

**RURAL MUNICIPALITY OF LAKEVIEW NO. 337**  
**BYLAW NO. 04/06**

A Bylaw of the Rural Municipality of Lakeview No. 337 to adopt an Official Community Plan.

**Whereas** the Council of the Rural Municipality of Lakeview No. 337 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 said *Planning and Development Act, 2007*, provides in Sections 35 and 39 that Council may, by bylaw, adopt an Official Community Plan;

Therefore, the Council of the Rural Municipality of Lakeview No. 337 in the Province of Saskatchewan, in open meeting hereby enact as follows:

1. This Bylaw may be cited as the "The R. M. of Lakeview No. 337 "Official Community Plan".
2. "The Official Community Plan" of the Rural Municipality of Lakeview No. 337 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 of Municipal Affairs.

SEAL

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ADMINISTRATOR

SCHEDULE A

BYLAW NO 04/06

**RURAL MUNICIPALITY OF LAKEVIEW NO. 337**  
**OFFICIAL COMMUNITY PLAN**

This is Schedule A as attached to and forming part of Bylaw No. 04/06 , the Official Community Plan of the Rural Municipality of Lakeview No. 337

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**RURAL MUNICIPALITY OF LAKEVIEW NO. 337  
OFFICIAL COMMUNITY PLAN**

**1 INTRODUCTION**

This Official Community Plan is adopted by The Rural Municipality of Lakeview No. 337, in accordance with Sections 29 and 35 of the Planning and Development Act, 2007, to provide goals, objectives and policies to guide the management of the use of land and its future development within the limits of the municipality.

This Official Community Plan effects all lands in the Rural Municipality of Lakeview No. 337.

## **2 MUNICIPAL GOALS**

The goals for the municipality are identified as follows:

- 2.1 To preserve and enhance the agricultural economic base of the municipality.
- 2.2 To enhance the rural way of life in the Municipality, and provide for new opportunities that support that way of life.
- 2.3 To promote orderly and appropriate development of the land and of services to support that development.
- 2.4 To support use of the land that will maintain the productivity and the environmental quality for future generations.

## **3 AGRICULTURAL USE AND DEVELOPMENT - OBJECTIVES AND POLICIES**

### **3.1 Discussion**

Agriculture will continue to play the predominant role in the economy of the municipality. Development in the municipality has been almost exclusively related to agriculture, with an emphasis on using dryland crop farming techniques for crops and to non-intensive mixed farming. Most of the land in the municipality is suited to these forms of agriculture.

Protection of agricultural activities and resources is the principal concern of the municipality. Council recognizes that a trend to more diverse forms of farm operation is occurring, including intensive livestock operations. Provisions are required to encourage such developments while ensuring that land use conflicts are minimized.

Many of the services to agriculture that are not provided in the region's urban service centres are provided as ancillary uses to a farm operation. Council wishes to encourage this form of economic diversification in the municipality.

Most of the farm land in the municipality remains in parcels of land that are comprised of quarter sections without subdivisions except as may be necessary for

road widening. Council wishes to maintain this pattern of land division, but recognizes that there are circumstances where some subdivision of land may be necessary and desirable. Council wishes to avoid a scattered pattern of small holding development that may be relatively costly and difficult to provide with services.

### 3.2 Objectives

- To promote continued agricultural activity and to ensure that agriculture remains the primary land use in the municipality, conserving high quality agricultural land for continuing productive agricultural use
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- To protect agricultural land uses from negative impacts of non-agricultural land use and development.
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- To provide for intensive forms of agriculture including intensive livestock and to recognize differing forms of land division patterns that intensive agriculture may create.
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- To support intensive agricultural uses in the municipality in a manner that does not create conflicts with neighbouring uses, jeopardize reasonable development potentials, or create significant environmental concerns.

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### 3.3 Policies for General Agricultural Development

- - The primary agricultural uses include grain farming, mixed grain/livestock operations, farmsteads, intensive livestock agricultural uses, and farm based agricultural related commercial developments, or home based businesses.
- - 3.3.1. The development and operation of farms of a quarter section or more for field crop, pasture and non-intensive livestock operations will not be restricted. Non residential accessory buildings and structures for agricultural purposes on such properties will not require municipal permits.
- - 3.3.2. Intensive agricultural operations and intensive livestock operations will be considered as uses which may be permitted at the discretion of council in accordance with the policies specific such uses.
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    - Council will support the development of intensive agricultural and livestock operations unless specific locational conflicts would be created.
- - 3.3.3. The subdivision of quarter sections into parcels smaller than 80 acres will not be encouraged except as is necessary in special circumstances.

