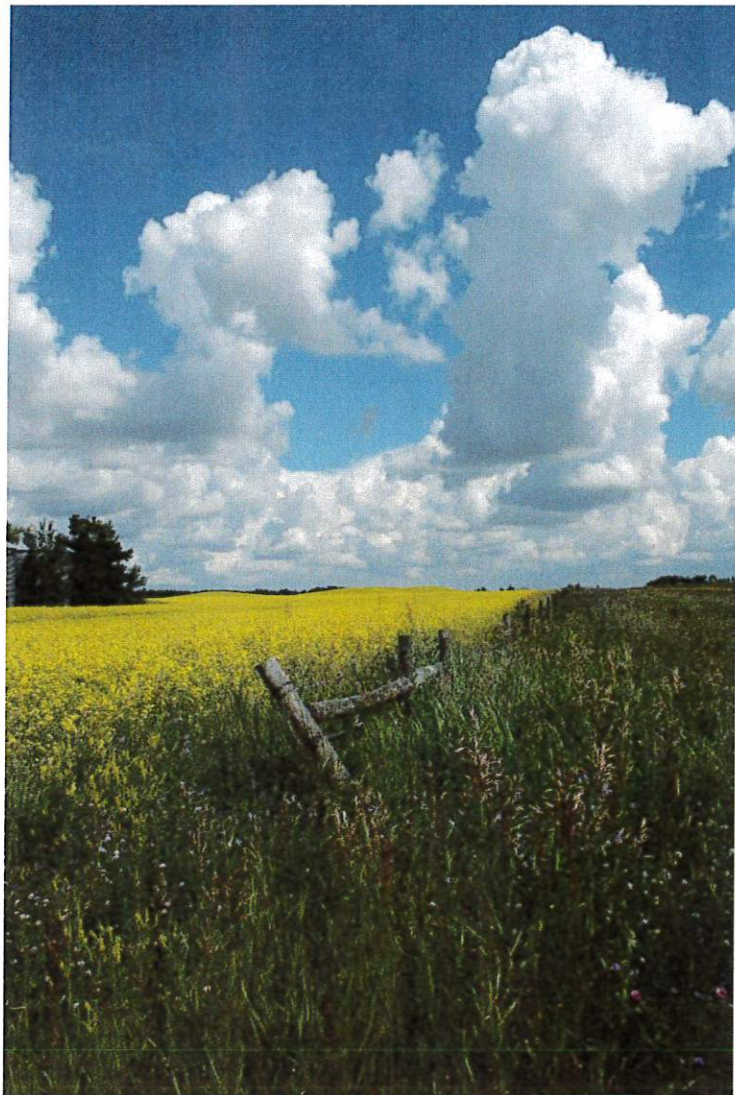


2015

Official Community Plan

Rural Municipality of Moose Creek No. 33



Prepared by:

SARM

RURAL MUNICIPALITY OF MOOSE CREEK NO. 33
BYLAW NO. 4-2015

A Bylaw of the Rural Municipality of Moose Creek No. 33 to adopt an Official Community Plan.

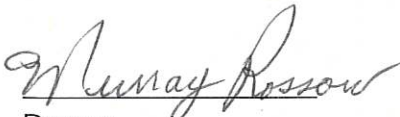
Whereas the Council of the Rural Municipality of Moose Creek No. 33 has authorized the preparation of an Official Community Plan for the Municipality pursuant to Section 29 of *The Planning and Development Act, 2007* Chapter P-13.2 (the "Act"); and

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

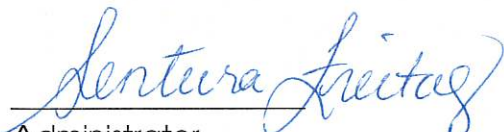
Whereas in accordance with Section 207 of the Act, the Council of the Rural Municipality of Moose Creek No. 33 held a Public Hearing on Nov. 18, 2015 in regards to the proposed bylaw, which was advertised in a weekly paper on Oct. 23, 2015 and Oct 30, 2015 in accordance with the public participation requirements of the Act;

Therefore the Council for the Rural Municipality of Moose Creek No. 33 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This bylaw may be cited as "The R.M. of Moose Creek No. 33 Official Community Plan."
2. The Official Community Plan be adopted to provide a framework to guide and evaluate future development within the Municipality, as shown on Schedule 'A', attached to and forming part of this bylaw.
3. This bylaw shall come into force on the date of final approval by the Minister.


