

Official Community Plan

Rural Municipality of Montrose No. 315

Montrose ... A Growing Place

BYLAW NO. 2014-XX

THE RURAL MUNICIPALITY OF MONTROSE NO. 315 (“the RM”)

A Bylaw of the Rural Municipality of Montrose No. 315 to adopt an Official Community Plan.

Whereas the Council of the Rural Municipality of Montrose No. 315 has, by resolution, authorized the preparation of an Official Community Plan for the Municipality pursuant to *The Planning and Development Act, 2007*;

And Whereas *The Planning and Development Act, 2007* provides in Section 29 that Council may authorize the preparation of an Official Community Plan for the Municipality

And Whereas *The Planning and Development Act, 2007* provides that an Official Community Plan must be adopted by bylaw

And Whereas, Council of the Rural Municipality of Montrose No. 315 held a Public Hearing on <INSERT DATE> in regards to the proposed bylaw, which was advertised in a weekly paper on <INSERT DATE> and <INSERT DATE> in accordance with the public participation requirements of *The Planning and Development Act, 2007*

Therefore, the Council of the Rural Municipality of Montrose No. 315 in the Province of Saskatchewan, in open meeting enacts as follows:

1. This Bylaw may be cited as the “The Rural Municipality of Montrose No. 315 Official Community Plan
2. “The Official Community Plan” of the Rural Municipality of Montrose No. 315, is attached as Schedule A to and forms part of this Bylaw.
3. This Bylaw shall come into force on the date of final approval by the Minister.

Reeve

(Seal)

Administrator

First Reading:

Second Reading:

Read a Third Time and adopted:

Official Community Plan
Rural Municipality of Montrose No. 315
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Part 1 - Introduction

The Rural Municipality of Montrose No. 315 (“**the RM**”) is located next to the shores of the South Saskatchewan River. The RM is proud of its rural character and approaches the future with a vision for growth that is harmonious with the natural agricultural environment and is sustainable for future generations. Although traditional agricultural activity remains the primary land usage within the RM there has been an increase in interest for intensive agricultural and AR developments within the RM that are in accord with this vision.

Primary access to the RM is provided by Highways 45 and 7 as well as by O’Malley Road. The RM currently maintains approximately 350 kms (218 miles) of gravel roads.

The land within the municipal boundary is relatively flat with some rolling hills and with a river valley on the east and south perimeters. There are various types of soils ranging from heavy clay to sandy with an abundant supply of gravel deposits. A mixture of cleared and bush topography is evident within the municipality with diverse uses for dry land and irrigated farming as well as for pastures and hay land necessary for animal production.

Authority and Purpose of Plan

Planning in Saskatchewan is governed by *The Planning and Development Act, 2007* (The Act), the Subdivision Regulations, and the Dedicated Lands Regulations. Section 29 of The Act provides the authority for a municipality to prepare and adopt an Official Community Plan. The purpose of this document in the RM of Montrose No 315 is to provide the municipality with direction and guidance for future growth and development of the community. The plan will also provide goals and policies to help manage public and private lands.

According to Section 32 of The Planning and Development Act, 2007, an Official Community Plan (OCP) is required to contain statements of policy on:

- Sustainable current and future land use and development in the municipality
- Current and future economic development
- Provisions for public works
- Management of hazard land including those that may be subject to flooding, slumping or stability issues
- Management of environmentally sensitive lands
- Source water protection
- The implementation of the Official Community Plan

This plan is not intended to hinder or discourage current or future development or land uses; the purpose of this plan is to encourage sustainable development on lands that are appropriate for the use. The plan will promote sustainable economic, physical, social and cultural development in the Rural Municipality of Montrose No.315.

Goals and Principles

The Goals of this Official Community Plan are meant to influence development and land use decisions as well as to direct Council in establishing other bylaws and programs to guide the future growth and development of the municipality.

1. To provide for developments that offer opportunities for residents and non-residents while still respecting the natural resources of the community.
2. To provide ongoing opportunities for residents and non-residents of the municipality to enjoy and appreciate the water and land resources of the municipality.
3. To encourage development needed by the public while respecting our valued agricultural landscape.
4. To allow for opportunities which are sustainable and sensitive to the natural resources in the area.
5. To encourage sustainable business environment and diverse economic opportunities.
6. To maintain and enhance relationships between adjacent local municipalities to pursue opportunities for regional benefit and to work together to resolve any conflicts.

The Principles on which this Official Community Plan is based are important as they are intended to bring greater specificity to the Goals as

noted above and to serve as a means to develop and assess the efficacy of bylaws which flow from this Official Community Plan.

1. It is important that the Official Community Plan and actions taken under the Plan be based on the principle of fairness and even-handed treatment for all residents of the RM.
2. While respecting of the RM's history, the OCP should be future oriented, dealing with the world that will be not the world that was. The OCP should be open to a new world of opportunities that confront the RM as well as challenges that may be encountered in responding to that world. This will ensure the RM will continue to be a place of choice for our children and their children for generations to come.
3. This OCP asserts and reinforces the importance of broad-spectrum agriculture, working in close association with traditional agriculture within the RM. While specifics related to broad-spectrum agriculture for AR subdivisions will be included later in this OCP and in the Zoning Bylaw, such uses include those aspects of traditional agriculture suitable for small scale or intensive usage as well as the production and sale of commercial horticulture agri-products.
4. Rather than a competitive relationship between traditional and emerging broad-spectrum agricultural developments within the RM, such as exists in some rural municipalities, priority should be given in the RM to developments and other initiatives that promote cooperation and sustainability, thus reinforcing the importance of a broad spectrum of agricultural practices within the RM.
5. The RM is in a unique position to capitalize on broad-spectrum agriculture opportunities because its distance from Saskatoon means that the RM is not in a position to offer residential-only developments that are competitive with those readily available in adjacent municipalities of Corman Park and Vanscoy. As such, the current practice within the RM of considering only those developments that offer a blend of agricultural and residential possibilities should be maintained and strengthened through the Agricultural and AR Zoning Districts within the RM.
6. The announced transfer of the lands of the Montrose Community Pasture from the federal government to provincial or private hands represents unique opportunities and challenges for the RM. It is important that this be done in a manner that ensures all financial implications in accommodating such a transfer not be borne by the RM and that the status of the lands, once transferred, be in accord with the long-term plans of the RM.

