

RURAL MUNICIPALITY OF
NORTH BATTLEFORD NO. 437

OFFICIAL COMMUNITY PLAN

Prepared for:

THE RURAL MUNICIPALITY OF NORTH BATTLEFORD NO. 437

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TABLE OF CONTENTS

1	INTRODUCTION	1
1.1	Scope and Purpose	1
1.1	Authority	1
2	GOALS	3
2.1	Natural and Heritage Resource Base	3
2.2	Physical and Economic Development.....	3
2.3	Intergovernmental Interests and Involvement.....	3
3	OBJECTIVES & POLICIES	5
3.1	Natural and Heritage Resources.....	5
3.2	Biophysical Constraints and Hazards	11
3.3	Municipal Infrastructure and Services	15
3.4	Intermunicipal and Jurisdictional Cooperation	21
3.5	Agricultural Land Use and Development	25
3.6	Residential Land Use and Development	31
3.7	Commercial / Industrial Land Use and Development.....	39
3.8	Recreation and Tourism	45
4	FUTURE LAND USE CONCEPT	47
4.1	Agriculture Policy Area	49
4.2	Residential Policy Area.....	51
4.3	Transportation Corridor Policy Area: Primary & Secondary.....	53
4.4	Commercial and Light Industrial Policy Area	55
4.5	Maps.....	57
5	IMPLEMENTATION	65
5.1	Zoning Bylaw.....	65
5.2	Other Implementation Tools	67
5.3	Other	69
6	SEPARATION DISTANCES BETWEEN USES	71
7	MULTI-PARCEL COUNTRY RESIDENTIAL AND COMMERCIAL / INDUSTRIAL DEVELOPMENT PROPOSAL WORKBOOK	73
8	CONCEPT PLANS	

1 INTRODUCTION

1.1 SCOPE AND PURPOSE

The policies in this Official Community Plan address the need for future land use planning in the RM of North Battleford No. 437 as well as other matters related to its physical, social and economic development.

The policies are intended to provide the RM of North Battleford with direction and guidelines for establishing bylaws, programs and decision making on future land use and development proposals in the Rural Municipality.

All development within the incorporated area of the RM shall conform to the objectives and policies contained in this Official Community Plan. Crown lands which lie within the RM of North Battleford No. 437 are governed by separate and / or additional provincial legislation to *The Planning and Development Act, 2007*.

1.1 AUTHORITY

In accordance with Sections 29 and 32 of *The Planning and Development Act, 2007 (The Act)*, the Council of the Rural Municipality of North Battleford No. 437 has prepared and adopted this Official Community Plan to provide the Rural Municipality (RM) with goals, objectives and policies relating to approximately twenty years of future growth and development within the community.

Section 32 of *The Act* provides that the Official Community Plan is required to contain statements of policy with respect to:

- (1) sustainable current and future land use and development in the municipality;
- (2) current and future economic development;
- (3) the general provision of public work;
- (4) the management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
- (5) the management of environmentally sensitive lands;
- (6) source water protection; and,
- (7) the means of implementing the Official Community Plan.

The Province of Saskatchewan adopted the *Statements of Provincial Interest Regulations* effective March 29, 2012 applicable to community planning and development under Section 7 of *The Act*. Section 8 of *The Act* provides that every Official Community Plan and Zoning Bylaw must be consistent with the Statements of Provincial Interest Regulations.

In general the Statements of Provincial Interest Regulations address:

- (1) Agriculture and Value-Added Agribusiness
- (2) Biodiversity and Natural Ecosystems
- (3) First Nations and Métis Engagement
- (4) Heritage and Culture
- (5) Inter-municipal Cooperation
- (6) Mineral Resource Exploration and Development

- (7) Public Safety
- (8) Public Works
- (9) Recreation and Tourism
- (10) Residential Development
- (11) Sand and Gravel
- (12) Shore Lands and Water Bodies
- (13) Source Water Protection
- (14) Transportation

2 GOALS

2.1 NATURAL AND HERITAGE RESOURCE BASE

- (1) To conserve the aquatic and terrestrial ecological resources of the municipality.
- (2) To utilize, preserve and enhance the natural resources of the municipality (agricultural and forest) in a manner which is economically, socially and environmentally sustainable.
- (3) To provide ongoing opportunities for residents and non-residents of the municipality to enjoy and appreciate the water and land resource values of the municipality.

2.2 PHYSICAL AND ECONOMIC DEVELOPMENT

- (1) To ensure sustainable physical development which reflects both market conditions and public needs and is compatible with municipal financial capabilities and the need for resource conservation.
- (2) To strengthen the economic base of the municipality by creating a positive environment for sustainable business development, especially as it relates to forestry, tourism and outdoor recreation.
- (3) To ensure a high quality of life for residents.

2.3 INTERGOVERNMENTAL INTERESTS AND INVOLVEMENT

- (1) To obtain the support and assistance of senior governments in the realization of the goals and objectives of this plan.
- (2) To support and complement the Statements of Provincial Interest in land use planning and development, insofar as is practical.
- (3) To engage with neighbouring municipalities and First Nations to identify issues and common interests in planning, municipal servicing, and growth opportunities.
- (4) To participate in district and regional planning initiatives which are beneficial to the municipality.

3 OBJECTIVES & POLICIES

3.1 NATURAL AND HERITAGE RESOURCES

3.1.1 FINDINGS

- The Rural Municipality of North Battleford is located in the Maymont Plain of the Aspen Parkland Ecoregion in the Prairie Ecozone. The Aspen Parkland Ecoregion is characterised by a mosaic of aspen groves and fescue grasslands. It represents a zone of transition between open grasslands to the south and continuous forests of the north.
- The Soil Survey report for the R.M. of North Battleford indicates that a total of 63,545 ha (157,025 acres) is rated as “prime farmland” in terms of its capability for dryland agricultural production of common field crops (over 75% of the entire RM). Protecting it from being unnecessarily taken out of production for non-agricultural use is an important consideration in land use and development decisions.
- The R.M. of North Battleford is bounded on the west by the North Saskatchewan River. In addition to this important waterbody, and existing wetlands within and adjacent to the RM, the municipality also includes the Whithill Lakes, located towards the northeast corner of the RM.
- The Saskatchewan Terrestrial Wildlife Habitat Inventory provides an overview of terrestrial wildlife habitat located in the RM of North Battleford at the time of the inventory. Providing a broad, comprehensive application of terrestrial wildlife habitat, the wildlife concerns of this inventory are primarily with mammals and birds having predominantly terrestrial habitat requirements. Consideration should be given to potentially sensitive wildlife habitats located in the RM of North Battleford during land use and development decisions.
- According to the Saskatchewan Archaeological Resource Management Database at the Heritage Conservation Branch, a total of 17 archeological sites have been recorded within the R.M. of North Battleford as of December 2014. The identified archaeological sites consist of artifact scatters, artifact finds and single features.
- Section 63 of The Saskatchewan Heritage Property Act empowers the Minister to require a developer to conduct a Heritage Resource Impact Assessment or a Heritage Resources Impact Mitigation for any development project (subdivision) that has the potential to impact significant heritage resources. On the basis of documented heritage resources and criteria set out in The Saskatchewan Heritage Property Act heritage sensitive quarter sections have been mapped for the RM for information purposes. Consideration must be given to archaeological sites in the formulation of land use and development policies to ensure development proceeds in a responsible manner.
- Consideration should be made towards the development of land use policy to help ensure that land development is consistent with the protection of significant natural resources in the municipality.
- The R.M. of North Battleford is located entirely within the Central Watershed Planning Unit of the North Saskatchewan River Watershed. This watershed covers a total of 41,000 km² and includes the Battle River, Eagle Creek, and the Goose Lake internal drainage basin. The North Saskatchewan Source Water Protection Plan, developed by the Water Security Agency, identifies threats to source waters in the North Saskatchewan River watershed and includes the objectives, recommendations and key actions to address those threats.
- The Council of the RM of North Battleford recognizes that it has a role and responsibility for stewardship of the environment. Consideration should be given to protection of source water within the RM of North Battleford.

- According to the Ministry of Environment there are no Migratory Bird Sanctuaries or National Wildlife Areas located in the RM of North Battleford, however, the Sibley Wildlife Refuge and the Scentgrass Lake Game Preserve are both located within the municipality.
- The Statements of Provincial Interest Regulations provides the following statements (which are addressed in the objectives and policies that follow):
 - *The province has an interest in ensuring Saskatchewan's cultural and heritage resources are protected, conserved and responsibly used.*
 - *The province has an interest in the protection of water sources that provide safe drinking water.*
 - *The province has an interest in conserving Saskatchewan's biodiversity, unique landscapes and ecosystems for present and future generations.*
 - *The province has an interest in maintaining and encouraging the exploration for and development of mineral resources.*
 - *The province has an interest in environmental stewardship, responsible development and public access to provincial water bodies and shore lands.*
 - *The province has an interest ensuring that sand and gravel resources are accessible for development.*
 - *The province has an interest in ensuring Saskatchewan's cultural and heritage resources are protected, conserved and responsibly used.*

3.1.2 OBJECTIVES AND POLICIES

Objective 3.1.2.1 Natural Features

To protect natural features, resources, communities and ecosystems in the municipality, and to encourage the preservation of natural wildlife habitat areas and other significant areas of natural vegetation.

Policy (a) 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 for the occurrence of such features or resources 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. Any costs associated with meeting such requirements will be the responsibility of the applicant.

Policy (b) Wetland areas along a lake, slough or creek will be protected and, where appropriate, integrated with recreational uses and development. Future development will not alter such wetland areas other than by the addition of appropriate structures such as walkways, pedestrian bridges, boardwalks, and interpretive media.

Policy (c) Development shall not damage or destroy fish habitat within the municipality, nor needlessly destroy unique flora or critical wildlife habitat.

Policy (d) Development shall avoid land that is environmentally sensitive.

Objective 3.1.2.2 Water Resources

To protect ground water and other water resources from contamination to ensure a safe supply of drinking water and to maintain the highest possible level of overall water quality in the municipality.

Policy (a) Development shall not deplete or pollute groundwater in the municipality.

- Policy (b)** Council shall be committed to the protection of ground and surface water, public health, property, and the environment through the use of water management programs that:
- (i) maintain healthy ecosystems; and
 - (ii) ensure the provision of safe and reliable drinking water.
- Policy (c)** Developments shall not injuriously affect, and shall be strongly encouraged to protect, sustain, and safely incorporate water bodies, waterways, shore lands, groundwater, wetlands, and riparian areas.
- Policy (d)** Agricultural practices, particularly with regard to manure management and chemical application, shall minimize risks to groundwater and surface water to the greatest extent possible.
- Policy (e)** Chemicals and other products shall be stored, handled, manufactured, managed and used with methods which prevent and avoid contamination with aquifers and well heads.
- Policy (f)** The RM shall work in partnership with the Saskatchewan Water Security Agency to maintain and conserve the North Saskatchewan River Watershed and its source water resources.
- Policy (g)** Proponents may be required to investigate subsurface soil and groundwater conditions prior to development work to demonstrate the natural or engineered containment will adequately protect groundwater resources. Such work must be carried out by a qualified professional engineer or geoscientist.

Objective 3.1.2.3 Historical and Heritage Resources

To protect historic, archaeological and other features, resources or sites of cultural heritage significance from incompatible development and, where such protection cannot be achieved, to ensure appropriate mitigation of impacts.

- Policy (a)** Development shall not damage, destroy, or otherwise negatively impact any building or site deemed to be of cultural, historical, or heritage significance.
- Policy (b)** Ensure that subdivision of land in potentially heritage sensitive parcels occurs in accordance with the guidelines and criteria identified by the Heritage Conservation Branch of Saskatchewan. The RM of North Battleford may delay development until such time as the requirements of the relevant provincial agencies to protect such resources (such as the undertaking of mitigative measures) has been obtained. The developer may be required to contract a professional to assess potential impact(s) to the development area. Any costs associated with meeting such requirements will be the responsibility of the applicant.
- Policy (c)** Support the designation of provincial heritage and municipal heritage buildings and sites within the municipality.

Objective 3.1.2.5 Sustainable Development

To encourage the subdivision and development of land in the municipality in an environmentally sustainable manner.

