

# **DISTRICT OFFICIAL COMMUNITY PLAN**

## **NORTH CENTRAL LAKELANDS PLANNING DISTRICT**

### **SCHEDULE A**

**BYLAW No. 9-2013  
District of Lakeland No. 521**

**BYLAW No. 8/2013  
Rural Municipality of Paddockwood No. 520**

**BYLAW No. 12 of 2013  
Resort Village of Candle Lake**

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# **PART A: INTRODUCTION AND DISTRICT GOALS**

## **1. INTRODUCTION**

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### **1.1 CONTEXT**

This District Official Community Plan (DOCP) is adopted by the District of Lakeland No. 521, the Rural Municipality of Paddockwood No. 520, and the Resort Village of Candle Lake in accordance with Section 102 of *The Planning and Development Act, 2007*, and shall be known as the *North Central Lakelands Planning District Official Community Plan*. The purpose of the DOCP is to provide goals, objectives and policies to guide the management of the use of land and its future development within the limits of the participating municipalities.

### **1.2 BACKGROUND**

In recent years there has been considerable interest in new cottage and residential subdivisions in proximity to the existing resort areas of Candle Lake, Emma and Christopher Lakes. With The Prince Albert National Park and the new golf resorts at Elk Ridge and Candle Lake the region has solidly developed into the premier destination resort area in central Saskatchewan. Due to the continuing attraction for lake and resort living in these areas The District of Lakeland and the Resort Village of Candle Lake continue to experience demand for new development. Additionally this demand has resulted in other numerous residential subdivisions within the Rural Municipality of Paddockwood on the periphery of the Resort Village of Candle Lake and the District of Lakeland.

The affiliated municipalities of The North Central Lakelands Planning District have a common interest to accommodate and manage development in a manner which is in the best interest of all municipalities having regard to:

- Respect of the natural environment;
- The health, safety and social well-being of the residents;
- Opportunities for economic development; and
- Provision of municipal services in an efficient and economical manner.

The municipalities have agreed to the formation of the Planning District which is seen to offer significant benefits such as:

- Collaborative approach to Land Use Planning and support growth on a regional basis
- Consistent decision making that creates certainty for investment
- Integration of infrastructure and services
- Potential to cost share for the services of professionals to provide planning, economic development, engineering, building inspection services

- Ensure that each municipality receives adequate benefits to offset the costs of development

The Planning District organization and the development of this District Official Community Plan was facilitated by The Planning for Growth Committee established by the participating municipalities. The Committee consisted of the Reeve of the District of Lakeland No. 521, the Mayor of the Resort Village of Candle Lake, the Reeve of the Rural Municipality of Paddockwood No. 520 and the Administrators of each municipality. Many other councillors were invited to attend meetings and provided valuable input throughout the process. Representatives of Saskatchewan Ministry of Environment Crown Lands Branch and Parks Branch also took part on the Committee.

The Policies contained in this document are, for the most part, derived from consolidation of existing Development Plans of each municipality specifically:

1. *The Rural Municipality of Lakeland No. 521 Development Plan* prepared by Crosby, Hanna & Associates – July 2005;
2. *The Rural Municipality of Paddockwood No. 520 Basic Planning Statement*, being Schedule ‘A’ to Bylaw No. 3/1997;
3. *The Resort Village of Candle Lake Basic Planning Statement*, being Appendix ‘A’ to Bylaw No. 01/2002.

The Background report for the District of Lakeland conducted at the time of the previous Development plan entitled Municipal Planning Program Background Report (Crosby, Hanna and Associates, August, 2005) is incorporated within the Policies of this District Official Community Plan relative to development policy within the District of Lakeland.

A survey of all ratepayers within the three municipalities was conducted and provided valuable background information regarding the attitude toward development in the District. Additional background was provided through direct consultation with Councils and administration of the respective municipalities.

## **2. DISTRICT GOALS**

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### **2.1 ENVIRONMENTAL CONSERVATION**

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

### **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 planning district by creating a positive environment for:
  - sustainable business development, particularly as it relates to tourism and outdoor recreation, and
  - residential development subject to Area Specific Objectives

### **2.3 COMMUNITY DEVELOPMENT AND INFRASTRUCTURE**

- (1) To promote the development of services and facilities to meet the needs of residents, businesses and visitors.
- (2) To evaluate and maintain vehicular and pedestrian traffic needs and develop appropriate roads and walkway systems.

### **2.4 SENIOR GOVERNMENT INTERESTS AND INVOLVEMENT**

- (1) To obtain the support and assistance of senior governments in the realization of the goals and objectives of this plan where such realization is consistent with the protection and maintenance of federal and provincial interest.
- (2) To support and complement provincial interest where such interest has been made known to the Municipality.

## **2.5 INTER-JURISDICTIONAL CO-OPERATION**

- (1) To communicate with adjacent municipal authorities, First Nations and Metis to ensure development decisions are compatible and do not jeopardize adjacent land uses.
- (2) To consider joint service opportunities with other municipal and First Nation governments.



## **PART B: GENERAL OBJECTIVES AND POLICIES ALL MUNICIPALITIES AND REGIONS**

### **3. ENVIRONMENT, RESOURCES AND HAZARD LANDS**

#### **3.1 OBJECTIVES**

- (1) To ensure that development and use of land is respectful of the natural environment by:
  - a. Ensuring that future development is considerate of and mitigates any negative impact on:
    - natural features, resources and ecosystems;
    - water quality in any of the lakes in the district;
    - fish habitat in any of the lakes in the district;
    - significant historical, archaeological and other features, resources and sites of cultural or heritage significance;
    - natural wildlife habitat areas; and
    - significant areas of natural vegetation and rare, or endangered wildlife and vegetation.
  - b. Identifying and conserving areas that are important for maintaining the natural ecology and visual quality of the land.
- (2) To help facilitate the maintenance of lake levels within their established operating ranges.
- (3) To promote and encourage resource use practices and land development that will enhance soil conservation and environmental sustainability.
- (4) To encourage natural resource development that will improve the economic viability of the district while ensuring activities do not conflict with existing land uses or future development.
- (5) To encourage land use and development that will not jeopardize responsible exploitation of minerals, oil, gas and forest resources in the future.
- (6) To ensure that development does not occur on potentially hazardous land without adhering to appropriate development standards.
- (7) To protect and preserve significantly sensitive natural areas for future generations.

- (8) To support “green” sustainable development practices and technologies which protect and enhance the natural environment and the desirable appearance of the district resort communities.

### **3.2 POLICIES**

- (1) Development shall not deplete or pollute lake water or ground water. Council may require appropriate hydrological and hydrogeological studies completed by qualified professionals before considering approval of development that may deplete or pollute groundwater.
- (2) Development shall avoid land that is potentially hazardous due to flooding, erosion, slumping or slope instability, unless it can be demonstrated that appropriate mitigation measures can be employed.
- (3) Where subdivision or development is proposed for what Council considers may be hazard land, the applicant shall submit a report, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding 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 / proponent of the proposed development.
- (4) 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*.
- (5) 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 storm water 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.
- (6) Development shall not damage or destroy fish habitat.

- (7) Council will discourage any alteration of naturally occurring wetland areas to accommodate development and further:
- a) Wetlands shall not be filled or drained for the purposes of development.
  - b) Wetland areas along a lake, slough or creek shall 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.
- (8) Development shall not damage or destroy any building or site deemed to be of cultural or heritage significance.
- (9) 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.
- (10) Council shall require the proponent of a development on previously undeveloped land situated within 1000 m of the shoreline of Anglin, Christopher, McPhee, North, South and Middle Emma Lakes and Fish Lake to submit an environmental study intended to assess the potential impacts of development on environmentally sensitive areas.
- (a) Council will only consider the approval of a proposed development in terms of the capacity of the adjoining waterbody or shoreline for public access, the potential impacts of development in social, physical and environmental terms, general and site specific environmental and ecosystem characteristics and the economic potential for the development.
  - (b) The developer shall be responsible for all expenses associated with preparation of the study and the relevant information that will be undertaken by qualified professionals that are mutually agreed upon with Council. The study shall identify and to protect and conserve natural environmental preservation areas.
  - (c) Development requirements, limitations and standards for natural environmental preservation areas will be further specified in the Zoning Bylaw under the provisions of an Environmental Open Space District, to ensure the protection and preservation of these areas while allowing compatible open space and park development as may be appropriate. Where applications for development of open space and park facilities are

made Council may consider amending the Zoning Bylaw to accommodate such development (if required) where it is demonstrated that:

- (i) site conditions are suitable for the proposed development;
  - (ii) negative environmental impacts of such development can be avoided or suitably mitigated; and
  - (iii) the proposed development would not conflict with surrounding land uses and development.
- (11) Development shall not needlessly destroy existing trees, vegetation, or unique flora unless required for safety or property damage considerations. The Zoning Bylaw may prescribe standards and restrictions for the removal or alteration of natural vegetation in the municipality.
- (12) The Zoning Bylaw will contain provisions to regulate forestry operations on non-provincial forest land with the intent of ensuring that they do not create conflicts with existing land uses or with the purpose of certain zoning districts.
- (13) Forest management of non-provincial forest areas will be regulated to ensure that aesthetic and environmental considerations are met through the application of sound silvicultural practices.
- (14) Subject to all other policies in this plan, Council may refuse to approve forestry operations on non-provincial forest land that are intended to reduce the risk of wildfires or to help sustain the ecological health of the forest unless they are proposed in accordance with a woodlot/forest management plan that has been prepared by a recognized professional.
- (15) Within the Rural Municipality of Paddockwood, development will not be permitted where such development could preclude the potential extraction of gravel or other aggregate resources.
- (16) The Municipalities will continue to work with the Saskatchewan Water Security Agency and other water resource government agencies in the interest of managing lake levels, specifically:
- a) the Spruce River Water Diversion Project with the interest of maintaining the lake levels of Anglin, Emma and Christopher Lakes within their established operating ranges; and
  - b) Candle Lake/Torch Lake water levels and water issues in the drainage basin.
- (17) Council of The District of Lakeland shall require that site and other outdoor lighting for new residential construction incorporate principles, techniques and standards consistent with the current version of the International Dark Sky Association Lighting Code Handbook for outdoor lighting in the **EI Environmental**

