



**Rural Municipality of Cana No. 214**

**RURAL MUNICIPALITY OF CANA NO. 214**

BYLAW NO. Z1- 2016

A Bylaw of the Rural Municipality of Cana No. 214 to adopt an Official Community Plan.

**Whereas** the Council of the Rural Municipality of Cana No. 214 has authorized the preparation of an Official Community Plan for the Municipality in consultation with Autumn Dawson RPP, a professional community planner, pursuant to Section 29 of *The Planning and Development Act, 2007* Chapter P-13.2 (the "Act"); and

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

**Whereas**, in accordance with Section 207 of the Act, the Council of the Rural Municipality of Cana No. 214 held a Public Hearing on \_\_\_\_\_ in regards to the proposed bylaw, which was advertised in a weekly paper on \_\_\_\_\_ and \_\_\_\_\_, in accordance with the public participation requirements of the Act;

**Therefore**, the Council for the Rural Municipality of Cana No. 214 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This bylaw may be cited as "The R. M. of Cana No. 214 Official Community Plan".
2. The Official Community Plan be adopted to provide a framework to guide and evaluate future development within the Municipality, as shown on Schedule 'A', attached to and forming part of this bylaw.
3. This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

\_\_\_\_\_  
REEVE

SEAL

\_\_\_\_\_  
ADMINISTRATOR

**SCHEDULE "A"**  
**RM of Cana No. 214 Official Community Plan**

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# Part 1 – The RM of Cana No. 214

## 1.1 Introduction

The future of the RM of Cana No. 214 will include changing demands and the need to accommodate growth. The RM will need to review development proposals to ensure compatibility with existing uses and to ensure a sustainable future. This Official Community Plan sets out the vision and priorities that will guide future decision making in the RM.

This plan clarifies the goals, objectives and policies for all land within the Rural Municipality of Cana No. 214 and will provide a plan for sustainable community growth. The plan will also provide direction and guidance to landowners to identify areas where mutual cooperation is necessary and will provide direction to the municipal Council when reviewing development and land use proposals.

Land use planning bylaws are critical for the Municipality to protect the current and future land uses within their jurisdiction. The purpose of this document is to plan for the future of the municipality and provide a vision for growth as there are many opportunities as well as obstacles that were not considered in previous planning bylaws.

## 1.2 Background

The Rural Municipality of Cana is located in south-eastern Saskatchewan with an administrative office located in the City of Melville. The RM is home to 858 residents<sup>1</sup>, many of whom have been life long residents of the area. Residents, businesses and visitors in the RM have an easy commute to larger urban centers such as City of Melville and the City of Yorkton.

Agriculture and other resource-based industries are the primary source of employment in the area; although there are other sources of economic gain such as construction, manufacturing, business, educational services, health care services and others. The Rural Municipality is supportive of both agricultural and non agricultural land uses and understands that there are sometimes conflicts between different types of land uses and developments. Through this plan and the municipal Zoning Bylaw, guidance will be provided to Council for making decisions on land use proposals to enable different uses to co-exist in harmony within the RM. It is important to the RM of Cana that their land use policies and growth intentions are coordinated with adjacent municipalities and to work together to ensure the residents of the area will benefit from regional cooperation.

The RM was incorporated in 1909 and celebrated its centennial anniversary in 2009. Throughout the 100 years the RM has seen a lot of growth as the need for housing continues to increase and farm operation consolidation and expansion becomes more customary. The

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<sup>1</sup> Statistics Canada, 2011 Census of Population.

RM is located between two major urban centers in the south-east part of the province, both of which have seen substantial growth as the demand for housing in Saskatchewan has increased in the past decade. In 2011, flooding issues became more prominent in the region; the numerous creeks and lakes throughout the area and heavy rainfall contributed to ground saturation of unpredicted levels. The municipalities in the area have been working with the Saskatchewan Water Security Agency as well as the Assiniboine Watershed Authority to implement policies to ensure there are healthy water sources and that flood prevention and protection measures are in place.

### **1.3 Scope and Severability**

The objectives and policies in this Official Community Plan shall apply within the incorporated area of the RM. The provisions of this Official Community Plan are deemed to be severable, and if any provision is determined by a court to be invalid or inoperative, it does not render the remaining provisions invalid or inoperative.