Policy (a) Council may employ site-specific planning programs, either alone or in cooperation with other agencies, organisations or governments, to protect water bodies, waterways and shore lands. Council may limit, restrict, delay or prohibit development in these areas until site-specific planning has been completed and/or until Council is satisfied that specific development projects will sustain these areas. Site-specific plans may result in limiting or prohibiting development in these areas.

Policy (b) No development will begin until Council has considered the size and configuration of an adjoining waterway, water body or shore land, the capacity for public access, the potential impacts (social, economic and environmental) of development, general and site-specific environmental and ecosystem characteristics, and economic potential for development in the area. The developer is responsible for all expenses associated with these recommendations. These studies shall be undertaken by qualified professionals at the expense of the developer.

Objective 3.1.2.6 Aggregate Resources

To protect known aggregate (gravel) and other mineral sources from incompatible forms of development and accommodate industries which utilize these resources while ensuring that aggregate exploration and extraction uses do not conflict with other land uses and development within the Municipality.

Policy (a) Subdivision of land for non-agricultural use shall not be permitted on land known to have source gravel potential so as to not interfere with future extraction.

Policy (b) The extraction, processing and storage of raw materials including sand, gravel, clay, earth, topsoil or mineralized rock shall be subject to the following policies:

- (i) Council shall encourage the extraction of significant commercial mineral resources prior to development that would preclude or constrain future extraction of the resource.
- (ii) Aggregate resource industries shall be listed as discretionary uses in the Zoning Bylaw.
- (iii) Council shall consider discretionary use applications for aggregate resource industries subject to:
 - (a) reclamation and restoration of the land for an approved end use;
 - (b) the manner in which the pit or quarry is to be operated;
 - (c) limiting or avoiding land use conflict due to noise, vibration, smoke, dust, odour or potential environmental contamination; and,
 - (d) minimizing the effect of the operation on infrastructure and services including but not always limited to roadways.
 - (e) ensuring road access is sufficiently located as to limit impact on existing residential dwelling units.

- (iv) Aggregate resource industries shall meet all municipal bylaws and provincial regulations respecting access to and from provincial highways and municipal roads and shall ensure that road access to the operation is located, as far as possible, from existing residential dwelling units.
- (v) Multi parcel country residential developments or intensive recreational developments shall not be located within 600 m (2,000 ft) of an aggregate resource deposit.
- (vi) Single parcel country residences or residential sites shall not be located within 305 m (1,000 ft) of an aggregate resource deposit.
- (vii) Aggregate resource extraction, processing, and storage industries shall establish a buffer area between the operation and surrounding land uses.
- (viii) Aggregate resource extraction, processing and storage industries shall ensure that operations within the municipality are screened, bermed or landscaped.

Objective 3.1.2.7 Oil and Gas Development

To support oil and gas exploration, extraction and development in the municipality.

- Policy (a)** Petroleum pipelines, oil and gas wells and related facilities shall be encouraged in the RM, and shall permitted uses in the A – Agriculture District.
- Policy (b)** Dry and abandoned well sites, stratigraphic test wells, and associated facilities shall be assessed, decommissioned and reclaimed pursuant to Section 56 (1) of *The Oil and Gas Conservation Regulations* upon abandonment or decommissioning.
- Policy (c)** A Detailed Site Assessment (DSA) shall be submitted in conjunction with an application for Acknowledgement of Reclamation (AOR) to substantiate the satisfactory reclamation of the site to the Ministry of the Economy.
- Policy (d)** Oil and gas exploration, extraction and development within the RM shall occur in accordance with *The Oil and Gas Conservation Regulations, 2012*.
- Policy (e)** Multi parcel country residential developments, single parcel country residences and residential sites located in proximity to oil wells may be subject to separation requirements from an oil well, as per *The Subdivision Regulations*.
- Policy (f)** Multi parcel country residential developments, single parcel country residences and residential sites located in proximity to sour gas wells with H₂S concentrations over 100 ppm may be subject to separation requirements based on guidelines as recommended by the Ministry of Government Relations.

3.2 BIOPHYSICAL CONSTRAINTS AND HAZARDS

3.2.1 FINDINGS

- A total of approximately 15 ha (37 acres) of wetlands have been identified. In addition to providing often important wildlife habitat, wetlands are generally unsuitable for most forms of development and land use and may also present a flood hazard to many forms of development. Ensuring that land use and development in wetland areas exhibits a high degree of fit with the opportunities and constraints presented by wetland systems, is an important consideration in land use and development decisions.
- The North Saskatchewan River is located alongside the west boundary of the RM. Hazards including slope instability and flooding may be present. While no in-depth study regarding slope stability or flood hazard has been undertaken on the length the North Saskatchewan River, within the RM, the portion of the river valley located within the City of North Battleford has been assessed for slope stability. Evidence of landslides along this portion of the river valley exists. In addition to this, in 1990 the river valley within the Battlefords was mapped for flood hazard under the Flood Damage Reduction Program. While this mapping only extends slightly outside of the boundaries of the City of North Battleford, these hazards continue to exist along the river valley within the RM of North Battleford. While the potential for hazards exists in the RM, the information regarding these hazards is limited, and should therefore be investigated on a case by case basis when development is proposed.
- Consideration should be given to the development of policy to address development on or near land potentially susceptible to natural hazards such as flooding, slope instability, erosion and expansive clay soils.
- Development in the RM will need to continue to have regard for the appropriate Safe Buildings Elevations as recommended by the Water Security Agency.
- The R.M. of North Battleford is located entirely within the Central Watershed Planning Unit of the North Saskatchewan River Watershed. This watershed covers a total of 41,000 km² and includes the Battle River, Eagle Creek, and the Goose Lake internal drainage basin.
- Approximately 80,000 km² of land contributes runoff to the North Saskatchewan and Battle Rivers before these rivers flow into Saskatchewan. The Battle River is the largest tributary to the North Saskatchewan River in Saskatchewan but contributes less than 5 percent of the total flow.
- The North Saskatchewan River Watershed Source Water Protection Plan was developed co-operatively by Watershed Advisory Committees established in the watershed planning area. The report pays particular attention to hydrology, water use, water quality, and biodiversity aspects of the basin. Additionally, the WSA is in the process of developing a new agricultural drainage policy and beginning the process of updating its regulatory approach to drainage. Drainage has been of significant concern among many stakeholders including farmers, rural municipalities, and environmental organizations.
- There are no licensed dams or other infrastructure projects (flood control projects) within the North Saskatchewan River Watershed within the RM of North Battleford.
- The Canadian National (CN) Aberdeen and Blackfoot main lines run through the municipality. In 2013, the Federation of Canadian Municipalities and the Railway Association of Canada released the *Guidelines for New Development in Proximity to Railway Operations*. Consideration is needed for railways, in terms of development in proximity to.
- There are high pressure natural gas pipelines throughout the RM of North Battleford, located in townships 43-16-W3M and 44-16-W3M. SaskEnergy and TransGas have developed a handbook entitled *Recommended Set Back and Utility Corridor Requirements* – a selective summary of some of the applicable considerations with respect to natural gas pipeline set backs and corridors. Consideration is needed for high pressure pipelines, in terms of development in proximity to.
- There are five gravel pits located within the RM: NE of 20-45-14-W3; NW of 21-45-14-W3; NW of 27-45-14-W3; NW of 24-44-17-W3; and NE of 10-45-17-W3.

- The Statements of Provincial Interest Regulations provides the following statement concerning biophysical constraints on development (which is addressed in the objectives and policies that follow):
 - *The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.*

3.2.2 OBJECTIVES AND POLICIES

Objective 3.2.2.1 Development on Potentially Hazardous Land

To discourage development on potentially hazardous land and ensure that appropriate development standards are met when development is feasible.

- Policy (a)** Ensure the most recent information on potential flood hazard areas within the municipality as it relates to new subdivision applications and applications for development permits is used.
- Policy (b)** Development shall avoid land that is potentially hazardous due to flooding, erosion, slumping, slope instability or contamination.
- Policy (c)** Where subdivision or development is proposed for what Council considers may be hazard land, or on land within +/- 0.5 metres of the Safe Building Elevation as established, the applicant may be required to submit a report, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding, slope instability or other environmental hazards, together with any required mitigation measures. Council may refuse to authorize development on hazard land or may permit development only in accordance with specified mitigation measures. These measures may be attached as a condition for a development permit approval. The costs associated with undertaking specified mitigation measures, and with providing the required documentation related to any specified mitigation measures will be borne by the applicant or proponent of the proposed development.
- Policy (d)** Where there is subdivision of land, any areas that are determined to be hazard land, where mitigation of the identified hazard has been determined by the approving authority as not feasible or as undesirable, shall be designated as environmental reserve in accordance with *The Planning and Development Act, 2007*.
- Policy (e)** As per the Statements of Provincial Interest, insofar as is practical, the development of new buildings and additions to buildings in the flood way in the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- Policy (f)** As per the Statements of Provincial Interest, insofar as is practical, development of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourse or water body in the flood fringe shall be flood-proofed.
- Policy (g)** Establish development standards for development on or near hazard lands in the Zoning Bylaw.
- Policy (h)** Council shall require new development to provide adequate surface water drainage to maximize on site infiltration and minimize increased overland flow of water from the development to adjoining land and drainage infrastructure. The use of drainage techniques and material such as permeable pavement to facilitate on-site stormwater infiltration and

storage that reduces the amount of runoff will be encouraged. Site design techniques that minimize paved areas and soil compaction and preserve natural open spaces including existing trees and natural drainage channels will be encouraged. Additionally, Council will require that new development provide an adequate degree of suitable landscaping to enhance the visual amenity of the site in keeping with the existing and preferred neighbourhood character.

Objective 3.2.2.2 Railway

To ensure that the railway can continue to provide vital services to the region while mitigating any negative impacts resulting from ongoing railway operations.

Policy (a) The RM will provide for efficient and effective land use and transportation planning, including consultation with CN Railway, in order to reduce the potential for land use conflicts and provide appropriate protection for rail infrastructure.

Policy (b) Land use conflicts may be minimized in areas adjacent to railway lines and rail yards through the application of the Federation of Canadian Municipalities and the Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations, 2013*.

Objective 3.2.2.3 Development Constraints

To manage development on potentially development constrained land and ensure that appropriate development standards are met when development is feasible.

Policy (a) The RM will utilize Map 2 - Development Considerations to assess development constraints and acceptability of proposed subdivision and development within the municipality. Future subdivisions or re-zoning for multiple parcel residential, commercial or industrial development shall avoid conflict with existing land uses and be sensitive to development constraints and considerations.

Policy (b) All proposed developments adjacent to high pressure pipelines should demonstrate how the development responds to the *Recommended Set Back and Utility Corridor Requirements, 2015* prepared by SaskEnergy and TransGas and all other relevant acts and regulations.

3.3 MUNICIPAL INFRASTRUCTURE AND SERVICES

3.3.1 FINDINGS

- The provincial highways that pass through or border the R.M. of North Battleford (#16, #4, #40 and #378) account for approximately 84 km of paved provincial highway. There also exists an extensive network of municipally-maintained roads. The RM is currently responsible for the maintenance of approximately 208 km of grid roads in the municipality. To ensure future development does not place additional unnecessary pressure on existing road maintenance obligations of the municipality, consideration should be given to the development of municipal servicing policies.
- The R.M. does not have a public raw water distribution system. There are also no sewage treatment facilities (lagoons) located within the RM and no solid waste or recycling facilities are located within the municipality.
- Consideration should be given toward the development of policies to clarify the level and types of services the municipality is capable of delivering to country residential developments.
- As a condition of subdivision approval, it is suggested that the municipality consider creating a policy stating that applicants shall enter into a servicing agreement with the municipality, as provided in Section 172 of *The Planning and Development Act, 2007*.
- Section 169 of *The Act* provides Council the authority to establish development levies, by bylaw, intended to recover the capital costs of services and facilities that directly or indirectly serve land that is not subject to an application for subdivision. Providing Council has passed a Development Levy Bylaw subject to Sections 169 and 170 of *The Act*, Section 171 of *The Act* authorizes Council to enter into a development levy agreement with the applicant or owner to pay development levies.
- To ensure that future development in the municipality can be adequately serviced by municipal infrastructure systems, consideration should be made toward the development of appropriate policies, including with respect to the future management and disposal of solid waste and sewage.
- The RM has not completed any formal Asset Management Plans but uses the program Pubworks, a comprehensive GIS-integrated asset management public works software.
- The Statements of Provincial Interest Regulations provides the following statements concerning public works and transportation (which are addressed in the objectives and policies that follow):
 - *The province has an interest in safe, healthy, reliable and cost effective public works to facilitate economic growth and community development.*
 - *The province has an interest in safe, cost effective transportation systems that meet existing and future needs for economic growth, community development and diversification.*

3.3.2 OBJECTIVES AND POLICIES

Objective 3.3.2.1 Servicing Thresholds

To ensure adequate servicing capabilities for future development by existing facilities or by expansion to infrastructure.

