior to the issuance of a development permit.
 - i) Future residential developments shall take into consideration the Guidelines for New Development in Proximity to Railway Operations document.
 - j) Consultation with the railway may be required prior to issuing a permit for the proposed development or prior to proceeding with a subdivision. Consultation is needed in order to determine:
 - 1) The location of the site in relation to the rail corridor;
 - 2) The nature of the proposed development;
 - 3) The frequency, types, and speeds of trains travelling within the corridor;

- 4) The potential for expansion of train traffic within the corridor;
 - 5) Any issues the railway may have with the new development or with specific uses proposed for the new development;
 - 6) The capacity for the site to accommodate standard mitigation measures;
 - 7) Any suggestions for alternate mitigation measures that may be appropriate for the site;
 - 8) Proposed stormwater management and drainage; and
 - 9) The specification to be applied to the project.
- k) Proposed development which may be adversely affected by noise, dust and fumes from roadways and railways should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers, site grading, fencing, and/or berms to mitigate these impacts.

3.3.3 Services

- a) Where pipelines, utility lines or other transportation facilities cross municipal roads the municipality may apply special standards for their construction that are necessary to protect the municipal interest.
- b) Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the Zoning Bylaw.
- c) The RM will require adequate water supply and sewage disposal systems for proposed developments which meet the requirements of the local health authority. The water supply of neighboring developments shall not be adversely affected by the proposed development.
- d) All sewage and waste water disposal methods shall comply with Provincial regulations. The Municipality will require written evidence that the disposal method has been approved by the Health Region either as a condition of development permit approval or before a development permit for the use on the site is issued.
- e) Solid waste management shall meet all applicable provincial regulations.
- f) Cooperation will be encouraged with Sask Power, Sask Energy, Trans Gas and SaskTel and other utilities to ensure the provision of their services is economical and efficient. Prior to the installation of major utility systems, utility companies are encouraged to consult with the Municipality.
- g) Separation distances from existing public works facilities shall conform to Provincial regulations.
- h) Where possible, the RM will work with other municipalities in the region to pursue comprehensive waste management plan for solid waste management, and plan for future water utility provisioning and waste water disposal.
- i) Development which requires water shall be adequately serviced with a sufficient water supply either on site or by a central water system depending on the nature and intensity of use.

- j) Development which requires sewage facilities shall be adequately serviced with an approved on site or central sewage system in according with Provincial and Municipal requirements.

3.3.4 Agreements

- a) Where a proposed development requires the construction or upgrading of a road or service, Council may enter into a development levy agreement with the developer, pursuant to *The Planning and Development Act, 2007* and the RM's Development Levy Bylaw to provide for the road and services at the developer's cost.
- b) Where a subdivision of land will require the installation or improvement of municipal services, the developer may be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.
- c) Where a new subdivision or development requires the installation of new services such as roads, sewer and/or waterlines, etc. development permits may not be issued until those services have been completed to the satisfaction of Council.

4 Land Management

4.1 Background

The RM has a diversified economy with multiple land uses that must be managed sustainably to protect existing land owners as well as future developments.

The RM has the Moosomin/Maryfield Dam on the Pipestone River. This dam was created on Moosomin Lake and the Moosomin Regional Park has development along its shores. Numerous additional tributaries are adjacent to this area and are noted on our current zoning map for environmentally sensitive areas.



4.2 Objectives

- 4.2.1 To encourage developmental practices that can be sustained by the environment without significant pollution, nuisance, or damage to the environmental resources.
- 4.2.2 To restrict development on hazardous lands or where special land considerations exist such as slope instability, erosion, flooding, slumping or other environmental hazards.
- 4.2.3 To protect defined areas of critical habitat.
- 4.2.4 To protect critical water supply resources including both ground and surface water resources.
- 4.2.5 To cooperate with municipal, provincial and federal authorities as well as property owners to promote healthy, safe, and environmentally responsible use of land in the RM.

4.3 Policies

- 4.3.1 Conservation, Wildlife Habitat and the Environment
 - a) Council will support farming practices and developments that conserve soil, improve soil quality, conserve moisture, and protect water supplies. Council may deny a permit to any development that may significantly deteriorate the land resources or deplete or pollute ground water sources.
 - b) Council will work with agencies of the provincial government to protect any significant critical wildlife habitat, Fish and Wildlife Development Funds Lands, Conservation Easements, Grazing Coop or rare or endangered species. Where significant potential has been identified to Council, Council may delay development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.
 - c) Service and utility maintenance that is not environmentally sustainable, such as applying used oil to municipal roads, will not be an acceptable practice.