### **1.4 Goals**

The following six goals are critical for the Rural Municipality of Cana No. 214 to achieve their vision which seeks to balance the interests for the municipality as a whole:

1. Attract new opportunities that will support and enhance the rural lifestyle and agricultural lands.
2. Promote development of land where services and transportation networks to support that development exist or are proposed to a standard acceptable to the Municipality.
3. Support sound environmental management and the preservation of natural features for future generations.
4. Encourage economic development by attracting resource and recreational development to appropriate lands within the Municipality.
5. Consider development that will benefit the community and restrict those that will inflict undue hardship on the existing ratepayers.
6. Support regional planning by communicating and cooperating with adjacent municipalities and neighbouring communities to ensure land uses and services are coordinated to allow for economies of scale and benefits to the region as a whole.

### **1.5 Vision**

*The RM of Cana will aim to balance the needs of different land uses while maintaining environmental quality and protecting its rural character.*

## Part 2 - Agricultural Lands

### 2.1 Discussion

Agriculture has been and will continue to be the heart and soul of the community. Agricultural based employment is the primary source of income for residents within RM of Cana. Council supports the continuation of agricultural land uses and one of the main reasons for creating this Official Community Plan and accompanying Zoning Bylaw is to protect agricultural land uses, while still respecting the need for residential housing in the area.

#### a. Development

Dryland crop farming techniques for crop production and non-intensive mixed farming are the most prevalent forms of agricultural development in the community. Producers in the area take environmental features, such as exceeding zero till, into consideration and stay up to date on agricultural innovations. With expanding markets, such as new crushing plants in the area, agricultural development will continue to thrive.

Council recognizes that there is a provincial and national trend towards more diverse forms of farm operations. The RM has seen this trend first hand as many of the producers in the area are moving towards consolidating into larger farms and more intensive forms of production. There is also a need to consider commercial uses related to agricultural production on agricultural land. Council will encourage such developments while ensuring that land use conflicts are minimized.

#### b. Residential Use and Subdivision

Although agricultural land remains dominant, the RM has seen pressure for residential development. Since 2009 the RM has had numerous requests and subsequent approvals for residential subdivisions and demand continues to be constant. This is especially true for areas near Highway 10 and on lands surrounding the City of Melville. However, for the most part, agricultural land within RM of Cana No. 214 remains in parcels of land that are comprised of quarter sections.

Council recognizes that there is some subdivision of land that is necessary and desirable. Subdivision of agricultural land will be limited to appropriate areas, as described through the policies in this section. Council does not support scattered, ad hoc development that is expensive to service and maintain or that takes profitable agricultural lands out of production. This Official Community Plan will provide policies to limit subdivision on lands within the Agricultural District of the zoning bylaw. If further subdivision is desired, the RM will need to assess if re-designating the lands to a residential district is appropriate



## **2.2 Objectives**

- a. Ensure agriculture remains a principal land use in the municipality, conserving high quality agricultural land for continuing productive agricultural use.
- b. Reduce land use conflict by restricting land uses on agricultural lands that are not compatible with agricultural production.
- c. Allow for intensive forms of agriculture and livestock production on appropriate agricultural lands which do not jeopardize reasonable development potentials or create significant environmental concerns.
- d. Allow for natural resource development and extraction and agricultural commercial land uses on appropriate agricultural lands which do not jeopardize reasonable development potentials or create significant environmental concerns.
- e. Restrict subdivisions on agricultural lands to avoid disordered land use patterns.
- f. Encourage development along major transportation corridors and restrict access points to provide for the safety of the travelling public.
- g. Provide Council with guidelines for development on hazard lands.

## **2.3 Policies**

- a. Agriculture activities on lands of a quarter section or more for field crop, pasture and non-intensive livestock operations will not be restricted.
- b. Intensive agricultural operations, intensive livestock operations and other agricultural commercial land uses will be considered discretionary uses in the Zoning Bylaw and applications for such developments will be reviewed by Council in accordance with the regulations in the Zoning Bylaw.
- c. Only one subdivision which separates the existing or proposed residence from the remnant of the quarter section will be allowed on agricultural lands in accordance with the regulations in the Zoning Bylaw.
  - i. Where a part of a section of land is physically separated from the remainder of the quarter section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, or in the case of a parcel tie removal, the separated land may be subdivided from the quarter-section in addition to the one subdivision.