Part 2 Land Use Policy Areas

This section of the Official Community Plan will outline the different land use policy areas within the Rural Municipality of Montrose No. 315. Each land use policy area will have three sections: discussion, objectives and policies. The discussion section will provide background information on the land use policy area as it relates to the RM. The objective section will outline the intentions and goals of the RM and the policy section will outline how the RM will follow through and carryout the objectives.

The Land Use Policy Areas are as follows:

1. Agricultural Use and Development (AG)
2. Agricultural/Residential Development (AR)
3. Residential Development (H)
4. Commercial and Industrial Development (CI)
5. Environmental Management
6. Infrastructure and Services
7. Inter-Municipal Cooperation

Agricultural Use and Development

Discussion

The Rural Municipality of Montrose No. 315 encourages a strong and viable agricultural industry. Agriculture uses and related agricultural service industries are the driving economic forces within the RM. Council wishes to ensure agriculture will have predominant roles in the economy of the municipality. The protection of agricultural activities and resources is the principal concern of the municipality.

The municipality recognizes that the agricultural community has gone through many changes and will continue to change as market demands shift and technological advances emerge. The municipality is confident that they will be able to adapt to any changes that may arise. The municipality, through this plan, would like to provide an increased opportunity for diversification of agricultural uses and value-added agriculture while ensuring that land use conflicts between landowners are minimized.

Currently the majority of land in the Municipality is utilized in dryland crop farming and non-intensive mixed farming. A few intensive livestock operations (ILOs) have been developed in the Municipality. There is a significant amount of land used for grazing, including the Montrose Community Pasture and future development therein. Council recognizes that a trend to more diverse forms of farm operations, including intensive livestock operations (ILO's), broad-spectrum agricultural, small scale or intensive agricultural/residential (AR) developments will occur and wishes to encourage such developments while ensuring that land use conflicts are minimized.

The Agricultural community relies on the service centers in the region. The Rural Municipality of Montrose recognizes how important these service centers are to their agricultural community. As such, the development of diverse service centers will be encouraged to ensure the needs of the community are met.

Most land within the Rural Municipality remains in quarter section parcels utilized in traditional agriculture. Council does not encourage scattered subdivisions that will increase service and maintenance costs at the expense of the municipality. However, Council will recognize, in policy, the potential of subdivisions for other agricultural uses such as smaller scale AR use. In addition, some subdivisions may be necessary or desirable in order to recognize physical barriers, such as ravines, roads, canals and highways, to provide for boundary adjustments between farms, to provide sites for intensive agricultural operations, or to facilitate settlement of an estate. Council wants to facilitate planned and orderly development that will be cost effective.

Objectives

1. To support the continuation of existing agricultural development as well as broad-spectrum AR developments that meet the criteria of this plan and which conform to the Zoning Bylaw.
2. To ensure mitigating measures are taken to prevent potential land use conflicts between agricultural and other uses.
3. To ensure that parcels are developed and maintained to acceptable standards as outlined in this plan, the Zoning Bylaw and other municipal and provincial regulations.
4. To accommodate intensive agricultural uses, including intensive livestock operations that can prove their compliance with municipal and provincial regulations.

5. To encourage natural resource development in agricultural areas that do not cause a financial burden on the municipality or cause significant land use conflicts.
6. To encourage and provide opportunity for further development and land uses that will result in increased economic diversification, agricultural innovation and agriculture related value-added activities in the Municipality.
7. To encourage sustainable agricultural development that is sensitive to the natural resources and environment.
8. To support planned and orderly uses of all lands in the RM.

Policies

1. The Zoning Bylaw will contain an Agricultural Zoning District and an Agricultural/Residential (AR) Zoning District to address the majority of traditional and broad-spectrum agricultural land uses in the rural municipality. Residential-only development will be restricted to the three hamlets within the RM.
2. Traditional agricultural uses include grain farming, mixed grain/livestock operations, farmsteads, intensive livestock and intensive agricultural uses, and farm based agricultural commercial developments.
3. The development and ordinary operation of farms and ranches in the Agricultural Zoning District of the RM for field crop, pasture and non-intensive livestock operations will not be restricted and must be accommodated by RM residents and land owners as long as such activity takes place on agricultural zoned land operated by such farms and ranches or on roads and lands owned or controlled by the RM or other municipal, provincial or national authorities.
4. Dwellings within the RM will be regulated by municipal bylaws and may be subject to municipal permits and approvals.
5. Subdivision proposals will be considered subject to the following conditions.
 - a. Applications to subdivide an undivided quarter section into two equal parcels of 80 acres (32.374 hectares) shall be permitted with both resulting parcels retaining their status within the Agricultural Zoning District.

- b. To accommodate the subdivision of an existing farm dwelling site from a quarter section in the Agricultural District, it will be permitted for one parcel to be subdivided out of the quarter section. The parcel taken out of the quarter section must be a minimum of 10 acres (4.04 hectares) to a maximum of 79 acres (31.97 hectares) and used for AR purposes. The parcel taken out of the quarter section will be assigned to the AR Zoning District and the parcel that remains from the quarter section will remain in the Agricultural Zoning District.
- c. All applications to rezone land shall be presented in writing to the municipal office and shall include a proposed plan of subdivision. The application to rezone and subdivide and the proposed plan of subdivision will be considered simultaneously by Council.
- d. Other than subdivisions outlined in Section 5a and Section 5b above, an applicant who wishes to rezone land in the AG Zoning District must enter into a zoning agreement with the municipality, as per Part 2, Section 17 of the Zoning Bylaw.
- e. All previously existing subdivisions where a single parcel of less than 80 acres (32.374 hectares) has been subdivided from a quarter section that was zoned Agricultural shall be zoned in the AR Zoning District.
- f. Any agricultural/residential zoned land holding which does not conform to the minimum site area requirement for the zone shall be deemed conforming with regard to site area provided that a registered title existed in the Land Titles office prior to the coming into force of this bylaw.
- g. All existing parcels of less than 80 acres (32.374 hectares) currently in the Agriculture Zoning District shall be zoned in the AR Zoning District.
- h. All undivided quarter sections, or parcels equal to or greater than 80 acres (32.374 hectares) shall retain their zoning in the Agricultural Zoning District.
- i. Priority and preference shall be given to applications to rezone Agricultural zoned land to AR land where the proposed plan of subdivision clearly demonstrates a viable broad-spectrum agricultural intended use for the subdivided parcels and where the land may be less suitable for traditional agricultural usage.