**Lighting Zone**, as defined by the International Commission on Illumination.

- (18) Council of the District of Lakeland may require that site and other outdoor lighting for certain commercial or industrial development be certified to be compliant with standards established in the current version of the International Dark Sky Association Lighting Code Handbook for outdoor lighting in the *EI Environmental Lighting Zone*, as defined by the International Commission on Illumination.
- (19) The District of Lakeland will implement a program to bring municipally-owned street and other outdoor lighting into compliance with standards established in the current version of the International Dark Sky Association Lighting Code Handbook for outdoor lighting in the *EI Environmental Lighting Zone*, as defined by the International Commission on Illumination, within the Municipality's ability to pay for such conversion.
- (20) For the purpose of assessing environmental or resource impacts of development proposals, council may require the developer to provide a report prepared by a qualified engineering, planning or environmental professional addressing potential environmental concerns and recommending appropriate mitigation measures.
- (21) Wherever possible, through bylaws, servicing agreements, re-zoning agreements, and other effective means, the municipality will reinforce sound environmental practices and make land owners and developers responsible for environmental management initiatives.
- (22) The municipalities may establish conservation districts within its zoning bylaws to protect sensitive areas from negative impacts of development and control public access and use in accordance with the following principles:
  - a) Only passive recreation activities requiring limited facilities shall be allowed in conservation areas except where trails and stopping areas are established and managed for snowmobiles or other off road vehicles;
  - b) Land designated as conservation may only be re-designated to another land use if it is more than 100 meters away from Candle Lake, and is not important as habitat for rare or endangered plants or animals;
  - c) Public access to conservation areas may be prohibited and management measures taken to limit or preclude public access where such measures are required to protect significant natural resources.
- (23) Alteration of the shore area and breaching of the ice push ridges shall not be permitted except for beach enhancements, boat docks, and marinas approved by Council and in accordance with regulations of federal and provincial authorities

## **4. INTER-MUNICIPAL/JURISDICTIONAL COOPERATION**

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### **4.1 OBJECTIVES**

- (1) To facilitate inter-municipal / jurisdictional cooperation in providing municipal services that are more cost-effective and efficiently delivered on a regional basis.
- (2) To facilitate cooperation with adjacent municipalities, First Nations, Metis, Canada and Saskatchewan senior government departments with respect to existing and future development that will have a significant impact on services, facilities, residents and natural resources of the District.
- (3) To form mutually beneficial relationships with other government agencies and departments, municipalities, First Nations, Metis, and other organizations.

### **4.2 POLICIES**

- (1) The municipalities will pursue inter-municipal / jurisdictional cooperation in the provision of municipal services with the interest of improving municipal services and providing them on a more cost-effective basis and further:
  - a) Where applicable, the municipalities will work with adjacent municipalities, First Nations, Metis, Parks Canada, Saskatchewan Ministry of Parks, Culture and Sport to develop joint service programs where such arrangements will be economically beneficial to the municipalities; and
  - b) The municipalities will consider the provision of recreational facilities on a joint-use basis in partnership with other governments or agencies.
- (2) The municipalities will facilitate cooperation with adjacent municipalities and jurisdictions with respect to existing and future development that has or potentially will have a significant impact on adjacent services, facilities, residents and/or natural resources, and further:
  - a) Any application for subdivision or rezoning within 2 km (1.25 miles) of an urban or adjacent rural municipality's corporate limits may be referred to the Council of that municipality for comments regarding the potential impact of the development on the current and future land uses of that municipality.
  - b) Any application for subdivision or rezoning within 2 km (1.25 miles) of the boundary of Prince Albert National Park, Candle Lake and Great Blue Heron Provincial Parks may be referred to the appropriate federal or provincial department(s) for comments.

- (3) The municipalities shall seek mutually beneficial relationships with other government agencies and departments, municipalities, First Nations, Metis, and other organizations. These relationships may be in the form of district planning initiatives, shared services and facilities or any other matter conducive to achieving the objectives of the District Official Community Plan.
- (4) The municipalities shall seek to establish effective resource management initiatives in cooperation with Saskatchewan Ministry of Environment, and will attempt to identify opportunities to contribute to local, lake area, and watershed environmental management initiatives.
- (5) The municipalities shall encourage a formal communication mechanism with the appropriate Saskatchewan Government Ministry(s) to ensure that municipal concerns are conveyed to and understood by these agencies when Crown land dispositions are being considered within the District.
- (6) Provincial Land Use Policies and Provincial Interests
  - a) This bylaw shall be administered and implemented in conformity with applicable provincial land use interests, policies, statutes and regulations and in cooperation with provincial government departments and agencies.
  - b) Wherever feasible and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.

## **5. MUNICIPAL INFRASTRUCTURE / SERVICES**

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### **5.1 OBJECTIVES**

- (1) To ensure that services are provided economically and efficiently and specifically:
  - a) To ensure that any new development can be reasonably accommodated by existing municipal services; and
  - b) To ensure that future development does not exceed capacities of municipal solid waste management and sewage disposal facilities; and
  - c) To ensure all developments have safe and effective water and sewage management practices and facilities
  - d) To minimize land use conflicts between utility systems and adjacent or surrounding land uses;
- (2) To promote coordinated planning of transportation systems to provide and maintain a system of municipal rights of way and facilities that meet demands for safe travel and access for vehicular and pedestrian traffic and specifically:
  - a) To encourage improvements to provincial highways;
  - b) To ensure that development does not create traffic safety issues;
  - c) To ensure that the road maintenance obligations created by any future residential development can be fulfilled;
  - d) To ensure adequate parking facilities for appropriate land uses;
  - e) To encourage the development of a pedestrian/cyclist trail system(s);
- (3) To have guidelines for the dedication, use and development of Municipal Reserve and Environmental Reserve land, and further:
  - a) To identify these guidelines for the dedication of Municipal and Environmental Reserves when land is subdivided;
  - b) To maintain and improve public recreation facilities and development on municipal reserves;
  - c) To correct situations of trespassing on, and illegal use of dedicated lands.
- (4) To have adequate land available for infrastructure, recreation, education, and institutional development.
- (5) To ensure safe, convenient lake access for all residents and visitors including boat launch and docking areas, beach and swimming areas.



## 5.2 MUNICIPAL SERVICING AND WASTE MANAGEMENT POLICIES

- (1) All developments shall provide for:
  - a) individual on-site water supply appropriate to the proposed use; or
  - b) water supply from a regional water distribution system; or
  - c) an independent communal water supply system approved pursuant to either *The Public Health Act*, and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act*, and associated regulations.
  
- (2) All developments shall provide for:
  - a) on-site liquid waste treatment and disposal approved pursuant to *The Public Health Act* and associated regulations, as administered by the Regional Health Authority; or
  - b) an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act* and associated regulations.
  
- (3) Council will consider proposals for all development on the basis that a licensed solid waste management facility is available for use by future residents or occupants of the land.
  
- (4) When reviewing development proposals, Council may request utility 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.
  
- (5) Council recognizes its responsibility for the proper operation of communal water and sewer systems pursuant to the provisions of *The Public Health Act 1994*. Council will consider the approval of 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, operation and management. Council may require the developer of a subdivision development that requires communal water and/or sewer systems to enter into a servicing agreement to provide for their construction. Council may consider approval of such developments on the basis that the residents of the development will establish a public utility with the responsibility for ongoing operation and maintenance of the system.
  
- (6) The Municipality will not be responsible for 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.

- (7) 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, fire protection facilities the developer will be required to enter into a servicing agreement with the Municipality 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.
- (8) 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:
  - a) It is Council's view that 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 5-1.

<b>Table 5-1: POLICIES FOR MINIMUM SEPARATION DISTANCE RELATING TO PUBLIC WORKS IN THE FORM OF SOLID AND LIQUID WASTE MANAGEMENT OR DISPOSAL FACILITIES</b>		
<b>OTHER PRINCIPAL USES</b>	<b>SOLID WASTE FACILITY</b>	<b>LIQUID WASTE FACILITY</b>
Single residence <sup>(1)</sup> , tourist accommodation <sup>(2)</sup>	457 m (1,500 feet)	300 m (1,000 feet)
Multiple-lot residential subdivision <sup>(3)</sup> or urban municipality <sup>(4)</sup>	457 m (1,500 feet)	600 m (2,000 feet)
Commercial or industrial use <sup>(5)</sup>	457 m (1,500 feet)	300 m (1,000 feet)
Municipal well <sup>(6)</sup>	1.6 km (1 mile)	(1.6 km (1 mile))

**Notes:**

<sup>(1)</sup> Distances from individual residences are measured between waste facility site and residential building.

<sup>(2)</sup> Distances from tourist accommodations are measured between waste facility site and the tourist accommodation site.

<sup>(3)</sup> Distances from multiple-lot residential subdivisions are measured between waste facility site and the residential sites.

<sup>(4)</sup> Distances from urban municipalities are measured between waste facility site and the corporate limits of the urban municipality.

<sup>(5)</sup> Distances from commercial or industrial uses are measured between waste facility site and the commercial or industrial site.

<sup>(6)</sup> Distances from municipal wells are measured between waste facility site and the well head.

b) Council may approve a lesser separation than set out in (a) above 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.

c) Council may require a greater separation than set out in (a) above. 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).

- d) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require advertisement of a proposal that will result in development, expansion or alteration of a public work in the form of a solid or liquid waste management or disposal facility and shall hold a public hearing on the proposal.

(9) Council will consider proposals by residents of existing lakeshore development or multiple lot residential areas for the development of a communal water distribution or sewage collection system. Proposals must be accompanied by a preliminary engineering report outlining design requirements and cost estimates for the proposed system including evidence of resident support for the proposal. Financing for any approved system will be derived pursuant to *The Local Improvement Act*.

### **5.3 TRANSPORTATION POLICIES**

- (1) The Municipalities will cooperate with the Ministry of Highways and Infrastructure, and other adjacent municipalities and jurisdictions in long-term planning that addresses its transportation needs.
- (2) Council will continue to encourage the Ministry of Highways and Infrastructure to upgrade and better maintain the Provincial Highways in the District.
- (3) Council will endeavour to upgrade the major access roads in the municipalities, within its ability to pay for such upgrades, and with the support of senior government funding wherever possible.
- (4) 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.
- (5) Development along provincial highways shall be consistent with the safety standards and access policies established by Saskatchewan Highways and Infrastructure.
- (6) Where resource access roads are required to meet the operational needs of forestry or other resource extraction industries, Council will require that a road maintenance agreement be in place between the resource operator and the municipality before it will approve such road development. These road maintenance agreements will address the following:
  - a) Responsibilities for paying for and/or undertaking ongoing maintenance of new resource roads;
  - b) Use / travel restrictions on the new resource roads;

- c) Provisions for closure, or for maintenance responsibilities, after resource operations no longer require the resource road; and
- d) Compensation to the municipality to cover increased maintenance costs related to increased resource traffic use of existing municipal roads.