Reeve

SEAL


Administrator

Schedule A:

Rural Municipality of Moose Creek No. 33

Official Community Plan
2015

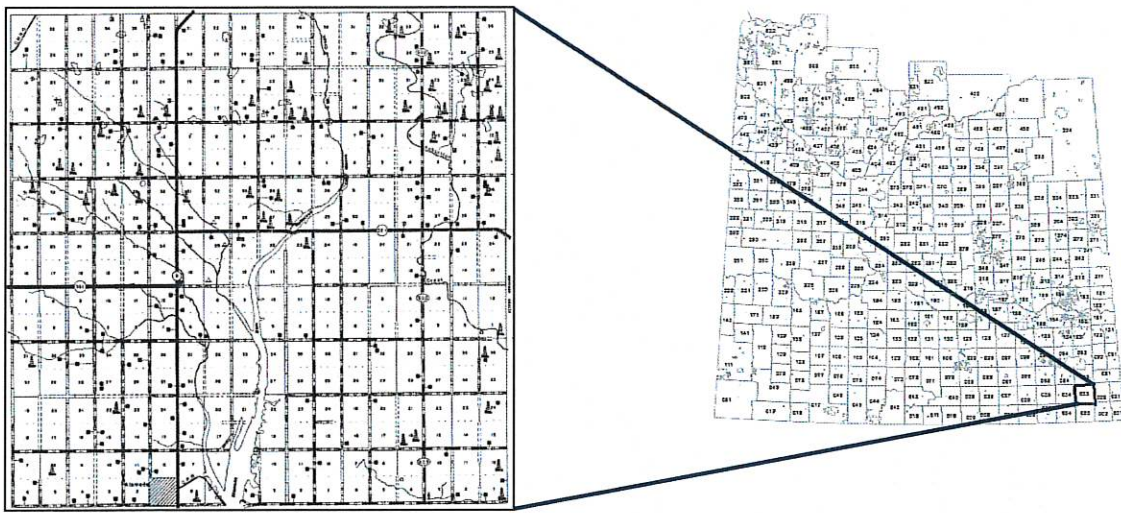
Table of Contents

Part 1	Introduction and Background	Page 5
Part 2	Municipal Goals	Page 7
Part 3	Municipal Services and Community Facilities	Page 8
Part 4	Environment and Natural Resources	Page 13
Part 5	Agricultural Lands	Page 16
Part 6	Residential Lands	Page 19
Part 7	Commercial and Business Development	Page 21
Part 8	Implementation	Page 25

Part 1 – INTRODUCTION & BACKGROUND

1.1 Introduction

The Rural Municipality of Moose Creek No. 33 is located in the south east corner of Saskatchewan. The RM is situated approximately 240 km south east of the City of Regina, 30 km north of the U.S. border and directly east of the City of Estevan making an excellent location for new agriculture, businesses, industry and residences. The RM was incorporated as a rural municipality in 1911.



From 2006 to 2011, the RM experienced an increase in population by 1.9%. The RM has a younger demographic which has resulted in young families that have contributed to the population growth. To keep these young families in the municipality the RM supports agricultural and non-agricultural land uses. Through this plan and the municipality's Zoning Bylaw, guidance will be provided to Council for making decisions on land use proposals to enable different uses to co-exist in harmony within the RM. The RM recognizes the importance of having a plan in place to accommodate growth in a responsible and organized way.