- j. Applications to subdivide that require altering, expanding or upgrading, in whole or in part, any sewer, water, drainage or other utility system; municipal streets and roads; or park and recreation space and facilities shall require the applicant entering into a servicing agreement for the purpose of the municipality recovering the capital costs associated with the subdivision from the applicant. The Municipality shall consider both direct and indirect services.

6. Intensive Livestock Operations (ILO's):

- a. ILO's will be considered by Council, providing that they will not cause unacceptable land use conflicts with the existing development in the area and that they comply with municipal and provincial regulations.
- b. Regulations and requirements, including minimum separation distances, for ILO's will be set out in the Zoning Bylaw.

7. Agricultural Commercial and Industrial Uses:

- a. The uses that will be considered are listed in the Zoning Bylaw as discretionary uses.
- b. During the review of the application, Council will consider:
 - i. compatibility with adjacent land uses;
 - ii. environmental concerns, including water and waste disposal;
 - iii. requirement that the development be situated on an all-weather municipal road of a standard acceptable to council; and
 - iv. assurance that all other government approvals that are required have been obtained.
 - v. Specific use criteria will be listed in the Zoning Bylaw.

8. Agricultural Based Businesses:

- a. AG or AR based businesses will be listed in the Zoning Bylaw as discretionary uses.
- b. During the review of the application, Council will consider:

- i. compatibility with adjacent land uses;
- ii. assurance that the business does not take away from the agricultural or agricultural/ residential use of the land;
- iii. environmental concerns, including water and waste disposal;
- iv. necessity that the development be situated on an all-weather municipal road to be of a standard acceptable to Council;
- v. assurance that all other government approvals that are required have been obtained; and
- vi. the requirement that individual operations will be evaluated based on the specific criteria listed in the Zoning Bylaw.

9. Dwellings:

- a. One dwelling will be permitted on all land parcels meeting minimum size requirements in the AG and AR Zoning Districts as outlined in the zoning bylaw, subject to the applicant obtaining all relevant municipal permits and approvals. Additional dwellings may be permitted on the land parcels at the absolute discretion of Council in accordance with the regulations of the Zoning Bylaw.
- b. All dwellings shall be constructed in accordance with the regulations of the Zoning Bylaw and are subject to all municipal permits and approvals.

Agricultural/Residential Use and Development (AR)

Discussion

The growth in the economy and the population of the RM has increased demand for specialized forms of agricultural/residential living. Because distance to Saskatoon from lands of the RM is greater than distances from more city-adjacent municipalities on both sides of the South Saskatchewan River, the RM sees opportunity and is most suited for developments that offer a blend of small scale or intensive agriculture together with the potential for single-dwelling usage. This necessitates developments comprised of larger parcel sizes than is typical in municipalities closer to Saskatoon where there are many developments that are residential-only with insufficient parcel size for viable agriculture activity.

The RM encourages an orderly settlement pattern that minimizes the costs of AR development to the municipality and occurs in a way that does not severely impact agricultural operations or create land use conflicts.

The RM is not prepared to provide full services to AR subdivisions in a manner different than is provided to agricultural lands. It shall be the responsibility of the developer to propose a subdivision design to accommodate all municipal and provincial requirements.

It will also be the responsibility of the developer to cover the costs of developing the subdivisions and providing services. A servicing agreement will be entered into for every subdivision to ensure the requirements of the municipality are met. The municipality will be prepared to take ownership of the services once the services have been installed to a standard that is acceptable to the municipality.

Proposed AR subdivisions shall be designed to ensure that there are no hazard lands or environmental concerns within or adjacent to the boundaries of any subdivision. Council may consider allowing the developer to take mitigating measures in order to prepare the site, with the consent of the municipality and province, if required.

Council considers partial quarter sections (less than 160 acres or 64.749 hectares) bordering the South Saskatchewan River as particularly appropriate for AR use. Developers of other lands within the municipality will need to demonstrate to Council, as part of the development application process, that the lands are of such modest agricultural quality that their loss to traditional agriculture will be negligible.

Objectives

1. To ensure AR land uses are compatible with agricultural uses and other existing land uses.
2. To ensure AR land uses are compatible with the natural environment and hazard lands.
3. To encourage new and innovative subdivision designs that provide a variety of lifestyle choices for residents.
4. To minimize the economic costs of development to the RM.
5. To encourage clustered AR land uses to allow for the efficient use of land, infrastructure and other facilities.

Policies

- 1) The Zoning Bylaw will reinforce the importance of the AR Zoning District for combined agricultural and residential development, which Council feels will be adequate to provide for the development needs of the municipality while still maintaining a strong agricultural focus.