#### **5.4 DEDICATED LAND POLICIES**

- (1) Each Municipality shall endeavour to establish a classification system for the Municipal Reserves within its jurisdiction. Table 5-2 lists the dedicated lands present in the District of Lakeland by categories outlining their intended use.
- (2) The Municipalities' policies for managing each respective category of dedicated land are as follows:
  - a) Municipal Reserves in Their Natural State: These municipal reserves remain undeveloped and should exist primarily in their natural state. The Municipality will generally leave these sites as they are. The Municipality may carry out ongoing maintenance on these parcels in the form of removal of dead or damaged vegetation, removal of trash, tree pruning and the re-establishment of natural vegetation if required.
  - b) Municipal Reserves Developed for Recreation Use: These municipal reserves have been developed by the Municipality for public recreation use and contain facilities such as picnic tables, public washroom / change-room facilities and playgrounds. The Municipalities will continue to maintain and enhance these sites and facilities for use by the public in co-operation with local cottage associations or appropriate user groups.
  - c) Functional Buffers: These municipal reserves and buffer strips function essentially as buffers. The Municipalities may carry out ongoing maintenance on these buffers in the form of removal of dead or damaged vegetation, removal of trash, tree pruning and the re-establishment of natural vegetation if required.
  - d) Legal Pedestrian Access (Walkways): These municipal reserves and walkways were dedicated at the time of subdivision to provide legal pedestrian access to the lakeshore. Many of these walkways have never been physically developed or used by the public. The Municipalities may carry out ongoing maintenance on these buffers in the form of removal of dead or damaged vegetation, removal of trash, tree pruning and the re-establishment of natural vegetation if required. The Municipalities may clear vegetation from a walkway and mark it with appropriate signage if deemed necessary.
- (3) Any damage to dedicated land or to fish habitat by illegal development will be the responsibility of the perpetrators to mitigate.

- (4) If a formal complaint has been made to Council and it has been determined that a person has, without a permit, developed or placed a structure on dedicated land, the Municipality shall undertake the following process:
- a) The Municipality will order the person in writing to remove any illegal development and/or temporary structure and restore the dedicated land in any manner that the Council considers appropriate, and will post the order as a notice on the same development and/or temporary structure that is the subject of the complaint. The time limit for removal will be 60 days.
  - b) If the person has not corrected the trespass situation within 30 days, the Municipality will re-notify them as outlined (a) above.
  - c) If requested, Council may grant a 30-day extension for correction of the trespass situation.
  - d) If the development in trespass has not been removed within the 30 day time limit, or the 60 day time limit if an extension has been granted, the Municipality may remove the development and/or temporary structure from the dedicated land and restore the dedicated land to a satisfactory condition, pursuant to Section 194(9) of *The Planning and Development Act, 2007*.
  - e) Pursuant to Section 194(14) of The Act, the Municipality may dispose of the development and/or temporary structure by sale, and apply the proceeds of such sale to the costs incurred by the Municipality in removing or disposing of such development and/or temporary structure, or in restoring the dedicated land to a satisfactory condition.
  - f) Pursuant to Section 194(15) of *The Act*, the Municipality may recover any costs associated with disposing of the development and/or temporary structure and/or in restoring the dedicated land to a satisfactory condition by adding such costs, less any proceeds realized by sale pursuant to Section 194(14) of *The Act*, to the persons taxes and be collected in the same manner as the taxes are recoverable.
- (5) Except in the Rural Municipality of Paddockwood, the only dedicated land that may be considered for cancellation and subsequent sale, shall be parcels in the Legal Pedestrian Access (Walkway) category that are not used by the public and have not in any way been developed or improved by the Municipality. In addition to the public notice requirements in Part X of the Act, Council will notify, in writing, all property owners within 500 metres of any dedicated land that will be considered for sale.
- (6) Municipal reserve dedicated as a result of future subdivision will be classified and managed under one of the four categories described in Policy (2) above.

- (7) Pursuant to *The Planning and Development Act, 2007*, 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. Such a request is expected to apply more commonly to, but not necessarily be limited to, industrial subdivisions, commercial subdivisions and subdivisions for low density residential development.
- (8) An ongoing effort shall be made to identify and meet the social and recreational needs of residents and visitors.
- (9) Where possible, public reserve land shall be located adjacent to, and contiguous with, a water body, watercourse and/or another public or environmental reserve.
- (10) Use of dedicated lands adjacent to water bodies shall be limited to natural areas, beaches, approved boat launches and marinas, picnic areas, and trails, and these facilities shall be accessible to the public unless otherwise restricted for safety and security reasons.
- (11) Any alteration or development on public reserve or environmental reserve, including the development of trails, must be approved by Council.
- (12) Clearing of live, disease-free vegetation on public reserve or environmental reserve shall be undertaken only by the municipality only when it has been shown by an assessment by qualified professional environmental expertise that the proposed clearing will not have detrimental environmental impact.
- (13) Infringement or unauthorized clearing or development on public reserve or environmental reserve shall be considered a serious offence requiring Council to take immediate measures to stop the encroachment and, where reasonable, to seek appropriate restitution.

**Table 5.2  
DEDICATED AND MUNICIPAL LAND USE CATEGORIES (MUNICIPAL RESERVES,  
BUFFER STRIPS, WALKWAYS, MUNICIPALLY OWNED LAND)**

<b>Location</b>	<b>Number of Parcels</b>	<b>Municipal Reserves Undeveloped for Public Use</b>	<b>Municipal Reserves with Limited Development</b>	<b>Functional Buffers</b>	<b>Walkways or Municipal Reserves That May Provide Pedestrian Access</b>
Aspen Ridge	3	R11, R13	R12*		
McPhail Cove	6	R, R16	R1, R5, R17		R2
Birch Bay	4		R1, R2, R3, R6		
Neis' Beach North	14	MR1, R14, R15, R16, R17, R18, R19, R20, R22, R23, R24, R25, R26, R27			
Neis' Beach South	12	R1, R2, R4, R5, R6, R7, R8, R9, R11, R12, R13	R3 - "Neis' Beach"		
Sunset Bay	4	R, R2, R3	R1 - "Sunset Bay Beach"		
Sunnyside	6	PR3, PR5	R1, R2, PR3 - "Sunnyside Beach" PR1 - Parking Lot for Sunnyside Beach		
Carwin Park	5	R1, R3, R4, B, H			
Guise Beach	8		R6		R1, R2, R3, R4, R5, R7, R8
McIntosh Point	12	R2, R2, R5, R7, R9	R3, R8		R1, R4, R10, R11, R14
Murray Point	7	R, R3, R4		R1, R2, R5, R6	
Bell's Beach	7	MR12, R2, R4, R5	MR8, R1 - "Bell's Beach", R3		
Spruce Point	4	R*	A, B, C		
Doran Park	5	MR1, MR1, MR2		MB1, MB1	
Clearsand	6	R8		R1, R2, R3, R5, R7	
Anglin Lake	1		R - "Ed Greenop Park"		
<b>Totals</b>	<b>104</b>	<b>55</b>	<b>25</b>	<b>11</b>	<b>13</b>



## **6. RESIDENTIAL LAND USE AND DEVELOPMENT**

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In addition to the General Objectives and Policies for specific municipalities as contained in PARTS C,D, and E, the following General Objectives and Policies shall apply to the Planning District:

### **6.1 GENERAL RESIDENTIAL OBJECTIVES**

- (1) Subject to Area Specific Policies, to provide for a variety of residential forms and options and further:
  - a) To provide for residential development where appropriate;
  - b) To accommodate residential options such as condominium, rental, etc.;
  - c) To provide for country residential development in appropriate rural areas to provide a growth stimulus to the community and choice of lifestyles for residents.
  - d) To accommodate home-based businesses and home occupations.
  
- (2) To ensure that new residential development is located in appropriate areas and further:
  - a) To ensure that buildings and lots are constructed and developed so as to minimize conflict with adjoining landowners and development;
  - b) To ensure that buildings and lots are constructed and maintained to acceptable standards;
  - c) To group similar residential forms, where appropriate;
  - d) To direct country residential uses away from areas of high quality agricultural land;
  - e) To ensure that country residential land uses do not jeopardize agricultural activities or resources;
  - f) To minimize negative impacts of country residential development on the environment;
  - g) To ensure that intensive and single parcel country residential subdivision and development is undertaken in a planned manner and to provide for development of existing country residential sites and abandoned farm yard sites.
  
- (3) To minimize the costs of residential development to the Municipality and further:
  - a) to ensure that development is undertaken in an orderly and planned manner and located in readily serviced locations; and

- b) to control the phasing of development to ensure development occurs within a reasonable time frame appropriate to market influences.
- (4) To promote the orderly development of residential and commercial uses within the Hamlets of Northside and Foxford.

## **6.2 GENERAL RESIDENTIAL POLICIES**

- (1) The Zoning Bylaw will contain residential zoning districts to accommodate the range of existing residential uses, forms and densities that legally existed prior to the adoption of this bylaw.
- (2) The Zoning Bylaw will provide for some residential uses, forms and densities, as permitted or discretionary uses, in other zoning districts, as appropriate.
- (3) Residential building construction will be regulated by the Municipality's building bylaw.
- (4) The bylaws of Council will provide for adequate separation between dwellings to deter fire hazards and for aesthetic and privacy purposes.
- (5) Residential development shall avoid land that is prohibitively expensive for the Municipality to service.
- (6) Council will consider future residential subdivision and development in relation to its proximity to existing development and its overall compatibility with the character and layout of the surrounding community in which it is proposed.
- (7) Subject to all other policies in this DOCP, Council will consider the use of bare land condominiums as an alternative to conventional subdivision, to achieve the goals and residential objectives set out in this DOCP.
- (8) New residential development shall maintain minimum separation distances from existing public works in the form of solid and liquid waste disposal facilities as shown in Table 5-1.
- (9) New residential development shall maintain minimum separation distances from existing industrial/value added processing uses as shown in Table 8-1.

- (10) 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 site.
- (11) The Zoning Bylaw will regulate the distances of buildings or structures from the property line, the minimum space to be allowed between buildings and the property lines of the lots on which they are constructed, the maximum height of buildings or structures and the maximum coverage of a site by buildings and structures.
- (12) Mobile home, RV and trailer courts in the municipality will be accommodated in the Zoning Bylaw via a special residential zoning district.
- (13) 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.
- (14) All existing and future residential development within the District of Lakeland, in any form, shall be deemed to be either lake-oriented or non-lake-oriented by Council, based on the definitions established in the Zoning Bylaw.
- (15) In general, Council will support applications for the subdivision of land for residential purposes that will sever two parcels of land that are “tied” together in the Land Titles Registry, but are physically separated by a road on a registered road plan or a drainage ditch on a registered right of way, and the proposed parcels would have legal and physical access.

### **6.3 MULTIPLE LOT RESIDENTIAL SUBDIVISIONS**

In addition to other applicable policies in this Development Plan, the following policies shall apply to multiple-lot parcel residential subdivision and development:

- (1) **Locational Guidelines**

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

- a) Near a school of sufficient capacity to handle the increase in enrolment or on an existing school bus route;
- b) Near power, natural gas and telephone lines of sufficient capacity to handle such development;
- c) So that adequate police and fire protection can be conveniently provided;
- d) With direct access from an existing or proposed municipal road; and
- e) To protect or enhance existing critical wildlife habitat.