- d) Council may specify uses which will be subject to special regulations or list prohibited discretionary or permitted uses in order to protect environmentally sensitive land.

4.3.2 Flooding, Slumping and Slope Instability

- a) Where development is proposed on known and/or potential hazard lands a professional report on the proposed development will be required at the developer's expense. The report shall determine if the development is located in the flood way or flood fringe, assess the geotechnical suitability of the site, or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.
- b) The RM will prohibit the development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body.
- c) The RM will require flood-proofing 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 in the flood fringe.
- d) The Water Security Agency or other appropriate consultants can be utilized as a source of technical advice regarding flood levels and flood proofing techniques. Developments may be referred to the Water Security Agency for review prior to approval.
- e) No new development shall be permitted on any potential unstable slope area without the required professional report for the site that identifies risks and appropriate mitigation measures.
- f) Development and activities shall be avoided where risk of erosion or slope failure exists or where there is potential for erosion or slope instability on the site.
- g) Council may prohibit development, where Council is of the opinion that land is unsuitable for development because:
 - 1) the cost of providing an all-weather access road would, in the opinion of Council, be prohibitively expensive or difficult to maintain due to poor natural drainage, steep slopes or other features;
 - 2) it is subject to unstable soil conditions due to high water tables, wetland soils or poor drainage conditions; and
 - 3) of hazards associated with fluctuating water levels and the associated processes of flooding and erosion or any other instability.

4.3.3 Source and Groundwater Protection

- a) The RM will consider the impacts of development on water bodies, waterways and shore lands and referrals will be sent to applicable agencies and departments, if necessary.
- b) The RM will work with the Watershed Association to ensure ground water resources (source water) and sensitive aquifer areas are protected from incompatible development.
- c) Development shall not deplete or pollute ground water resources within the RM. Council shall work with the appropriate provincial and federal departments and agencies.

- d) Where insufficient information exists regarding the suitability or the capacity of an aquifer for a proposed development, Council may require the developer to provide the necessary report, at his/her cost. Developers of proposed uses which require large amounts of groundwater or which may impact the current groundwater supply of adjoining uses may also be required by council to provide a study to prove that the groundwater recourse is adequate.
- e) Water courses shall be managed as follows:
 - 1) natural vegetation shall be preserved to prevent bank erosion;
 - 2) unauthorized water course dredging and filling shall be prohibited;
 - 3) periodic cleaning of man-made drains shall be encouraged;
 - 4) channel improvements shall be carefully designed and constructed; and
 - 5) water control structures shall be designed to a 1:500 flood design, or other standards approved by the Water Security Agency and Council.
- f) New developments and subdivisions which are adjacent to water courses shall be developed to retain on-site drainage where feasible, minimize erosion and maximize water quality.

4.3.4 Drainage

- a) Adequate surface water drainage will be required throughout the municipality and on new development sites to avoid flooding, erosion and pollutions. A professional drainage report may be required where an area has or exhibits potential for poor drainage.
- b) Unauthorized drainage of surface water runoff from any land throughout the RM shall be prohibited. Water courses shall not be altered without the prior approval of the Water Security Agency, RM and other provincial/federal stakeholders. All agricultural drainage works require approval from the Water Security Agency.
- c) Developments shall not obstruct, increase or otherwise adversely alter water and flood flows and velocities.

4.3.5 Vegetation and Soil Disruption

- a) Development shall not needlessly destroy existing trees, vegetation and unique flora.
- b) The planting of new vegetation and the implementation of protective vegetation measures shall be encouraged in conjunction with new development throughout the RM.
- c) Developments shall minimize soil erosion and topsoil disruption in order to avoid pollution, slope instability, silting and the undesirable alteration of surface drainage and ground water.

4.3.6 Development shall be directed away from any area of natural hazards where there is potential risk to public health or safety.

4.3.7 Development may be authorized only in accordance with recommended preventative mitigation measure which eliminate the risk or reduce the risk to an acceptable level.