Policy (a) All developments shall provide for:

- (i) individual on-site water supply appropriate to the proposed use; or,
- (ii) water supply from a regional water distribution system; or,
- (iii) an independent communal water supply system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the

Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.

All developments shall provide for:

- (iv) on-site liquid waste treatment and disposal approved pursuant to *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority; or,
- (v) an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.

Policy (b) The RM will not support new development or subdivision applications unless infrastructure and utility systems and services have adequate capacity, including the availability of a licensed solid waste management facility for use by the new development.

Policy (c) The RM will not be responsible for the capital costs associated with the provision of municipal services to new subdivisions, except for developments owned by the municipality. Where a private development requires municipal services, the proponent will be responsible for all costs associated with providing the services. Council may require a proponent of a development to undertake an engineering study that clearly articulates the on- and off-site infrastructure required to support the development. On-site and off-site infrastructure to support new development proposals may:

- (i) already exist and have the capacity to support the development, subject to the payment of applicable levies or fees; or
- (ii) be proposed to be constructed by the developer as an integral component of the development itself.

Policy (d) Council will consider all new developments containing communal water and sewer systems on the basis that the users of these systems will be responsible for the costs of their construction, management and operation through the auspices of a public body, a resident association or a private utility arrangement in the form of a cooperative or nonprofit corporation.

Policy (e) Council will consider any proposals by residents of a multiple lot country residential area for the development of a communal water distribution system. Proposals must be based on a preliminary engineering report outlining design requirements and cost estimates for the proposed system and be accompanied by evidence of resident support for the proposal. Financing for any approved system will be derived pursuant to *The Local Improvement Act*. Council will require in its approval that residents assume responsibility for ongoing operation and maintenance of the system through the auspices of a public or private utility.

Policy (f) Council may, subject to a request by the majority of residents of a multi-parcel country residential area, agree to the provision of an extended service such as dust control or greater than normal snow clearing service. The financing of such service will be arranged through enactment of a special tax bylaw pursuant to the provisions of Section 312 of *The Municipalities Act, 2005*.

- Policy (g)** Council may establish, by separate bylaw, policies respecting garbage pickup and solid waste disposal in country residential subdivisions and other areas of the RM.
- Policy (h)** When reviewing development proposals, Council may request utility companies and/or oil companies to indicate their existing and future services in and around the area of the development proposal. The availability of such services will be a consideration in Council's position with respect to development proposals.
- Policy (i)** Storm water management shall be designed by a professional engineer in accordance with appropriate engineering standards.
- Policy (j)** Where the development of new or upgraded sewage disposal facilities is proposed, consideration shall be given to the capacity of the facility to accept liquid domestic waste from regional sources including recreation areas, provided that the new facilities are regionally funded.
- Policy (k)** Where the development of new or upgraded liquid and solid waste disposal facilities is proposed, consideration shall be given to the regionalisation of such facilities, provided the projects are also being funded regionally.

Objective 3.3.2.2 Locational Criteria

- Policy (a)** Public works in the form of solid and liquid waste management or disposal facilities will be allowed at the discretion of Council subject to locational and development standards as specified in the Zoning Bylaw and subject to the following locational policies:
- (i) Public works in the form of solid and liquid waste management or disposal facilities have the potential to negatively affect the general welfare of nearby residents and the quality of recreation opportunity, relating to such factors as odours, blowing debris, decreased land values and perceived hazards. Therefore, in order to minimize conflict between such public works and other development, policies for separation between public works in the form of solid and liquid waste management or disposal facilities and other principal land uses are listed in Table 6-1.
 - (ii) Council may approve a lesser separation than set out in Table 6-1 where the applicant submits a copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Planning and Development Act, 2007* to register an interest to the title(s) of the affected lands.
 - (iii) Council may require a greater separation than set out in Table 6-1. This would only apply where an unacceptable land use conflict would result with existing developments (e.g. in instances where higher nearby development intensity or topographic situation results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels).

- (iv) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice of a proposal for the development, expansion or alteration of a solid or liquid waste management or disposal facility and shall hold a public hearing on the proposal.

Objective 3.3.2.3 Servicing Agreements for New Subdivisions

To ensure that the cost of required infrastructure for development is known and covered by servicing agreement fees.

- Policy (a)** Where a subdivision of land will require the installation or improvement of municipal services such as roads or streets, utilities, water supply systems, sewage disposal facilities, and fire protection facilities the developer will be required to enter into a servicing agreement with the municipality to cover the capital costs as defined in the *Planning and Development Act, 2007* with respect to the installation or improvements including, where necessary, charges to cover the costs of improvement or upgrading of services that directly or indirectly serve the proposed subdivision. These charges may differ from one proposed subdivision to another based on the particular needs of each development. Council will, by resolution, establish the standards and requirements for such agreements and charges, including the posting of performance bonds or letters of credit.

Objective 3.3.2.4 Transportation

To ensure that the road maintenance obligations created by any future residential development can be fulfilled, and that future development does not create any traffic safety issues.

- Policy (a)** The Rural Municipality will cooperate with the Ministry of Government Relations, the Ministry of Highways and Transportation, and adjacent municipalities and other adjacent jurisdictions in long-term planning that addresses its transportation needs.
- Policy (b)** Council will endeavour to upgrade the major access roads in the municipality, within the Rural Municipality's ability to pay for such upgrades, and with the support of senior government funding wherever possible.
- Policy (c)** Development shall not create any potentially unsafe traffic conditions. Council will ensure that appropriate road designs, speed limits and traffic control devices are used to help ensure traffic and road safety.
- Policy (d)** Development along provincial highways shall be consistent with the safety standards and access policies established by the Ministry of Highways and Transportation.
- Policy (e)** The Rural Municipality will not be responsible for the paving of roads in all subdivisions unless a service agreement is formed between Council and the developer.
- Policy (f)** Subdivision applications requiring a permanent street or road closure, intended to correct encroachments by development on municipal road right-of-ways, will only be supported after a review by Council, to ensure that:
- (i) it is determined that the permanent street or road closure would not restrict or compromise access to other sites / areas in the municipality; and

- (ii) it is determined that the street closure would not have an adverse effect on the Rural Municipality's ability to maintain or repair municipal streets and roads.

Policy (g) Map 1 - Future Land Use Concept identifies key transportation corridors that could potentially support future development with the least amount of new road infrastructure. Development in these corridors is subject to all other policies in this plan including the ability for on and off-site infrastructure to support the development.

Policy (h) The Rural Municipality will work towards partnerships to upgrade roads in the municipality in order to enhance economic development opportunities.

Objective 3.3.2.5 Asset Management

To ensure a clear picture of the current state of the RM's municipal infrastructure in order to manage it effectively over the long-term.

Policy (a) The RM may consider utilizing and implementing a formal Asset Management Plan in order to sustainably provide an appropriate level of service to residents and visitors and to support long term financial planning.

Policy (b) Ensure consistency between all long term planning documents going forward including this Official Community Plan, Asset Management Plans, Long Term Financial Plans, and others.

3.4 INTERMUNICIPAL AND JURISDICTIONAL COOPERATION

3.4.1 FINDINGS

- The RM of North Battleford is bordered by the RM of Meota to the northwest, the RM of Round Hill to the northeast, the RM of Douglas to the east, and on the south by the RM of Mayfield. The RM of Battle River is located to the west across the North Saskatchewan River. The City of North Battleford is situated partially within the Rural Municipality of North Battleford (on the west end of the municipality). The Town of Battleford is located to the southwest, across the river.
- Portions of the Moosomin Reserve No. 112N and portions of the Little Pine Reserve No. 116 are located within the Rural Municipality of North Battleford. Portions of the Red Pheasant Reserve No. 108 and the Gold Eagle Reserve (containing hotel and casino) are also nearby, located within the City of North Battleford.
- The population for the RM of North Battleford has been decreasing over the past 20 years, in line with trends seen across rural Saskatchewan. However, the RM of North Battleford has seen an increase in country residential demand. It is likely, with its close proximity to the Battlefords that the RM will continue to see demand for this type of development.
- The Battlefords region serves a broad trading area and it is in the interests of the municipalities located within the region to cooperate in order to enhance local and regional growth opportunities.
- The City of North Battleford recently adopted a new Official Community Plan (2014). Specific areas identified for future growth, conceptually, by the City of North Battleford have the potential to be jointly developed with the RM of North Battleford, particularly the areas identified for regional commercial. In order to promote collaboration and opportunities for joint planning and joint delivery of municipal services, based on common interests and goals, consideration should be given to the development of a Planning District between the City of North Battleford and the RM.
- The 2014 Official Community Plan for the City of North Battleford projects future community growth and development sufficient for 25 years. Areas identified, conceptually, by the City of North Battleford for future growth have been identified on the RM of North Battleford's Future Land Use Concept (Map 1) as "areas to be studied for future urban growth".
- The RM of North Battleford has an interest in collaborating with surrounding municipalities and other governmental agencies on infrastructure projects, planning and other areas of mutual interest.
- The Statements of Provincial Interest Regulations provides the following statement concerning intermunicipal cooperation (which are addressed in the objectives and policies that follow):
 - *The province has an interest in promoting inter-municipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local development.*

3.4.2 OBJECTIVES AND POLICIES

Objective 3.4.2.1 Inter-Municipal Service Provision

To facilitate inter-municipal / jurisdictional cooperation in providing municipal services that are more cost-effective and efficiently delivered on a regional basis.

- Policy (a)** The RM North Battleford will pursue inter-municipal cooperation, with neighbouring urban and rural municipalities, in the provision of municipal services with the interest of improving municipal services and providing them on a more cost-effective basis.

Objective 3.4.2.2 Inter-Municipal Cooperation

To facilitate communication and cooperation with neighbouring municipalities and other governmental organizations in joint planning initiatives and future growth directions, based on the planning needs of the overall region.

- Policy (a)** Council will facilitate cooperation with its municipal and First Nations neighbours with respect to the impact of development decisions on the neighbouring community's services, facilities, residents and/or natural resources. Council may refer development or subdivision applications to the City of North Battleford or First Nations for review and comment.
- Policy (b)** In the interests of strengthening regional planning, Council will participate in joint planning studies and initiatives, ideally with the support of senior government funding.
- Policy (c)** In areas adjacent to the City of North Battleford, it is important to ensure that developments do not cause adverse effects upon existing or proposed future urban land uses or servicing requirements. In order to ensure that future growth can occur in an orderly and planned fashion, it is imperative for the City to identify future development areas outside of current City boundaries for long term growth. Creating a mutually beneficial partnership with the City of North Battleford will be vital in ensuring complementary development occurs in future growth areas.
- Policy (d)** Lands in proximity to the City of North Battleford that have been identified as having potential for future urban growth are designated on Map 1 – Future Land Use Concept as: “areas to be studied for future urban growth”.
- Policy (e)** Council may reduce the prescribed separation distances contained in Table 6-1 where:
- (i) the land use being separated is located in another Rural Municipality;
 - (ii) the Council of the other affected Rural Municipality is consulted prior to approval of the proposed development; and
 - (iii) appropriate fencing, screening, berming, building and site orientation, road upgrading or other similar measures are provided to mitigate potential land use conflicts.

Objective 3.4.2.3 Communication and Referral Process

To provide greater certainty for land use decisions where impacts cross municipal boundaries

- Policy (a)** The RM will work with the City of North Battleford when designating or amending policy areas within the rural-urban fringe as indicated on Drawing 1 - Future Land Use Concept contained within this Official Community Plan.
- Policy (b)** The RM of North Battleford intends to ensure that future land use and development in the urban interface will be compatible with future City growth aspirations to ensure that development and land use adjacent to urban areas will not hinder future City growth. All applications for subdivision and development of land situated within the Rural-Urban Fringe as identified on the Drawing 1 - Future Land Use Concept, as well as zoning map

amendments, discretionary uses, transportation plans and drainage plans that may impact across municipal boundaries shall be referred to the City for review and comment.