**(2) Locational Requirements**

In order to minimize conflict between multiple-lot residential subdivisions and other development, multiple-lot residential subdivisions shall not be located:

- a) Closer than 600 metres from an existing gravel extraction operation or from a site where it has been documented that in situ aggregate resources are of sufficient quality and quantity to support possible future gravel extraction operations;
- b) Closer than 2 kilometres to a provincial park, provincial recreation site or the limits of an urban municipality when it is demonstrated that a conflict will result with the future long term development of such area;
- c) Closer than 800 metres from a wildlife management area or a bird sanctuary;
- d) Closer than 2 kilometres from an airport.

**(3) Multiple-lot residential subdivisions shall not be located:**

- a) Where direct all-weather municipal 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, collapse or subsidence; or

c) In a linear fashion stretched along municipal roads.

d) On good quality agricultural land, Class, 2, or 3 (according to The Canada Land Inventory for Agriculture). Developments may be permitted on Class 1, 2 and 3 land where these classes are a relatively small portion (e.g. less than 10%) of the total site, or where it is demonstrated by a certified agronomist or other acceptable professional that the land is not suitable or otherwise non-feasible for agricultural use.

**(4) Development and Design**

a) Phasing:

i. A maximum of three multiple lot residential subdivisions in developmental stages will be allowed at any point in time. Multiple lot residential subdivisions with less than 75% completed residential construction will be considered to be in a developmental stage. However, if 75% of available lots in one or more of those three subdivisions does not have completed residential construction and Council is of the opinion that development is lagging because the developer or land owner is holding land vacant or is encountering difficulty with financing the development, then that subdivision may be deemed to not be in a developmental stage by Council.

ii. Additionally, the Council of The District of Lakeland may consider rezoning land to accommodate additional multiple lot subdivision proposals, beyond the limit of three in a developmental stage, where the provisions of Section 12.2.3 (7) (d), (e) or (f) apply.

b) Concept Plan Council will require, in the interests of ensuring a comprehensive and planned approach to development, the preparation of a concept plan for the entire development area and submission of supporting documentation, where appropriate, as follows:

i. Reports, prepared by professionals certified to assess relevant factors, to assess the geotechnical suitability of the site, susceptibility to flooding or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.

ii. Engineering reports to address concerns such as availability of water supply, surface water drainage, and sewage treatment and disposal.

- iii. The initial concept plan shall provide an integrated layout for the total residential subdivision development envisioned, showing road layout and access to external municipal roads, phasing of development, and public access to shoreline areas and dedicated lands, as appropriate. Once the initial concept plan has been accepted by Council, and subdivision and development commences, no subsequent subdivision that is inconsistent with the approved concept plan and with all applicable policies in this Development Plan will be permitted without acceptance of a revised concept plan by Council.
  
- c) Services: Based on the recommendations of engineering reports as per Section b)(ii), above:
  - i. Water:
    - a. each site in the development area shall have its own independent water system; or
    - b. each site in the development area will be connected to a Regional Water Distribution system; or
    - c. each site in the development area will be serviced with an independent communal water supply system approved pursuant to either *The Public Health Act* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act* and associated regulations.
  
  - ii. Sewer:
    - a. each site in the development area shall have its own independent sewage disposal system approved by the Regional Health Authority; or
    - b. each site in the development area will be serviced with an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act* and associated regulations.

- c. Except as required in *The Public Health Act* the Municipality will not be responsible for the operation of communal sewage treatment and disposal systems.

iii. Solid Waste:

- a. Council will consider a proposed development on the basis that a licensed solid waste management facility is available for use by future residents.

(5) **Encroachments**

To facilitate the resolution of encroachment issues, Council will, in general, support applications for the subdivision of residential land that will result in a realignment of property lines but would not result in a net increase in the number of residential sites.

**6.4 HOME BASED BUSINESS**

It is recognized that home based businesses can provide a valuable contribution to the diversified economic base of the district, especially in light of the trend towards increased year-round residency.

- (1) Approvals of 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.
- (2) To ensure compatibility with the residential environment, home based businesses in mobile homes and in two-unit and multiple unit dwellings will be permitted only at Council's discretion.

## **7. COMMERCIAL LAND USE AND DEVELOPMENT**

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### **7.1 OBJECTIVES**

- (1) To develop and maintain viable and attractive commercial areas that are well suited to the municipality and further:
  - a) To accommodate new non lake-oriented and, as appropriate, lake-oriented resort commercial development;
  - b) encourage the provision of goods and services to seasonal residents and visitors but also consider year-round residents of the municipality as their numbers increase;
  - c) maintain and enhance the existing nodes of retail/service commercial development in the municipality; and
  - d) To ensure that buildings and lots are constructed and maintained to acceptable standards.
  
- (2) To ensure that commercial development occurs in a manner which:
  - a) does not detract from the quiet, residential nature of the Lakeland and Candle Lake resort communities;
  - b) minimizes the economic costs of such development to the municipality;
  - c) fits with existing infrastructure, and municipal services (e.g. highways, roads, rail lines);
  - d) minimizes negative impacts on the environment and conflicts with other land uses; and
  - e) directs commercial land uses away from areas of high quality agricultural land and does not jeopardize agricultural activities or resources.
  
- (3) To encourage the enhancement and expansion of a commercial centre in the Resort Village of Candle Lake, and further:
  - a) To encourage commercial developments, as appropriate, to locate within the commercial centre except home-based businesses, permitted home occupations, golf courses, and marinas; and



- b) To explore the concept and potential for an outdoor mall within the commercial centre.

## **7.2 POLICIES**

- (1) The Zoning Bylaw will contain commercial districts that will accommodate existing commercial development that legally conforms at the time of passage of this bylaw.
- (2) Commercial building construction will be regulated by the Municipality building bylaw.
- (3) 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 site.
- (4) Future lake-oriented commercial subdivision or re-zoning for lake-oriented commercial development shall avoid conflict with existing land uses, lake 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:
  - a) anticipated noise levels emanating from the operation or as a result of patrons activities will be sufficient to affect the residential character of nearby residential areas; or
  - b) location or orientation of roads or pedestrian circulation routes such that pedestrian patrons would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public shoreline and other public recreation areas, facilities and destinations in the vicinity; or
  - c) sufficient off-street parking has not been provided to accommodate anticipated use by patrons' vehicles in the vicinity of local public shoreline and other public recreation areas, facilities and destinations; or
  - d) anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas; or

- e) the proposed development would obstruct views of the lake from existing lake-oriented development; or
  - f) anticipated use levels of public shoreline or other public recreation areas, facilities or destinations, created by the proposed development, would result in unacceptable crowding or over-use situations.
- (5) Conflict with lake uses will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
- a) anticipated increased boating or other lake use levels may create unsafe conditions or situations for swimmers, boaters or other lake users on the lake; or
  - b) anticipated requirements for boat docks or other shoreline services and facilities related to the proposed development cannot be practically accommodated without creating unacceptable crowding or over-use situations.
- (6) Future non lake-oriented commercial subdivision or re-zoning for non-lake-oriented commercial 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:
- a) anticipated noise levels emanating from the operation or as a result of patrons activities will be sufficient to affect the residential character of nearby residential areas; or
  - b) a substantial and effective visual and functional buffer area and vehicle circulation barrier, a minimum 200 m deep, has not been established or retained between the proposed subdivision and nearby lake-oriented residential developments; or
  - c) location or orientation of roads or pedestrian circulation routes such that pedestrian patrons would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public recreation areas, facilities and destinations in the vicinity; or

- d) sufficient off-street parking has not been provided to accommodate anticipated use by patrons' vehicles in the vicinity of local public recreation areas, facilities and destinations; or
  - e) anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas.
- (7) Council will encourage new retail/service commercial development to locate in close proximity to existing nodes of retail/service commercial development.
  - (8) New commercial development in the Candle Lake Resort Village will be limited to the village centre unless it is demonstrated the use is required to serve the immediate area and will not conflict with adjacent uses.
  - (9) Subject to all other policies in this Plan, future lake-oriented resort commercial development will only be considered in areas that have been identified as having the capacity to support additional lake-oriented development.
  - (10) New resort commercial development shall maintain minimum separation distances from existing public works in the form of solid and liquid waste disposal facilities as shown in Table 5-1.
  - (11) New resort commercial development shall maintain minimum separation distances from existing industrial/value added processing uses as shown in Table 8-1.
  - (12) 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 the Saskatchewan Highways and Infrastructure.
  - (13) Where Council is of the belief that a proposed commercial 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.
  - (14) Commercial development will be directed to lands designated for such uses in the Zoning Bylaw. The following exceptions may be permitted:

- a) farm-based businesses that sustain the viability of a farming operation or are required to be located on farms or near farm markets (It is recognized that home and farm-based businesses can provide a valuable contribution to the diversified economic base of the rural municipality. Approvals will be based on the valuation of individual operations relative to specific Zoning Bylaw criteria to ensure that agricultural productivity, resource values and land value are not diminished);
  - b) agricultural related commercial uses;
- (15) Before considering a commercial development or subdivision proposal, Council may require the preparation of a concept plan and submission of documentation to demonstrate that the proposal complies with the District Official Community Plan.

## **8. INDUSTRIAL LAND USE AND DEVELOPMENT**

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### **8.1 OBJECTIVES**

- (1) To facilitate industrial development and value-added processing providing that it does not have a deleterious impact on the physical environment and that it does not create conflict with existing land uses.
- (2) To ensure that industrial development occurs in a manner which:
  - a) minimizes the economic costs of such development to the municipality;
  - b) fits with existing infrastructure, and municipal services (e.g. highways, roads, rail lines);
  - c) minimizes negative impacts on the environment and conflicts with other land uses, particularly residential uses;
  - d) ensures that buildings and lots are constructed and maintained to acceptable standards and to minimize the negative visual impact of industrial sites; and
  - e) avoids or minimizes any form of pollution by industrial activities and facilities.
- (3) To fully separate all industrial activities from residential and ecologically sensitive areas.
- (4) To ensure thorough decommissioning and reclamation of any land upon changes to or abandonment of industrial sites.
- (5) To ensure that industrial land uses are directed away from areas of high quality agricultural land, and do not jeopardize agricultural activities or resources.

### **8.2 POLICIES**

- (1) The Zoning Bylaw may contain an industrial district that may be used to accommodate future industrial / value added processing development in the municipality.
- (2) Building construction on industrial sites will be regulated by the Municipality's building bylaw.