- ii. A reduced site area below 32.37 hectares (80 acres) may be permitted as a result of natural features, physical limitations or boundary adjustments that may create minor variances to the site area standards, including a parcel tie removal adjacent to highway 9 or 10.
- d. Council will not consider any development that will have an irreversible detrimental effect on environmentally sensitive areas or areas with demonstrated historical significance.
- e. All developments shall have an adequate water supply to provide for the needs of the proposed development and the water supply of neighboring developments shall not be adversely affected by the proposed development.
- f. Intensive Agricultural Development
  - i. Council will support the development of intensive agricultural uses such as nurseries, market gardens and other forms of agribusiness including agricultural product processing, agro- tourism and livestock operations unless specific land use or environmental locational conflicts would be created or where potential for conflict may arise.
  - ii. Intensive agricultural operations and intensive livestock operations will be discretionary uses within the Agricultural District of the Zoning Bylaw. Any expansion of an operation to provide for a greater number of animal units, or any change in an operation which alters the species of animal, shall require a new permit approval.
  - iii. The RM may require screening or encourage the use of innovative technologies which mitigate odour or other nuisances.
  - iv. Council may advertise any proposal that will result in an intensive livestock operation and may hold a public hearing on the proposal.
  - v. The Zoning Bylaw may provide for the temporary confinement of cattle on a farmstead during winter months as an exempt use. The bylaw may also provide for other temporary holding and loading facilities as discretionary uses subject to conditions for approval including maximum number and time of confinement.
  - vi. Incompatibility with other land uses will be avoided, including consideration of proximity to urban centres, and residential subdivisions.

- v. Proponents of intensive agricultural developments may be required 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 development.

## **Part 3 – Country Residential Lands**

### **3.1 Discussion**

The Rural Municipality of Cana supports low-density residential development subdivision proposals within their municipal boundaries on land that can be serviced appropriately. Subdivisions that are planned and orderly will be considered favorably.

The provision of services and access will play a key role in assisting Council when making the decision to rezone a property from the Agricultural District to the Country Residential District. Although the RM does not require low-density residential lands to be connected to piped water and sewer, the applicant will need to demonstrate to Council that adequate water and sewer services are available to the lots.

Developers will be responsible for the installation and construction of all services required to facilitate the proposed low-density residential subdivision. A Servicing Agreement between the developer and the individual municipality will be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required.

The RM of Cana will work with adjacent municipalities to establish servicing requirements when residential subdivisions affect more than just the RM of Cana in order to ensure the services are coordinated between the municipalities.

### **3.2 Objectives**

- a. Allow for low-density residential development as is necessary and avoid scattered development that would be difficult to provide with necessary services, including roads.
- b. Provide Council with criteria for the consideration of low density residential development.
- c. Minimize the potential for conflict between agricultural development and residential uses.
- d. Ensure that any residential use can be served by a road of a sufficient standard to provide the needed level of access to the site.
- e. Provide Council with guidelines for development on hazard lands.

### **3.3 Policies**

- a. Residential subdivisions are required to be planned and orderly and located where it can be serviced in a manner that meets municipal standards.
- b. Council will support clustered development, by encouraging parcels to locate adjacent to each other on a quarter section or adjacent to other residential development on an adjacent quarter section; in order to conserve agricultural land and reduce servicing costs, such as roads and utilities.
- c. A buffer strip may be required to separate residential uses and agricultural development.
- d. Residential development on hazard lands will be limited. This includes lands that are subject to flooding, sloping, slumping, wetlands, wildlife land, etc. Geotechnical reports, engineered studies and/or environmental reports will be required to verify the development is appropriate for the lands as per the requirements in the zoning bylaw.
- e. The required separation distances for residential developments from incompatible uses shall be identified in the zoning bylaw.
- f. Council may require lots within a low density residential subdivision to be provided access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

## Part 4 – Multi-Parcel Residential Lands

### 4.1 Discussion

The Rural Municipality of Cana has within its jurisdiction a former hamlet area, known as Otthon. This is a high density residential development subdivision area. Similar proposals within the municipal boundaries may be considered on lands that can be serviced appropriately.

The provision of services and access will play a key role in assisting Council when making the decision to rezone a property to the Multi-Parcel Residential District (CR2). The RM requires new high-density residential lands to be connected to piped water and sewer.

Developers will be responsible for the installation and construction of all services required to facilitate the proposed high- density residential subdivision. A Servicing Agreement between the developer and the individual municipality will be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required.

The RM of Cana will work with adjacent municipalities to establish servicing requirements when residential subdivisions affect more than just the RM of Cana in order to ensure the services are coordinated between the municipalities.