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### 3.4 Policies for Intensive Livestock Operation Development

- **3.4.1. In general, council supports diversification and intensification of agricultural opportunities, including the development of intensive livestock operations.**

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- **3.4.2. In order to manage the development of intensive livestock operations and surrounding land use interests, council will consider applications for development of an intensive livestock operation (ILO) and apply the location criteria, development standards, and review procedures established within the zoning bylaw.**

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- **3.5 Policies for Intensive Agricultural Operation Development**

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- **3.5.1. Council shall require the proponent of intensive agricultural operations such as nurseries, market gardens, etc. to demonstrate their viability as a basis for approval.**

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- **3.5.2. Council may require an applicant to demonstrate an adequate water supply sufficient to the needs of the proposed operation, and to show that the water supply for neighbouring developments will not be adversely affected by the proposal.**

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- **4 RESIDENTIAL DEVELOPMENT - OBJECTIVES AND POLICIES**

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- **4.1 Discussion**

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- **The primary form of residential development in the municipality is in the form of a farmstead on the home quarter that forms the base for an agricultural operation. Such use will be permitted, without significant constraint as it is basic to a farm operation.**
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- **There are two other farmstead situations that occur in the municipality. The first is the desire of some farmers to retire and transfer the land, but retain the farmstead. The second is cases where land is taken over by a financial institution in a debt restructuring plan, but the farmstead is retained by the operator, often leasing back a portion of the farmland. Council wishes to provide for both cases where an existing farmstead is involved.**
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- **In many municipalities, particularly around larger urban centres, there has been a demand for small acreage sites for residences of people who commute to urban jobs. If such sites are scattered throughout a municipality, located on poor access routes, or improperly located near urban centres or on hazard lands, problems can arise for a municipality. Such residential development commonly needs a higher level of and more secure road access to the urban areas throughout the year. Scattered residences**

may severely restrict options for animal husbandry operations through lack of compatibility. Often there is a lack of equipment to clear access roads in winter storm conditions.

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- In some unusual cases it may be necessary to provide for the subdivision and development of isolated small residential sites. The mechanism of rezoning can be used in such cases to ensure appropriate review and control.
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- In this municipality there has not been any multi-parcel residential development.. It is possible that such proposals may be put forward. Council wishes to ensure that any multi-parcel residential development would not place a particular demand on municipal services.

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## • 4.2

## Objectives

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- To provide for such residential development in agricultural areas as is necessary to support the primary agricultural function of the municipality.
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- To control scattered non-farm residential development or residential development that would be difficult to provide with necessary services.
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- To provide criteria for the consideration of multi-parcel residential development.
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- To minimize the potential for conflict between agricultural development, intensive livestock operations and residential uses.
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- 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.
- •To avoid residential development on hazard lands and lands that are particularly environmentally sensitive.

## 4.3 General Policies for Residential Development

For the purposes of this document policies for residential development shall apply to all residential development as a principal use, including farmsteads that have ceased to serve a base for an agricultural operation.

- 4.3.1. Farmsteads, and other residential developments, which are ancillary to an operating agricultural use, will be permitted uses on a quarter section.
- 4.3.2. In any area of the municipality designated to an agricultural district there shall be a maximum of 3 sites within any quarter-section (as registered on a township plan) that may contain a farmstead, residence, or commercial development which may allow an accessory residential

use.

- 4.3.3. The minimum size of any site in an agricultural district and containing a farmstead or single residential development will be 2 hectares (5 acres).
- 4.3.4. Where a part of a section is physically separated from the remainder of the section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, the parcel may be subdivided from the quarter-section and council may approve a farmstead site in addition to the sites provided for under section 4.3.1 as a discretionary approval. Such approval shall be subject to any requirement for location on a developed road.
- 4.3.5. 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.

#### **4.4 Policies for Development in a Residential District**

- 4.4.1. Council may consider the development of a single parcel residential site where the following conditions are met:
  - (a) The site takes direct access from a highway or a primary grid or other all weather roads,
  - (b) The site contains an existing dwelling of substantial size that is not used as a farmstead for farm operation, and
  - (c) The development complies with the environmental policy on hazard lands.
  - (d) The proponent signs a servicing agreement to provide all required services at the cost and responsibility of the proponent or as negotiated with the RM as per Section 172 of The Planning and Development Act, 2007 at the cost and responsibility of the proponents.
- 4.4.2. Council may consider the subdivision and development of more than three sites containing residential uses in a quarter section by the process of rezoning to a residential district.
- 4.4.3. Where a minimum separation distance is required for a development to residential uses, a residential development shall observe the same standard. Council may refuse a rezoning or a discretionary use approval for a residential development where in its opinion a greater separation may be required for a future expansion of an existing

intensive livestock operation, or for a proposed operation.