Population and dwelling counts	RM of Moose Creek No. 33
Population in 2011	372
Population in 2006	365
2006 to 2011 population change (%)	1.9
Total private dwellings	147
Private dwellings occupied by usual residents	139
Population density per square kilometre	0.4
Land area (square km)	842.03

Source: Stats Canada, 2011

Agriculture and the oil and gas industries are the primary source of employment in the area; although there are other sources of economic gain such as construction, manufacturing, business, educational services and health care services among others. The Rural Municipality is supportive of both agricultural and non-agricultural land uses and understands that there are sometimes conflicts between different types of land uses and developments. Through this plan and the municipal Zoning Bylaw, guidance will be provided to Council for making decisions on land use proposals to enable different uses to co-exist in harmony within the RM.

It is important to the RM of Moose Creek that their land use policies and growth intentions are coordinated with adjacent municipalities and to work together to ensure the residents of the area will benefit from regional cooperation. Planning is a shared responsibility among provincial and municipal governments as well as the residents and all decisions should consider and balance the interests of the stakeholders. Decisions will need to take into account the cultural, physical, social and economic factors of the development and the effects on the community as a whole.

1.2 Legislative Authority

This bylaw shall be known as the "Official Community Plan" of the Rural Municipality of Moose Creek No. 33. The authority for a municipality to authorize the preparation of an Official Community Plan comes from Section 29 of *The Planning and Development Act, 2007*. This bylaw shall apply to all the lands within the limits of the Rural Municipality of Moose Creek No. 33 and no development shall be carried out that is contrary to the Official Community Plan.

1.3 Purpose

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

Part 2 – MUNICIPAL GOALS

The RM of Moose Creek has identified goals for growth and development within their boundaries. Goals are necessary to keep the “big picture” in mind when making day to day decisions on development.

Municipal Goals

- ❖ To ensure the conservation of the agricultural and the rural way of life while allowing the expansion of oil and gas resources into the economy.
- ❖ To accommodate industrial land uses which are beneficial and well suited to the rural municipality, while minimizing conflicts with other land uses.
- ❖ To promote and accommodate commercial development in appropriate locations within the rural municipality
- ❖ To co-operate with other agencies in the planning of transportation and utility facilities within the rural municipality.
- ❖ To encourage the development of recreational opportunities and services which are consistent with objectives of the municipality.
- ❖ To encourage environmentally compatible development which minimize environmental disruption and pollution.
- ❖ To minimize environmental and natural habitat disruptions.

Part 3 – MUNICIPAL SERVICES AND COMMUNITY FACILITIES

3.1 Discussion

Council's primary concern for future development is the long term maintenance of infrastructure. Council encourages development to take place where services currently exist. Where allowed by the RM, the construction or upgrading of services will be at the cost of the developer.

Services:

Inter-municipal cooperation plays an important role for the RM of Moose Creek. The City of Estevan, Town of Alameda and Carlyle, and Villages of Oxbow, and Carnduff in the area provide health, education, emergency and numerous recreational services for the residents of the area. Sewer and water services are provided through individual private systems. There are three non-potable community wells that are for agricultural purposes. The Town of Alameda and RM share a Volunteer Fire Department that provides emergency services to RM ratepayers.

Roads:

The major road network consists of provincial Highway 9 and 361, major roads of 603 and 700, and major grid roads throughout the RM. These roads are critical for the flow and function of the agricultural and natural resource industry.



Recreation:

The Town of Alameda provides RM ratepayers with a variety of recreation activities such as camping, parks and greenspace. Other surrounding communities also offer recreation services to the residents of the RM.