- 2) Where AR developments are considered in the RM, priority should be given for multi-parcel developments on a quarter section. This will reinforce an agricultural priority within the RM by allowing for cooperative endeavors such as sharing of infrastructure, pooling of labor and equipment as well as shared marketing initiatives.
- 3) It is important to retain a rural, independent and agricultural character in AR subdivisions within the RM. With that in mind, on creating new AR subdivisions there shall be a maximum of 10 parcels allowed per quarter section with a minimum parcel size of 10 acres (4.047 hectares) and a maximum parcel size of 79 acres (31.97 hectares). These restrictions are subject to the discretion of Council to modify on a case-by-case basis in order to accommodate special circumstances.
- 4) The RM recognizes the importance of establishing agreed conditions for the prudent use of AR developments in order to maintain a positive relationship between all land-owners in a subdivision and cooperation with traditional agricultural operations operating in close proximity to such subdivisions. In that respect, Council will review private development agreements proposed for AR developments and will act in a manner to support such agreements for the general good of the RM.
- 5) Land will not be pre-zoned for AR development. Council will only consider re-zoning lands to the AR Zoning District if they have reviewed the subdivision proposal and the proposed plan of subdivision for the lands, and are satisfied that the proposal and plan are appropriate. The applicant may be required to enter into a zoning agreement with the municipality as per the Part 2, Section 17 of the Zoning Bylaw.
- 6) The Zoning Bylaw will specify the types of development and land uses that may be considered within the AR Zoning District, which will be determined through the development permit process. The Zoning Bylaw will also specify the requirements and regulations for specific developments and land uses on AR lands.
- 7) All development within the AR Zoning District will require municipal permits and approvals, unless they are considered exempt through the provisions of the Zoning Bylaw.
- 8) Bare land condominium development proposals will be considered by Council as an alternative to subdivision and as such will be subject to the same provisions as a standard AR subdivision (including site size), in accordance with this plan and the Zoning Bylaw.

- 9) AR subdivisions that were established previous to the 2014 Zoning Bylaw taking effect shall be deemed conforming with the Zoning Bylaw and will be retained in the AR Zoning District.
- 10) Any application to subdivide an existing parcel of land into a number of smaller parcels a parcel of land already located in the AR Zoning District shall be subject to all required development standards and procedures applicable when creating AR subdivisions. Approval will be at the absolute discretion of Council and will be subject to the proposed development maintaining consistency with the standards and character of existing AR developments in the surrounding area as well accommodation with private development agreement(s) that may be registered on the title of the existing parcel.

Location Requirements

1. To help guide Council's review of the subdivision proposal, Council will consider if the proposed subdivision will be located:
 - a. near a school;
 - b. near utility services;
 - c. near adequate emergency services;
 - d. away from protected treed areas or critical wildlife habitat;
 - e. within 2 miles of a developed road or highway;
 - f. near or adjacent to existing AR subdivisions to provide for clustering;
 - g. near compatible land uses; and
 - h. on prime agricultural land.
2. AR development shall respect separation distances from intensive livestock operations, anhydrous ammonia facilities, waste disposal facilities, rendering facilities, or other discretionary use developments having setback requirements.
3. The costs and benefits for the RM of rezoning from an Agricultural land use to an AR land use should be closely considered.
4. Council shall only consider AR subdivision proposals if the lands are:

- a. a minimum 1.6 km (1 mile) from the corporate limits of an urban municipality, the edge of a hamlet or provincial park, when it is demonstrated that a conflict could result from the proposed subdivision;
- b. a minimum 305 m (1,000 ft) from a non-refrigerated anhydrous ammonia facility or 600 m (2000 ft) from a refrigerated anhydrous ammonia facility licensed by the Government of Saskatchewan;
- c. a minimum of 305 m (1000 ft) from an existing gravel extraction pit operation or from a site where it has been established that aggregate resources are of sufficient quality and quantity to support possible future gravel extraction operations. Council may require evidence prior to considering the proposal;
- d. a minimum separation from ILO's as provided for in the Zoning Bylaw;
- e. a minimum separation from industrial uses as provided for in the Zoning Bylaw;
- f. a minimum separation from hazardous industrial uses as provided for in the Zoning Bylaw; and
- g. a minimum separation from public works in the form of solid and liquid waste management and disposal facilities as provided for in the Zoning Bylaw.

Development Requirements for AR Subdivisions

1. All lands proposed for AR subdivision development shall have direct access to an all weather public road that either exists or will be developed by the Developer to the satisfaction of Council.
2. Lands proposed for AR subdivision development shall not be located on lands considered hazard lands or lands with significant environmental interest unless the appropriate mitigating measures can be taken to address the concern, at the discretion of Council.
3. Council may require the submission of a site grading and drainage plan for proposed subdivisions and developments on AR Zoning District land to ensure neighboring properties and municipal infrastructure will not adversely be affected by potential runoff from the development.

4. Council shall require a developer to prepare a plan of subdivision in support of an AR zoning application and subdivision proposal.
5. Council may require the Developer to supply reports, prepared by professionals, to address the geotechnical suitability of the sites, issues related to flooding as well as other environmental hazards.
6. The Developer shall demonstrate the availability and adequacy of a potable water supply. Each site shall have either:
 - a. Its own independent water system; or
 - b. A connection to a Regional Water Distribution system; or
 - c. Serviced with an independent, approved communal water system.
7. The Developer shall demonstrate the availability and adequacy of a sewage disposal system necessary to support the proposed development. Each site shall have either:
 - a. Its own independent, approved sewage disposal system; or
 - b. Services with an independent approved communal sewage collection, treatment and disposal system.
8. New development will be subject to the availability of solid waste disposal services in a licensed solid waste management facility.
9. The Developer shall demonstrate the management of storm water proposed to the satisfaction of Council.
10. Applications to subdivide that require altering, expanding or upgrading, in whole or in part, any sewer, water, drainage or other utility system; municipal streets and roads; or park and recreation space and facilities shall require the applicant entering into a servicing agreement for the purpose of the municipality recovering the capital costs associated with the subdivision from the applicant. The Municipality shall consider both direct and indirect services.
11. The municipality shall register an interest on the title of all lands involved in a Servicing Agreement.
12. The RM of Montrose prefers that the Municipal Reserve (MR) requirement corresponding to a subdivision application be met by making a cash-in-lieu payment to the Municipal Reserve Account in an amount equal to 10% of the value of land that remains when the land required to

be provided as environmental reserve has been subtracted from the subdivision. The value of land shall be determined on the basis of its market value, on the basis that the land is in a subdivided unserviced state in accordance with Section 187 of The Planning and Development Act, 2007.

13.If the RM does decide to take land as Municipal Reserve instead of cash in lieu, the amount of land required is 10% for residential subdivisions and the land shall be good quality, developable land. The requirements for municipal reserve shall comply with the requirements of The Planning and Development Act, 2007.

14.Council will consider the health, safety and general welfare of the proposed parcel owners and shall ensure emergency and response plans are current and reflect the changes in land use.