#### 4.1.1 History of Otthon

Otthon was previously considered a Hamlet within the RM, but effective December 31, 2014 the RM has a Minister’s Order for Reversion of Status from the Organized Hamlet of Otthon to an area within the Rural Municipality of Cana No. 214. The area within the boundaries of the former Organized Hamlet of Otthon has been designated a ‘special service area’ for the purpose of assigning different tax rates and applying different tax tools and providing different service levels than the other areas within the RM.

Otthon was founded in 1894 by Rev. Janos (John) Kovac, a minister of the Hungarian Reformed Church in Pennsylvania. After the initial settlement, Otthon attracted immigrants both from overseas (mostly Hungary and Poland) and via the United States<sup>2</sup>. Today Otthon is home to approximately 67 people and 33 private dwellings with the median age of the population being 43.5 years old.<sup>3</sup> Otthon primarily serves as a commuter community for individuals and families who work and play in the City of Yorkton.

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<sup>2</sup> The Encyclopedia of Saskatchewan – A Living Legacy

<sup>3</sup> Statistics Canada, 2011 Census of Populations

Currently residences in Otthon have very little services. There are some street lights and weekly garbage collection is available. There are no public water or sewer systems; residents are served by private sewer and water systems. The RM would like to support the development of communal services, however at this point in time the services are too expensive for the RM to develop. The Yorkville Waterline runs along Highway 10, very close to Otthon, but currently does not serve the residents. There is the potential for the line to be connected to a communal system within this development in the future.



Although services are limited, this area is ideal for residential development to occur. The future development of services relies on higher density development and an increase of population to make the installation and construction of services sustainable.

#### 4.2 Objectives

- a. Provide Council with criteria for the consideration of development of Multi-Parcel Residential Lands.
- b. Provide Council with criteria to minimize the potential for conflict between different types of land uses.
- c. Encourage infill development within the Multi-Parcel Residential Lands through the building and developing of existing vacant lands to create a more active community.
- d. Ensure that any development can be served by a road of a sufficient standard to provide the needed level of access to the site.
- e. Limit industrial land uses on Residential Lands (CR1 and CR2 Districts).

#### 4.3 Policies

- a. Multi-Parcel Residential Lands will allow for a mixture of housing opportunities and recreational opportunities.

- b. Infill development will be favored over the creation of new sites within or adjacent to Otthon.
- c. The RM may require the consolidation of existing lots in Otthon to achieve larger lot sizes to facilitate new development.
- d. The RM will consider new and/or innovative infrastructure and utilities services that are economically and environmentally sustainable and that meet provincial standards.
- e. Industrial and Commercial development will be restricted on Multi-Parcel Residential Lands and must be compatible with residential land uses.
- f. Duplication of community services, such as recreational facilities, community facilities or utility services, is not financially sustainable and the RM will work with adjacent municipalities to provide appropriate sustainable municipal services.
- g. The RM may require new Multi-Parcel Residential Lands to be connected to piped water and sewer services and located along a paved road; an individual communal sewage system may be required for the proposed subdivision at the developer's expense.



# Part 5 - Commercial Development

## 5.1 Discussion

The Rural Municipality of Cana encourages commercial and industrial opportunities to locate within their municipal boundaries. Where possible, commercial and industrial development will be located along service corridors and shall be compatible with the surrounding land uses.

Council recognizes that agricultural uses may need to be diversified through business development in addition to agricultural production. This type of diversification is encouraged within the municipality.

Natural Resource Extraction, such as gravel extraction, oil and gas extraction and potash development, are encouraged where the potential for land use conflict has been minimized and where existing development adjacent to the development is not compromised. In consultation with the Assiniboine Watershed Stewardship Association, it was indicated proper gravel pit management and remediation is extremely important in areas with shallow aquifers as they have the potential of being exposed.

Large urban centers, such as the Cities of Melville and Yorkton, provide many of the commercial establishments that are needed to support agricultural and residential land uses. Council supports the consideration of applications for appropriate development within municipal boundaries.

## 5.2 Objectives

- a. Encourage diversified agricultural related business development in addition to agricultural production.
- b. Provide for other commercial development opportunities including commercial and industrial uses.
- c. To ensure that commercial development occurs in a manner, which minimizes negative impacts on surrounding land uses and the environment.
- d. Ensure that any development can be served by a road of a sufficient standard to provide the needed level of access to the site.
- e. Ensure that any commercial development is serviced to a standard that meets municipal standards.