Within the boundaries of the RM is the Alameda Reservoir which is owned, operated and maintained by the Saskatchewan Water Security Agency. The Reservoir was constructed between the period of 1988 and 1995 as a means to provide water for the area and for flood protection. The project has also allowed for recreational uses to take place on the Reservoir, such as boating and fishing (summer and winter).



www.saskregionalparks.ca

Moose Creek Regional Park is located adjacent to the Alameda Reservoir, also within the boundaries of the RM (although it is a separate jurisdiction than the RM). "The park encompasses 3/4 of a section, which is largely left in its natural state which was range land with southern trees. This is the first regional park travelers from Manitoba or North Dakota have the opportunity to visit in southeastern Saskatchewan"¹. There are both full service campsites and non-full service campsites available and amenities such as water, showers and washrooms available. Swimming and golfing, including a clubhouse are also available at the park.

3.2 Objectives

- a. To encourage development and growth in areas that are sustainable and economical for the long term maintenance of infrastructure.

¹ www.saskregionalparks.ca

- b. To improve the capacity and efficiency of services and facilities by entering into regional partnerships with neighboring urban and rural municipalities.
- c. 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.
- d. To provide recreational opportunities for municipal and regional residents.

3.3 Policies

- a. Roads and Transportation:
 - i. All development shall require direct access to a developed road.
 - ii. Development will be encouraged where roads and services currently exist.
 - iii. The RM will ensure, through the subdivision and development process, that future right-of-ways for Highways No. 9 and 361 are protected from land uses which may affect the future acquisition for highway right-of-ways.
 - iv. Access and internal subdivision roads should be designed with the consideration for emergency service, school bus and maintenance equipment access.
- b. Utilities
 - i. 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.
 - ii. Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the Zoning Bylaw.
 - iii. The RM will require adequate water supply and sewage disposal systems for proposed developments which meet the requirements of the local health authority. The water supply of neighboring developments shall not be adversely affected by the proposed development.

- iv. All sewage and waste water disposal methods shall comply with Provincial regulations. The Municipality will require written evidence that the disposal method has been approved by the Health District either as a condition of development permit approval or before a development permit for the use on the site is issued.
 - v. Waste management shall meet all applicable provincial regulations. The RM has one landfill/transfer station available for residents to use.
- c. Agreements
- i. Where a proposed development requires the construction or upgrading of a road or services, Council may enter into a development levy agreement with the developer, pursuant to *The Planning and Development Act, 2007* and the RM's Development Levy Bylaw to provide for the road and services at the developer's cost.
 - ii. Where a subdivision of land will require the installation or improvement of municipal services, the developer may be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.
 - iii. Where a new subdivision or development requires the installation of new services such as roads, sewer and/or waterlines, etc. development permits may not be issued until those services have been completed to the satisfaction of Council.
- d. Dedicated Lands
- i. Money in lieu of municipal reserve land will be preferred unless the dedication of land for municipal reserve is required for municipal development opportunities.
 - ii. Environmental reserve dedication may be requested during a subdivision for lands that have environmental constraints.
 - iii. The dedicated lands account funds may be used for municipal reserve development either within the municipality or in urban areas where the development will serve the residents of the rural municipality.

- e. The RM will continue to cooperate with adjacent municipalities to provide efficient facilities and services, including recreational services, for the community.

- f. Recreation and Tourism
 - i. Council will exercise its discretion based on the suitability of the location and development with respect to physical access and available services, the separation distance to incompatible land uses, the extraction of future resources, and other factors that may make the development unsuitable for the area.

 - ii. The RM will consider the development of regional open space and leisure and tourism opportunities when land is identified as being suited for these types of developments.

 - iii. Tourist developments, such as bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be discretionary uses in the Zoning Bylaw.

 - iv. Campgrounds and other public or commercial recreation uses will be discretionary uses, where appropriate, in the Zoning Bylaw.

Part 4 – ENVIRONMENT & NATURAL RESOURCES

4.1 Discussion

The RM of Moose Creek No. 33 encourages environmentally sustainable planning and development practices. Hazard lands need to be protected and landowners and developers will need to take into consideration restrictions on land due to potential hazards when submitting development and subdivision proposals.