- 4.3.8 Where a professional report/investigation is required, the RM will require the report as part of an application for development and/or subdivision.
- 4.3.9 Performance bonds, interests filed on land titles, and liability insurance may be required from a developer, as part of a servicing or development agreement or as a development permit condition, to avoid unnecessary municipal administration, inconvenience and expenditures, to protect the public interest, and to notify future landowners of municipal servicing considerations or environmental limitations for the subject land.
- 4.3.10 Public safety and health requirements shall guide all development; the RM will ensure that emergency and responsive plans are current and reflect changes in land use or activities.
- 4.3.11 Development should be undertaken with precautions to minimize the risk of damage to property caused by wildfires. The RM may apply the following fire protection policies during development review:
- a) Subdivision and development permit applications may be referred to the local fire marshal for comment prior to decision taking place on the application;
 - b) Green space may be used to separate building development from trees and vegetation when necessary;
 - c) Municipal roads shall be appropriately designed in order to provide for emergency vehicle access.
- 4.3.12 Council may dedicate lands as Environmental Reserve to protect rare or sensitive flora and fauna or critical wildlife habitat in consultation with appropriate provincial and federal agencies.
- 4.3.13 Council may identify environmentally sensitive land on the Zoning Map with specific regulations for.

5 Agricultural Lands

5.1 Background

Agriculture is the prominent industry in the RM and protection of agricultural activities and resources is the principal concern of the municipality. Council wishes to encourage the retention of high quality agricultural land in larger parcels and avoid the fragmentation of productive land for speculative purposes. Some limited non-farm residential, industrial and commercial development may be allowed in agricultural areas at locations which would not cause land use conflict.

5.2 Objectives

- 5.2.1 To support agricultural activities and ensure the continuation and diversification of agriculture in the municipality.
- 5.2.2 Encourage future growth opportunities for agricultural and rural lands within the RM.
- 5.2.3 To support agricultural uses in the municipality in a manner that will not create conflicts with neighbouring uses, jeopardize reasonable development potentials, or create significant environmental concerns.
- 5.2.4 To provide on a limited basis, separate sites for the development of residences while avoiding disordered and fragmented land use patterns.
- 5.2.5 To provide for intensive forms of agriculture including intensive livestock and to recognize differing forms of development patterns that intensive agriculture may require.
- 5.2.6 Identify prime agricultural land and provide for areas where non-farm development is compatible and welcomed.
- 5.2.7 To encourage resource development and protect these lands from incompatible developments.



5.3 Policies

- 5.3.1 Agriculture activities on lands of a quarter section or more for field crop, pasture and non-intensive livestock operations will not be restricted.
- 5.3.2 A range of agricultural related uses will be included within the Zoning Bylaw to encourage diversified agricultural related business development in addition to agricultural production.
- 5.3.3 The RM may restrict development that will have a detrimental effect on environmentally sensitive areas or areas with demonstrated historical significance.
- 5.3.4 Intensification and expansion of agricultural activities shall be planned and sited in manner that requires minimal improvements to municipal servicing.
- 5.3.5 Subdivisions

- a) Three (3) subdivisions will be allowed on agricultural lands (four (4) separate titles per quarter section) as allowed for in the Agricultural District of the Zoning Bylaw.
- b) Where a part of a section of land is physically separated from the remainder of the quarter section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, or where additional sites are needed to accommodate estate planning or settlement, the separated land may be subdivided from the quarter-section in addition to the three subdivisions. All new and upgraded accesses and services shall be provided by the developer.
- c) Where conflicting land uses are proposed on the same site or adjacent to one another, the RM may require the uses to construct buffers or screening prior to issuing any development permit.

5.3.6 Intensive Operations

- a) Council will support the development of intensive agricultural and livestock operations unless specific land use or environmental locational conflicts would be created or where potential for conflict may arise.
- b) Intensive agricultural operations and intensive livestock operations will be discretionary uses within the Agricultural District of the Zoning Bylaw. Any expansion of an operation to provide for a greater number of animal units, or any change in an operation which alters the species of animal, shall require a new permit approval.
- c) The RM may require screening or encourage the use of innovative technologies which mitigate odour or other nuisances.
- d) To minimize conflict between proposed intensive livestock operations and surrounding development or vice versa, the separation distances in the zoning bylaw shall be adhered to unless altered by Council.
- 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.
- g) Any conflict between an agricultural use and another use shall be resolved in favour of the agricultural use, unless in Council's opinion, their decision would threaten the health, safety and general welfare of the inhabitants of the municipality, as outlined in the Act.