### 5.3 Policies

- a. All commercial development shall have adequate services and utilities at the cost of the developer, including roads that meet municipal standards.
- b. The Zoning Bylaw will provide criteria for commercial development, including industrial and commercial uses, allowed within the RM.
- c. A development to diversify an agricultural production use shall be located on the same site as the agricultural production use and shall be supplementary to the agricultural production use and not the primary use of the property.
- d. Natural resource development and extraction operations shall generally be located where the resource is located and in accordance with the criteria in the Zoning Bylaw.
- e. The RM will consider the following during the review of natural resource development proposals:
  - i. compatibility with existing and planned land uses
  - ii. disturbance to the environment and aquifers
  - iii. access
  - iv. setbacks
  - v. services
- f. Council will have the ability to require screening, landscaping or buffering as a condition of approval and in accordance with the criteria in the Zoning Bylaw.
- g. Consultations with appropriate agencies and stakeholders may be required prior to issuing a development permit.
- h. Prior to the consideration of a commercial development or subdivision, Council may require that a concept plan be prepared. Where a concept plan is considered necessary, the plan will contain the following:
  - i. the phasing of development;
  - ii. the size and number of parcels proposed;
  - iii. the installation and construction of roads, services, and utilities;

- iv. the types of businesses to be contained on the site;
  - v. potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
  - vi. The suitability of services and infrastructure available to the site (including direct access to and from the existing Highway, if necessary) and the provision of storm-water retention, drainage and management;
- i. The applicant will be required to supply supporting information from a qualified engineer, unless indicated otherwise by Council, where commercial development is proposed in areas that may be potentially hazardous due to flooding, erosion, soil slumping or high water table.

# Part 6 - Roads, Services, Utilities and Community Facilities

## 6.1 Discussion

It is a primary interest of the municipality is to ensure that proper roads, services, utilities and community facilities are provided to residents. Encouraging development where roads and services already exist will reduce additional demands on the municipal service network and utilities thereby reducing potential costs to the ratepayers.

### a. Services

Most development within the Rural Municipality of Cana is provided sewer and water through individual systems. Yorkville Public Utility Board Rural Water Pipeline services residents in the RM along highway 10 and 9, as well as some other locations within the RM. Residents have the option to research their availability to connect to the public utility waterline. As the population of the area grows, Council will re-evaluate the need for piped municipal systems or connectors.

The City of Melville landfill site is used by most rural residents for solid waste disposal services; all users pay a fee for the service. Otthon has weekly contracted garbage collection services. The City of Melville has, within their planning documents, identified that the landfill is nearing its life expectancy and an issue of leaching has been identified. In the future there will need to be research into the possibility of operating a regional solid waste management system. The RM will support waste minimization principles and encourage citizens do the same.

The City of Melville has also identified that their lagoon has reached capacity and is in need of expansion prior to proceeding with any further subdivision development. The RM of Cana will need to explore options, possibly with the City of Melville, for liquid waste disposal for future development within the RM.

Opportunities for further collaboration in for more cost effective and efficient provision of services will be supported. The joint use of facilities and the regional pooling of resources which will maximize community investment and benefit will be supported.

### b. Transportation

The RM will strive to provide the most efficient and effective access for the agricultural sector and other emerging development opportunities. Heavy haul routes, secondary and primary highways will be favoured for development and protected from incompatible land uses. Access to individual properties will be limited along major corridors and a service road may be required.

The RM has 4 highways that run through the boundaries; two are primary weight highways (Highways 10 and 9) and two are secondary weight highways (Highways 15 and 47). Highway 10 is the major corridor between the Cities of Melville and Yorkton. The CNR line also runs

along Highway 10. The Melville Municipal Airport is located within the RM and is owned and operated by the City of Melville.

c. **Emergency Services**

Fire services are provided by Melville Fire Department. Emergency services in the area have good response times and First Responders service is also available to the residents.

d. **Care Services**

The residents of the RM are provided care facilities in adjacent urban centres. The Cities of Melville and Yorkton have both a long term care facilities and a day care facilities that provide RM residents with service.

e. **Recreation**

Within and near the community there are a number of different recreational activities that residents can take part in. The following recreational activities are popular:

Melville Regional Park – Summer outdoor recreation area which includes eight ball diamonds, batting cages, outdoor pool, playground, horse shoe pits, tennis courts, 18 hole golf course with grass greens, picnic area and camping as well as a railway museum<sup>4</sup>.

Melville and District Agri-Park - Rental facilities and livestock facilities for year-round boarding/training facilities, indoor and outdoor riding arenas, roping, clinics, lessons, auctions, shows, sales, etc.