## **5 BUSINESS DEVELOPMENT - OBJECTIVES AND POLICIES**

### **5.1 Discussion**

**Council encourages agricultural based services, commercial and industrial opportunities to locate within the RM. It is recognized that farm operators have to seek income diversification through home occupations and businesses in addition to farming which Council also encourages.**

**Council supports the development of vacation farms, bed-and-breakfast homes, and other forms of tourist services. Council wishes to provide for most forms of farm site based business with accessibility to appropriate services.**

**Council recognizes the significant importance of resource based activities and will encourage such opportunities.**

### **5.2 Objectives**

- **To encourage agriculturally related business development ancillary to farmstead operations.**
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- **To provide for other business development opportunities including:**
  - - **agribusiness**
  - • - **home based businesses**
  - • - **tourism related activities**
  - • - **resource extraction activities.**
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- **To ensure that business development occurs in a manner, which minimizes negative impacts on other land uses, and the environment.**
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### **5.3 Policies**

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- **5.3.1. The Zoning Bylaw will provide for home based businesses as ancillary, secondary and subordinate to a residential or farmstead use subject to the following criteria:**
  - - **No home based business shall change the essential agricultural or residential nature of the development of the property.**
  - - **A home base business shall be secondary and subordinate to the principal use of the property.**
  - - **The home based business should not cause any apparent variation from the agricultural character of the farmstead.**
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- **5.3.2. The Zoning Bylaw will provide for other agricultural related**

business developments subject to the limitation that no more than 3 residential or commercial sites are permitted in any quarter section, as provided for in Section 4.3.1.

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- **5.3.3. Tourist developments in the form of bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be provided for at the discretion of Council.**
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- **5.3.4. Sand and gravel operations shall be at the discretion of council. Council may require as a condition of approval that plan for staging of extraction and reclamation be submitted. Council may attach as a special standard, requirements for compliance with the staging and reclamation plan, including slope stabilization and re-vegetation of completed areas. A revision of the plan or the addition of other operations such as rock crushing, concrete mixing, or asphalt preparation operations shall require a new discretionary use approval.**
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- **5.3.5. Any Industrial and commercial principal uses provided for in the bylaw, that are not specifically related to agriculture will be discretionary uses in the Agricultural district or provided for in the Commercial district. Where such uses may be visually disruptive, council may require screening or special locations on the site as a condition of approval.**
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- **5.3.6. A railway, associated uses accessory to a railway operation, or a petroleum or water pipeline and associated pumping or compressor stations, will be considered transportation facilities and permitted. Such uses shall avoid conflict with farmsteads and residential developments.**

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- **6 ROADS, SERVICES, UTILITIES, COMMUNITY FACILITIES  
- OBJECTIVES AND POLICIES**
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- **6.1 Discussion**
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- **The primary interest of the municipality is to ensure the proper provision and maintenance of roads to provide access suitable for agricultural operations. Encouraging development where roads and services exist will reduce additional demands on the municipal road network thereby reducing potential costs to the ratepayers.**
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- **In most cases, recreational facilities serving the rural community are located in areas within or adjacent to the Town of Wadena or other urban centres near the municipality. The rural municipality participates with the Town of Wadena in the provision of recreational facilities.**

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- **6.2 Objectives**
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- **To improve the capacity and efficiency of the RM in providing community services and facilities by entering into specific or general strategic relationships with neighboring urban and rural municipalities.**
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- **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.**
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- **To provide for necessary waste disposal and utility services for the urban settlements in or near the municipality, and for other utility and transportation facilities, while protecting the environmental and corporate interests of the municipality.**
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- **To provide for recreational facilities utilized by the community.**
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- **To ensure that residential development in the municipality will have a safe and sustainable water supply.**

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- **6.3 Policies**
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- **6.3.1. All residential, commercial, or intensive agricultural development in an agricultural district shall require direct access to a developed road.**
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- **6.3.2. 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.**
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- **6.3.3. Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the zoning bylaw for the applicable land use. The above shall not apply to any facility solely for the disposal of domestic wastes of a development located on the same site.**
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- **6.3.4. Where a subdivision of land will require the installation or improvement of municipal services such as roads or streets, utilities, or sewage disposal facilities, the developer will 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. The Municipality may consider sharing in the costs of a service where the proposed service is of wider benefit to the municipality.**
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- **6.3.5. Where dedication of land for municipal reserve is required for subdivision council may consider the dedication of municipal reserve for land with a reasonable expectation for recreational development opportunities or land having environmental constraints.**
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  - **Cash-in-lieu or deferral for dedication may be considered for single parcel development.**
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- **6.3.6. Council may consider using dedicated lands account funds for municipal reserves development either within the municipality or in urban areas where the development will serve the residents of the rural municipality.**