- (3) 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 site.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial / value added processing development, providing the proposed development would not 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:
  - a) 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 or the recreational experience of patrons in existing resort or recreation areas; or
  - b) 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, resort or recreational areas.
- (5) Industrial / value added processing shall maintain a minimum separation distance from existing development as shown in Table 8-1. Council may require a greater separation than that shown in Table 8-1, based on the specific nature of the proposed development and the potential for conflict with other uses.
- (6) Before considering an industrial development, subdivision or rezoning application, Council may require that the development application contain information with respect to:
  - a) the types of industry or commercial use to be contained on the site;
  - b) the size and number of parcels proposed;
  - c) the installation and construction of roads, services, and utilities;
  - d) the potential impacts on adjacent land uses, and proposed measures to mitigate any negative impacts;

- e) 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;
- f) the access, egress, and the potential impacts of the proposed development on the highway system and traffic safety;
- g) development standards or design criteria that include such aspects as parking for large trucks, landscaping, screening, storage, and signage; and
- h) any other matters that Council considers necessary.

<b>Table 8-1: MINIMUM SEPARATION DISTANCES BETWEEN INDUSTRIAL/ VALUE ADDED PROCESSING LAND USES &amp; OTHER FEATURES / LAND USES</b>	
<b>Land Use/Location</b>	<b>Required Separation Distance</b>
Single residence <sup>(1)</sup>	600 metres
Multiple lot/unit residential subdivisions <sup>(2)</sup>	1000 metres
+Urban municipality <sup>(3)</sup>	1000 metres
Emma Lake, Christopher Lake, Anglin Lake & McPhee Lake, Candle Lake, Torch Lake, Bay Lake, Heritage Lake, Bittern Lake, Fish Lake <sup>(4)</sup>	1000 metres
Resort commercial development <sup>(5)</sup>	600 metres

**Notes:**

- <sup>(1)</sup>Distances from individual residences are measured between industrial site and residential building.*
- <sup>(2)</sup>Distances from multiple lot or multiple unit residential subdivisions are measured between industrial site and the nearest residential site.*
- <sup>(3)</sup>Distances from urban municipalities are measured between industrial site and the corporate limits of the urban municipality.*
- <sup>(4)</sup>Distances from Lakes are measured between the industrial site and the shoreline of the respective lakes.*
- <sup>(5)</sup>Distances from resort commercial development are measured between industrial site and resort commercial development site.*

- (7) Where Council is of the belief that a proposed industrial/value added processing 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.
- (8) Industrial development will be directed to lands designated for such uses in the Zoning Bylaw rather than being allowed to be scattered throughout the municipality.



## **PART C: DISTRICT OF LAKELAND**

### **PART C-1: DISTRICT OF LAKELAND GENERAL OBJECTIVES AND POLICIES**

In addition to the General Objectives and Policies contained in PART B, The General Objectives and Policies contained in PART C shall apply to the Regions and Areas located within the municipality of the District of Lakeland as illustrated on Map 1- Policy Regions in Section 24.

## **9. RESIDENTIAL LAND USE AND DEVELOPMENT**

In addition to the Residential Land Use and Development Policies contained in Section 6, the following Policies shall apply within the Municipality of the District of Lakeland:

### **9.1 SINGLE PARCEL RESIDENTIAL SUBDIVISION POLICY**

In addition to other applicable policies in this Development Plan, the following policies shall apply to single parcel residential subdivision and development within the District of Lakeland:

- (1) Locational Policies
  - a) In order to minimize conflict between single parcel residential subdivisions and other development, subdivision and subsequent development will be allowed, subject to the following separation policies:
    - i. minimum 400 metres from a wildlife management area or a bird sanctuary;
    - ii. minimum 1 kilometre from an airport;
    - iii. minimum 2 kilometres from the corporate limits of an urban municipality, or the edge of or designated country residential district when it is demonstrated that a conflict will result with the future long term development of such area; and

- iv. minimum 200 metres from an existing or proposed gravel pit operation;
- b) Council may, in following the above, establish minimum separation requirements that are up to twenty per cent (20%) greater than noted above. Such increases shall be dependent upon the degree of conflict resulting between land uses, in terms of such factors as (but not necessarily limited to): noise, dust, odours or other emissions, site lighting or traffic.

## **9.2 LAKE-ORIENTED RESIDENTIAL OBJECTIVES**

- (1) To ensure that future lake-oriented residential development occurs only in areas that have the capacity to support such development.
- (2) To ensure that any future lake-oriented residential development occurs to avoid land and lake use conflicts.
- (3) To ensure that buildings and lots are constructed and developed so as to minimize conflict with adjoining land-owners, lake users and other development.
- (4) To ensure that development of foreshore areas does not create conflict with adjoining landowners and development, and does not grant special privileges to landowners based on the ownership of the foreshore.

## **9.3 LAKE-ORIENTED RESIDENTIAL POLICIES**

- (1) New lake-oriented residential subdivision or re-zoning for lake-oriented residential development shall only occur in areas that have been identified as having the capacity to support it, based on the analysis contained in the Municipal Planning Program Background Report (Crosby Hanna & Associates, August 2005), or as supplemented to Council's satisfaction through more detailed site investigations by recognized credible professionals.
- (2) Future lake-oriented residential subdivision or re-zoning for lake-oriented residential development shall occur to avoid conflict with existing land uses, lake uses and development.
- (3) Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:

- a) location or orientation of roads or pedestrian circulation routes such that pedestrian residents would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public shoreline and other public recreation areas, facilities and destinations in the vicinity; or
  - b) sufficient off-street parking has not been provided to accommodate anticipated use by residents' vehicles in the vicinity of local public shoreline and other public recreation areas, facilities and destinations; or
  - c) anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas; or
  - d) the proposed development would obstruct views of the lake from existing lake-oriented development; or
  - e) anticipated use levels of public shoreline or other public recreation areas, facilities or destinations created by the proposed development would result in unacceptable crowding or over-use situations.
- (4) Conflict with lake uses will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
- a) anticipated increased boating or other lake use levels may create unsafe conditions or situations for swimmers, boaters or other lake users on the lake; or
  - b) anticipated requirements for boat docks or other shoreline services and facilities related to increases in lake use levels cannot be practically accommodated without creating unacceptable crowding or over-use situations.
- (5) Development, including accessory buildings and structures, which include but are not limited to decks, patios and fences, shall be entirely contained within boundaries of the site on which it is proposed to be situated.
- (6) Council shall require a larger site size for new lake-oriented subdivisions (minimum site area: 1,000 m<sup>2</sup>) than currently exists in the densely developed areas of the municipality to reduce future land use conflicts, with the following exceptions:

- (a) for smaller lot sizes to accommodate existing residential development at Kinasao (Lutheran Camp) on Christopher Lake; and
  - (b) for a subdivision of land where the provisions of Section 12.2.3 (7) (d), (e) or (f) apply.
- (7) Council may permit a lake-oriented subdivision that will create two or more residential sites from an existing residential site (infill development) and that will create new residential sites that are no less than 1000 m<sup>2</sup> in area and be rezoned to a zoning district with such minimum site areas but not to a higher density residential zoning district except with the following exceptions:
- (a) for a subdivision of land where the provisions of Section 12.2.3 (7) (d), (e) or (f) apply.
- (8) The development of any buildings, including but not limited to boat houses, fish shacks, storage sheds and decks, will not be permitted in foreshore areas.
- (9) Docks will not require a development permit, but must conform to all other provisions of this Plan and the Zoning Bylaw, and prior approval must be obtained from Saskatchewan Environment and Fisheries and Oceans Canada.
- (10) Council shall monitor development and associated lake use levels and water quality and, if deemed necessary, may change the policies in this Plan respecting lake-oriented residential development, including where it may or may not be permitted.

#### **9.4 NON LAKE-ORIENTED RESIDENTIAL OBJECTIVES**

- (1) To ensure that any future non lake-oriented residential development occurs to avoid land use conflicts.
- (2) To ensure that buildings and lots are constructed and developed so as to minimize conflict with adjoining land-owners and development.

#### **9.5 NON LAKE-ORIENTED RESIDENTIAL POLICIES**

- (1) Future non lake-oriented residential subdivision or re-zoning for non lake-oriented residential 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:

- a) a substantial and effective visual and functional buffer area and vehicle circulation barrier, a minimum 200 m deep, has not been established or retained between the proposed subdivision and nearby lake-oriented residential developments; or
  - b) location or orientation of roads or pedestrian circulation routes such that pedestrian residents would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public recreation areas, facilities and destinations in the vicinity; or
  - c) sufficient off-street parking has not been provided to accommodate anticipated use by residents' vehicles in the vicinity of local public recreation areas, facilities and destinations; or
  - d) anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas.
- (2) Development, including accessory buildings and structures which include decks and patios, shall be entirely contained within boundaries of the site on which it is proposed to be situated.

## **10. INSTITUTIONAL CAMPS**

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### **10.1 OBJECTIVES**

- (1) To ensure that buildings and lots are constructed and maintained to acceptable standards.
- (2) To accommodate the existing lake-oriented residential development (including the existing trailer court) on the Kinasao/Lutheran Camp site.
- (3) To accommodate potential future residential development on institutional camps, as appropriate.
- (4) To ensure that institutional camps and any future development associated with institutional camps does not create conflict with other land-uses.
- (5) To accommodate the existing trailer court within the Prince Albert Sailing Club site.
- (6) To limit future development and expansion of trailer court use in institutional camp sites.

### **10.2 POLICIES**

- (1) The Zoning Bylaw will contain an appropriate zoning district that will accommodate institutional camps in the municipality
- (2) Building construction on institutional camp sites will be regulated by the Municipality's building bylaw.
- (3) 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 site.
- (4) In addition to the above, within the District of Lakeland, the following Additional Policies shall apply to Institutional Camps:
  - a) Subject to all other policies in this Plan, future subdivision of institutional camps will be considered by Council for lake-oriented residential development:
    - i. where separate registered surface parcels for each residence

will be created; and

- ii. where only a single tier of residential sites is proposed; and
- iii. where no more than 50% of the existing institutional camp site's lake frontage, as of the effective date of this bylaw, is proposed to be developed for residential purposes.

b) To reduce ongoing road maintenance costs to the Municipality, Council may favourably consider the creation of a second tier of residential sites where:

- i. the second tier of sites will face the first tier of sites, along the same segment of municipal road; and
- ii. where the total frontage of all residential sites does not exceed the maximum set out in Policy (4)a)iii above.

c) To further reduce ongoing road maintenance costs to the Municipality, Council will favourably consider the creation of residential sites through registration of bare land condominium plans pursuant to *The Condominium Property Act, 1993* and *The Land Surveys Act, 2000*.

d) Future residential development on institutional camp sites will be zoned appropriately, pursuant to the policies in this plan relating to residential densities for lake-oriented residential development.