5.3.7 Agricultural Related Commercial and Industrial Uses

- a) Approval for commercial or industrial developments may be granted if:
 - 1) Incompatibility with other land uses are avoided, including consideration of proximity to urban centres, lakeshore developments, and multiple parcel country residential subdivisions;
 - 2) Policies for environmental quality control will not be jeopardized, including water and waste disposal servicing;
 - 3) The design and development of the use will conform to high standards of safety, visual quality and convenience;

- 4) The development will be situated along an all-weather municipal road;
- 5) All relevant approvals are obtained from government agencies for uses such as anhydrous ammonia fertilizer facilities;
- 6) All other requirements set out in the plan and zoning bylaw are met.

6 Residential Lands

6.1 Background

Council recognizes that there are various forms and densities of residential development that may occur in the municipality. Council wants to ensure that the needs of the developments are addressed to create suitable residential environments without jeopardising the primary agricultural character of the municipality, or increasing servicing costs for the RM.

Some country residential development currently exists in the RM and Council would like to continue to allow limited country residential development, while minimizing the effect of such development on RM finances, agricultural activities and environmentally sensitive areas.

The Villages of Welwyn and Fleming have been declining in recent years and may be restructured to hamlet status which would bring them under the jurisdiction of the RM. Both Welwyn and Fleming have lagoon systems and dugouts that service their residents. The RM may incorporate them and apply to the provincial government to designate them as special service areas.

The RM Moosomin and the Town of Moosomin have both identified that future residential development will occur to the south and west of the Town of Moosomin as shown on the Future Land Use Map.

Approximately 98 cabins currently residing in the Moosomin Regional Park.

6.2 Objectives

- 6.2.1 To accommodate farm-related residential development in agricultural areas at densities, that will compliment but not supersede the agricultural and business function of the municipality.
- 6.2.2 To optimize services and long term maintenance, clustered residential development will be encouraged.
- 6.2.3 To minimize the potential for conflict between non-residential development and residential uses.
- 6.2.4 To ensure that any residential use can be served by a road of a sufficient standard to provide the needed level of access to the site.
- 6.2.5 To encourage medium density residential subdivisions around the Town of Moosomin.

6.3 Policies

- 6.3.1 Residential subdivisions will be required to be serviced in a manner that meets municipal standards, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer, or otherwise agreed upon by Council and the developer in a servicing agreement.
- 6.3.2 The RM will support clustered development of four (4) or more subdivision by encouraging subdivisions to locate adjacent to each other or adjacent to an existing residential area, in order to conserve agricultural land and reduce servicing costs, such as roads and utilities.
- 6.3.3 A buffer strip or landscaping requirements may be required in a residential subdivision to separate residential uses and agricultural development.

- 6.3.4 Residential development on hazard lands will be limited. This includes lands that are subject to flooding, sloping, slumping, wetlands, wildlife lands, etc. Geotechnical reports, engineered studies and/or environmental reports will be required to verify the development is appropriate for the lands.
- 6.3.5 The required separation distances from residential developments for locating of an intensive livestock operation, an anhydrous ammonia facility, a waste disposal facility, rendering facility, or other form of development, shall also apply to the locating of residential development proposals near those forms of development.
- 6.3.6 All residential development is required to have adequate sewer and water services at the cost of the developer, which meets RM standards and is approved by the Health District.
- 6.3.7 Development of residential subdivisions will be planned with the following considerations, but not limited to:
- a) Maintaining existing water courses and wetlands and activities that integrate storm water management systems with natural water courses;
 - b) Integrated or natural, open space and recreational areas as habitat corridors;
 - c) Wherever possible, to preserve existing trees and other natural features.
- 6.3.8 Council may require the preparation of a concept plan for the entire area of a proposed multi-parcel residential subdivision. Information shall include:
- a) Professional reports which assess the geotechnical suitability of the site, susceptibility to flooding or other environmental hazards including mitigation measures;
 - b) Engineered reports to address water supply, drainage and sewage disposal methods;
 - c) A plan/outline for the services, road layout, access to public roads, phasing of developments including dedicated lands.
- 6.3.9 A drainage plan for future subdivisions may be required to ensure adequate drainage and that neighbouring sites and infrastructure will not be adversely affected by potential runoff from the development.
- 6.3.10 Hamlets
- a) There are currently no hamlets within the RM boundaries but the villages of Welwyn and Fleming may be restructuring in the coming years to become hamlets. They would then come under the RM's jurisdiction.
 - b) Council will promote infill or appropriate expansions of existing hamlet areas which function as community service centres.
 - c) Vacant or declining hamlets or hamlet subdivision currently used for agriculture will be zoned agriculture.
 - d) In declining hamlets, Council will encourage cancellation of vacant registered lots, and road were appropriate.