The Water Security Agency owns the land around the Alameda Reservoir. However, the RM recognizes that there is still some potential for multi-use development opportunities on lands near the Reservoir. There needs to be appropriate policies in place to manage future land use development of environmental lands and natural resources.

4.2 Objectives

- a. To encourage development that doesn't create negative impacts on the environmental and natural resources.
- b. To restrict development in areas where hazard and/or environmentally significant lands exist.
- c. To protect critical water supply resources including both ground and surface water resources.
- d. To ensure that public safety and health are protected for all developments and recreational activities.
- e. To ensure that development does not exceed the capacity of the reservoir to sustain recreational activities.
- f. To avoid and minimize flooding and flood damage.

4.3 Policies

- a. The RM may deny a permit to any development that may significantly deteriorate the land resources through soil erosion, soil cover disruption, pollution,

slope instability, silting or undesirable alteration of surface drainage or vegetation.

- b. No development shall be proposed on a parcel deemed to be flood prone, on environmentally sensitive lands or hazardous lands.
 - i. The RM will prohibit the development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body.
 - ii. The RM will require flood-proofing of new buildings and additions to building to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourses or water bodies in the flood fringe.
- c. Where development or subdivisions are proposed along any potentially hazardous lands a professional report may be required. The report shall assess the geotechnical suitability of the site, susceptibility to flooding (hydrological report), or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition at the time of a development permit.
- d. The RM will work with agencies of the provincial government to protect any significant heritage resources, conservation district, critical wildlife habitat, or rare or endangered species. Where significant potential has been identified, development will not be approved until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.
- e. The proposed development site shall be environmentally suitable for the proposed development.
- f. The RM will minimize, mitigate or avoid potential development impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater.
- g. Development shall not deplete or pollute groundwater resources or permanent water bodies, or water courses within RM. The RM may require monitoring of the impact of development on groundwater and surface water resources and may incorporate development standards in the Zoning Bylaw to maximize aquifer protection and supply and to protect surface water quality and supply.

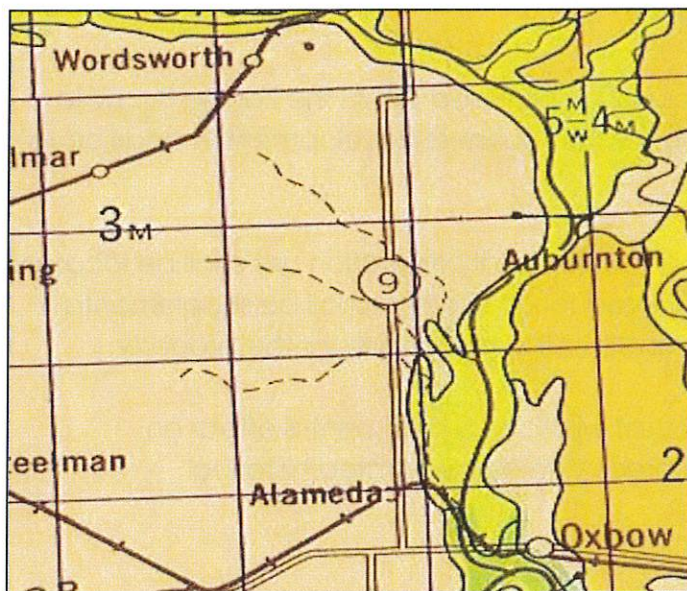
- h. Subdivisions, significant transportation infrastructure and public works shall be located to minimize, mitigate or avoid threats to community from wildfire or other emergencies.
- i. Lands that require special management will be designated with the EC - Environmental Constraint District of the Zoning Bylaw.

Part 5 – AGRICULTURAL LANDS

5.1 Discussion

Agriculture has been and will continue to be one of the primary areas of focus for the municipality. Agricultural based employment is one of the main sources of income for residents. Council supports the continuation of agricultural land uses for both economic and residential purposes. One of the main reasons for creating this Official Community Plan and the accompanying Zoning Bylaw is to protect existing and future agricultural land uses in community while still being open to exploring other types of business opportunities that can coexist with agricultural land uses.