- (5) Existing residential development on the Kinasao/Lutheran Camp site will be zoned appropriately.
- (6) Residential development permits on the Kinasao/Lutheran Camp site will only be issued for proposed development that is located on its own surface parcel or bare land condominium unit registered in the Land Titles Registry.
- (7) In order to accommodate the existing trailer courts within the Kinasao/Lutheran Camp site and the Prince Albert Sailing Club site, those trailer courts existing as of April 1, 2006 will be deemed to have obtained discretionary use approval. Council will not approve future discretionary use applications for the expansion in area or number of units, of existing trailer courts, or the development of new trailer courts on institutional camp sites.

## **PART C-2: DISTRICT OF LAKELAND REGION SPECIFIC OBJECTIVES AND POLICIES**

### **11. HIGHWAY #2 CORRIDOR**

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#### **11.1 OBJECTIVES**

- (1) To accommodate existing residential and commercial uses that legally conformed prior to passage of this Bylaw.
- (2) To facilitate new residential, commercial and industrial / value-added processing development in a manner that avoids land and lake use conflicts.

#### **11.2 POLICIES**

- (1) Existing commercial and residential uses that legally conformed at the time of passage of this Bylaw, will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the Highway #2 Corridor will be zoned Resource Conservation District. Council will consider requests for re-zoning to other districts based on the policies contained in this District Official Community Plan.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future residential development in the Highway #2 Corridor if the proposed development would not conflict with existing land uses, lake uses and development. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 9.3(3), 9.3(4) and 9.5(1) of this District Official Community Plan, as appropriate to the nature of the proposed residential development.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future commercial development in the Highway #2 Corridor if the proposed development would not conflict with existing land uses, lake uses or development. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4), 7.2(5) and 7.2(6) of this



District Official Community Plan, as appropriate to the nature of the proposed commercial development.

- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial / value-added processing development in the Highway #2 Corridor if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 8.2(4) of this District Official Community Plan.

## **12. SOUTHERN LAKES REGION**

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The Southern Lakes Region is comprised of the lands surrounding Emma and Christopher Lakes, as shown as the Christopher Lake Area, South and Middle Emma Lake Area, North Emma Lake Area and the Interlake Area on Map 2. Much of the land in the Southern Lakes Region is extensively developed, accordingly, most of the RM's population and assessment (residential and commercial) is located in this region. Lake-oriented residential development is the dominant land use in the Southern Lakes Region. Pressure to develop new lake-oriented residential development is high in this region.

### **12.1 CHRISTOPHER LAKE AREA**

#### **12.1.1 Objectives**

- (1) To accommodate existing residential, commercial and institutional camp uses within the Christopher Lake Area that legally conform at the time of passage of this Bylaw.
- (2) To facilitate new lake-oriented development in a manner that avoids land and lake use conflicts.
- (3) To facilitate new non lake-oriented development in a manner that avoids land use conflicts.

#### **12.1.2 Policies**

- (1) Existing residential, commercial and institutional camp uses within the Christopher Lake Area that legally conform prior to passage of this Bylaw will be accommodated and zoned appropriately in the Zoning Bylaw.

- (2) Generally speaking, undeveloped land in the Christopher Lake Area will be zoned Resource Conservation or Rural Forest District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented residential development in the Christopher Lake Area if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 9.3(3) and 9.3(4).
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented commercial development in the Christopher Lake Area if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented residential development in the Christopher Lake Area if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented commercial development in the Christopher Lake Area if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

## **12.2 SOUTH AND MIDDLE EMMA LAKE AREA**

### **12.2.1 Objectives**

- (1) To accommodate existing residential, commercial and institutional camp uses within the South and Middle Emma Lake Area that legally conform prior to passage of this Bylaw.
- (2) To accommodate the existing residential land uses on the Sunnyside Co-op property.

- (3) To provide for appropriate development opportunity for the subdivision of parcels of land that are “tied” together in the Land Titles Registry, but are physically separated by a road on a registered road plan or a drainage ditch on a registered right of way.
- (4) To ensure that new non lake-oriented commercial and residential development occurs to avoid land use conflicts.
- (5) To restrict new lake-oriented residential and commercial development.

### **12.2.3 Policies**

- (1) Existing residential and commercial uses within the South and Middle Emma Lake Area that legally conformed at the time of passage of this Bylaw will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the South and Middle Emma Lake Area will be zoned Resource Conservation or Rural Forest District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) The Zoning Bylaw will contain a special residential zoning district to accommodate the “Sunnyside Coop”.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented residential development in the South and Middle Emma Lake Area, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented commercial development in the South and Middle Emma Lake Area, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented resort commercial development in the South and Middle Emma Lake Area that does not propose to include any form of commercial accommodation including hotels, motels and rental cabins or campgrounds as part of the

development, and providing the proposed development would not conflict with existing land or lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).

(7) Subject to all other policies in this Plan, Council will not permit future bylaw amendments to accommodate new lake-oriented residential development in the South and Middle Emma Lake Area except at its discretion in the following instances:

a) the subdivision is a realignment of existing property lines that would not result in a net increase in the number of residential sites in the region; or

b) the subdivision(s) will facilitate the conversion of an existing trailer court into separate residential sites to be held under separate title, and would not result in a net increase in the total site area developed; or

c) the subdivision will sever two parcels of land that are “tied” together in the Land Titles Registry, but are physically separated by a road on a registered road plan or a drainage ditch on a registered right of way, and the proposed parcels would have legal and physical access.

d) the subdivision will result in the acquisition of Dedicated Land in excess of the minimum requirements of the Act;

e) where Council is of the view that development rights existing prior to passing of Zoning Bylaw No. 7 – 2005 may have been impacted in a manner that was unduly prejudicial;

f) the challenges associated with increased density around South and Middle Emma Lake will be offset by a development that provides enhanced public services, infrastructure or open space to the broader South and Middle Emma Lake area.

## **12.3 NORTH EMMA LAKE AREA**

### **12.3.1 Objectives**

(1) To accommodate existing residential and institutional camp uses within the North Emma lake Area that legally conformed at the time of passage of this Bylaw.

(2) To ensure that any new lake-oriented development occurs in a manner that avoids land and lake use conflicts.

- (3) To ensure that any non lake-oriented development occurs in a manner that avoids land use conflicts.

### **12.3.2 Policies**

- (1) Existing residential and institutional camp uses within the North Emma Lake Area that legally conformed at the time of passage of this Bylaw will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the North Emma Lake Area will be zoned Resource Conservation District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented residential development in the North Emma Lake Area if the proposed development would not conflict with existing land or lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 9.3(3) and 9.3(4).
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented commercial development in the North Emma Lake Area if the proposed development would not conflict with existing land or lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented residential development in the North Emma Lake Area, providing the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented commercial development in the North Emma Lake Area, providing the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

## **12.4 INTERLAKE AREA**

### **12.4.1 Objectives**

- (1) To accommodate existing residential and commercial uses within the Interlake Area that legally conformed at the time of passage of this Bylaw.
- (2) To provide for appropriate development opportunity for the subdivision of parcels of land that are “tied” together in the Land Titles Registry, but are physically separated by a road on a registered road plan or a drainage ditch on a registered right of way.
- (3) To ensure that new non lake-oriented commercial and residential development occurs to avoid land use conflicts.
- (4) To restrict new lake-oriented residential and commercial development.

### **12.4.2 Policies**

- (1) Existing residential, commercial and institutional camp uses within the Interlake Area that legally conformed at the time of passage of this Bylaw will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the Interlake Area will be zoned Resource Conservation or Rural Forest District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) Subject to all other policies in this Plan, Council will consider rezoning land to accommodate future non lake-oriented residential development in the Interlake Area only if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).
- (4) Subject to all other policies in this Plan, Council will consider rezoning land to accommodate future non lake-oriented commercial development in the Interlake Area only if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented resort commercial development in the Interlake Area that does not propose to include any form of commercial accommodation including hotels, motels and rental cabins or campgrounds as part of the development, and providing the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).
- (6) Subject to all other policies in this Plan, Council will not permit future subdivisions or associated bylaw amendments to accommodate new lake-oriented residential development in the Interlake Area except in the following instances:
- a) the subdivision is a realignment of existing property lines that would not result in a net increase in the number of residential sites in the region; or
  - b) the subdivision(s) will facilitate the conversion of an existing trailer court into separate residential sites to be held under separate title, and would not result in a net increase in the total site area developed; or
  - c) the subdivision will sever two parcels of land that are “tied” together in the Land Titles Registry, but are physically separated by a road on a registered road plan or a drainage ditch on a registered right of way, and the proposed parcels would have legal and physical access.

## **13. ANGLIN LAKE REGION**

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### **13.1 OBJECTIVES**

- (1) To accommodate existing residential and commercial uses within the Anglin Lake Area that legally conformed prior to passage of this Bylaw.
- (2) To facilitate new lake-oriented development in a manner that avoids land and lake use conflicts.
- (3) To facilitate new non lake-oriented development in a manner that avoids land use conflicts.

### **13.2 POLICIES**

- (1) Existing residential and commercial uses within the Anglin Lake Area that legally conformed at the time of passage of this Bylaw will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the Anglin Lake Region will be zoned Resource Conservation District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented residential development in the Anglin Lake Area if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 9.3(3) and 9.3(4).
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented commercial development in the Anglin Lake Area if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented residential development in the Anglin Lake Area if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated



by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).

- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented commercial development in the Anglin Lake Area if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

## **14. HIGHWAY #264 CORRIDOR**

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### **14.1 OBJECTIVES**

- (1) To accommodate existing residential and commercial uses within the Highway #264 Corridor that legally conformed prior to passage of this Bylaw.
- (2) To facilitate new lake-oriented development in a manner that avoids land and lake use conflicts.
- (3) To facilitate new non lake-oriented development in a manner that avoids land and lake use conflicts.

### **14.2 POLICIES**

- (1) Existing residential and commercial uses within the Highway #264 Corridor that legally conformed at the time of passage of this Bylaw, as amended, will be accommodated and zoned appropriately in the Zoning Bylaw.
- (2) Generally speaking, undeveloped land in the Highway #264 Corridor will be zoned Resource Conservation District. Council will consider requests for re-zoning to other districts based on the policies contained in this Development Plan.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented residential development in the Highway #264 Corridor, if the proposed development would not conflict with existing land and lake uses. Such conflict will be

demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 9.3(3) and 9.3(4).

- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future lake-oriented commercial development in the Highway #264 Corridor, if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented residential development in the Highway #264 Corridor if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1).
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future non lake-oriented commercial development in the Highway #264 Corridor if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

## **PART D: RURAL MUNICIPALITY OF PADDOCKWOOD**

In addition to the General Objectives and Policies – All Regions contained in PART B, The General Objectives and Policies contained in PART D shall apply to the Regions and Areas located within the Rural Municipality of Paddockwood as illustrated on Map 1- Policy Regions in Section 24.

