

6.0 NATURAL HAZARD LANDS OVERLAY

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The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of ground instability or erosion and areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in natural hazard areas. **A Reference Map is provided in the Official Community Plan, and may be updated periodically to reflect any new hazard areas.**

No person shall within a Lakeshore Natural Hazard Lands Overlay District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:

6.1 UNSTABLE SLOPES SITE DEVELOPMENT REGULATIONS

- 6.1.1 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- 6.1.2 For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of Last Mountain Lake and its tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of 40 metres and/or based on examples of unstable slope conditions or associated geotechnical reports.
- 6.1.3 Any application for a Development Permit on any parcel of land that lies wholly or partially within an area designated in the "Natural Hazard Lands Overlay" Area must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.
- 6.1.4 The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- 6.1.5 A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard. If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

6.2 Flood Hazard Areas Site Development Regulations

- 6.2.1 **A development permit shall not be issued for any land use, erection, alteration or use of any building or structure within a Flood Hazard Area unless the site/development meets approved flood proofing measures to the 1:500 Estimated Peak Water Level, plus an additional ½ metre freeboard elevation.**
- 6.2.2 No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands.
- 6.2.3 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- 6.2.4 "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the *Environmental Management and Protection Act of Saskatchewan*.
- 6.2.5 **For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevations. The Saskatchewan Water Security Agency will assist and provide when possible or the developer shall be responsible for the cost.**
- 6.2.6 A development permit shall not be issued for any land use, erection, alteration or use of any building or structure within the Flood Hazard Area unless the site/development meets approved flood proofing measures to the 1:500 estimated peak water level plus the ½ metres freeboard elevation. Developers will be referred to the Flood-Proofing Guide prepared by the Ministry of Government Relations.
- 6.2.7 Any existing buildings may be replaced or expanded subject to appropriate flood proofing measures being provided.
- 6.2.8 For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
- a) That all buildings shall be designed to prevent structural damage by flood waters;
 - b) The first floor of all buildings shall be constructed above the designated flood design elevation; and
 - c) All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.

7.0 PLANNED UNIT DEVELOPMENT CONTRACT ZONING DISTRICT EXAMPLE – PUD-C

Planned Unit Development Contract Zoning District (PUD-C) which may be composed of a mixture of residential types, institutional, commercial, open space and recreation uses may be permitted in Residential and Commercial zones subject to the following regulations:

7.1 SITE PLAN

An overall site plan shall be prepared showing landscaping design as well as the physical layouts of all structures and roads.

7.1.1 EXEMPTIONS TO ZONE REQUIREMENTS

Specific zone regulations shall not apply to Planned Unit Development Contract Zoning District. Uses permitted within a PUD include: residential, commercial, light industrial recreation and open space. However, the project shall produce an environment of stable and desirable character, and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this By-law. While areas zoned as "Open Space", may be incorporated into Planned Unit Developments, only those structures permitted in the "Open Space" zones will be allowed.

7.1.2 MINIMUM SITE AREA

The minimum site area shall be 0.5 hectares (1.24 acres).

7.1.3 REQUIRED OPEN SPACE

A minimum of 25% of the land area must be common open space or for common recreational space.

7.1.4 ALLOWABLE DENSITY

The density of development shall not be increased from the normal density per gross acre permitted in that zone.

7.1.5 TITLE REGISTRATION

Planned Unit Development Contract Zoning District shall be regulated through a site plan agreement or development agreement which is caveated against the title at Land Registry of ISC.

8.0 REPEAL AND ADOPTION

The Zoning Bylaw for the Last Mountain Lake District Planning Commission No. 2/86 as amended shall be repealed upon Bylaw 22/2013, the Zoning Bylaw, coming into force and effect.

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 Government Relations.

COUNCIL READINGS AND ADOPTION

Read a first time this	6 th	day of	July	2013
Read a second time this	27 th	day of	October	2013
Read a third time this	27 th	day of	October	2013
Adoption of Bylaw this	27 th	day of	October	2013

Ron Ulmer

MAYOR

Michelle Louise Pritchard

ADMINISTRATOR



MINISTERIAL APPROVAL

MINISTERIAL APPROVAL DATE

SEAL