Objective 3.4.2.4 Annexation

To provide opportunity for the City of North Battleford to grow.

Policy (a) Council will evaluate annexation proposals by the City of North Battleford with consideration of its impacts on:

- (a) adjacent land uses;
- (b) the relationship of annexed lands to the City's growth strategy as defined within its Official Community Plan; and
- (c) on the financial implications of the annexation.

Policy (b) Council will favourably consider boundary alteration proposals where the boundary alteration proposal is intended to accommodate community growth and development sufficient to accommodate up to twenty (20) years projected growth as identified in the City's Official Community Plan.

3.5 AGRICULTURAL LAND USE AND DEVELOPMENT

3.5.1 FINDINGS

- The Soil Survey report for the R.M. of North Battleford indicates that a total of 63,545 ha (157,025 acres) is rated as “prime farmland” in terms of its capability for dryland agricultural production of common field crops (over 75% of the entire RM). Protecting prime farmland from being unnecessarily taken out of production for non-agricultural use is an important consideration for the RM of North Battleford.
- There are no intensive livestock operations within the RM of North Battleford. Consideration should be given toward the development of policies to contend with the location and development of Intensive Livestock Operations. Such policies should reflect the roles and responsibilities of both the province and the Municipality in controlling ILO development.
- Agricultural activity in the R.M. of North Battleford is dominated by the dryland cultivation of grains and oilseeds, followed by the cattle and ranching industry.
- Flexibility, in terms of site size for agricultural development, will be needed in order to accommodate development of intensive agriculture, small-scale farms, farm diversification, and agricultural innovation.
- To accommodate farmland subdivision to reflect the realities of farm debt settlement, farm consolidation, estate settlement, natural and man-made barriers and natural vegetation patterns, consideration should be given toward the development of appropriate and flexible policies.
- Consideration should be given toward the development of policies to provide for the orderly development of farm-based businesses in the municipality (e.g. seed-cleaning plants).
- The Statements of Provincial Interest Regulations provides the following statement concerning agriculture and value-added agribusiness (which is addressed in the objectives and policies that follow):
 - *The province has an interest in supporting and promoting a sustainable and dynamic agricultural sector that optimizes the use of agricultural land for growth opportunities and diversification in primary agricultural production and value-added agribusiness.*

3.5.2 OBJECTIVES AND POLICIES

Objective 3.5.2.1 Protection of Farm Land

To recognize the value of high quality agricultural land for continuing productive agricultural use in order to protect agricultural land use from negative impacts of non-agricultural use and development.

Policy (a) The primary agricultural uses include grain farming, mixed grain/livestock operations, farm operations and farm residences, intensive agricultural uses, agricultural related commercial and industrial developments, and farm or home-based businesses. The Zoning Bylaw will contain an Agriculture zoning district to provide for these uses and compatible development.

Objective 3.5.2.2 Agriculture

To accommodate traditional forms of agricultural activity, land use, subdivision and development.

Policy (a) Accommodate primary agricultural uses including grain farming, mixed grain/livestock operations, farm operations and farm residences, intensive agricultural uses, agricultural

related commercial and industrial developments, and farm or home-based businesses. The Zoning Bylaw will contain an Agriculture District to provide for these uses and compatible development. The quarter section (64.75 hectares or 160 acres) is recognized as the primary land unit for general agriculture; however, reduced areas and specific development standards will be considered in order to accommodate the development of smaller or more intensive forms of agriculture. Due to the limited availability of agricultural land and the forested nature of most of the municipality, smaller parcels of land used for agriculture may be appropriate when full quarter sections are not feasible, and is encouraged when it is deemed to be so, due either to the nature of the development or to the nature of the environment or setting.

Policy (b) *Agricultural Subdivision Policy*

In general, the fragmentation of agricultural holdings is not encouraged. However, subdivision of land into parcels smaller than a quarter section for legitimate agricultural purposes will be permitted under any of the following scenarios:

- (i) The severity of a financial crisis for a particular agricultural operation is demonstrated, in Council's opinion, to warrant the subdivision of a smaller site to assist debt restructuring or settlement.
- (ii) It is fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or manmade (roadway, railway, etc.) barriers.
- (iii) It is intended to be consolidated under one title with adjacent land, in accordance with *The Land Titles Act, 2000*, to create a more viable agricultural unit.
- (iv) The agricultural parcel created results from the subdivision of land for purposes consistent with the objectives and policies in this plan.
- (v) It is intended to accommodate estate planning or settlement.
- (vi) It will accommodate the purchase or lease of Crown land.
- (vii) It is intended to avoid unnecessary changes to, or to work with, the natural vegetation pattern or topography of the area.
- (viii) It will accommodate a new railway or road right-of-way or a widening of an existing railway or road right-of-way.

Policy (c) *Farm Dwellings*

One farm dwelling will be permitted as an accessory use to a farm operation. Additional dwelling units may be allowed subject to discretionary use approval, by a resolution of Council, if accessory to a legitimate agricultural operation and if it is intended to accommodate farm workers. The granting of a dwelling development permit by Council for such additional farm dwelling(s) shall not be construed, in any way, as consent or approval for future subdivision.

Policy (d) *Communal Dwellings*

Communal dwellings may be allowed, subject to discretionary use approval, by resolution of Council, as an accessory use to a farm operation. The granting of a communal dwelling permit by Council for an additional communal dwelling(s) shall not be construed, in any way, as consent or approval for future subdivision.

Policy (e) *Farm-Based Businesses*

- (i) It is recognized that farm based businesses and on-farm employment opportunities, including but not limited to: bed and breakfast establishments and vacation farms, can provide a valuable contribution to the diversified economic base of the municipality. Farm based businesses shall be listed as discretionary uses in the Zoning Bylaw. Approvals will be based on the evaluation of individual operations relative to specific Zoning Bylaw criteria to ensure that the agricultural character or land value is not diminished.
- (ii) Farm based businesses that include the provision of commercial accommodation, including but not limited to bed and breakfast establishments and vacation farms, shall maintain minimum separation distances from existing industrial and hazardous industrial uses as shown in Table 6-1.
- (iii) Farm based businesses shall be restricted to a maximum of five (5) on-site, non-seasonal employees. Any business with more than five (5) on-site, non-seasonal employees shall be required to seek commercial or industrial zoning designation.

Objective 3.5.2.3 *Agricultural and Economic Diversification*

To encourage agricultural and natural resource development which will improve the economic health of the municipality; to provide opportunity for further development and land uses that will result in increased economic diversification, agricultural innovation and agriculture-related value-added activity in the municipality; and to provide for farm-based business opportunities.

Policy (a) *Agricultural Related Commercial and Industrial Uses*

- (i) The Zoning Bylaw will list principal agricultural related commercial and industrial uses as discretionary uses.
- (ii) Approval for such commercial or industrial developments may be granted if their function is related to agriculture and only after a review by Council, to ensure that:
 - (a) incompatibility with other land uses will be avoided, including consideration of proximity to urban centres, and multi-parcel country residential subdivisions;
 - (b) policies for environmental quality control will not be jeopardized, including water and waste disposal servicing;
 - (c) the design and development of the use will conform to high standards of safety, visual quality and convenience;
 - (d) the development will be situated along an all-weather municipal road;

- (e) all relevant approvals are obtained from government agencies for uses such as anhydrous ammonia fertilizer facilities.

Objective 3.5.2.4 Intensive Agricultural Development

To accommodate intensive agricultural uses in the municipality provided they observe development standards and do not override environmental concerns or create conflict between agricultural land use and existing non-agricultural land use and development.

Policy (a) Intensive Livestock Operations (ILOs)

- (i) It is Council's view that development of ILOs is appropriate, provided that unacceptable land use conflicts are not created as a result of such development. In general, Council will support the development of intensive agricultural and livestock operations (ILOs) unless specific locational conflicts would be created.
- (ii) Intensive livestock operations involving 300 animal units or more will be permitted subject to the discretion of Council in accordance with specific policies contained herein. An expansion of an operation to provide for a greater number of animal units than the maximum number specified in the initial discretionary use approval, or any change in an operation which alters the species of animal reared, confined or fed in the operation, shall require a new discretionary approval.
- (iii) The Zoning Bylaw may provide for the temporary confinement of cattle on a farm operation during winter months as part of a permitted use general mixed farm operation.
- (iv) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice advertisement of a proposal that will result in development of an intensive livestock operation, or in the expansion or alteration of an intensive livestock operation requiring a new discretionary use approval, and shall hold a public hearing on the proposal.
- (v) Council shall require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- (vi) Council may require an applicant to utilize manure management practices or other technology than conventional stockpiling and spreading.
- (vii) As a condition of approval, Council may impose standards to reduce the potential for conflict with neighbouring uses which specify:
 - (a) the location of holding areas, buildings or manure storage facilities on the site;
 - (b) manure management practices of the operation;
 - (c) use of synthetic or other covers for liquid manure storage lagoons or earthen manure storage facilities;
 - (d) use of ventilation measures in buildings to control odours;
 - (e) requirements for monitoring wells for water quality and quantity purposes;

- (f) annual confirmation of the availability of sufficient suitable lands for the disposal of manure.
- (viii) As a condition of approval for wild boar operations, Council shall require that a containment plan be submitted, setting out in detail the techniques and methods to be used to keep the wild boars contained. The containment plan shall also contain a contingency plan that sets out in detail how the operator will deal with escaped wild boar.

Policy (b) *Locational Policies for Intensive Livestock Operations*

- (i) In order to minimize conflicts between intensive livestock operations and other development, policies for minimum separation between land uses are set out in Table 6-1, and as illustrated on Map 3. These minimum separation distance policies shall apply both to development, alteration or expansion of intensive livestock operations and to other development proposed in the vicinity of existing intensive livestock operations.
- (ii) Council may approve a lesser separation than set out in Table 6-1 where the applicant submits a copy of an agreement between the operator of the ILO and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an operator and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Planning and Development Act, 2007* to register an interest to the title(s) of the affected lands.
- (iii) Council may require a greater separation from any liquid manure storage lagoon or earthen manure storage facility involved in the operation, to residential and other developments. A separation distance to the lagoon or storage facility from a residence of 1.5 times the distance required as per Table 6-1 above will be considered adequate.

Policy (c) *Other Intensive Agricultural Uses*

- (i) Intensive agricultural uses, such as nurseries, market gardens and other forms of agribusiness including agricultural product processing, energy production, and agro-tourism aimed at diversification of the farm economy, will be encouraged and permitted subject to the discretion of Council. Council may require the proponents of such developments to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation, as a basis for approval.
- (ii) The Zoning Bylaw will contain minimum site size standards for intensive agricultural uses. Smaller sites will be permitted for intensive agricultural uses, excluding intensive livestock operations, to facilitate their development.

- (iii) New intensive agriculture development in the form of market gardens shall maintain minimum separation distances from existing industrial and hazardous industrial uses as shown in Table 6-1.

3.6 RESIDENTIAL LAND USE AND DEVELOPMENT

3.6.1 FINDINGS

- Field investigations in the fall of 2014 identified an approximate total of 302 residences within the RM of North Battleford (Statistics Canada: 293 in 2011). The RM of North Battleford, being part of the Battlefords region and adjacent to the North Saskatchewan River has attracted single and multi-parcel country residential (acreage) development.
- Residential development is split between multi-parcel country / and rural farm-based / acreage residential and there are approximately seven multiple parcel country residential subdivisions within the municipality. The rural or farm-based residential development in the RM of North Battleford is, for the most part, associated with agriculture or related industry and is spread throughout the RM fairly evenly along a network of municipal roads.
- The RM, in the past, has permitted 4 single parcel country residential sites per quarter-section at the discretion of Council.
- The popularity of country residential development in the RM of North Battleford is increasing rapidly, with acreage style homes becoming more commonplace. Policies related to this type of development (e.g. unique servicing needs) need to be considered as development continues to increase.
- Consideration should be made toward the development of land use policy in order to minimize the costs of country residential development - including potential and future development - to the RM, and to ensure that it is undertaken in an orderly, well-planned manner.
- The Statements of Provincial Interest Regulations provides the following statement concerning residential development (which is addressed in the objectives and policies that follow):
 - *The province has an interest in citizens having access to a range of housing options to meet their needs and promote independence, security, health and dignity for individuals, and enhancing the economic and social wellbeing of communities.*

3.6.2 OBJECTIVES AND POLICIES

Objective 3.6.2.1 General Residential Policies

To accommodate a range of residential development in the municipality.