York Lake Regional Park - Multi-use recreation park, playground facilities, indoor/outdoor recreational and meeting facilities, trap club, gun club, kayak and canoe club, Yorkton Navy League, four ball diamonds, water-skiing, and nine hold grass greens golf course<sup>5</sup>.

Additional activities and recreational sites are available within the Cities of Melville and Yorkton.

## **6.2 Objectives**

- a. To improve the capacity and efficiency of services and facilities by entering into specific or general relationships with neighboring urban and rural municipalities.
- b. To provide for road, utility, parks, and other services at a standard appropriate to the area, and to ensure that development will support the cost of those services.
- c. To encourage development and growth in areas that are sustainable and economical for the long term maintenance of infrastructure.

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<sup>4</sup> Tourism Saskatchewan

<sup>5</sup> Tourism Saskatchewan

- d. To provide recreational opportunities for municipal and regional residents.

### **6.3 Policies**

#### **6.3.1 Roads and Services**

- a. All development shall require direct access to a road developed to municipal standards.
- b. Development will be encouraged where roads and services currently exist.
- c. Council may adopt a development levy bylaw to outline the costs associated with the construction or upgrading of a road or service, and pursuant to that bylaw, Council may enter into a development levy agreement with the developer to provide for the road and services at the developer's cost.
- d. Where a subdivision of land will require the installation or improvement of municipal services, the developer will be required to enter into a servicing agreement with the Municipality pursuant to *The Planning and Development Act, 2007* to cover the installation or improvements.
- e. Where pipelines, utility lines or other transportation facilities cross municipal roads the municipality may apply special standards for their construction that are necessary to protect the municipal interest.
- f. Solid or liquid waste disposal facilities shall be located in conformity with applicable minimum separation distances established within the zoning bylaw.
- g. The RM will require adequate water supply and sewage disposal systems for proposed developments which meet the requirements of the local health authority. The water supply of neighboring developments shall not be adversely affected by the proposed development.
- h. All sewage and waste water disposal methods shall comply with Provincial regulations. The Municipality will require written evidence that the disposal method has been approved by the Health District either as a condition of development permit approval or before a development permit for the use on the site is issued.
- i. Waste management shall meet all applicable provincial regulations.
- j. A railway, associated uses accessory to a railway operation, or a petroleum or water pipeline and associated pumping or compressor stations, will be considered

transportation facilities and permitted. Such uses shall avoid conflict with farmsteads and residential developments.

- k. The RM will continue to cooperate with adjacent municipalities to provide facilities and services to the residents.

### **6.3.2 Dedicated Lands**

- a. Money in lieu of municipal reserve land will be preferred unless the dedication of land for municipal reserve is required for municipal development opportunities. Land obtained for municipal reserve shall be considered good quality developable land.
- b. Environmental reserve dedication will be requested during a subdivision for lands that have environmental constraints.
- c. The dedicated lands account funds may be used for municipal reserve development either within the municipality or in urban areas where the development will serve the residents of the rural municipality.

### **6.3.3 Recreation**

- a. Council will exercise its discretion based on the suitability of the location and development with respect to physical access and available services, the separation distance to incompatible land uses, the extraction of future resources, and other factors that may make the development unsuitable for the area.
- b. The RM will consider the development of regional open space and leisure and tourism opportunities when land is identified as being suited for these types of developments.
- c. Tourist developments, such as bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be discretionary uses in the Zoning Bylaw.
- d. Campgrounds and other public or commercial recreation uses will be discretionary uses, where appropriate, in the Zoning Bylaw.

# Part 7 – Land Management

## 7.1 Discussion

Management of special lands is important to the Rural Municipality of Cana. Council acknowledges and recognizes the efforts of the Provincial departments such as the Saskatchewan Water Security Agency, Saskatchewan Environment, Saskatchewan Tourism, Parks, Culture and Sport and Saskatchewan Health who all work hard to achieve the sustainable management of special lands throughout the province. Council also recognizes that the RM has a role to play in and a responsibility for special lands such as hazard lands, environmentally sensitive lands and heritage lands at the local level. This Official Community Plan and the accompanying Zoning Bylaws will outline restrictions and requirements for development on lands that have special designation or are significant.

The RM of Cana encourages environmentally sustainable planning and development practices and encourages their ratepayers to participate in available environmental programs, such as nearby recycling facilities and proper land management. The water, air and land of the community are invaluable resources that need to be preserved for future generations to enjoy.