- e) For those hamlets with adequate services and growth potential, Council will encourage infill development of the vacant lots in the hamlet,

6.3.11 Country Residential

- a) Subdivision for residential development at a density greater than three (3) subdivision (plus any cut-off parcels) per quarter section, will be considered on its merits by Council through a rezoning to a Country Residential District.
- b) Council shall consider the following requirements when reviewing an application for rezoning of a Country Residential subdivision:
 - 1) New residential clusters will only be allowed if they either front a good quality, developed gravel or paved municipal road, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer.
 - 2) To reduce the cost of new or reconstructed roads and encourage clustered subdivisions to supply piped potable water, central garbage stations and central sewage facilities, Council may choose to rezone one cluster subdivision at appropriate locations. The clusters will be limited to locating on a maximum of 4 adjoining quarter sections.
 - 3) The proposed subdivision shall be within the area as designated on the Future Land Use Map attached to and forming part of this bylaw.

7 Commercial & Business Development

7.1 Background

Council recognized that resource development such as pipeline, oil and gas wells and supporting infrastructure can provide a diversified economic base for the municipality. The RM wants to ensure that resource management occurs in a well-planned out manner that reduces land use conflicts and benefits the overall economy of the RM.

Council support the diversification of the farm economy through the establishments of farm and home-based businesses. There are some commercial developments located in the RM along Highway 1 outside of the Town of Moosomin. The RM would like to encourage new commercial developments to locate adjacent to existing developments or along Highway 1 and Highway 8 and in limited areas east of the Town of Moosomin.

Some wind energy development currently exists in the RM but it is expected to be a growing industry in the area. The Energy East Pipeline will also cross through the RM in the future, and the RM has oil and gas development mostly located north of the Town of Moosomin along Highway 8.

The RM of Moosomin has a few municipal gravel pits for municipal use within the RM boundaries. Private gravel operations have mainly located in neighbouring rural municipalities.

7.2 Objectives

- 7.2.1 To ensure that business development occurs in a manner, which minimizes negative impacts on surrounding land uses and environment.
- 7.2.2 To provide for business development opportunities including commercial, industrial and natural resource land uses.
- 7.2.3 Ensure that any development is serviced to a standard that meets municipal standards.
- 7.2.4 To direct commercial and business development to the most appropriate lands.
- 7.2.5 To encourage and promote the establishment of highway commercial enterprises which cater to the traveling 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.
- 7.2.6 To encourage farm and home based business in appropriate areas.

7.3 Policies

- 7.3.1 All commercial and business development shall have adequate services, including roads, safe access and utilities that meet municipal standards. Council will encourage new proposals to locate where services exist and the businesses may be required to be located in close proximity to existing highways or Clearing the Path Corridor roads.
- 7.3.2 The Zoning Bylaw will provide criteria for business development, including industrial and commercial uses, allowed within the municipality.
- 7.3.3 The Zoning Bylaw will make provision for on-farm accessory commercial developments that support

the operation of agriculture in the municipality.