- Policy (a)** The Zoning Bylaw will provide for some residential uses, forms and densities, as permitted or discretionary uses, in other zoning districts, as appropriate.
- Policy (b)** Residential building construction will be regulated by the municipality's building bylaw and the National Building Code of Canada.
- Policy (c)** Residential development shall avoid land that is prohibitively expensive for the municipality to service.

Objective 3.6.2.2 Building and Lot Construction Standards

To ensure that buildings and lots are constructed and maintained to acceptable standards.

- Policy (a)** The Zoning Bylaw will regulate the distances to buildings or structures from the property line, the minimum space to be allowed between buildings, the maximum height of buildings and structures and the maximum coverage of a site by buildings or structures.
- Policy (b)** Development on residential sites, including accessory buildings and structures, which include but are not limited to decks, patios and fences, shall be entirely contained within the boundaries of the site on which it is proposed to be situated.

Objective 3.6.2.3 Single Parcel Country Residential Development

To accommodate single parcel country residential development on quarter sections.

Policy (a) *Single Parcel Country Residential*

To retain the agricultural character of the municipality, a maximum of four (4) single-parcel country residential subdivisions per quarter-section (64.75 hectares) will be allowed to be subdivided on a discretionary basis in the A – Agriculture District. Additional residential subdivision(s) may be permitted to be subdivided from a quarter-section for:

- (i) any site fragmented from the balance of a quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barriers; or
- (ii) A previously developed, but now unoccupied farmyard.

Policy (b) *Locational Criteria*

In order to minimize conflict between single-parcel country residential subdivisions and other development, Council will observe the separation distances between single-parcel country residential development and other existing land uses as listed in Table 6-1. Council may approve a lesser separation than set out in Table 6-1 where the proposed development will not conflict with the future long term development of an adjoining urban municipality or multi-parcel residential subdivision as demonstrated by the urban Council or developer (as appropriate) or where the applicant submits a copy of an agreement between the applicant and the owner(s) of another affected development, agreeing to such lesser separation. Such agreements between an applicant and an owner (owners) of the other development(s) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.

Policy (c) *Services*

- (i) Single parcel country residential subdivision and development will be permitted only where direct all-weather public road access has been provided to the satisfaction of Council or the development of a direct all-weather public road is undertaken to the satisfaction of Council.

- (ii) Single parcel residential subdivision and development must accommodate a private, on-site supply of water and a sewage system (both of which must meet provincial standards) and have frontage on a developed municipal road.

Policy (d) *Development Standards*

- (i) The Zoning Bylaw will prescribe maximum and minimum site sizes and other appropriate development standards for single parcel country residential development, with the aim of limiting the amount of productive agricultural land taken out of production and ensuring that such development does not result in increased road hazards related to obstruction of sight lines, etc.
- (ii) Council may permit a larger or smaller site size than what is outlined in the Zoning Bylaw to:
 - (a) minimize prime agricultural land to be taken out of production;
 - (b) accommodate existing developed farm yard sites;
 - (c) accommodate sites fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barrier; or
 - (d) accommodate larger sites that include poor agricultural land.

Policy (e) *General*

To facilitate the resolution of encroachment issues, Council will, in general, support applications for the subdivision of two or more residential sites that will result in a realignment of residential property lines intended to correct an encroachment.

Objective 3.6.2.4 Multiple Parcel Country Residential Development

To accommodate a range of multi-parcel residential development options, in identified areas, to provide a growth stimulus to the community and choice of lifestyles for residents, while ensuring that residential land uses do not jeopardize essential agricultural or other natural resource activities, the environment or other surrounding land uses.

Policy (a) *Development Options*

The Zoning Bylaw will contain a series of country residential zoning districts to accommodate multiple-lot country residential subdivisions at various densities.

Policy (b) *Scale and Density*

Subdivision for non-farm multiple-lot country residential development at a density greater than four (4) residential sites per quarter-section will be considered on the basis of project merits relative to the policies in this section. Such subdivision shall be implemented in association with a rezoning to a country residential zoning district.

Policy (c) *Locational Guidelines*

In order to provide for effective and efficient municipal and other services, and to protect prime agricultural land and important wildlife habitat in the municipality, multiple-lot country residential subdivisions should be located:

- (i) Near a school of sufficient capacity to handle the increase in enrolment or on an existing school bus route.
- (ii) Near power, natural gas and telephone lines of sufficient capacity to handle such development.
- (iii) So that adequate police and fire protection can be conveniently provided.
- (iv) To protect or enhance existing treed areas and critical wildlife habitat.
- (v) Only where direct all-weather public road access has been provided to the satisfaction of Council.

Policy (d) *Locational Requirements*

- (i) In order to minimize conflict between multiple lot country residential subdivisions and other development, Council shall observe the separation distances set out in Table 6-1.
- (ii) Council may approve a lesser separation than set out in Table 6-1 where the proposed development will not conflict with the future long term development of an adjoining urban municipality as demonstrated by the urban Council or where the applicant submits a copy of an agreement between the applicant and the owner(s) of another affected development, agreeing to such lesser separation. Such agreements between an owner or owners of the other development(s) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be party to the agreement and may use Section 235 of *The Act* to register an interest to the title(s) of the affected lands.
- (iii) Council will use Map 1 – Future Land Use Concept and Map 2 – Development Considerations to assess the constraints, benefits and acceptability of the subdivision. Multiple-lot country residential subdivisions shall not be located:
 - (a) Where direct all-weather public road access has not been developed, except where arrangements have been made, to the satisfaction of Council, for the development of such access.
 - (b) On land subject to flooding, or land where there is a high water table or potential for soil slumping or subsidence unless it can be demonstrated, in accordance with Section 3.2.2.1 that the land is safe for development or that recommended mitigation measures will assure the necessary level of safety.
 - (c) In a linear fashion stretched along municipal roads.

Objective 3.6.2.6 Multiple Parcel Country Residential Development and Design

To accommodate orderly and planned multiple parcel country residential development while minimizing the associated municipal servicing costs of residential development on the municipality.

Policy (a) *Phasing*

A maximum of three multiple lot country residential subdivisions in developmental stages will be allowed at any point in time. Multiple-lot country residential subdivisions with less than 75% of buildings lots with completed residential construction will be considered to be in developmental stage. However, if 75% of available lots in one or more of those subdivisions are vacant but it appears that development is lagging because the developer/land owner is holding land vacant or is encountering difficulty with financing the development then that subdivision will be deemed to not be in a developmental stage. Council may consider additional subdivision proposals on a case by case basis where the developer can demonstrate that housing demand, market conditions, and/or innovative proposals are beneficial to the Municipality.

Policy (b) *Scale and Density*

Each multiple lot residential subdivision development shall be limited to a maximum area of 64.8 hectares (160 acres), or one quarter section.

Policy (c) *Comprehensive Development Application*

- (i) In the interests of ensuring a comprehensive and planned approach to development, the Municipality may require a developer to prepare a Comprehensive Development Application (CDA) for proposed multiple parcel country residential developments. A Comprehensive Development Review may include the following information:
 - (a) A completed copy of the R.M. of North Battleford No. 437 Multiple Parcel Residential and Commercial/Industrial Development Proposal Workbook.
 - (b) Plans showing an integrated layout for all lands intended for development, including internal roadways, access to external public roads, municipal and environmental reserve parcels, utility parcels, and phasing of the development.
 - (c) Reports, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding or other hazards together with any required mitigation measures.
 - (d) Engineering reports to address water supply, surface water drainage, sewage treatment and disposal, and fire suppression.
 - (e) Any other information Council deems necessary in order to appropriately evaluate an application.

Policy (d) *Comprehensive Development Application Evaluation*

- (i) In evaluating a Comprehensive Development Application (CDA), Council may ensure compliance with any municipal requirement or standard through the provision of a servicing agreement or condition of the approval of a development permit as appropriate.
- (ii) Once a CDA has been approved by Council, no subsequent subdivision or development that is inconsistent with the approved CDA will be permitted without the approval of a revised CDA as appropriate.

Policy (e) *Services*

Based on the recommendations of engineering reports as per the Comprehensive Development Application:

- (i) *Water:*
 - (a) each site in the proposed development area shall have its own independent water system; or
 - (b) each site in the proposed development area will be connected to a Regional Water Distribution system; or
 - (c) each site in the proposed development area will be serviced with an independent communal water supply system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (ii) *Sewer:*
 - (a) each site in the proposed development area shall have its own independent sewage disposal system approved by the Regional Health Authority; or
 - (b) each site in the proposed development area will be serviced with an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (iii) *Solid Waste:*
 - (a) Council will approve new development subject to the availability of facilities for the disposal of solid waste by future residents in a licensed solid waste management facility.

Policy (f) *Development Standards*

The Zoning Bylaw will prescribe maximum and minimum lot sizes and other appropriate development standards for multiple lot country residential development, with the aim of preserving productive agricultural land and ensuring that such development does not result in increased road hazards related to obstruction of sight lines, etc.

Policy (g) *Drainage*

The Zoning Bylaw will require the submission of a site grading plan for development of sites in country residential districts to ensure that there is adequate drainage from a site and that neighbouring properties and municipal infrastructure will not be adversely affected by potential runoff from the development.

Policy (h) *Alternative to Conventional Subdivision*

Subject to all other policies in this document, Council will consider bare-land condominium development as an alternative to conventional subdivision, to achieve the goals and residential objectives set out in this document.

Policy (i) *Innovative Design*

Innovative country residential subdivision and development that addresses current broad societal issues respecting energy conservation and production, climate change, food security/self-sufficiency and health and safety for communities will be encouraged.

Objective 3.6.2.7 *Other Associated Development*

To accommodate recreational uses, home based businesses, community facilities and other forms of development normally associated with multiple parcel country that are consistent with and complementary to the overall residential character of the development.

Policy (a) Approvals for home based businesses will be based on the evaluation of individual operations relative to specific Zoning Bylaw criteria to ensure that the residential character or land value is not diminished.

Policy (b) The Zoning Bylaw will provide for other forms of development, facilities and recreational uses in residential districts that are consistent with and complementary to the overall residential and recreational uses of the district.

3.7 COMMERCIAL / INDUSTRIAL LAND USE AND DEVELOPMENT

3.7.1 FINDINGS

- Local commercial services for residents of the Rural Municipality are found with the City of North Battleford. The RM also serves a regional commercial base with additional commercial uses including: Kramer Auction, Norsask Farm Equipment, Ron's Contracting, Ken and Terry's Construction, Rats Nest Garage, Battlefords Flooring Centre, Canadian Seed Coaters, Dairyland, Empress Furniture and Décor, Eeco Electric, Full Throttle Pump Repair, Parkland Farm Equipment, Rack Petroleum; and Tingley Implements.
- Other home-based businesses or businesses ancillary to agricultural or resource procurement operations are sure to exist within the R.M. but were not identified during field investigations.
- The North Battleford Energy Centre is located within the RM of North Battleford. The Centre is a natural-gas fired station owned by Northland Power. The station consists of one 170 MW gas turbine, that in a combined cycle configuration also generates steam for a steam turbine, resulting in a combined total of 260 MW.
- There are four private gravel pits located in the municipality. The RM leases one of the gravel pits.
- To avoid conflict with other land uses / development, consideration should be given to the development of policies to set locational guidelines and other conditions under which industrial and commercial development may be permitted.
- The creation and development of policies to avoid conflict with other land uses / development is an important consideration for the RM, particularly to set locational guidelines and other conditions under which industrial and commercial development may be permitted.
- Consideration should be given to the most optimal location for commercial and industrial development, in order to take advantage of existing infrastructure within the RM.

3.7.2 OBJECTIVES AND POLICIES

Objective 3.7.2.1 Commercial and Industrial Development

To encourage and provide for responsible commercial and industrial development in the municipality while maintaining and enhancing the existing nodes of commercial and industrial development in the municipality.

- Policy (a)** Ensure that commercial and industrial buildings and lots are constructed and maintained to acceptable standards through the use of the Rural Municipality's Building Bylaw and the National Building Code of Canada.
- Policy (b)** The Zoning Bylaw will contain a commercial district that will accommodate existing legally established and future commercial development.
- Policy (c)** Principal light industrial uses will be accommodated as permitted uses within the industrial zoning district. Principal heavy industrial uses will be accommodated as discretionary uses within the industrial zoning district.
- Policy (d)** Commercial and industrial development is encouraged to locate along existing primary transportation corridors.