Hamlet Development

Discussion

There are three unorganized hamlets within the RM: Donavon, Laura and Swanson. The municipality considers the Hamlet Development Areas as growth and service nodes for the rural community. Currently services provided within the Hamlet Development Areas are limited to roads and street lights. However, the provision of additional services may be considered at a later date.

Council encourages growth in areas that can easily be serviced and in areas that already have some services. The RM understands that there may be future opportunities for the expansion of growth in the existing hamlet areas. All growth will be encouraged to develop in a clustered form to promote efficiency of providing services.

Objectives

1. To plan for future development in hamlets and ensure adjacent land uses are compatible with the hamlet development.
2. To ensure infrastructure and servicing within the hamlet development area is planned and maintained to support future development.
3. To require servicing agreements with the developer of any new hamlet lots to provide the services needed to facilitate the development.

4. To encourage new development that promotes energy efficiency, sustainability, diverse land use, and that is appropriately located to ensure effective and efficient infrastructure.
5. To support appropriate commercial and tourism developments within hamlets.
6. To ensure that appropriate amounts of dedicated land or cash in lieu are received to meet the recreational needs of hamlet areas.

Policies

1. The Zoning Bylaw will contain a Hamlet Zoning District to accommodate the range of existing uses and to regulate the form and the density of development.
2. Residential and commercial growth will be accepted in the hamlets on existing vacant land.
3. Council shall require a concept plan in support of a rezoning or subdivision application within or adjacent to a hamlet and for additional hamlet dwellings.
4. Council may support the restoration and possible reuse of Municipal Heritage Properties to provide for their development as local tourism attractions or their redevelopment as residential or commercial venues. An example of this is the Swanson School in the unorganized Hamlet of Swanson that has been converted into a dwelling.
5. Recreation, commercial and tourism developments will be considered in locations that maintain appropriate separations from dwellings and where access to these developments does not interfere with other properties.
6. The Municipal Reserve requirement corresponding to a residential subdivision application in the Hamlet Zoning District shall be met by making a cash-in-lieu payment to the Municipal Reserve Account in an amount equal to 10% of the value of land that remains when the land required to be provided as environmental reserve has been subtracted from the subdivision. The value of land shall be determined on the basis of its market value, on the basis that the land is in a subdivided unserviced state in accordance with Section 187(3) of The Planning and Development Act, 2007

7. If the RM of Montrose does decide to take land as Municipal Reserve instead of cash in lieu, the amount of land required is 10% for residential subdivisions and the land shall be good quality, developable land. The requirements for municipal reserve shall comply with the requirements of The Planning and Development Act, 2007.
8. Applications to subdivide that require altering, expanding or upgrading, in whole or in part, any sewer, water, drainage or other utility system; municipal streets and roads; or park and recreation space and facilities shall require the applicant entering into a servicing agreement for the purpose of the municipality recovering the capital costs associated with the subdivision from the applicant. The Municipality shall consider both direct and indirect services.

Commercial and Industrial Development

Discussion

The Rural Municipality of Montrose No. 315 is a great place to do business. Council encourages innovative and sustainable business proposals in the municipality and will support economic opportunities that fit the criteria established in this Plan and the Zoning Bylaw.

The Municipality recognizes the important role that commercial and industrial developments play in the diversification of the economy. Currently in the Municipality there are a limited number of commercial and industrial developments, aside from agriculturally related enterprises. However, Council encourages interested developers to consider lands within the RM for this purpose.

Although Council recognizes the important role of commercial and industrial developments, agriculture is still the heart of the municipality. Therefore, any new commercial and industrial development should be of a scale and character that complements the existing land use pattern and transportation corridors and which protects the agricultural and small residential focus of the Municipality.

Council also recognizes the importance of the resource sector and will, where appropriate, encourage opportunities for growth in this sector. This includes the development of mineral resource extraction, oil and gas pipeline corridors and related resource refining/processing activities.

Council will discourage scattered commercial and industrial developments, as clustered developments are easier to service and maintain the services. Prior to any approval, Council will ensure the development is located appropriately, which typically means adjacent to provincial highways, although some exceptions may be made.

Objectives

1. To encourage a broad range of business developments that are sustainable and also compatible with the existing agricultural nature of the lands.
2. To avoid land use conflicts between non compatible uses.
3. To protect existing and future agricultural based industries from uses that may not be compatible.
4. To encourage business development to locate and cluster in areas that will use existing infrastructure to reduce the need for road development and servicing upgrades.
5. To encourage sustainable business developments that are sensitive to the natural resources within the municipality and the environment.
6. To encouraged planned and orderly development of land and services.

Policies

1. The Zoning Bylaw will contain a Commercial and Industrial Development Zoning District to allow for clustering of commercial and industrial developments.
2. Commercial and industrial developments are those located within a commercial subdivision and include one or all of the following conditions:
 - provide services directly to the public;
 - manufacturing and processing;
 - industrial storage and warehousing;
 - industrial vehicle parking; or
 - other similar uses.
3. Lands will not be pre-zoned for commercial and industrial development. Council will only consider re-zoning lands if they have reviewed the

proposal for the lands and are satisfied that the proposal is appropriate for the lands. The applicant may be required to enter into a zoning agreement with the municipality as per Part 2, Section 17 of the Zoning Bylaw.

4. Council may require the Developer to prepare a concept plan in support of the rezoning application or subdivision review for commercial uses.
5. Home based businesses or farm based businesses will be encouraged throughout the municipality when the use is clearly secondary to the residential or agricultural nature of the lands. Rezoning to a commercial zone will not be required for a home-based business or a farm-based business.
6. Other zoning districts will also allow for minor types of commercial and industrial uses. The regulations for these uses will be contained in the Zoning Bylaw.
7. Provisions to guide Council when making development decisions on future developments will be contained within the Zoning Bylaw.
8. All commercial and industrial buildings will be subject to municipal permits and approvals.
9. Applications for sand and gravel extraction operations will be considered where the resource is located in the RM and will be subject to the requirements of the Zoning Bylaw.
10. The municipality will not be responsible for railway crossing development or enhancements.