Land Classification Map for Information Purposes:



Classes

- Class 1** Soils in this class have no significant limitations to use for crops.
- Class 2** Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.
- Class 3** Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.
- Class 4** Soils in this class have severe limitations that restrict the range of crops or require special conservation practices, or both.
- Class 5** Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, but improvement practices are feasible.

According to Canada Land Inventory ratings, the land within the RM range from Class 2-4 which are well suited for agricultural purposes but also allows the RM to have some flexibility with regards to allowing other compatible uses.

5.2 Objectives

- a. To preserve land with a high capability for agricultural land use and discourage incompatible land uses.

- b. Encourage future growth opportunities for agricultural and rural lands within the RM.
- c. Allow for intensive forms of agriculture, livestock production and natural resource and extraction and commercial land uses on appropriate agricultural lands which do not jeopardize existing uses or create significant environmental concerns.
- d. To provide on a limited basis, separate sites for the development of residences while avoiding disordered and fragmented land use patterns.

5.3 Policies

- a. Agriculture activities on lands 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 a development permit.
- b. A range of agricultural related uses will be included within the Zoning Bylaw to encourage diversified agriculturally related business development in addition to agricultural production.
- c. Business development to diversify an agricultural production use shall be located on the same site as the agricultural production use and shall be supplementary to the agricultural production use and not the primary use of the property.
- d. The RM may restrict development that will have a detrimental effect on environmentally sensitive areas or areas with demonstrated historical significance.
- e. Subdivisions:
 - i. Two subdivisions will be allowed on agricultural lands (3 separate titles per quarter section) as allowed for in the Agricultural District of the Zoning Bylaw.
 - ii. Where a part of a section of land is physically separated from the remainder of the quarter section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, the separated land may be subdivided from the quarter-section in addition to the two subdivisions provided for in 5.3 e. All new and upgraded accesses and services shall be provided by the developer.

- iii. Where conflicting land uses are proposed on the same site or adjacent to one another, the RM may require the uses to construct buffers or screening prior to issuing any development permit.
- h. Intensive Operations
- i. Council will support the development of intensive agricultural and livestock operations unless specific land use or environmental locational conflicts would be created or where potential for conflict may arise.
 - ii. Intensive agricultural operations and intensive livestock operations will be discretionary uses within the Agricultural District of the Zoning Bylaw. Any expansion of an operation to provide for a greater number of animal units, or any change in an operation which alters the species of animal, shall require a new permit approval.
 - iii. The RM may require screening or encourage the use of innovative technologies which mitigate odour or other nuisances.

Part 6 – RESIDENTIAL LANDS

6.1 Discussion

The Rural Municipality of Moose Creek encourages residential land uses to be planned and orderly. The RM looks favorably at developments that are proposed where services already exist. If a proposal requires the construction of or upgrades to certain services, the Developer(s) will be responsible for the costs.

6.2 Objectives

- a. To optimize services and long term maintenance, clustered residential development will be encouraged.
- b. To minimize the potential for conflict between non-residential development and residential uses.
- c. To ensure that any residential use can be served by a road of a sufficient standard to provide the needed level of access to the site.

6.2 Policies

- a. Residential subdivisions will be required to be located adjacent to existing roads and be serviced in a manner that meets municipal standards, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer.
- b. The RM will support clustered development by encouraging subdivisions to locate adjacent to each other or adjacent to an existing residential area, in order to conserve agricultural land and reduce servicing costs, such as roads and utilities.
- c. A buffer strip or landscaping requirements may be required in a residential subdivision to separate residential uses and agricultural development
- d. Residential development on hazard lands will be limited. This includes lands that are subject to flooding, sloping, slumping, wetlands, wildlife lands, etc. Geotechnical reports, engineered studies and/or environmental reports will be required to verify the development is appropriate for the lands.