Hazard lands need to be protected and landowners and developers will need to take into consideration restrictions on land due to potential hazards when submitted development and subdivision proposals.

The RM is within the Assiniboine River Watershed and is a member of the Assiniboine Watershed Stewardship Association. Leech Lake and Crescent Lake are located within the RM, and are part of a small interconnected lake system south of Yorkton. The RM consulted with the Saskatchewan Water Security Agency during the creation of this OCP and there are no records of the 1:500 year flood event with the RM. However, there have been flooded properties and flood claims submitted to the province in the recent past, so the RM will need to ensure that future building sites are suitable for the proposed development. Where development is being proposed on potentially hazardous lands, developers will be required to provide the RM with the appropriate information to determine flood information.

Portions of the RM of Cana are located on top of sensitive aquifers which provide an abundance of water to the area. These areas are vulnerable to contamination from surface activities and require careful management to ensure their long term sustainability and quality. Where developments are proposed in these areas, the RM will consult with the appropriate provincial agencies. The Aquifer Vulnerability Map which is attached to and forms part of this bylaw identifies the groundwater resources and their sensitivity level in the RM of Cana.

Heritage lands consist of any site that has architectural, historical, cultural, archaeological, palaeontological, aesthetic or scientific value. Future land uses that are adjacent to or on the same site as any heritage lands will need to take into consideration the significance of the site.



Proposed developments and subdivisions may be subject to restrictions to protect the value of the heritage lands.

One parcel of land within the RM has been designated as municipal heritage property:

1. Home Quarter of Wotherspoon Farm on SW 28-23-6-W2M

The home was built in 1902. The reason for this dedication was that the owner wished to create a living historical monument to founders of the Municipality. The owner wanted to restore the buildings at the farm and open the farmyard to the public, encouraging local people and tourists to participate in heritage-oriented events.



Source: Saskatchewan Register of Heritage Property

## 7.2 Objectives

- a. To encourage developmental practices that can be sustained by the environment without significant pollution, nuisance, or damage to the environmental resources.
- b. To restrict development in areas where special land considerations exist, such as on hazard land and on environmentally significant lands.
- c. To protect defined areas of critical habitat and heritage resources.
- d. To protect critical water supply resources including both ground and surface water resources.
- e. To construct and maintain services and utilities while balancing both environmental and financial considerations.

## 7.3 Policies

- a. Conservation and Environmentally Sensitive Lands
  - i. Council will support farming practices and developments that conserve soil, improve soil quality, conserve moisture, and protect water supplies. Council may deny a permit to any development that may significantly deteriorate the land resources or deplete or pollute ground water sources.

- ii. Council will work with agencies of the provincial government to protect any significant critical wildlife habitat, or rare or endangered species. Where significant potential has been identified to Council, Council may delay development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.
  - iii. Service and utility maintenance that is not environmentally sustainable, such as applying used oil to municipal roads, will not be an acceptable practice.
- c. Flooding, Slumping and Slope Instability
- i. Where development is proposed on hazard land a professional report on the proposed development will be required at the developer's expense. The report shall assess the geotechnical suitability of the site, or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.
  - ii. No new development shall be permitted on any potential unstable slope area without the required professional report for the site that identifies risks and appropriate mitigation measures.
  - iii. Where development is proposed on potential flood hazard land, flood elevation information will be required, at the developer's expense, to determine if the development is located in the flood way or flood fringe.
  - iv. The RM will prohibit the development of new buildings and additions to building in the flood way of the 1:500 year flood elevation of any watercourse or water body.
  - v. The RM will require flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourse or water in the flood fringe.
- d. Source and Groundwater Protection
- i. The RM will consider the impacts of development on water bodies, waterways and shore lands and referrals will be sent to applicable agencies and departments, if necessary.
  - ii. The RM will work with the Assiniboine Watershed Stewardship Association to ensure ground water resources (source water) and sensitive aquifer areas are protected from incompatible development.

- iii. All applications for development in the Aquifer Sensitivity Areas shall be referred to all applicable agencies and departments prior to development taking place.
- e. Drainage
  - i. Adequate surface water drainage will be required throughout the municipality and on new development sites to avoid flooding, erosion and pollutions. A professional drainage report may be required where an area has or exhibits potential for poor drainage.
  - ii. Unauthorized drainage of surface water runoff from any land throughout the RM shall be prohibited.
- f. Heritage Sensitive Areas
  - i. Council will work with agencies of the provincial government to protect any significant heritage site(s) or structure(s). Where significant potential has been identified to Council, Council may delay development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.