- 7.3.4 Large scale commercial and industrial uses, as specified in the zoning bylaw, may be accommodated as discretionary uses provided their function is related to the agricultural economy and conflict with surrounding uses can be avoided or minimized.
- 7.3.5 The RM will have the ability to require screening, landscaping or buffering as a condition of approval and in accordance with the criteria in the Zoning Bylaw.
- 7.3.6 The RM will encourage commercial and business development that services the general public to locate within or adjacent to an urban municipality or along the highways in the RM (not including Home Based Businesses or Bed and Breakfast Operations). The business developments should be a type and scale which is compatible to adjacent residential uses.
- 7.3.7 Industrial development is encouraged to be directed away from residential development. Lands should be compatible with rural industrial uses rather than being allowed to be scattered throughout the rural municipality.
- 7.3.8 Highway commercial development should maintain the functional integrity of the adjacent highway, through the use of service roads, or controlled highway access points, which are approved by the Ministry of Highways.
- 7.3.9 The Zoning Bylaw will make provisions for an appropriate mix of commercial and industrial land uses as either permitted or discretionary uses in suitable zoning districts.
- 7.3.10 The applicant will be required to supply supporting information from a qualified engineer where commercial development is proposed in areas that may be potentially hazardous due to flooding, erosion, soil slumping or high water table.
- 7.3.11 Consultation with the appropriate provincial agencies may be required prior to issuing a development permit or providing recommendations on a subdivision.
- 7.3.12 Prior to the consideration of rezoning of land for commercial development, Council will require a concept plan be prepared. Were a concept plan is considered necessary, the plan will contain the following:
- a) the phasing of development;
 - b) the size and number of parcels proposed;
 - c) the installation and construction of roads, services, and utilities;
 - d) the types of businesses to be contained on the site;
 - e) potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
 - f) the environmental suitability of the site with particular consideration to the soils, topography, drainage and availability of services, proximity to wildlife management areas and hazard land;
 - g) the access, egress and potential impacts on roadway and highway systems, including traffic safety;
 - h) any other matters which the RM considers necessary.

- 7.3.13 Council may request that a development agreement as outlined under the Act, 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:
- a) adequate buffer planting and screening where judged necessary by Council;
 - b) an established trucking route and provision for continued maintenance of the municipal roads;
 - c) water supply and waste disposal, whether on-site or off-site and adherence to all regulatory requirements, policies and guidelines established by the appropriate provincial and federal agencies;
 - d) the posting of a suitable bond or letter of credit to ensure the fulfillment of the development agreement; and
 - e) any other matter(s) Council may require to be addressed.
- 7.3.14 Sand and Gravel Extraction
- a) The approval of sand and gravel development may be based on the regulations in the zoning bylaw and the compatibility of existing and planned land uses, the disturbance to the environment and aquifers, the impact on municipal services and infrastructure, and the reclamation plan.
 - b) Council may require a performance bond for sand, gravel, and mineral exploration, development and extraction to ensure remediation of the site.
 - c) Applications for sand, gravel, and mineral exploration, development and extraction and operation must be accompanied by a reclamation plan.
 - d) Sand and Gravel Operations (or new residences proposed near an existing operation) within the Agricultural Zoning District must be located on sites that are:
 - 1) 75 metres (246 feet) from any residence (or an existing aggregate extraction operation as the case may be) unless a lesser distance is agreement upon in a written agreement between the landowner and developer;
 - 2) 125 metres (410 feet) from any residence for a gravel crushing operation;
 - 3) 45 metres (150 feet) from the center of a developed road allowance;
 - 4) Accessible to roadways suited to the operation, and if this is not the case, the development agreement shall address this concern;
 - 5) Not Environmentally Sensitive lands as may be shown on the Zoning Map, or unless in Council's opinion, such lands can be protected by following the development conditions for a new operation as recommended by an engineering or environmental study.

7.3.15 The approval of any business development will be based on:

- a) The compatibility of the development with existing or planned neighbouring land uses; care shall be taken in the siting of industrial uses that create land use conflicts with regards to noise, vibration, smoke, dust, odor or potential environmental contamination. Such uses shall be encouraged to find allocation that maximized separation from residential areas;
- b) The services and infrastructure available to the site (including direct access to and from the existing Highway or road, if necessary);
- c) The provision of storm-water retention and management;
- d) Development standards or design criteria which includes such aspects as parking for large trucks, landscaping, screening, storage, signage, and building design and finish; and
- e) The design and phasing of development.

7.3.16 Commercial and Industrial uses which are likely to be unsightly due to the nature of the operation, exterior storage or type of building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban areas. If such uses are proposed in these areas, landscape buffers or other mitigation measures should be taken to screen these industrial uses from view.