Location Requirements

1. Clustered commercial and industrial developments (within the Commercial and Industrial Zoning District in the Zoning Bylaw) will be encouraged to locate adjacent to primary or secondary highways.
2. Commercial and industrial developments shall be located in such a manner as to minimize conflict between adjacent land uses.
3. Developers of CI lands within the municipality will need to demonstrate to Council, as part of the development application process, that the lands are of such modest agricultural quality that their loss to traditional agriculture is warranted.

4. If building(s) are required for the development, there shall be a suitable building site(s) and direct access to the municipal road network. Council will not consider the construction of roads that are not on municipal road allowances.
5. Service road systems or controlled highway access points may be required for commercial and industrial developments that are located adjacent to the highway and will be subject to approval from Saskatchewan's Ministry of Highways and Infrastructure.
6. Minimum setbacks and separation distances for commercial and industrial uses will be set out in the Zoning Bylaw.

Development Requirements

1. When considering proposals for developments, the following shall be considered by Council:
 - a. Safe access and egress from highways or roads shall be provided and shall not interfere with the safety and function of the highway or roads.
 - b. A confirmed water supply and waste disposal capacity that adequately meet municipal and provincial regulations.
 - c. Landscaping, berm construction, and separation distances from incompatible land uses shall be accounted for in order to minimize negative visual impacts and provide sufficient noise abatement.
 - d. A servicing agreement with the developer of any new lands to provide the services needed to facilitate the development.
 - e. The sensitivity of the surrounding land uses to such a proposal.
2. Council may require the submission of a site grading and drainage plan as part of the application for development. This is to ensure the drainage from the site will not negatively affect neighboring properties or municipal infrastructure and to ensure storm water is managed to the satisfaction of Council.
3. Council may require the Developer to supply reports, prepared by professionals, to address the geotechnical suitability of the sites, issues related to flooding as well as other environmental hazards.

4. New developments and expansions to existing developments will be subject to the availability of solid waste facilities in a licensed solid waste management facility.
5. The Developer shall sign a servicing agreement to cover the capital cost of all required services and the capital costs of required expansion of off-site services. The RM shall consider both direct and indirect services. The municipality shall register an interest on the title of all lands that are affected by the Servicing Agreement.
6. Applications to subdivide that require altering, expanding or upgrading, in whole or in part, any sewer, water, drainage or other utility system; municipal streets and roads; or park and recreation space and facilities shall require the applicant entering into a servicing agreement for the purpose of the municipality recovering the capital costs associated with the subdivision from the applicant. The Municipality shall consider both direct and indirect services.
7. The RM has the authority to refuse any discretionary use application if they feel the development may be hazardous to adjacent properties and that the appropriate mitigating measures can not be taken.
8. Council will consider the effects of the proposed development on health, safety and general welfare and shall ensure emergency and response plans are current and reflect the changes in land use.
9. All applications related to the resource sector shall be referred to the appropriate government agencies for review. Regulations for resource development will be outlined in the Zoning Bylaw.
10. The Municipal Reserve requirement corresponding to a CI subdivision application shall be met by making a cash-in-lieu payment to the Municipal Reserve Account in an amount equal to 5% of the value of land that remains when the land required to be provided as environmental reserve has been subtracted from the subdivision. The value of land shall be determined on the basis of its market value, on the basis that the land is in a subdivided unserviced state in accordance with Section 187(3) of The Planning and Development Act, 2007.
11. If the RM of Montrose does decide to take land as Municipal Reserve instead of cash in lieu, the amount of land required is 5% for CI subdivisions and the land shall be good quality, developable land. The requirements for municipal reserve shall comply with the requirements of The Planning and Development Act, 2007.

Environmental Management

Discussion

The RM is very fortunate to have beautiful natural amenities and features within the municipal boundaries. The Council does not take these characteristics for granted and is dedicated to protecting the environment and managing development in a way that is sustainable and non invasive to the natural features.

The South Saskatchewan River establishes the municipality's east boundary. As such, development in the areas along the east boundary of the municipality may be subject to special regulations and mitigating measures. The municipality is also home to a number of wetlands which are a source of water, forage, and wildlife habitat. The wetlands perform a number of important functions such as groundwater recharge, water storage, flood control, sediment and residue trapping, shoreline protection, and nutrient cycling and storage. The Developer is responsible for developing a plan acceptable to Council to mitigate the risks associated with developing in environmentally sensitive areas.

The RM does not have any lakes within its boundaries. There are a number of temporary or semi-permanent water bodies that are scattered throughout the municipality which contribute to the landscape.

The RM participated in the Saskatchewan Water Security Agency (SWSA) protection plan process and is also a member of the South Saskatchewan River Watershed Stewards. The municipality supports initiatives from developers and public groups that protect the municipality's natural features from environmental degradation.

There are numerous gravel deposit areas that can be found throughout the municipality. Council would like to protect these resources from incompatible land uses. Aggregate resources play an important role in the development of the community and the resources need to be available when they are required. Currently there are provincial, municipal and private gravel extraction pits operating throughout the municipality.

Hazard lands are lands that may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within a flood plain or watercourse. Development may be prohibited or restricted on:

- river and valley slopes which may be unstable
- flood plains and shore lands which may be flood prone and prone to ice action
- forested lands

- lands in close proximity to mining, petroleum, agricultural chemical, or hazardous storage and disposal sites.

Objectives

1. To encourage the subdivision and development of land in an environmentally sensitive and sustainable manner.
2. To protect the natural features within the RM including natural resources, ground and surface water resources, wildlife habitat areas, and ecosystems.
3. To protect known aggregate sources from incompatible forms of development.
4. To protect development from hazard lands.
5. To protect areas of historical or cultural significance or sensitivity and to preserve and enhance their natural, historical or cultural features.

Policies

Protect existing wetlands and encourage the restoration of drained wetlands within the municipality to ensure water resources are protected.