## **Part 8 – Implementation**

### **8.1 Zoning Bylaw**

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

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

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

(1) AGRICULTURAL DISTRICT (A)

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

(2) COUNTRY RESIDENTIAL DISTRICT (CR1)

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

(3) MULTI-PARCEL RESIDENTIAL DISTRICT (CR2)

The objective of this district is to provide for high-density residential development, which does not directly support agriculture. Former hamlets (Otthon) with existing and potential commercial and residential opportunities will be zoned as Multi-Parcel Residential District.

(4) COMMERCIAL DISTRICT (C)

The objective of this district is to provide for commercial and industrial opportunities in designated areas which are adjacent to highway corridors in the RM and that can be serviced appropriately.

### 8.1.2. Amendments

- a. When reviewing proposals for low-density country residential development, multi-parcel residential lands, or commercial developments Council will take into consideration Section 14 of The Subdivision Regulations, 2014 which includes:
- the topography of the land;
  - soil characteristics;
  - surface and sub-surface drainage;
  - potential flooding, subsidence, landslides and erosion issues;
  - the availability and adequacy of a water supply, a sewage disposal system and solid waste disposal;
  - economical provision of services;
  - existing and prospective uses of land in the vicinity;
  - provision for layout of streets and lanes;
  - provision of access;
  - protection of provincial highways and major roads;
  - segregation of pedestrian and vehicular traffic and of traffic flow between streets and road and the protection of public safety by ensuring adequate sight distances at intersections;
  - design and orientation of the subdivision including the size and shape of each parcel;
  - the need to minimize the likelihood of air, water or soil pollution by the subdivision or the need to protect the subdivision from such pollution by outside influences;
  - the anticipated need for school sites, recreational facilities and parks on municipal reserve;
  - the proposed storage or use of chemicals, flammable liquids or radioactive materials licensed by the Canadian Nuclear Safety Commission;
  - the protection of critical fish and wildlife habitat;
  - the protection of significant natural or historical features; and
  - the locations, separations and buffering for the proposed uses with respect to transportation infrastructure, including highways, railways, distribution lines and airports.

The RM Council will review the considerations above as well as the provisions of this Official Community Plan and Zoning Bylaw when considering proposals. The RM Council is not the approving authority and therefore will not make the final decision on subdivision applications; however, all zoning amendment applications are at the discretion of the municipality.

Council may consider adding new zoning districts to their Zoning Bylaw, however the objectives of this Official Community Plan must be complied with. If there is a need to amend the objective contained within this Official Community Plan Council must pass a bylaw to

accept the amendment to the plan. Amendments may provide for a greater density of development than initially considered in this plan, changes to objectives if supporting documents are accepted, or other changes as accepted by Council.

## **8.2 OTHER IMPLEMENTATION TOOLS**

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

- a. Council will work together with adjacent municipalities, including adjacent rural and urban municipalities next to and within the RM of Cana's boundaries, to provide economies of scale and to provide regional policies that will benefit the ratepayers.
- b. The RM of Cana will also work with neighboring rural and urban municipalities to develop joint service programs where such arrangements will be of benefit to the municipality and community as a whole.
- c. The RM will establish a referral process for land use and development proposals in proximity to the boundaries of adjacent municipalities.
- d. The RM will work with the City of Melville and the City of Yorkton to identify anticipated urban growth areas and to develop a plan for the growth of these areas in terms of service provisions and development patterns.
- e. The RM will support joint agreements and cooperative arrangements.

### **8.2.2. First Nations and Metis Engagement**

First Nation history is an integral part of the RM and as such the RM wants to work with its neighbours and regional partners to ensure the community, as a whole, grows and advances in the most progressive way possible. First Nation communities have been contacted and have had an opportunity to review the both official community plan and zoning bylaw.

- a. The RM and Council will work together with the three neighbouring Indian Reserves: Little Bone Indian Reserve, Sakimay Indian Reserve and Cowesses Indian Reserve to ensure land use compatibility between the two jurisdictions.
- b. The RM will encourage developers and landowners to minimize, mitigate and avoid adverse impacts on hunting, fishing, and trapping on unoccupied Crown lands.

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

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

### **8.2.3. Administration**

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

### **8.2.4 Future Land Use**

- a. The RM of Cana encourages future commercial and residential growth to locate along the major highways and where services exist as indicated on the Future Land Use Map; additional locations may be considered where the costs of servicing will be borne by the developer.