Policy (e) Highway commercial uses should maintain the functional integrity of the highway, through the use of service road systems, or controlled highway access points, which are approved by Saskatchewan Highways and Transportation.

Policy (f) New retail/service commercial development is encouraged to locate in close proximity to existing nodes of retail/service commercial development.

Objective 3.7.2.2 Land Use Conflicts and Environmental Considerations

To minimize land use conflicts between commercial and industrial developments and any existing land uses, as well as any potential environmental impacts as a result of such development.

Policy (a) Future commercial or industrial subdivisions or re-zoning for commercial or industrial development shall avoid conflict with existing land uses and development. Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:

- (i) anticipated levels of noise, odour, smoke, fumes, dust, night lighting, glare, vibration or other emissions emanating from the operation will be sufficient to affect the residential character of existing residential areas;
- (ii) anticipated increased levels or types of vehicle traffic may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas;

Policy (b) Council will use Map 1 – Future Land Use Concept and Map 2 - Development Considerations to assess the constraints, benefits and acceptability of the subdivision.

Policy (c) In order to minimize land use conflict between commercial or industrial development and other existing land use, Council shall observe the separation distances as set out in Table 6-1.

- (i) Council may approve a lesser separation than that set out in Table 6-1 where the applicant submits a copy of an agreement between the applicant and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *the Act* to register an interest to the title(s) of the affected lands.

Policy (d) In association with an application for a development permit, Council shall require submission of a site grading plan demonstrating that there is adequate drainage from a site and that neighbouring properties and municipal infrastructure will not be adversely affected by potential runoff from the development.

Policy (e) Where Council is of the belief that a proposed commercial or industrial development may require large volumes of water, Council may require the applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.

Policy (f) *Development Application Requirements*

Before considering an industrial or commercial development, subdivision or rezoning application, Council may require that the development application contain information with respect to:

- (i) the types of industry or commercial use to be contained on the site.
- (ii) the size and number of parcels proposed.
- (iii) the installation and construction of roads, services, and utilities.
- (iv) the potential impacts on adjacent land uses, and proposed measures to mitigate any negative impacts.
- (v) the environmental suitability of the site and other potentially affected lands with particular consideration to the soils, topography, drainage and availability of services, proximity to public recreation and wildlife management areas and hazard land.
- (vi) the access, egress, and the potential impacts of the proposed development on the highway system and traffic safety.
- (vii) development standards or design criteria that include such aspects as parking for large trucks, landscaping, screening, storage, and signage.
- (viii) any other matters that Council considers necessary.

Policy (g) *Comprehensive Development Application*

- (i) In the interests of ensuring a comprehensive and planned approach to development, the Municipality may require a developer to prepare a Comprehensive Development Application (CDA) for proposed commercial and industrial developments. A Comprehensive Development Application may include the following information:
- (ii) A completed copy of the R.M. of North Battleford No. 437 Multi-parcel Country and Residential and Commercial/Industrial Development Proposal Workbook (see Section 7).
- (iii) Plans showing an integrated layout for all lands intended for industrial or commercial development, including internal roadways, access to external public roads, municipal and environmental reserve parcels, utility parcels, and phasing of the development.
- (iv) Reports, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding or other hazards together with any required mitigation measures.

- (v) Engineering reports to address water supply, surface water drainage, sewage treatment and disposal, and fire suppression.
- (vi) Any other information Council deems necessary in order to appropriately evaluate an application.

Policy (h) *Comprehensive Development Application Evaluation*

- (i) In evaluating a Comprehensive Development Application (CDA), Council may ensure compliance with any municipal requirement or standard through the provision of a servicing agreement or condition of the approval of a development permit as appropriate.
- (ii) Once a CDA has been approved by Council, no subsequent subdivision or development that is inconsistent with the approved CDA will be permitted without the approval of a revised CDA as appropriate.

Policy (i) *Hazardous Industries*

Industrial uses involving hazardous materials or chemicals will be permitted only at the discretion of Council, subject to approval required by any government regulatory agency, and subject to the following locational policies:

- (i) It is Council's view that hazardous industries have the potential to negatively affect the general welfare of nearby residents and farm operations, relating to such factors as decreased land values and perceived hazards. Therefore, in order to minimize conflict between hazardous industrial uses and other development, policies for minimum separation distances between hazardous industrial uses and other principal land uses are listed in Table 6-1. These minimum separation distance policies shall apply both to development, alteration or expansion of hazardous industries and to other development proposed in the vicinity of existing hazardous industries.
- (ii) Council may approve a lesser separation than that set out in Table 6-1 where the applicant submits a copy of an agreement between the operator of the hazardous industry and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an operator and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *the Act*, to register an interest to the title(s) of the affected lands.
- (iii) Council may require a separation twenty per cent (20%) greater than that set out in Table 6-1 where an unacceptable land use conflict would result with existing developments (e.g. in instances where higher nearby development intensity or topographic situation results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels).
- (iv) All uses involving hazardous materials or chemicals shall be separated from permanent surface water bodies or water courses by at least 1.6 km (1 mile).

- (v) Buildings or yards used for the storage, handling or processing of hazardous materials shall be located at least 75 m (250 feet) from any road or railway right-of-way.
- (vi) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require public notice of a proposal that will result in development, expansion or alteration of a hazardous industrial use and shall hold a public hearing on the proposal.

Policy (i) The Zoning Bylaw will contain landscaping and screening requirements for commercial and industrial developments.

3.8 RECREATION AND TOURISM

3.8.1 FINDINGS

- The RM of North Battleford is a popular recreational destination for visitors and residents alike. Its prime location in west-central Saskatchewan, with its many recreation facilities, clubs and interesting topography provide for countless recreational opportunities year-round.
- Blue Mountain Outdoor Adventure Centre is located within the RM of North Battleford. The Centre is privately owned and operated and provides individuals and groups alike with a variety of recreational opportunities throughout the spring, summer, winter and fall. The facility features a 3,000 square foot log chalet complete with kitchen and modern bathroom and overnight accommodations. Campground facilities are also available at the Centre.
- Several snowmobile trails exist in the RM of North Battleford. The Battlefords Trail Breakers Snowmobile Club grooms more than 450 km of trails which extend from the Battlefords east to Denholm, north into the Whitkow hills, west along the North Saskatchewan River, and north to Jackfish and Murry Lakes through Cochin, Meota, Aquadeo, Edam, Vawn, and Glaslyn.
- The scenic North Saskatchewan River is located along the west boundary of the RM (north of the City of North Battleford) which provides opportunities for recreation and tourism development.
- Other amenities in the area include the Trans Canada Trail, David Laird Campground and the Battlefords Model Airplane Flying Club.
- Consideration should be made towards the development of appropriate community service and recreational policies in order to minimize the cost to the Municipality and maximize the benefit to the residents.
- The Statements of Provincial Interest Regulations provides the following statement concerning recreation and tourism (which is addressed in the objectives and policies that follow):
 - *The province has an interest in supporting a high quality of life for Saskatchewan's citizen's and visitors by providing and actively promoting recreation and tourism opportunities.*

3.8.2 OBJECTIVES AND POLICIES

Objective 3.8.2.1

To recognize the natural and scenic significance of the RM of North Battleford and to promote its conservation and preservation in order that this resource may be preserved and managed for natural habitat and for the use and enjoyment of future generations.

Policy (a) Cooperate with adjoining rural municipalities, urban municipalities and First Nations in achieving preservation of natural areas to the greatest extent possible in the Battlefords region.

Objective 3.8.2.2

To realize opportunities for recreation and tourism oriented development in the RM of North Battleford that are complementary to the natural environment.

Policy (a) The RM of North Battleford will consider responsible recreation and tourism development that protects and conserves river valley features and landscapes and considers the integration of compatible land use activities with environmental protection measures.

Objective 3.8.2.3

To recognize and maintain the shared provision of recreational opportunities to residents and visitors of the region as a whole between the RM of North Battleford, the Town of Battleford, the City of North Battleford, and other adjoining municipalities, event coordinators, and other authorities.

Policy (a) The RM of North Battleford will continue to collaborate with the Battlefords region in providing recreational amenities and opportunities for the area, and seek out mutually beneficial opportunities with other organizations and authorities in the interest of promotion, preservation, and enhancement of recreation and tourism in the region.

4 FUTURE LAND USE CONCEPT

The maps contained in this section are intended to guide land use decisions within the municipality by identifying opportunities and constraints on future land use and development. Council will consider new subdivision and development proposals in the context of the information contained on the maps, which form part of this Plan.

The maps are as follows:

Map 1 – Future Land Use Concept reflects the present land use patterns as well as identified opportunities, and constraints on, future land use and development within the municipality. The concept identifies “Policy Areas,” referred to as:

- (1) Agriculture Policy Area
- (2) Residential Policy Area
- (3) Transportation Corridor Policy Area (primary and secondary)
- (4) Commercial / Light Industrial Policy Area

The purpose of the Policy Areas is to help apply the general goals, objectives and policies of the Official Community Plan, as well as the objectives and policies relating more specifically to the spatial distribution of land use and development opportunities and constraints.

Map 2 – Development Considerations identifies development constraints such as potential heritage sensitivity, waterbodies and wetlands, potential critical wildlife habitat, First Nation Reserves and Class 1 & 2 soil capability for agriculture (prime farmland).

Map 3 – Separation Distances Required for a Potential ILO identifies existing residential and urban development and the buffer distances required for an ILO from this existing development.

4.1 AGRICULTURE POLICY AREA

4.1.1 INTENT

The intent of the Agriculture Policy Area is to encourage agriculture, forestry, agroforestry and other natural resource-oriented developments and uses.

4.1.2 SEPARATE RESIDENTIAL SITES

Within the Agriculture Policy Area, single parcel residential development may occur in a limited fashion on separate sites, subject to the general and residential development policies in the Official Community Plan and to the development standards set out in the Zoning Bylaw.

4.1.3 IMPLEMENTATION

- (1) Agriculture Policy Area development requirements, limitations and standards shall be further specified in the Zoning Bylaw. Generally, land within the Agriculture Development Policy Area will be zoned for agriculture development, farm-based businesses and other compatible uses.
- (2) Lands within the Agriculture Development Policy Area occupied by existing commercial, industrial or multiple parcel residential development will be zoned for such purposes in the Zoning Bylaw.
- (3) Where applications for commercial, industrial or multiple parcel residential development or subdivisions are made in the Agriculture Policy Area, Council may consider amending the Future Land Use Concept and Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:
 - (a) site conditions are suitable for the type of development;
 - (b) negative environmental impacts of such development are avoided or suitably mitigated;
 - (c) the proposed development would not conflict with surrounding land uses and development;
and
 - (d) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.

4.2 RESIDENTIAL POLICY AREA

4.2.1 INTENT

The intent of the Residential Policy Area is to accommodate appropriate, multiple parcel country residential development.

4.2.2 IMPLEMENTATION

- (1) Lands within the Residential Policy Area occupied by existing country residential development will be zoned for such purposes in the Zoning Bylaw.
- (2) Elsewhere within the Residential Policy Area, until and unless applications for country residential development are approved, land will be zoned restrictively (generally for agriculture).
- (3) Where applications for multiple parcel residential development or subdivisions are made in the Residential Policy Area, Council will consider such applications favourably and make required amendments to the Zoning Bylaw to accommodate such developments where it is demonstrated that:
 - (a) site conditions are suitable for multiple parcel country residential development;
 - (b) negative environmental impacts of such development are avoided or suitably mitigated; and
 - (c) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.
- (4) Where applications for commercial or industrial development or subdivisions are made in the Residential Policy Area, Council will only consider amending the Future Land Use Concept and Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:
 - (a) site conditions are suitable for the type of development;
 - (b) negative environmental impacts of such development are avoided or suitably mitigated;
 - (c) the proposed development would not conflict with surrounding land uses and development;
 - (d) the proposed development would not compromise or restrict future long-term residential development in the broader Country Residential Policy Area; and
 - (e) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.
- (5) Intensive Livestock Operations shall not be permitted in the Residential Policy Area.

4.3 TRANSPORTATION CORRIDOR POLICY AREA: PRIMARY & SECONDARY

4.3.1 INTENT

The intent of the Transportation Corridor Policy Area is to accommodate a diverse range of commercial, industrial and residential development. A broad range of service commercial and industrial uses that require large tracts of land and minimal services will be encouraged to locate in the municipality, preferably in industrial park settings. Highway commercial development intended to serve the needs of the travelling public will be considered appropriate in these areas. Single and multiple lot residential development will also be permitted in accordance with appropriate zoning and development standards as well as required separation distances.