### **PART D-1: RURAL MUNICIPALITY OF PADDOCKWOOD GENERAL OBJECTIVES AND POLICIES**

#### **15. RESIDENTIAL LAND USE AND DEVELOPMENT**

In addition to the Residential Land Use and Development Policies contained in Section 6, the following Policies shall apply within the Rural Municipality of Paddockwood:

##### **15.1 SINGLE PARCEL RESIDENTIAL SUBDIVISION POLICY**

- (1) In addition to other applicable policies in this DOCP, Single Parcel Country Residential subdivision and development shall be permitted within the Paddockwood, Paddockwood/Candle Lake Interface, and Paddockwood/Lakeland Interface Regions subject to the following policies:
  - a) A maximum of four country residential sites, including the original farmstead per quarter section will be allowed at the discretion of Council.
  - b) Subdivision and subsequent development will be allowed, subject to the following locational and setback conditions:
    - i. 2 km (1.25 miles), or such greater distance as determined by Council, from a National, Provincial, or Municipal Park or Provincial Recreation Site, a wildlife management area, a bird sanctuary, an existing or proposed industrial development or an airport, subject to demonstration of a potential land use or resource management conflict.
    - ii. 2 km (1.25 miles) from the corporate limits of a town, village, hamlet, organized hamlet, or the edge of a designated country residential district when it is demonstrated that a conflict will result with the future long term development of that urban development.

- iii. 201 m (660 feet) from an existing or proposed mineral extraction industry or gravel pit operation.
- iv. Separation requirements from Intensive Livestock Operations as set out in the Zoning Bylaw.
- (c) Single lot country residential subdivision and development will only be permitted where direct all-weather road access has been provided to the satisfaction of Council.
- (d) Development Standards  
The Zoning Bylaw will prescribe maximum and minimum lot sizes and other appropriate development standards for single 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.

## **15.2 HAMLET POLICY**

- (1) Limited residential and commercial growth in the form of infilling of existing vacant land shall be encouraged in the Hamlets of Northside and Foxford.
- (2) The provision of additional lots adjacent to the existing hamlets may be supported by Council only after consultation with the Hamlet Board and subject to compatibility with existing development and provided services can be provided effectively.

## **16. AGRICULTURAL LAND USE AND DEVELOPMENT**

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### **16.1 OBJECTIVES**

- (1) To develop policies, bylaws, and programs to optimize the use of the agricultural land base in support of the growth, expansion and diversification of sustainable agriculture in the Municipality as a viable economic sector.
- (2) To protect agricultural land from negative impacts of incompatible land use and development.
- (3) To restrict agricultural operations which could conflict with other non-compatible uses, such as residential or recreational, or have negative impacts on the natural environment.
- (4) To provide for intensive forms of agriculture including ILOs, exotic animal operations and commercial greenhouses, and to allow for differing forms of land division patterns that intensive agriculture may create.
- (5) To support agribusiness, including processing, energy production, agro-forestry, agricultural by-product management, and agro-tourism, while ensuring they are sited appropriately to minimize land use conflict with other existing and potential future uses.
- (6) To accommodate farm residential needs.

### **16.2 POLICIES FOR GENERAL AGRICULTURAL DEVELOPMENT**

- (1) The Zoning Bylaw will contain an Agricultural zoning district to accommodate the range of potential new agricultural uses, and existing uses that legally existed prior to the adoption of this bylaw.
- (2) The development and operation of farms of a quarter Section or more for field crop, pasture and non-intensive livestock operations will not be restricted.
- (3) The subdivision of quarter sections into parcels smaller than a quarter section will only be permitted in accordance with the provisions of Section 16.7.
- (4) If limited to cultivation without other improvement, any parcel of land not used for another purpose may be used for the raising of an agricultural field crop.

- (5) Intensive agricultural operations and intensive livestock operations will be considered discretionary uses subject to the criteria as specified in the Zoning Bylaw.

### **16.3 POLICIES FOR INTENSIVE LIVESTOCK OPERATION DEVELOPMENT**

- (1) Council will support the development, expansion and diversification of ILOs within the Municipality that meet setbacks and other requirements contained in the Zoning Bylaw.
- (2) Council will work with the approving agency to ensure that ILOs receive required provincial approval for solid and liquid waste storage, management and disposal.
- (3) When making a discretionary use decision Council may consider, in addition to separation criteria as contained in the Zoning Bylaw, areas of potential future residential and recreational development, proposed development areas of an urban Municipality. The separation distance for urban municipality (501- 5000 population) shall be applied from the municipal boundaries of The District of Lakeland or Resort Village of Candle Lake.
- (4) Council will also consider access to roads of sufficient standards to serve the proposal, and the need for source water protection in the area.
- (5) Where Council has approved an ILO development, Council will not consider applications for country residential development, or other land uses that could adversely affect the sustainability of the ILO, within the separation distance.

### **16.4 POLICIES FOR INTENSIVE AGRICULTURAL OPERATION DEVELOPMENT**

- (1) As a basis for approval, Council shall require a proponent of intensive agricultural operations to submit a site plan of the proposed operation.
- (2) Council will require an applicant to demonstrate rightful access to a proven water supply that sufficiently meets the needs of the proposed operation and to show that the water supply for neighbouring developments will not be adversely affected by the proposed operation.
- (3) When reviewing a discretionary use application, Council may consider the location of future residential and recreational development, the potential for land use conflict with respect to residential or recreational development,

proposed growth areas of an urban Municipality, access to developed roads, and the need for source water protection in the vicinity of the proposal.

## **16.5 POLICIES FOR AGRICULTURAL RELATED COMMERCIAL AND INDUSTRIAL USES**

- (1) Commercial or industrial developments which are directly related to agriculture may be approved by Council as a discretionary use provided that:
  - a) incompatibility with other land uses will be avoided, including consideration of proximity to urban centres, hamlets, National Parks and Provincial Parks.
  - b) Council will require an applicant to demonstrate rightful access to a proven water supply that sufficiently meets the needs of the proposed operation and to show that the water supply for neighbouring developments will not be adversely affected by the proposed operation.
  - c) significant areas of good agricultural land will not be permanently removed from production;
  - d) the design and development of the use will conform to high standards of safety, environmental protection and visual quality;
  - e) the development will be situated along an all-weather road; and
  - f) all relevant approvals are obtained from government agencies for uses such as anhydrous ammonia fertilizer facilities.

## **16.6 POLICIES FOR FARM DWELLINGS**

- (1) One farm dwelling will be permitted for agricultural operations.
- (2) Additional dwelling units may be permitted as accessory uses to a legitimate agricultural operation provided it is intended to accommodate farm workers.
- (3) Approval of dwelling units as accessory uses shall not be construed as approval of subdivision.

## **16.7 POLICIES FOR AGRICULTURAL SUBDIVISION**

- (1) Subdivision of land into parcels smaller than a quarter section for legitimate agricultural purposes will be permitted where:
  - a) It is fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man-made (roadway, railway, etc.) barriers; or
  - b) It is intended to be consolidated under one title with adjacent land, in accordance with The Land Titles Act, to create a more viable agricultural unit; or
  - c) It is required to accommodate the purchase or lease of Crown Land
  - d) The Zoning Bylaw will restrict the use of such sites for agriculture purposes only.



## **17. TOURISM AND RESORT LAND USE AND DEVELOPMENT**

### **17.1 OBJECTIVES**

- (1) To ensure that resort development occurs in a planned, orderly manner, and at locations that are compatible with each other.
- (2) To minimize land use and access conflicts and incompatibility with shore land conditions.
- (3) To accommodate a range of tourism and recreation development (including country residential) opportunities in proximity to major resort and tourism/recreation destinations.

### **17.2 POLICIES FOR TOURISM AND RECREATIONAL DEVELOPMENT**

- (1) The Zoning Bylaw will establish a district to accommodate a range of uses related to tourism development such as seasonal residences, country residential, and resorts with related recreational and commercial uses.
- (2) The Multiple Lot Residential Policies as contained in Section 6.3 shall apply to proposed Resort Developments.
- (3) Notwithstanding the immediately preceding sub-clause (2) Council may allow up to three resort residential subdivisions in development stages at any one time in addition to other Multiple Lot Residential developments.

**PART D-2:  
RURAL MUNICIPALITY OF PADDOCKWOOD  
REGION SPECIFIC OBJECTIVES AND POLICIES**

**18. PADDOCKWOOD/LAKELAND INTERFACE REGION**

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**18.1 OBJECTIVES**

- (1) To accommodate existing residential, agricultural, commercial and industrial uses that legally exist at the time of passage of this bylaw.
- (2) To facilitate new development in a manner that avoids land use conflicts and negative environmental impacts.
- (3) To ensure that new development is undertaken in an orderly and planned manner and located in readily serviced locations, thereby minimizing the costs of development to the Municipalities of Paddockwood and Lakeland.
- (4) To encourage the retention of good quality agricultural land and avoid impacts of development that negatively affect agricultural uses.

**18.2 POLICIES**

- (1) The Rural Municipality of Paddockwood shall adopt a Zoning Bylaw to establish Zoning Districts and Regulations in accordance with this District Official Community Plan with respect to the Paddockwood/Lakeland Region.
- (2) Existing agricultural, commercial, industrial and residential uses that legally existed prior to the passage of this bylaw, will be accommodated and zoned appropriately in the Zoning Bylaw.
- (3) Generally speaking, undeveloped land will be zoned Resource Conservation District.
- (4) Council will consider requests for re-zoning based on the policies contained in this DOCP.
- (5) Proponents of new subdivisions will be required to enter a Servicing Agreement with the Rural Municipality of Paddockwood in accordance with Section 172 of *The Planning and Development Act, 2007*.

- (6) Notwithstanding preceding paragraph (5) Proponents of new subdivisions may be required to enter a servicing agreement with both the Rural Municipality of Paddockwood and The District of Lakeland, where it has been determined the proposed subdivision will impact services and facilities of the District of Lakeland. Such agreement may establish a prorated sharing of off-site levies for such services and facilities (eg lagoons, landfills, arterial roadways, recreation facilities)

## **19. PADDOCKWOOD/CANDLE LAKE INTERFACE REGION**

### **19.1 OBJECTIVES**

- (1) To accommodate existing residential, agricultural, commercial and industrial uses that legally conformed at the time of passage of this bylaw.
- (2) To facilitate new development in a manner that avoids land use conflicts and negative environmental impacts.
- (3) To ensure that new development is undertaken in an orderly and planned manner and located in readily serviced locations, thereby minimizing the costs of development to the Municipalities of Paddockwood and Candle Lake.
- (4) To ensure development is compatible with and complements the development objectives of the Candle Lake Region and does not conflict with existing land uses.
- (5) To encourage the retention of good quality agricultural land and avoid impacts of development that negatively affect agricultural uses.