- e. 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.
- f. All residential development is required to have adequate sewer and water services at the cost of the developer, which meets RM standards and is approved by the Health District.
- g. Development of residential subdivisions will be planned with the following considerations, but not limited to:
 - i. Maintaining existing water courses and wetlands and activities that integrate storm water management systems with natural water courses.
 - ii. Integrated or natural, open space and recreational areas as habitat corridors.
 - iii. Wherever possible, to preserve existing trees and other natural features.

Part 7 – COMMERCIAL & BUSINESS DEVELOPMENT

7.1 Discussion

The majority of business development within the RM is related to the agricultural but the resource (oil and gas) industry is a close second. Oil and gas have been in the RM since the mid-1950s and has been a major contributor to the economy of the RM. There currently are existing commercial businesses for the resource industry that Council will continue to support, as well as the expansion of similar types of businesses.

7.2 Objectives

- a. To ensure that business development occurs in a manner, which minimizes negative impacts on surrounding land uses and environment.
- b. To provide for business development opportunities including commercial, industrial and natural resource land uses.
- c. Ensure that any development can be served by a road that meets municipal standards to provide the needed level of access to the site.
- d. Ensure that any development is serviced to a standard that meets municipal standards.
- e. To direct commercial and business development to the most appropriate lands; which may be within the Town of Alameda.



7.3 Policies

- a. All commercial and business development shall have adequate services, including roads, safe access and utilities that meet municipal standards. Council will encourage new proposals to locate where services exist and the businesses may be required to be located in close proximity to existing highways or Clearing the Path Corridor roads.

- b. The Zoning Bylaw will provide criteria for business development, including industrial and commercial uses, allowed within the municipality.
- c. The RM will have the ability to require screening, landscaping or buffering as a condition of approval and in accordance with the criteria in the Zoning Bylaw.
- d. The RM will encourage commercial and business development that services the general public to locate within or adjacent to the Town of Alameda (not including Home Based Businesses or Bed and Breakfast Operations). The business developments should be a type and scale which is compatible to adjacent residential uses.
- e. Industrial development is encouraged to be directed away from residential development and better agricultural land. Lands should be compatible with rural industrial uses rather than being allowed to be scattered throughout the rural municipality.
- f. Highway commercial development should maintain the functional integrity of the adjacent highway, through the use of service roads, or controlled highway access points, which are approved by the Ministry of Highways.
- g. The Zoning Bylaw will make provisions for an appropriate mix of commercial and industrial land uses as either permitted or discretionary uses in suitable zoning districts.
- h. The applicant will be required to supply supporting information from a qualified engineer where commercial development is proposed in areas that may be potentially hazardous due to flooding, erosion, soil slumping or high water table.
- i. Consultation with the appropriate provincial agencies may be required prior to issuing a development permit or providing recommendations on a subdivision.
- j. Prior to the consideration of business development or subdivision, Council may require a concept be prepared. Were a concept plan is considered necessary, the plan will contain the following:
 - i. the phasing of development;
 - ii. the size and number of parcels proposed;
 - iii. the installation and construction of roads, services, and utilities;

- iv. the types of businesses to be contained on the site;
 - v. potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
 - vi. the environmental suitability of the site with particular consideration to the soils, topography, drainage and availability of services, proximity to wildlife management areas and hazard land;
 - vii. the access, egress and potential impacts on roadway and highway systems, including traffic safety;
 - viii. any other matters which the RM considers necessary.
- k. Resource Extraction
- i. Mineral resource exploration, extraction and development will be accommodated in the Zoning Bylaw as a permitted use, as required by the Statements of Provincial Interest Regulations.
 - ii. The approval of a development may be based on the results of any environmental impact assessment, availability of appropriate water and other resource supplies, compatibility of the operation with adjacent residences and other uses, and arrangements proposed for development or upgrading of necessary municipal services including the standard of roads necessary to support the development.
 - iii. The RM may apply special standards when issuing development permits for the resource industry. The Zoning Bylaw and other Municipal Bylaws may be used when issuing conditions on a development permit.
- l. Sand and Gravel Extraction
- i. Sand and gravel development will be a discretionary use in the Zoning Bylaw.
 - ii. The approval of a development may be based on the regulations in the zoning bylaw and the compatibility of existing and planned land uses, the disturbance to the environment and aquifers, the impact on municipal services and infrastructure, and the reclamation plan.
- m. The approval of any business development will be based on:

