

SECTION 7: NATURAL ENVIRONMENT HAZARDOUS CONDITIONS

Natural Hazards Policies

.1 Long-term prosperity, environmental health, and social well-being depend on reducing the potential for public cost or risk to residents or properties, by directing development away from areas of natural hazards where there is potential risk to public health or safety.

.2 The Plan identifies areas where natural hazardous conditions may exist to ensure that the developer and/or property owner reasonably assess the hazards relative to the proposed development.

.3 No new development shall be permitted in any unstable slope or erosion prone area without undertaking erosion and/or slope stability investigations to address the interests of the municipality and to ensure that the developer and/or property owner reasonably assess the hazards relative to the proposed development.



.4 Development shall be prohibited on lands, which because of their physical characteristics in combination with their location, present substantial risk to property and person. Development standards and permitted uses in Hazard Areas, notably slope instability and flooding, will be addressed in the Zoning Bylaw through an Overlay district.

.5 Developers may be required to provide professional, certified environmental, geotechnical, hydrological reports to address development hazards and may require a preliminary analysis by a professional engineer or environmental scientist to identify which hazards may exist in the area of a proposed development.

.6 The development of structures on hazard land may be authorized only in accordance with recommended preventative mitigation measures which eliminate the risk or reduce the risk to an acceptable level.

Flood Hazard Lands

.7 No new development shall be permitted in any flood prone area unless the development is above the contour representing the 1:500 flood frequency event and/or can be properly flood-proofed and protected from wave impact and shoreline erosion. Development is prohibited within areas defined as floodways and in areas of significant wave impact, ice shove and shoreline erosion.

.8 The Water Security Agency, or any other appropriate government agencies or private sector consultants will be utilized as a source for technical advice regarding flood levels and flood proofing techniques, as to determining Safe Building Elevation (SBE).

.9 Flood hazard areas shall be defined and regulated in accordance with the Canada-Saskatchewan Flood Damage Reduction Program, in cooperation with the relevant Government Agency.

.10 No alterations or additions shall be performed on existing buildings or structures contained within the Floodway or Flood fringe zones without incorporating appropriate flood proofing measures and, subject to the relevant sections of *The Planning and Development Act, 2007*, dealing with non-conformity.

.11 The Water Security Agency, or other appropriate government or private sector consultants will be utilized as a source of technical advice regarding flood levels and flood proofing techniques. Development proposals in flood plain areas should be referred to Water Security Agency for review prior to approval.

.12 The Zoning Bylaw contains additional provisions and a NH-Natural Hazard Overlay Map which may be updated from time to time to reflect current environmental considerations.

Unstable Slope Areas

.12 Development and activities shall be avoided where the risk of unmitigated erosion or slope failure exists, where there is the potential to cause erosion or increase the potential for erosion or slope instability on the site or elsewhere, and, when possible, to minimize the potential impacts of slope instability on municipal services and infrastructure.

.13 Developers and property owners shall commission sufficient, professional engineering investigations to reasonably assess erosion and slope failure potential and to understand that they also share in and accept all residual risks and liabilities associated with development in and near the River where instable hazard slopes exist.

.14 The Resort Village of Glen Harbour, in addressing the hazards associated with erosion and slope instability shall:

- a) Require investigations as part of an application for subdivision and/or development;
- b) Establish the objectives of scientific and engineering investigations in relation to such applications;
- c) Reasonably ensure, using current and future technical, administrative, and legal means, that the hazards and potential long-term costs associated with potential erosion and slope failure can, and will, be born fairly by all parties including the proponent and/or the future owner; and

- d) Ensure that future owners are informed, acknowledge the inherent risks, undertake reasonable investigations, and accept liability for development undertaken on land where slope instability is a concern.

Lakeshore Management Areas

.15 In keeping with sustainable and environmentally responsible development the Resort Village of Glen Harbour shall:

- a) Require all development adjacent to the lakeshore and the Municipal and Environmental Reserves to be reviewed by the Resort Village Council, and if required, the Water Security Agency, the Ministry of Environment and Department of Fisheries and Oceans should Council feel that development in these areas would have potential adverse impact on the shoreline and habitat.
- b) Work with all levels of government and developers to ensure that any impacts are minimized; however at the same time not impair the enjoyment of all residents to have reasonable access to lakeshore frontage and related recreational opportunities.
- c) Identify areas that should be set aside for retention as riparian areas to have minimal disturbance to protect fish habitat and avoid nutrients and waste entering the lake.
- d) Recommend buffering of the shoreline where possible to promote retention and stability of the shore line.
- e) Take a lead role in educating all residents and visitors of the Best Management Practices available to ensure both continue water quality on Last Mountain Lake and the importance of maintaining a balance between natural habitat and recreational use. In this regard, Council should recommend the guidelines laid out in "The Shore Primer" prepared by Fisheries and Oceans Canada (Cat No. Fs23-507/2-2008E-PDF) .
- f) When the opportunity for infill or redevelopment occurs, apply the Best Management Practices and encourage existing uses to apply these standards when landscaping or rebuilding adjacent to the lakeshore and other riparian areas.