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- **7 ENVIRONMENTAL MANAGEMENT- OBJECTIVES AND POLICIES**

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- **7.1 Issues and Concerns**
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- **While the Saskatchewan Watershed Authority, Saskatchewan Environment and Saskatchewan Health each work to achieve environmental quality and water management, the council recognizes its role towards environmental planning responsibilities within the framework of The Planning and Development Act, 2007, and other statutes.**

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- **7.2 Objectives**
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- **To encourage developmental practices that can be sustained by the environment without significant pollution, nuisance, or damage to the environmental resources.**
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- **To restrict development in areas that are considered hazardous for development for reasons of ground instability, erosion, flooding, or other environmental hazards.**
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- **To protect defined areas of critical habitat and heritage resources.**
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- **To protect critical water supply resources including both ground and surface water resources.**

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- **7.3 Policies**

- **7.3.1. Council will support farming practices and developments that conserve soil, improves soil quality, conserves moisture, and protects water supplies. Council may deny a permit to any development that may significantly deteriorate the land resources for agriculture, or deplete or**

pollute ground water sources.

- 7.3.2. Council will work with agencies of the provincial government to protect any significant heritage resources, critical wildlife habitat, or rare or endangered species located in the municipality. Where significant potential 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.
- 7.3.3. Where a parcel subdivision is proposed for what Council considers may be hazard land, the applicant shall submit a professional report on the proposed development. The report shall assess the geotechnical suitability of the site, susceptibility to flooding, or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.

## **8 IMPLEMENTATION**

### **8.1 ZONING BYLAW**

The zoning bylaw will be the principal method of implementing the objectives and policies contained in this Official Community Plan.

#### **8.1.1. Content and Objectives**

The zoning bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts. Initially the zoning bylaw will contain 4 districts as follows.

##### **(1) AGRICULTURAL DISTRICT**

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated farmsteads. Other uses compatible with agricultural development are provided for to support a farm way of life. Location dependent natural resource development is also provided for. Fragmentation of agricultural land in this district generally will be avoided.

The Municipality will be zoned to this district except where circumstances require a special purpose district.

##### **(2) HAMLET DISTRICT**

The objective of this district is to provide for urban density development of residential and associate commercial or industrial

**development which does not directly support agriculture. Organized hamlets with existing commercial and residential opportunities will be zoned as Hamlet District. There will be non agricultural zoning in the hamlets**

**(3) COMMERCIAL DISTRICT**

**The objective of this district is to provide for specific areas and standards for intensive business, commercial and industrial development. Areas will only be designated to this district by the rezoning process, upon submission of a specific proposal that is satisfactory to council and meets the criteria of this statement. The Commercial District is intended to encourage business development opportunities along highway corridors.**

**(4) RESIDENTIAL DISTRICT**

**The objective of this district is to provide for the subdivision and development of Country Residential development. It will be used to accommodate country residential development where there are more than three sites containing residential uses in a quarter section, and it will be used for multi parcel country residential developments,**

**8.1.2. Additional District Classifications**

**Council may consider adding other zoning districts to carry out the objectives of this statement, or to provide for a greater density of development than initially considered in this plan**

**8.2 OTHER IMPLEMENTATION TOOLS**

**8.2.1. Inter-Municipal Co-operation**

- (1) Council will work with neighbouring rural and/or urban municipalities to develop joint service programs where such arrangements will be of benefit to the municipality and community.**
- (2) Council will work with the Town of Wadena to improve beneficial and cost effective joint administrative and other services.**

- (3) **Council will consider the provision of recreational facilities on a community basis with the other governments for the community that the facilities are intended to serve.**

#### **8.2.2. Provincial Land Use Policies**

- (1) **This statement shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations and in co-operation with provincial agencies.**
- (2) **Council will review this statement and the zoning bylaw for consistency with a new provincial land use policy adopt pursuant to The Planning and Development Act, 2007.**
- (3) **Wherever feasible and in the municipal interest Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.**

#### **8.2.3. Administration**

- (1) **This Plan is binding on council and all development in the municipality.**
- (2) **The interpretation of words as contained in the Zoning Bylaw shall apply to the words in this statement.**
- (3) **If any part of this statement is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this statement.**