1. Future development shall not alter wetland areas other than by the addition of appropriate structures such as walkways, foot bridges, and other non invasive recreational features.
2. The RM will seek expert advice whenever carrying out works near environmentally sensitive or hazard areas. If the work is required as a result of a proposed development application, the developer will be responsible for all associated expenses.
3. The RM will seek expert advice whenever carrying out any activities that have the potential of altering the natural drainage patterns. If the work is required as a result of a development application, the developer will be responsible for all associated expenses.
4. The RM will require agricultural activities such as intensive livestock operations, manure storage, livestock wintering, chemical storage and disposal areas, septic systems, and fuel storage to ensure mitigating measures are taken if there is potential of impacting environmentally sensitive areas. The land owner will be responsible for all associated expenses.

5. The RM will encourage good environmental practices that result in improved efficiency and economic benefits.
6. Developments that protect environmentally sensitive lands will be encouraged. Council may deny a permit if the development has the potential to significantly deteriorate the land resources for agriculture or negatively impact ground and surface water sources, or impact ground and surface water availability to adjacent lands.
7. If a subdivision or development proposal requires provincial review, Council will wait to make a decision on the development until such time as all requirements of the provincial agencies have been met.
8. No structure shall be developed or constructed on lands contained within the flood fringe or on lands considered hazard land unless mitigating measures have been implemented as recommended by a report of an appropriate professional which has been completed at the expense of the developer.
9. The Municipality will continue to be involved with the Saskatchewan Water Security Agency to maintain and conserve water resources.
10. The Saskatchewan Water Security Agency , SaskWater and other appropriate government or private sector consultants will be used to identify flood levels and mitigating measures.
11. Buffer strips shall be maintained adjacent to any watercourse and water body to protect the shoreline from erosion and other hazards. These may be designated as Environmental Reserve or Municipal Reserve at the discretion of Council.
12. Cultural and heritage sites or buildings of significance may be protected and preserved to the extent practicable. Council may consider the restoration and possible reuse of Heritage Properties.
13. Piping Plover, Burrowing Owl and other at-risk species nesting ground areas shall be protected.

Infrastructure and Services

Discussion

The RM is committed to providing the necessary infrastructure and services in order to accommodate growth and diversity and to serve the community. Development is encouraged to locate in areas where there are existing roads and services to reduce additional demands on the municipal infrastructure and services, thereby reducing potential costs to the ratepayers.

The road network within the RM consists of provincial highways 45 and 7 which are maintained by the Province as well as approximately 350kms (218 miles) of primary and secondary gravel roads, including O'Malley Road and Donavon, which are maintained by the RM. This road network is critical for providing access to existing developments and agricultural activities.

. Landowners are responsible for the costs associated with the installation and maintenance of their water sources. Landowners are also responsible for ensuring the requirements of the Public Health Authority are adhered to. There is an untreated municipal well in Donavan that is available for the use of the public. Disposal of liquid or solid waste is the responsibility of the individual user and must be done in accordance with all provincial requirements. Landowners are responsible for maintenance and use of their septic tanks, including costs associated for pump outs. For the disposal of solid waste, a fee-based transfer site is provided within the RM for use by residents.

The RM does not currently own or operate any recreational services or community centers. There are a few private clubs and recreational sites throughout the municipality.

Utility services are available in the RM from Saskatchewan's public utility companies as well as from private companies. The provision of these services is separate from the services provided by the RM.

Council is committed to ensuring that the community is adequately protected and responsive in the event of an emergency. Protective services include fire, police, ambulance and other emergency measures. Fire protection is located in Donavon and is provided by the Delisle and District Fire Commission.

Council encourages new developments and economic diversity but recognizes that the RM does not have the capacity to provide the types of services urban centers provide. New developments should not result in increased costs to the existing ratepayers and therefore the RM will require development to be at the expense of the developer. This will be achieved by requiring servicing agreements for all new developments.

Objectives

1. To encourage new development to be serviced by existing municipal services.
2. To ensure that future maintenance obligations created by developments can be fulfilled.
3. To maintain or enhance the level of traffic safety within the municipality.
4. To ensure the municipal facilities have the capacity for any future solid waste and sewage disposal; and that the municipality makes plans for any expansions that may be necessary.
5. To ensure that all new developments in the Municipality will have a safe and sustainable water supply.
6. To explore, in cooperation with other local governments, opportunities for the development of regional recreation and tourism sites that benefit the region as a whole.
7. To provide for protective services such as fire and ambulance and any other services required and desired by the community.

Policies

1. Where possible, new subdivisions and developments shall be serviced by existing municipal services. In the event that infrastructure services need to be upgraded for a development, the RM shall enter into a service agreement with the developer to cover the costs of service upgrades.
2. All developments shall provide:
 - a. A water supply appropriate for the proposed use
 - b. A liquid waste disposal system appropriate for the proposed use
3. The Municipality will not be responsible for the cost of services that are required to service new subdivision developments. This includes the cost of roads, surface drainage, walkways or trails, lighting, signage, utilities, water supply systems, sewage disposal systems, and solid waste disposal systems.

4. Subdivision and development proposals will be subject to the verification that there is capacity for the collection of the future additional solid waste at the transfer site.
5. When reviewing proposals, Council may request utility companies to indicate the location of existing and future services. Council may use this information during their decision making process.
6. Separation distances from solid and liquid waste management systems or disposal facilities to other types of development will be established in the Zoning Bylaw.
7. The Municipality will participate in long term infrastructure and servicing planning to address future needs. Council will seek cooperation of senior governments, adjacent municipalities and other groups and agencies to achieve goals.
8. Council will ensure the appropriate measures have been taken to achieve traffic and road safety. This includes appropriate road design, speed limits, signage, development setbacks, and traffic control devices.
9. To the extent possible, the RM will support the development of new recreational amenities and facilities. Cooperation with senior governments, adjacent municipalities and other groups and agencies will be supported.
10. Any development shall take into account the need for fire protection and emergency service access.
11. Innovative and sustainable infrastructure and servicing designs will be encouraged providing they will be compatible with adjacent land uses.
12. Council may consider undertaking custom work for the installation of infrastructure and services with municipal equipment if time permits and at ratepayer rates.
13. Subject to arrangements with the relevant railway company, Council may assist in railway crossing development or enhancements.