Wildfire Hazard Areas

.16 Developments in wildfire-prairie fire hazard areas should be undertaken with precautions intended to minimize the risk of damage to property caused by wildfires. The objective of the Wildfire Hazard Area is intended to help protect property from the damage of wildfires that may ignite in or around the Resort Village. This planning should be done in consultation with the regional fire departments and other agencies involved in public protection services.

SECTION 8: FUTURE URBAN DEVELOPMENT

A Future Urban Development (FUD) designation identifies areas within the Resort Village limits and adjacent Rural Municipality, where the future use of land or the timing of development is uncertain due to issues of uncompleted planning and engineering studies, servicing, transitional use, or market demand. In areas where higher density residential development is not practical or desirable at the time, existing agricultural activities shall continue, until such time as the area is developed for any urban use. The Village is limited in its growth potentials due to servicing particularly with respect to wastewater. It is not envisaged to encourage expansion at this time, with consideration only to public facility use and limited commercial such as RV and storage north of the existing Village boundaries where the existing transfer station is located.

Future Urban Development Areas may include:

- Lands which are capable of being fully serviced, but for which no overall area concept plan has been approved for the general area; or
- Lands which are not readily capable of being serviced with a full range of utilities, and for which no concept plans have been approved.

8.1 Implementation

The intent of the FUD-Future Urban Development Zoning District is to allow rural areas to be annexed into the Resort Village in a logical and phased approach. This zoning designation will be applied as the interim zoning to all land incorporated into the Resort Village of Glen Harbour through boundary alteration.

8.2 Boundary Alteration/Annexation

The periodic need for urban expansion through the annexation process shall be logical and consistent with the policies of this OCP and in accordance with the Future Land Use Map, and the Resort Village's Infrastructure management plan. Planning for annexation should consider a 10-20 year time horizon for land needs and shall be undertaken in a positive, orderly, timely and agreed-upon process where there is a clear and present need. Any proposed boundary alternations will include direct consultation and discussions with the RM of McKillop.

8.3 Inter-Municipal Cooperation and First Nations Engagement

.1 The Resort Village of Glen Harbour has jurisdiction to manage many of the developments and behavior of its residents to protect the natural assets. The Resort Village shares Last Mountain Lake with the region and will consider more interaction with the First Nations and the rural municipalities which surround Last Mountain Lake. The Village will ensure engagement with First Nations to ensure traditional land uses are respected and adhered to, respecting future development.

.2 The Resort Village of Glen Harbour shall strive to cooperate with the Rural Municipality of McKillop to promote inter-municipal partnerships adjacent to the Resort Village's boundary to minimize potential land use conflicts for existing and proposed uses on the undeveloped lands adjacent to the Resort Village.

.3 Inter-municipal initiatives that focus on a cooperative approach to providing and sharing cost efficient and effective services shall be encouraged.

.4 The Municipalities shall cooperate to ensure that development and land use patterns which are adjacent or in proximity to resort areas that may have negative effects on future urban design and/or densities that may hinder the Resort Village's expansion will be discouraged, or mitigated. This does not apply to such effects that arise in the course of normal, non-intensive farm operations.

SECTION 9: IMPLEMENTATION OF THE OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) is the keystone of the community planning process, to provide a comprehensive policy framework to guide the physical, environmental, economic, social and cultural development of the municipality. An OCP enables a municipality to set development goals, objectives and policies which Council can use to manage, lead and foster opportunities for the community. An OCP must incorporate, as is practical, any applicable Provincial land use policies and statements of Provincial Interest.

9.1 The Future Land Use Map

The Future Land Use Map (Appendix "A") identifies areas that are potentially for new development in the Resort Village of Glen Harbour with the intent of accommodating future growth. The Resort Village's intention for the future use of land is shown on the "Future Land Use Map" which is attached to and forms part of this Official Community Plan.