4.3.2 IMPLEMENTATION

- (1) Lands within a Transportation Corridor Policy Area occupied by existing commercial or industrial development will be zoned for such purposes in the Zoning Bylaw.
- (2) Elsewhere within the Transportation Corridor Policy Areas, until and unless applications for commercial or industrial development are approved, land will be zoned restrictively (generally for agriculture).
- (3) Activities within the primary transportation corridor policy areas are intended to be where location adjacent to and exposure from major highways is essential.
- (4) Activities within the secondary transportation corridor policy areas are intended to be where location requirements are not limited to a specific site, such as adjacent to and exposure from a major highway.
- (5) Where applications for commercial or industrial development or subdivisions are made in a Transportation Corridor Policy Area, Council will consider such applications favourably and make required amendments to the Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:
 - (a) site conditions are suitable for commercial or industrial development;
 - (b) negative environmental impacts of such development are avoided or suitably mitigated; and
 - (c) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.
- (6) Where applications for residential development or subdivisions are made in a Transportation Corridor Policy Area, Council will only consider amending the Future Land Use Concept and Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:
 - (a) site conditions are suitable for the type of development;

- (b) negative environmental impacts of such development are avoided or suitably mitigated;
 - (c) the proposed development would not conflict with surrounding land uses and development;
 - (d) the proposed development would not compromise or restrict future long-term commercial and industrial development in the broader Transportation Corridor Policy Areas; and
 - (e) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.
- (7) Where applications for subdivision and development are made in a Transportation Corridor Policy Area within the Rural Urban Fringe Area as designated on Map 1 – Future Land Use Concept, Council may consider amending the Zoning Bylaw (if required) to accommodate such development provided:
- (a) the proposed development is considered in accordance with the provisions contained in Section 3.4 Inter-municipal and Jurisdictional Cooperation; and
 - (b) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.

4.4 COMMERCIAL AND LIGHT INDUSTRIAL POLICY AREA

4.4.1 INTENT

The intent of the Commercial and Light Industrial Policy Area is to accommodate a limited range of commercial and light industrial development that is compatible with neighbouring land uses in the RM of North Battleford and the City of North Battleford.

4.4.2 IMPLEMENTATION

- (1) Lands within the Commercial and Light Industrial Policy Area occupied by existing commercial or industrial development will be zoned for such purposes in the Zoning Bylaw.
 - (2) Elsewhere within the Commercial and Light Industrial Policy Area, until and unless applications for commercial or industrial development are approved, land will be zoned restrictively (generally for agriculture).
 - (3) Where applications for commercial or light industrial development or subdivisions are made in the Commercial and Light Industrial Policy Area, Council will consider such applications favourably and make required amendments to the Zoning Bylaw to accommodate such development (if amendments are required) where it is demonstrated that:
 - (a) site conditions are suitable for commercial or light industrial development;
 - (b) negative environmental impacts of such development are avoided or suitably mitigated;
 - (c) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw;
 - (d) potential land use conflicts are not created between existing residential development and / or future land uses within the City of North Battleford. Any nuisance associated with uses proposed shall not extend beyond the boundaries of the site; and
 - (e) buffer zones will be used along the residential interface (future and existing), within the RM of North Battleford in addition to residential development within the City of North Battleford.
 - (5) Where applications for subdivision and development are made in the Commercial and Light Industrial Policy Area within a Rural Urban Fringe Area as designated on Map 1 – Future Land Use Concept, Council may consider amending the Zoning Bylaw (if required) to accommodate such development provided:
 - (a) the proposed development is considered in accordance with the provisions contained in Section 3.4 Inter-municipal and Jurisdictional Cooperation; and
 - (b) the development conforms to all other relevant provisions of the Official Community Plan and Zoning Bylaw.
- (a) site conditions are suitable for commercial or industrial development;

- (b) negative environmental impacts of such development are avoided or suitably mitigated;
- (d) potential land use conflicts are not created between existing residential development and / or future land uses within the City of North Battleford; and
- (e) buffer zones will be used along the residential interface (future and existing), within the RM of North Battleford in addition to residential development within the City of North Battleford.

4.5 MAPS

Map 1 – Future Land Use Concept

Map 2 – Development Considerations

Map 3 – Separation Distances Required for a Potential ILO

5 IMPLEMENTATION

5.1 ZONING BYLAW

The Zoning Bylaw will be the principal method of implementing the objectives and policies contained in this Official Community Plan, and will be adopted in conjunction herewith by the RM of North Battleford No. 437.

5.1.1 PURPOSE

The purpose of the Zoning Bylaw is to control the use of land providing for the amenity of the area within the jurisdiction of the Rural Municipality for the health, safety and general welfare of its inhabitants.

5.1.2 CONTENT AND OBJECTIVES

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts for residential uses, manufactured homes, community service uses, retail commercial uses, highway commercial uses, industrial uses, future urban development lands and restricted development lands. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, off-street parking, landscaping and so forth.

5.1.3 AMENDING THE ZONING BYLAW

When considering applications to amend zoning regulations or standards, or requests for the rezoning of land, Council shall consider such proposals within the context of:

- (1) The nature of the proposal and its conformance with all relevant provisions of this Official Community Plan.
- (2) The need to foster a rational pattern of relationships among all forms of land use and to protect all forms of land use from harmful encroachments by incompatible uses.
- (3) The need for the form of land use proposed and the supply of land currently available in the general area capable of meeting that need.
- (4) The capability of the existing road system to service the proposed use and the adequacy of the proposed supply of off-street parking.
- (5) The capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools and other utilities and community services.

5.1.4 ZONING BY AGREEMENT

- (1) Where an application is made to Council to rezone land to permit the carrying out of a specified proposal, Council may, for the purpose of accommodating the request, enter into an Agreement with the Applicant pursuant to Section 69 of *The Planning and Development Act, 2007*.

- (2) Section 5.1.3 of this Official Community Plan shall apply in the review of applications for rezoning by agreement.
- (3) Council may enter into an agreement with the applicant setting out a description of the proposal and reasonable terms and conditions with respect to:
 - (a) The uses of the land and buildings and the forms of development.
 - (b) The site layout and external design, including parking areas, landscaping and entry and exit ways.
 - (c) Any other development standards considered necessary to implement the proposal, provided that the development standards shall be no less stringent than those set out in the requested underlying zoning district.
- (4) Council may limit the use of the land and buildings to one or more of the uses permitted in the requested zoning district.

5.1.5 USE OF THE HOLDING SYMBOL "H"

- (1) Pursuant to Section 71 of *The Act*, Council may use the Holding Symbol "H" in conjunction with any zoning district designation, to specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment to the zoning bylaw.
- (2) Council may use the Holding Symbol "H" to accommodate multiple phase subdivisions and developments.
- (3) In making a decision as to whether to remove the Holding Symbol "H" by amendment to the zoning bylaw, Council shall consider whether development has progressed to a point where extension of municipal services is appropriate.

5.2 OTHER IMPLEMENTATION TOOLS

5.2.1 SUBDIVISION APPLICATION REVIEW

In reviewing any application for subdivision, Council shall indicate support for such application only when it has:

- (1) Ensured that all policies and guidelines established regarding occupancy levels, development standards and design of the subdivision, as set out in this Official Community Plan, have been satisfied.
- (2) Ensured that the application is in conformity with the Zoning Bylaw.
- (3) Negotiated the terms of a servicing agreement, if required, with the applicant.
- (4) Determined its wishes with respect to the dedication of lands.

5.2.2 DEDICATED LANDS

- (1) When reviewing any application for subdivision, Council may indicate to the approving authority, its desire to have unstable or flood-prone areas set aside as environmental reserve and/or municipal reserve, as a condition of subdivision approval, pursuant to Section 185 of *The Planning and Development Act, 2007* (The Act).
- (2) Pursuant to *The Act*, Council may elect to request that an approving authority require the owner of land that is the subject of a proposed subdivision to provide money in place of all or a portion of land that would otherwise be required to be dedicated as municipal reserve.

5.2.3 DEVELOPMENT LEVIES AND SERVICING FEES

- (1) In accordance with Section 169 of *The Act*, the Council may establish, by separate bylaw, development levies for the purpose of recovering all or a part of the capital cost of providing, altering, expanding or upgrading services and facilities associated with a proposed development within an existing subdivided area. Such bylaw must be based on studies to establish the cost of municipal servicing and recreational needs and on a consideration of future land use and development and the anticipated phasing of associated public works.
- (2) In accordance with Section 172 of *The Act*, a Council may require a servicing agreement with the proponent of a subdivision development. In order to provide overall direction and guidance in the negotiation of individual agreements with developers a Council may establish, by resolution, a schedule of development specifications and servicing fees. Such servicing specifications will provide a consistent set of development standards for provision of services and works by developers within a proposed subdivision development. Subdivision servicing fees contribute in whole or in part towards the capital costs of services within or outside the subdivision that directly or indirectly serve the proposed subdivision. The schedule of fees will be based on the identification of overall services and public works that the municipality anticipates will be needed as a result of new subdivision development for a specified term. The negotiation of service fees for individual

developments will be based on a calculation of the servicing needs being created by that individual development as a part of the municipalities overall servicing needs.

5.3 OTHER

5.3.1 UPDATING THE OFFICIAL COMMUNITY PLAN

Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this Official Community Plan, including the Future Land Use Concept, shall be reviewed and updated within five years of adoption.

5.3.2 FURTHER STUDIES

As necessary, Council will undertake such studies or programs required to facilitate and encourage the growth and development of the Rural Municipality of North Battleford No. 437.

5.3.3 COOPERATION AND INTER-JURISDICTIONAL CONSIDERATION

Council shall cooperate with senior governments, other municipalities, and public and private agencies to implement this Official Community Plan.

5.3.4 PROGRAMS

Council shall participate in senior government economic development, public utility, resource enhancement, housing, social and environmental protection programs and projects, where such will help in achieving its goals and objectives.

5.3.5 PROVINCIAL LAND USE POLICIES AND INTERESTS

This bylaw shall be administered and implemented in conformity with applicable provincial land use policies and interests, statutes and regulations and in cooperation with provincial agencies. Where a reference is made in this Plan to a provincial statute or regulation and that statute or regulation is amended or repealed and substituted with a replacement statute or regulation, the reference herein to the statute or regulation shall be taken to mean the amended or replacement statute or regulation.

5.3.6 BINDING

Subject to Section 40 of *The Planning and Development Act, 2007*, the Official Community Plan shall be binding on the Rural Municipality, the Crown, and all other persons, associations and other organizations, and no development shall be carried out that is contrary to this Official Community Plan.

5.3.7 DEFINITIONS

The Zoning Bylaw definitions shall apply to this Official Community Plan.

6 SEPARATION DISTANCES BETWEEN USES

Table 6-1 Separation Distances Between Uses (in metres) RM of North Battleford No. 437		Municipal Wells	Residential			Recreational Development (campground, ski/hill, festival site, etc.) ⁽⁴⁾	Urban Municipality ⁽⁶⁾	Intensive Agriculture ⁽⁶⁾	Commercial (Agriculture) ⁽⁷⁾
			Single Parcel ⁽¹⁾	Multi-parcel ⁽²⁾	Tourist Accommodation ⁽³⁾				
Urban Municipality, Resort Village		--	--	--	--	--	N/A	--	--
Intensive Livestock Operation ⁽⁸⁾	300 – 499 A.U.	1,600	400	800	400	400	1,000	--	--
	500 – 1,000 A.U.	1,600	800	1,200	800	800	1,600	--	--
	> 1,000 A.U.	1,600	1,200	1,600	1,200	1,200	2,400	--	--
Airport / Airstrip ⁽⁹⁾		--	--	800	--	--	800	--	--
Commercial (Agriculture)		--	305	800	800	800	--	--	N/A
Gravel Pit		--	200	305	200	--	--	--	--
Waste Mgmt. ⁽¹⁰⁾	Solid	1,600	457	457	457	457	457	457	457
	Liquid	1,600	457	457	457	457	457	457	457
Anhydrous ⁽¹¹⁾	Non-refrigerated	--	305	305	305	305	305	--	--
	Refrigerated	--	600	600	600	600	600	--	--
Industrial ⁽¹²⁾		800	305	800	800	305	800	--	--
Hazardous Industrial ⁽¹³⁾		1,600	1,600	2,400	1,600	1,600	2,400	--	--

Distances are measured as follows: between closest point of nearest:

- (1) Single residential building...
- (2) Multi-lot residential building site...
- (3) Tourist accommodation facility...
- (4) Recreational site...
- (5) Municipal boundary...
- (6) Intensive agricultural site...
- (7) Commercial site...
- (8) ILO facility...
- (9) Airport / airstrip facility...
- (10) Waste management facility or lagoon...
- (11) Anhydrous ammonia storage facility...
- (12) Industrial site...
- (13) Hazardous industrial site...