7.3.17 Home Based Business and Home Occupations

- a) Home based businesses and Home Occupations may be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, are compatible with and do not change the character of the surrounding area. The Zoning Bylaw will specify development standards for Home Based Businesses and Home Occupations.

8 Lakeshore Development

8.1 Background

The potential for lakeshore development exists in the RM along Moosomin Lake. Council would like to accommodate lakeshore development where it does not negatively affect Environmentally Sensitive land and where through professional reports the development is not being built on hazardous land. Future lakeshore development will be encouraged to locate near Moosomin Lake in the RM.

8.2 Objectives

- 8.2.1 To accommodate appropriate lakeshore development in the RM that is environmentally responsible and aesthetically pleasing.
- 8.2.2 To optimize services and long term maintenance, clustered development will be encouraged.
- 8.2.3 To minimize the potential for conflict between non-lakeshore and lakeshore development.
- 8.2.4 To ensure that developments can be served by a road of a sufficient standard to provide the needed level of access to the site.
- 8.2.5 To restrict development in areas that could prove hazardous to development for reasons of flooding and slope instability.

8.3 Policies

- 8.3.1 Subdivisions will be required to be located adjacent to existing roads and be serviced in a manner that meets municipal standards, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer.
- 8.3.2 The RM will support clustered development by encouraging subdivisions to locate adjacent to each other or adjacent to an existing residential area, in order to conserve agricultural land and reduce servicing costs, such as roads and utilities.
- 8.3.3 A buffer strip or landscaping requirements may be required in a residential subdivision to separate residential uses and agricultural development.
- 8.3.4 Development on hazard lands will be limited. This includes lands that are subject to flooding, sloping, slumping, wetlands, wildlife lands, etc. Geotechnical reports, engineered studies and/or environmental reports will be required to verify the development is appropriate for the lands.
- 8.3.5 The required separation distances from lakeshore developments for locating of an intensive livestock operation, an anhydrous ammonia facility, a waste disposal facility, rendering facility, or other form of development, shall also apply to the locating of residential development proposals near those forms of development.
- 8.3.6 All lakeshore development is required to have adequate water supply and make provisions for liquid and solid waste disposal services at the cost of the developer, which meets RM standards and is approved by the Health District.

- 8.3.7 Development will be planned with the following considerations, but not limited to:
- a) Maintaining existing water courses and wetlands and activities that integrate storm water management systems with natural water courses;
 - b) Integrated or natural, open space and recreational areas as habitat corridor;
 - c) Wherever possible, to preserve existing trees and other natural features.
- 8.3.8 Council may require the preparation of a concept plan for the entire area of a proposed lakeshore development. Information shall include:
- a) Professional reports which assess the geotechnical suitability of the site, susceptibility to flooding or other environmental hazards including mitigation measures;
 - b) Engineered reports to address water supply, drainage and sewage disposal methods;
 - c) A plan/outline for the services, road layout, access to public roads, phasing of developments including dedicated lands.
- 8.3.9 A drainage plan for future subdivisions may be required to ensure adequate drainage and that neighbouring sites and infrastructure will not be adversely affected by potential runoff from the development.
- 8.3.10 To ensure the protection of shorelines, all lands within the bank of the waterbody will be designated as dedicated lands at the time of subdivision.

9 Recreation, Heritage and Dedicated Lands

9.1 Background

The RM has a Regional Park along Moosomin Lake, a local campground and cross country ski trails, snowmobile trails and walking trails along the lake. The RM currently has no permanent recreational facilities that they operate. The RM does not have plans to build recreational facilities and will continue to work with the Town of Moosomin who currently maintains recreational facilities that service the surrounding area.

The Rotave Stone House is the RM's only registered Heritage Property, but the RM will continue to protect and encourage the retention of heritage significant buildings and areas in the RM.

Objectives

- 9.1.1 To protect defined areas of heritage sensitivity.
- 9.1.2 To provide recreational opportunities for municipal and regional residents.
- 9.1.3 To encourage the sustainable development of the recreation resources as well as assisting in maximizing the benefits and minimizing the costs to the municipality.