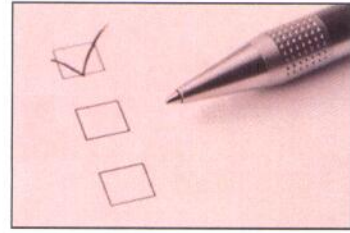
9.2 Bylaw Implementation

By setting out goals, objectives, and policies, the Official Community Plan will provide guidance for the Resort Village in making decisions regarding land use, zoning, servicing extension, subdivisions and development in general. These decisions must be made in conformity with the stated objectives and policies to ensure that the goals for the future development of the Resort Village will be achieved.

The Official Community Plan will be implemented, in part; by the development-related decisions that will be made in the future; however, the two most important tools available for guiding the future development of the Resort Village are the Zoning Bylaw and the subdivision process, including associated agreements.

9.3 Action Plans

To achieve the goals set out in this Official Community Plan, a clear plan of action or implementation strategy is required. Action Plans have are provided in Appendix “B” to provide a checklist of the key action items that will need to be completed to help the community achieve its goals outlined in the Plan.



Each action item relates to policy statements included in the Plan and Council will work to review the action items regularly to monitor progress and to determine if changes are required.

9.4 Definitions

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

9.5 Zoning Bylaw

The Planning and Development Act, 2007, requires the Resort Village to adopt a Zoning Bylaw in conjunction with the Official Community Plan. The Zoning Bylaw will be used to implement the policies and achieve the objectives of this Official Community Plan by prescribing the uses of land, buildings or other improvements that will be allowed in the different zoning districts established in the Resort Village. In addition, the Zoning Bylaw regulates how these uses may be carried out and the standards that developments must meet.

Zoning Bylaw Objectives

- Land-use conflicts are avoided
- Future development will meet minimum standards to maintain the amenity of the Resort Village
- Development will be consistent with the physical opportunities of the land and of reasonable engineering solutions
- Development does not place undue demand on the Resort Village for services, such as roads, parking, water, sewer, waste disposal, and open space; and that future land use and development are consistent with the goals and objectives of the Resort Village.

The Zoning Bylaw provides the Resort Village with actual control over land use and the types of development and uses allowed in each land use district. The associated supplementary requirements

and development standards will be specified in the Zoning Bylaw respecting building setbacks, parking, loading, landscaping, signage, buffering and all other relevant standards proscribed by the Resort Village from time to time.

To ensure, that these regulations work to help achieve the stated goals and objectives, the Bylaw itself must be consistent with the policies and the intent of this Official Community Plan. In considering a Zoning Bylaw or an amendment, the Resort Village should refer to the policies contained in the Official Community Plan and “future Land Use Concept Plan” (Appendix “A”), to ensure that the development objectives of the Resort Village are met.

9.6 Contract Zoning

For purposes of accommodating a rezoning for unique development situations, Council may consider entering into rezoning agreements, pursuant to contract zoning provisions of *The Planning and Development Act, 2007*, for site specific development based on the following guidelines:

- The rezoning to permit the development will not unduly conflict with adjacent land uses that are legally permitted uses within the proposed or adjacent zoning district;
- The rezoning will be used to allow a specific use or range of uses contained within the zoning district to which the land is being rezoned;
- The development or redevelopment of the site for the specific use will be of benefit to the immediate area and the Resort Village as a whole.

9.7 Concept Plans

Concept plans are reference plans, not policy plans. They represent design layout concepts prepared at the request of the Municipal Council to provide direction for how new developments:

- Ensure the efficient provision of current and future infrastructure services;
- Demonstrate how site development will be organized to ensure compatibility with adjoining land uses and transportation systems;
- Outline density of developments and proposed phasing of development; and
- Provide design features for special purposes such as landscaping, buffers, open spaces, and street layout; and

The Council shall ensure that any concept plan is consistent with the Official Community Plan.

9.8 Special Studies

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required including traffic studies to determine impacts upon the road and highway system within the district, to identify lands affected by flooding or slope hazards, endangered species, heritage resources, potable water supply and septic management, potential for ground and surface water pollution, foundation designs, and general risk to health and the environment.

9.9 Public Works

The capital works program and public improvements of the Resort Village shall be consistent with the policies set out in this Official Community Plan. This is an important implementation tool since a municipality may influence the location of future development and growth through the provision of municipal services to land.

9.10 Development Levies and Agreements

.1 Council may provide for a Development Levy Bylaw as specified in *The Planning and Development Act, 2007*. Where a development is proposed that is of a greater density and requires the capital upgrading of services beyond those originally provide for in the subdivision of the land, Council may by Bylaw, provide for the recovery of those capital costs.