- i. The compatibility of the development with existing or planned neighbouring land uses;
- ii. The services and infrastructure available to the site (including direct access to and from the existing Highway, if necessary);
- iii. The provision of storm-water retention and management;
- iv. Development standards or design criteria which includes such aspects as parking for large trucks, landscaping, screening, storage, signage, and building design and finish; and
- v. The design and phasing of development.

Part 8 - IMPLEMENTATION

8.1 Zoning Bylaw

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

8.2 Content and Objectives

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

(1) AGRICULTURAL DISTRICT (A)

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development.

(2) COUNTRY RESIDENTIAL DISTRICT (CR)

The objective of this district is to provide for the subdivision and development of residential land uses. It will be used to accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Residential District will be used for residential purposes with limited agricultural uses allowed on the sites.

(3) LIGHT INDUSTRIAL & COMMERCIAL DISTRICT (M1)

The objective of this district is to provide for commercial and light industrial development uses within the RM which are beneficial and well suited to the rural municipality, while minimizing conflicts with other land uses.

(4) INDUSTRIAL DISTRICT (M2)

The objective of this district is to provide for heavy industrial uses within the RM which are beneficial and well suited to the rural municipality, while minimizing conflicts with other land uses.

(5) ENVIRONMENTAL CONSTRAINT DISTRICT (EC)

The objective of this district is to protect the Alameda Reservoir and to minimize the environmental disruption and pollution on lands adjacent to the Reservoir, most of which are owned by the Saskatchewan Water Security Agency.

8.3 Amendments

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

8.4 Other Implementation Tools

8.4.1 Regional Planning

- a. The RM will work together with adjacent municipalities to provide economies of scale and to provide regional policies that will benefit the ratepayers. The RM of Moose Creek will also work with other neighboring rural and urban municipalities to develop joint service programs where such arrangements will be of benefit to the municipality and community.
- b. To coordinate planning and growth, the RM will consult with provincial and federal government agencies and other communities and/or organizations.
- c. Pursuant to Section 32.1(1) of *The Planning and Development Act, 2007*, Council may enter into an inter-municipal development agreement with another municipality to address issues that cross jurisdictional boundaries.

8.4.2 Provincial Land Use Policies

- a. This Official Community Plan shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations

such as the Statements of Provincial Interest Regulations and in cooperation with provincial agencies.

- b. Council will review this Official Community Plan and the accompanying Zoning Bylaw for consistency with provincial land use policies.
- c. Wherever feasible and in the municipal interest Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.

8.4.3 Administration

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

8.4.4 Definitions

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

Part 9 – Repeal and Adoption

Bylaw No. 54-91, as amended, is hereby repealed.

This bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval of the Minister of Government Relations.

Read a First time this 14th day of October, 2015

Read a Second time this 18th day of November, 2015

Read a Third time this 18th day of November, 2015

Adoption of Bylaw this 18th day of November, 2015

[Redacted Signature]

Reeve



[Redacted Signature]

Administrator



Provincial Approval Date



Appendix A – Development Review Criteria

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

- d. Involves the refusal of a developer to enter into a servicing or development agreement.
 - e. Is not located, appropriately arranged or serviced on an environmentally protected site or in an environmentally suitable manner.
3. Where a subdivision or development proposal affects the municipal road system, the municipality may, at its discretion, and pursuant Section 22 of *The Municipalities Act*, require the landowner or developer to enter into a road maintenance agreement.