... to the nearest residential building, corporate limit, ILO, airport or airstrip, gravel pit, anhydrous ammonia storage facility, waste management facility, or to the site lines for other uses.

* All residences existing as of the adoption date of this bylaw are exempt from the separation distances required in Table 6-1. Any existing residences exempt from these separation distances, and which as damaged or destroyed by an occurrence such as wind, tornado or fire not intentionally started by the owner, may be rebuilt at the existing location, provided that any provincial approval that may be required has been obtained.

- * Council may reduce the prescribed separation distances where appropriate fencing, screening, landscaping, berming, building and site orientation, road upgrading or other similar measures are provided to mitigate potential land use conflicts to the satisfaction of Council.
- * Refer to Section 3.4.2.2 (e) of this bylaw for separation distances from land uses within an adjacent municipality.

7 . MULTI-PARCEL COUNTRY RESIDENTIAL AND COMMERCIAL / INDUSTRIAL DEVELOPMENT PROPOSAL WORKBOOK

Rural Municipality of North Battleford No. 437
Multiple Parcel Residential and Commercial/Industrial Subdivision
Evaluation Workbook

This workbook is intended to allow the Rural Municipality of North Battleford, No. 437 to thoroughly evaluate the impact of new commercial, industrial and multiple parcel country residential subdivision proposals in the Municipality. The workbook is intended to raise awareness of current development issues and identify best practices with respect to community design. Council will base decisions on moving forward with rezoning applications related to new commercial, industrial or multiple parcel country residential subdivision proposals on the responses provided by applicants to the questions contained within this workbook, subject to other relevant Bylaws and policies of the Municipality.

Please answer questions in the space provided within this workbook and attach additional sheets if necessary.

1. NATURAL AND BUILT ENVIRONMENTAL CONSIDERATIONS

The quality of both the physical and built environment can have a great influence on human health. These qualities may include physical human health; the natural environment's ability to maintain living conditions such as clean air, water and a suitable climate; production of renewable resources; quality of life for all people; and the beauty / aesthetics of the environment.

Please comment on the following development components:

1.1 What is the total area of the subdivision (hectares)?

Total subdivision area:

1.2 How many sites are proposed by the subdivision?

Total number of sites:

Range of site size (smallest site – largest site):

1.3 How does the subdivision design address storm water management (e.g., wet/dry ponds, natural features, linear parks, green roof treatment, permeable paving, on-site drainage)? Will stormwater be managed on-site?

Minimizing the impact of storm water helps to reduce and /or prevent pollution and flooding as well as promote aquifer recharge. Storm water management systems become increasingly important as areas become developed, both in terms of managing increased volumes and preventing pollution.

Describe

1.4 Are there potential geotechnical hazards (steep slope, streamsides, shorelines)?

Early recognition of geotechnical hazards is an important step in reducing the incidence of expensive and potentially unsafe situations.

Yes/No

Describe

1.5 Is this a "brown-field" site or other potentially contaminated area (e.g. old farm yard, railway right-of-way)? If yes, is environmental site remediation to be part of the development process?

Brown-field sites or land that may have been used for potentially noxious industrial or commercial purposes (e.g. dry cleaning, farm sites, gas stations) that may have been contaminated by hazardous waste or pollution and need to be restored / decontaminated before development occurs. Brown-field sites are unsafe to redevelop before an environmental remediation takes place.

Yes/Not Applicable

If yes, briefly outline the nature of the potential contamination and the proposed (actual) remediation approach (including the standards that were adhered to):

Comment on inclusion of the following methods to reduce energy use and improve air quality:

- 1.6** Energy efficiency of proposed structures and / or subdivision layout (e.g., building location responding to daily sun/shade patterns, north-south orientation of residential sites, high performance envelopes, passive solar gain, solar shading, natural ventilation, ground heating/cooling).

Reducing energy consumption through design and layout of buildings and communities conserves non-renewable fossil fuels, reduces air, water and land pollution, and reduces energy costs to the public. Site planning and building design are key components in increasing energy efficiency.

Yes/No

Describe

- 1.7** What proportion (%) of the sites in the subdivision have a north-south orientation appropriate for taking maximum advantage of passive solar energy?

Passive Solar Energy makes use of a steady supply of energy by means of building design and orientation. It reduces fuel consumption, lowers energy bills and increases natural light. Appropriate solar orientation for residential sites shall be defined as sites oriented within 30 degrees of a north-south axis.

Proportion (%):

- 1.8** Are there any existing wetlands that would be affected by this proposal?

Yes/No

Describe

1.9 Will landscaping and trees be provided within the subdivision (includes retention of existing trees)? Are there unique landscaping provisions that will contribute to the sustainability of the development?

Yes/No

Describe

1.10 Are there any significant existing environmental features that will be maintained, enhanced or destroyed on the site (e.g., tree and/or shrub or other natural feature preservation, cultural / heritage resource preservation)?

Maintaining or enhancing environmental features and significant archaeological sites helps to create a sense of community, protects the natural environment, a community's past and creates unique and distinctive places for people to live and enjoy.

Yes/No

Describe

1.11 What is the length (in lane metres) of the streets (by type, including walkways) in the development?

The total amount of transportation infrastructure can be compared to the size of the subdivision and expected population of the subdivision at full build-out size. A lane metre is defined as 1 metre x 2.5 metres (2.5 m2).

Length of streets:

1.12 Are actions proposed to mitigate noise (e.g., traffic, industry, agricultural uses)?

Mitigative measures could include noise attenuation walls, buffers, berms, vegetation, etc.

Yes/No

Describe

1.13 What is the layout of the street network (e.g. grid, curvilinear)?

Street layout can influence maintenance costs as well as connectivity with surrounding development. Intersections and sight lines related to streets affect traffic and pedestrian safety.

Describe

1.14 Is the development proposed to be located within 1.6 km. of a significant grassland area? If so, have you considered subdivision design elements or building standards that are intended to reduce the potential risk to the development from wildfires?

Subdivision design and development standards can minimize risk through the selective placement of perimeter fire buffer areas, access roads, trail development, parks and open space areas. Fire Smart building construction and design techniques that provide for building separation, achieve fuel modified building sites and provide landscaping, can be implemented by developers through restrictive covenants on land titles.

Describe

1.15 Have you consulted with all existing residents, land owners and adjacent municipalities within 1.6 km (1 mile) of the proposed development?

Yes/No

If concerns were raised by surrounding residents / land owners or municipalities, please list and explain how you propose to mitigate those concerns.

Describe

1.16 Does the development meet all of the locational requirements (e.g. in the case of industrial land uses – 800 metres from an urban municipality) as required by the R.M. of North Battleford?

Yes/No

Describe

2. ECONOMIC CONSIDERATIONS

The importance of economic considerations in the development review process relate to the integrity of our ecological and economic systems and helps to ensure long term prosperity through the responsible use of our resources. Economic sustainability enables the maintenance, service and support of communities without upward pressure on levies, property taxes and other development charges.

- 2.1 Is any prime farmland (Class 1 or 2) proposed to be developed (and therefore taken out of agricultural production) as part of this proposal?

The preservation of prime agricultural land is important to future agricultural production.

Yes/No

Describe (include approximate amount)

- 2.2 Does the subdivision have any features that will reduce the long-term costs to the municipality of operating and maintaining public services and infrastructure (e.g. reduce roads and pipes for servicing that will have to be maintained by the R.M.)?

Yes/No

Describe

- 2.3 Does the development result in special or additional costs that are specific to this particular subdivision (e.g. special storm water issues, transportation, fences) that would not be fully recovered by municipal taxes?

Yes/No

Describe

3. **REGULATORY COMPLIANCE**

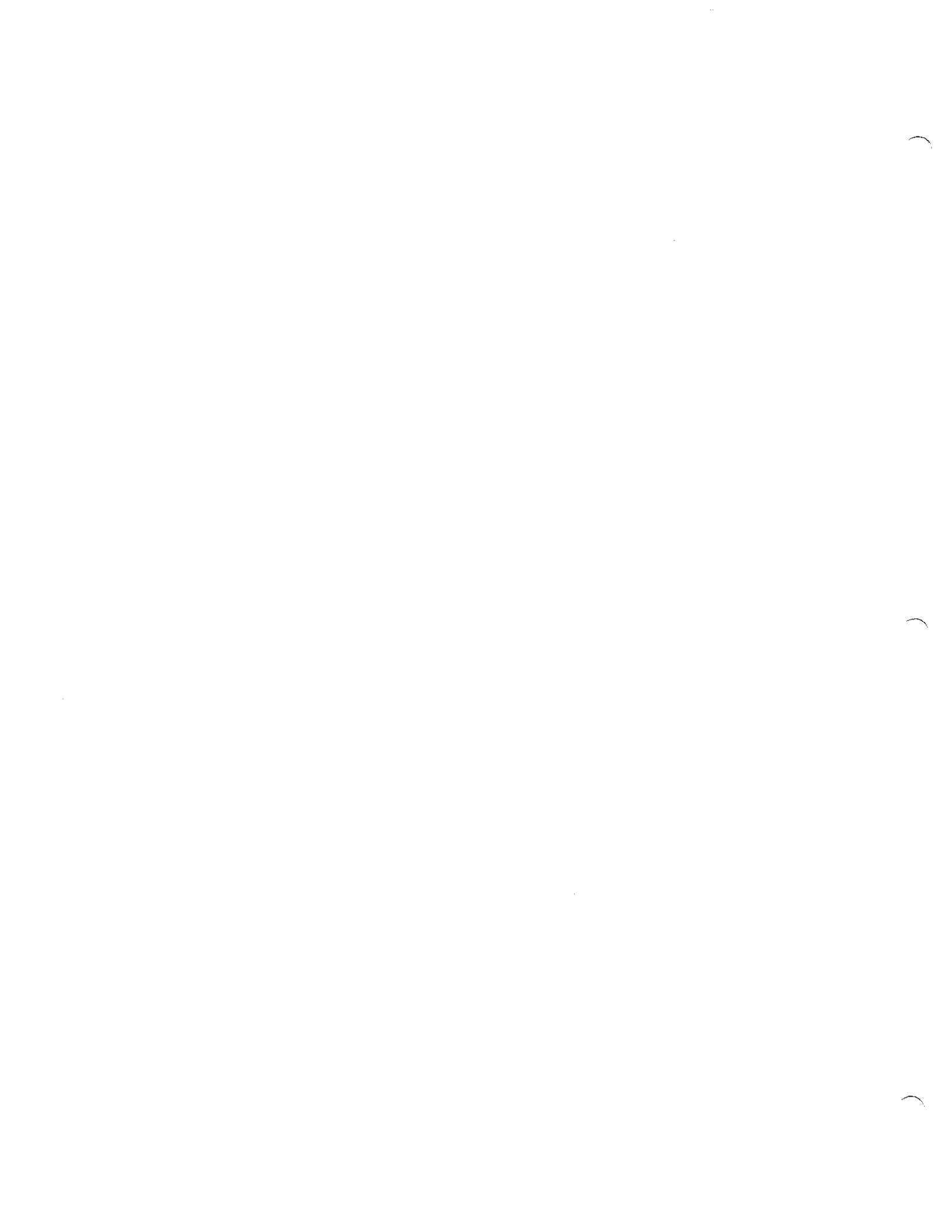
3.1 Does the development comply with the policies and standards that are currently outlined in the Rural Municipality of North Battleford Official Community Plan and Zoning Bylaw (assuming a rezoning must occur)? What zoning district(s) will be required to accommodate your proposal?

Yes/No

Comments

3.2 If you will be seeking amendments to the Bylaws (other than a rezoning), indicate why such amendments are needed.

Comments



8 CONCEPT PLANS