9.2 Policies

- 9.2.1 Council will exercise its discretion based on the suitability of the location and development with respect to physical access and available services, the separation distance to incompatible land uses, the extraction of future resources, and other factors that may make the development unsuitable for the area.
- 9.2.2 The RM will consider the development of regional open space and leisure and tourism opportunities when land is identified as being suited for these types of developments.
- 9.2.3 Tourist developments, such as bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be discretionary uses in the Zoning Bylaw.
- 9.2.4 Campgrounds and other public or commercial recreation uses will be discretionary uses, where appropriate, in the Zoning Bylaw.
- 9.2.5 Where appropriate, Council will permit the development of public owned or privately owned recreational facilities.
- 9.2.6 Recreational activities may occur in environmentally sensitive areas, heritage sensitive areas and hazard lands only to the extent that these lands are not detrimentally affected by recreational users.
- 9.2.7 Council will cooperate with other jurisdictions and operators to encourage a diversity of recreation opportunities and facilities within the RM.
- 9.2.8 Dedicated Lands
 - a) Money in lieu of municipal reserve land will be preferred unless the dedication of land for municipal reserve is required for municipal development opportunities.

- b) Environmental reserve dedication may be requested during a subdivision for lands that have environmental constraints.
 - c) The dedicated lands account funds may be used for municipal reserve development either within the municipality or in urban areas where the development will serve the residents of the rural municipality.
 - d) Where lakeshore subdivisions are being proposed, Council will require dedicated lands along the shorelines.
- 9.2.9 The RM will continue to cooperate with adjacent municipalities to provide efficient facilities and services, including recreational services, for the community.
- 9.2.10 Heritage Sensitive Areas
- a) Council will work with agencies of the provincial government to protect any significant heritage site(s) or structure(s). Where significant potential has been identified to Council, Council may delay development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.

10 Implementation

10.1 Zoning Bylaw

The RM will adopt their Zoning Bylaw which will be the principal method of implementing the goals, objectives and policies contained in this Official Community Plan.

10.2 Content and Objectives

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts.

10.3 Amendments

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

10.4 Other Implementation Tools

10.4.1 Regional Planning and First Nations Engagement

- a) The RM will work together with adjacent municipalities to provide economies of scale that will benefit the area. The RM will also work with neighboring rural and urban municipalities and the regional park to develop joint service programs where such arrangements will be of benefit to the municipality and community.
- b) The annexation process should be consistent with the policies set out in this bylaw and shall be undertaken in a positive, orderly, timely and agreed-upon process.
- c) The RM will cooperate to ensure that development surrounding the urban municipalities will not hinder future growth areas. This does not apply to such effects that arise in the course of normal, non-intensive farm operations. The RM will develop a coordinated approach for review of applications with the urban municipalities where future developments are proposed in close proximity to the urban areas. This area is defined on the Zoning Bylaw Map and Future Land Use Map as the Joint Management Planning Area. The Rural Municipality will ensure that this area will be protected from incompatible growth by requiring a comprehensive development proposal that will be jointly reviewed by the RM of Moosomin and the Town of Moosomin. Lands adjacent to the Town of Moosomin will be identified with compatible future land use designations.
- d) Pursuant to Section 32.1(1) of *The Planning and Development Act, 2007*, Council may enter into an inter-municipal development agreement with another municipality to address issues that cross jurisdictional boundaries.
- e) To coordinate planning and growth, the RM will consult with provincial and federal government agencies and other communities and/or organizations.

- f) RM wants to continue to engage with neighbouring First Nations such as the Ochapowace First Nations as well as adjacent municipalities to ensure the community, as a whole, grows and advances in the most progressive way possible.
- g) Where appropriate Council will purchase or lease property, or use public investment to achieve the objectives of this Official Community Plan.
- h) Council shall cooperate with the provincial authorities to enforce fire safety, flood protection, environmental protection and shore land pollution control regulations within the RM.

10.4.2 Provincial Land Use Policies

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

10.4.3 Administration

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

10.4.4 Definitions

- a) The definitions contained in the Zoning Bylaw shall apply to the Official Community Plan.

10.4.5 Maps

- a) All reference maps to this bylaw are meant as a planning guideline only as data changes from time to time. Formal clearance to proceed with a development should always be provided by the appropriate provincial and/or federal agency or qualified professional prior to development taking place.

Appendix A – Development Review Criteria

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