Inter-municipal Cooperation

Discussion

The Rural Municipality of Montrose No. 315 supports regional growth and development and believes that inter-municipal cooperation will increase the quality of life for its ratepayers. Recently, adjacent communities worked together

for the creation of the “WaterWolf Growth Management Plan”. Even though the RM participated in this process and supports the final plan the RM chose not form part of the WaterWolf Planning Commission .

Council will continue to work with adjacent rural and urban municipalities to explore opportunities for providing mutually beneficial and cost effective services to their ratepayers. Council will consider supporting and helping to fund centralized or regional economic, cultural and recreational centers with adjacent municipalities. Inter-municipal servicing agreements will be considered and negotiated when there are opportunities to enhance the services in the region.

Annexation issues with other rural municipalities or urban centres are currently not an issue in the RM. If the subject on annexation does arise, Council will listen to their ratepayers and decide what is best for the future of the municipality.

Objectives

1. To support regional growth through policies that support development and economic diversity
2. To work with adjacent municipalities to achieve inter-municipal development goals.
3. To adopt an Official Community Plan and Zoning Bylaw that are complimentary to adjacent municipal bylaws.
4. To enter into inter-municipal agreements when they are cost effective and efficiently delivered to benefit the municipality as well as the region.
5. To deal with annexation issues when they arise.

Policies

1. Council supports regional cooperation and will pursue opportunities for regional development and economic growth.
2. Council will consider participating with adjacent municipalities in supplying services and infrastructure, if the proposal is of a wider benefit to the municipality as well as the region.
3. For development and subdivision proposals adjacent to the boundary of a neighboring municipality Council will refer the proposal to the neighboring municipality prior to considering the application.
4. Council will consider the impact of annexation proposals to ensure the municipalities involved will mutually benefit from the arrangement.

Council will seek the opinions of their landowners prior to making any annexation decisions.

Part 3 - Implementation

The Zoning Bylaw will be the principal method of implementing the objectives and policies contained within this Official Community Plan.

The purpose of having a Zoning Bylaw is to control the use of the land for the area within the municipal boundaries to provide for the health, safety and general welfare of the Rural Municipality as a whole.

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by establishing zones for agriculture, agricultural/residential, Hamlet and commercial and industrial development. Regulations within each zoning district will specify which uses are permitted, discretionary or prohibited. The Zoning Bylaw will also establish regulations for site sizes, setbacks, building locations, parking, and landscaping as well as special use regulations.

Agricultural District (AG)

The Agricultural Zoning District will primarily provide for those uses related to agricultural development such as dwellings, farm based businesses, resource sector development and other compatible uses. Prior to development proposal, lands will generally be zoned agricultural as this Official Community Plan and accompanying Zoning Bylaw do not pre-designate zoning. The Zoning District will encourage the retention of agricultural land for crop production, livestock operations and related broad-spectrum agricultural uses.

AR District (AR)

The AR Zoning District will provide for broad-spectrum agricultural development, farm-based businesses, resource sector development and other compatible uses. Practically speaking, creation of AR subdivisions will involve rezoning of AG Zoning District land to subdivision parcels in the AR Zoning District and thereby authorizing, by permitted use as cited in the Zoning Bylaw, construction of a single dwelling for each AR zoned parcel, subject to construction requirements outlined in the Zoning Bylaws. AR developments will be approved at a level that will not jeopardize existing agricultural operations or remove good farmland from production.

Hamlet District (H)

The Hamlet Zoning District will provide for development of residential and associated commercial developments and will include both unorganized and organized Hamlets.

Commercial and Industrial District (CI)

The Commercial and Industrial Zoning District will provide for clusters of commercial uses, industrial uses and other compatible developments and will provide standards for such developments.

Considerations for Reviewing Applications

a. Amendments

When considering amendment applications, for either the Official Community Plan or the Zoning Bylaw, Council shall consider:

- The nature of the proposal and the purpose of the amendment.
- If the amendment will create irrational land use patterns or incompatible uses.
- The necessity of the amendment.
- The capacity of the existing infrastructure and services.

b. Zoning Agreements

Section 69 of The Planning and Development Act, 2007 allows a municipality to enter into an agreement for the purpose of accommodating requests for the rezoning of land.

The Zoning Agreement will:

- describe the proposal for the lands;
- outline uses of the land and buildings or other forms of development that are proposed;
- profile the site layout and design of external design;
- specify time limits for development; and
- outline other development standards considered necessary to implement the proposal, in accordance with the zoning bylaw.

The Zoning Agreement runs with the land, regardless of who the landowner is. The municipality will register an interest on the title of the land when the Zoning Bylaw amendment is approved.

c. Subdivision Application Review

Support by the RM will be given to those subdivision applications where Council has:

- ensured the development meets the criteria established in the Official Community Plan and Zoning Bylaw;
- ensured that the lands are appropriate for subdivision;
- indicated to Community Planning that all unstable or flood prone areas are to be set aside as environmental reserve and/or municipal reserve and have advised of any slopes, flood risk, wildlife habitat, incompatible land uses, etc.;
- ensured the services and infrastructure are adequate to service the subdivision;
- negotiated the terms of a Servicing Agreement with the applicant. The Servicing Agreement can include provisions for roads, surface drainage, walkways and trails, lighting, signage, water supply, sewage disposal, solid waste disposal and utility services to be installed at the expense of the applicant. The municipality can also require the applicant to provide security and servicing fees;
- requested Community Planning to require the subdivision land owner- to provide part of the land as municipal reserve, money in lieu of municipal reserve or a combination of land and money; and
- ensured that necessary corridors, easements and land for public works are dedicated during the subdivision and development process.

d. Development Permit Review

The development permit review process is outlined in the Zoning Bylaw. The regulations and requirements for uses and zones are also established in the Zoning Bylaw.

e. Building Bylaw

The RM does not currently have a Building Bylaw. Council will consider introducing a Building Bylaw when deemed necessary by Council. Council will use the building bylaw to provide construction standards for new buildings as well as for repair and maintenance of existing buildings in the municipality. The building bylaw will provide provisions for acceptable physical construction, occupancy permits and inspections.