.2 Council may adopt a Bylaw that specifies the circumstances when offsite levies will apply to the development based on the additional capital costs for services created by that development. The Bylaw will contain a schedule of the unit costs to be applied. Before adopting the Bylaw, Council will undertake studies necessary to define the benefiting areas and the unit costs associated with required capital upgrading of off-site services. The studies will be used to determine a fair level of development levy charges in relation to the subdivision offsite charges.

9.11 Servicing Agreements

.1 Council may establish fees by Bylaws that would be applied in a servicing agreement at the time of subdivision in accordance with *The Planning and Development Act, 2007*, at the time of subdivision approval to ensure that new subdivisions are developed to the standards of the Resort Village and to address other concerns specific to the proposed subdivision.

.2 Where Council requires a Servicing Agreement, the Agreement becomes a condition of approval of a subdivision by the approving authority. The Agreement will ensure that municipal standards are met for capital works and ensure that such infrastructure development costs are borne by the developer and his/her customers. A Servicing Agreement will be required unless there are no services or offsite levies required for a subdivision. Council may consider a general municipal share in the cost of offsite infrastructure where the improvement is designed to serve more than the subject subdivision.

.3 Where a subdivision of land requires the installation or improvement of municipal services such as storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities or other works that the council may require, the developer will be required to enter into a Servicing Agreement with the Resort Village to cover the installation or improvements including, where necessary, charges to cover the costs of improvement or upgrading of off-site services. Council will, by resolution, establish the standards and requirements for such agreements and charges, including the posting of performance bonds or letters of credit.

.4 Council will cause the undertaking of studies necessary to define the benefiting areas and the unit costs associated with required capital upgrading of offsite services. The studies will be used to determine a fair level of offsite servicing charges.

9.12 Subdivision Process

The Director of Community Planning for the Ministry of Government Relations is the approving authority for subdivisions. The Resort Village has input into the subdivision procedure at two points.

1 First, the Resort Village provides comments on all applications for subdivision within the Resort Village. In reviewing subdivisions, the Resort Village should consult this Official Community Plan to see whether the proposed development is consistent with the long-term goals of the Resort Village and the desired future pattern of development. Comments may be contracted from a qualified land use planner with application fees sufficient to cover the review process.

2 Second, the Resort Village has an impact on the subdivision process through the Zoning Bylaw, since no subdivision can be approved that does not conform to the Zoning Bylaw. Also, in the Zoning Bylaw the Resort Village can establish the minimum area, width, or depth of lots, and other spatial and land use standards. Again, since zoning is intended to implement the Resort Village's development policies, it should help to ensure that subdivisions contribute to achieving the long-term goals of the Resort Village.

9.13 Review and Amendment

An Official Community Plan is not a static document and does not commit the Resort Village to an inflexible development policy. As new issues and concerns arise, or old ones change, the Official Community Plan should be revised to meet these changes. The Official Community Plan should be reviewed from time to time to see whether the stated objectives are still relevant and whether the policies as set out are effective in achieving those objectives. The concerns, objectives and policies of the Official Community Plan must be kept up to date to ensure that the document will deal with the real development issues facing the community.

On occasion land uses or developments may be proposed that do not conform to the Official Community Plan (OCP). The OCP can be amended in accordance with *The Planning and Development Act, 2007*, to allow the new development to proceed, however, before any amendment is made, the impact of the proposed change on the rest of the OCP and the future development of the Resort Village should be examined. Any changes to the OCP or the Zoning Bylaw should be in the interest of the future development of the community as a whole. Periodical review and amendment the Official Community Plan should serve as an effective guide for the Council to make decisions on the future development of the Resort Village.



SECTION 10: REPEAL AND EFFECTIVE DATE OF BYLAW

Ministerial Approval

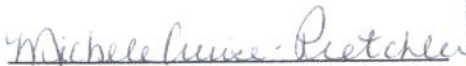
This Bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister of Municipal Affairs. In addition this Bylaw repeals any Land Use Policy Bylaw provisions under the previous Last Mountain Lake Planning District provisions.

Council Readings and Adoption

Introduction this	<u>6th</u>	day of	<u>July</u>	2013
Read a first time this	<u>6th</u>	day of	<u>July</u>	2013
Read a second time this	<u>27th</u>	day of	<u>October</u>	2013
Read a third time this	<u>27th</u>	day of	<u>October</u>	2013
Adoption of Bylaw this	<u>27th</u>	day of	<u>October</u>	2013



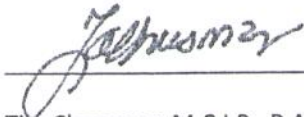
MAYOR



ADMINISTRATOR



Ministerial Approval Date _____



Tim Cheesman M.C.I.P., P.Ag

Professional Community Planner of Saskatchewan