### **19.2 POLICIES**

- (1) The Rural Municipality of Paddockwood shall adopt a Zoning Bylaw to establish Zoning Districts and Regulations in accordance with this District Official Community Plan with respect to the Paddockwood/Candle Lake Region.
- (2) Existing agricultural, commercial, industrial and residential uses that legally conformed prior to the passage of this bylaw, will be accommodated and zoned appropriately in the Zoning Bylaw.

- (3) Generally speaking, undeveloped land will be zoned Forest or Agricultural District.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future residential development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted below:
- a) Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
    - iii. location or orientation of roads or pedestrian circulation routes such that pedestrian residents would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public shoreline and other public recreation areas, facilities and destinations in the vicinity; or
    - iv. sufficient off-street parking has not been provided to accommodate anticipated use by residents' vehicles in the vicinity of local public shoreline and other public recreation areas, facilities and destinations; or
    - v. anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas; or
    - vi. anticipated use levels of public shoreline or other public recreation areas, facilities or destinations created by the proposed development would result in unacceptable crowding or over-use situations.
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future commercial development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(6) of this District Official Community Plan.
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial development, if the proposed development would not conflict with existing land uses. Such

conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 8.2(4).

- (7) Proponents of new subdivisions will be required to enter a Servicing Agreement with the Rural Municipality of Paddockwood in accordance with Section 172 of The Planning and Development Act, 2007.
- (8) Notwithstanding preceding paragraph (7) proponents of new subdivisions may be required to enter a servicing agreement with both the Rural Municipality of Paddockwood and The Resort Village of Candle Lake, where it has been determined the proposed subdivision will impact services or facilities of the Resort Village. Such agreement may establish a prorated sharing of off-site levies for such services and facilities (e.g. lagoons, landfills, arterial roadways, recreation facilities, etc.)

## **20. PADDOCKWOOD REGION**

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### **20.1 OBJECTIVES**

- (1) To maintain the agricultural character of the region.
- (2) To accommodate existing agricultural, residential, commercial and industrial uses that legally conformed at the time of passage of this bylaw.
- (3) To facilitate new development in a manner that avoids land use conflicts and negative environmental impacts.
- (4) To ensure that new development is undertaken in an orderly and planned manner and located in readily serviced locations, thereby minimizing the costs of development to the Municipality.
- (5) To encourage the retention of good quality agricultural land and avoid impacts of development that negatively affect agricultural uses.

### **20.2 POLICIES**

- (1) The Rural Municipality of Paddockwood shall adopt a Zoning Bylaw to establish Zoning Districts and Regulations in accordance with this District Official Community Plan with respect to the Paddockwood Region .

- (2) Existing agricultural, commercial, industrial and residential uses that legally conformed at the time passage of this bylaw, will be accommodated and zoned appropriately in the Zoning Bylaw.
- (3) Generally, land used for agricultural purposes or undeveloped land will be zoned Agricultural District.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future residential development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 19.2(4).
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future commercial development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(6) of this District Official Community Plan.
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 8.2(4).
- (7) Subdivision of land for development will require the proponent to enter a Servicing Agreement with the municipality in accordance with the provisions of *The Act*.

## **21. NATURAL RESOURCE USE REGION**

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### **21.1 OBJECTIVES**

- (1) To accommodate forestry, traditional resource uses and outdoor recreation activities.
- (2) To facilitate new development in a manner that avoids land use conflicts and negative environmental impacts.
- (3) To ensure that new development is undertaken in an orderly and planned manner and located in readily serviced locations, thereby minimizing the costs of development to the Municipality.

### **21.2 POLICIES**

- (1) The Zoning Bylaw will contain a Forest District that will accommodate natural resource harvesting (forestry), outdoor recreation activities and traditional resource uses (trapping, hunting, and fishing).
- (2) Generally speaking, undeveloped land in the Natural Resource Use Region will be zoned Forest District. Council will consider requests for re-zoning to other districts based on the policies contained in this DOCP.
- (3) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future residential or resort use in the Natural Resource Use Region if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 9.5(1) of this DOCP.
- (4) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future commercial development in the Natural Resource Use Region if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 7.2(6).

- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial development in the Natural Resource Use Region if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Section 8.2(4).
- (6) Subdivision of land for development will require the proponent to enter a Servicing Agreement with the municipality in accordance with the provisions of *The Act*.



## **PART E: RESORT VILLAGE OF CANDLE LAKE**

### **PART E-1: RESORT VILLAGE OF CANDLE LAKE GENERAL OBJECTIVES AND POLICIES**

The General Objectives and Policies contained in PART B shall apply to the Regions and Areas located within the Resort Village of Candle Lake as illustrated on Map 1- Policy Regions in Section 24.

### **PART E-2: RESORT VILLAGE OF CANDLE LAKE REGION SPECIFIC OBJECTIVES AND POLICIES**

#### **22. CANDLE LAKE REGION**

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##### **22.1 OBJECTIVES**

- (1) To accommodate existing residential, commercial and industrial uses that legally conformed at the time of passage of this bylaw.
- (2) To facilitate new development in a manner that avoids land and lake use conflicts.
- (3) To accommodate boating facilities for desired types and levels of lake use and to support and encourage responsible management of boating and other water-based activities..

##### **22.2 POLICIES**

- (1) The Resort Village of Candle Lake shall adopt a Zoning Bylaw to establish Zoning Districts and Regulations in accordance with this District Official Community Plan with respect to the Candle Lake Region.

- (2) Existing residential and commercial uses that legally existed prior to the passage of this bylaw, will be accommodated and zoned appropriately in the Zoning Bylaw.
- (3) Generally, undeveloped public land will be zoned Conservation District.
- (4) Undeveloped private land will be zoned Resort Expansion District. Council will consider requests for re-zoning for development purposes based on the policies as contained in this DOCP.
- (5) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future residential development, if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted below:
  - a) Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
    - i. location or orientation of roads or pedestrian circulation routes such that pedestrian residents would need to pass through existing residential areas, where the streets or pedestrian routes are not located or oriented to accommodate such use, in order to access public shoreline and other public recreation areas, facilities and destinations in the vicinity; or
    - ii. sufficient off-street parking has not been provided to accommodate anticipated use by residents' vehicles in the vicinity of local public shoreline and other public recreation areas, facilities and destinations; or
    - iii. anticipated increased traffic levels may create unsafe conditions or situations for vehicles, cyclists or pedestrians within or adjacent to existing residential areas; or
    - iv. the proposed development would obstruct views of the lake from existing lake-oriented development; or
    - v. anticipated use levels of public shoreline or other public recreation areas, facilities or destinations created by the proposed development would result in unacceptable crowding or over-use situations.

- b) Conflict with lake uses will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
  - i. anticipated increased boating or other lake use levels may create unsafe conditions or situations for swimmers, boaters or other lake users on the lake; or
  - ii. anticipated requirements for boat docks or other shoreline services and facilities related to increases in lake use levels cannot be practically accommodated without creating unacceptable crowding or over-use situations.
- (6) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future commercial development, if the proposed development would not conflict with existing land and lake uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 7.2(4) and 7.2(5) of this District Official Community Plan.
- (7) Subject to all other policies in this Plan, Council will only consider rezoning land to accommodate future industrial development, if the proposed development would not conflict with existing land uses. Such conflict will be demonstrated by, but such demonstration will not necessarily be limited to, those situations noted in Sections 8.2(4).
- (8) Council shall adopt a Minimum Maintenance Bylaw to establish standards for the maintenance of property with respect to health, safety, and general appearance.

## **PART F: IMPLEMENTATION**

### **23. IMPLEMENTATION**

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#### **23.1 ZONING BYLAW**

Each municipality within the District will establish its own Zoning Bylaw which will be the principal method of implementing the objectives and policies contained in the DOCP.

(1) **Purpose**

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

(2) **Content and Objectives**

The Zoning Bylaw will implement the land use policies contained in this DOCP as follows:

- a) by prescribing and establishing zoning districts;
- b) providing for a development permit application process;
- c) establishing a list of land uses which will be permitted and those which will be discretionary, thereby requiring the approval of the Council of the affected municipality.
- d) Establishing regulations for the development of land

(3) **Additional District Classifications**

Council may consider adding zoning districts to carry out the objectives of this Development Plan.

(4) **Amendment of 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:

- a) the nature of the proposal and its conformance with all relevant provisions of this Development Plan;
- b) 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;
- c) 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;
- d) the capability of the existing road system to service the proposed use; and
- e) the capability of existing community infrastructure to service the proposal, including water and sewer services as appropriate, and other utilities and community services.

## **23.2 CONTRACT ZONING**

In accordance with Section 69 of *The Planning and Development Act, 2007*, Council may enter an agreement with an applicant for a specific development subject to the Area Specific Requirements and the following considerations:

- (1) The criteria within Section 23.1(4) regarding Amendment of the Zoning Bylaw shall apply to review of applications;
- (2) Zoning by agreement may be considered where the entire range of uses or development standards within a zone may be unsuitable, but where specific uses and development standards are acceptable.
- (3) An agreement shall be entered with the applicant setting out a detailed description of the proposal and reasonable terms and conditions with respect to:
  - a) the use of the land and form of development
  - b) site and building design, parking, access and egress and landscaping
  - c) performance standards to ensure the use will not result in negative impacts on adjacent uses
  - d) prescribed time limit for the use and provision for extension.

- (4) Before entering into agreement under these provisions, Council may require the applicant to deliver a performance bond acceptable to Council to assure implementation of this agreement.
- (5) An agreement entered into under these provisions runs with the land and the municipality shall register an interest in the Land Titles Registry.

### **23.3 USE OF THE HOLDING SYMBOL "H"**

- (1) Council may use the Holding Symbol "H", in conjunction with any other use designation in the Zoning Bylaw, to specify the use to which lands shall be put at some time in the future, but which are now considered premature or inappropriate for immediate development.
- (2) Council shall 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. Such circumstances may require the identification and further consideration of social, environmental or economic issues and opportunities prior to permitting the use and development of the specified lands.
- (3) In making a decision as to whether or not to remove the Holding Symbol "H" by amendment to the Zoning Bylaw and thereby permit the development of the land as specified in the Zoning Bylaw, Council shall consider the suitability of the land for such use and development having regard to:
  - a) the capacity of existing municipal services or the economic provision of new services to facilitate such use and development;
  - b) the effects of such use and development upon the Municipality's transportation system;
  - c) the need to minimize or remediate environmental impacts or conditions in relation to air, water, soil or noise pollution;
  - d) the need to protect any significant natural or heritage feature upon or adjacent to the land; and
  - e) any other matter that Council deems necessary;
- (4) Holding provisions may be applied to any zoning district and to a specific site within a zoning district.

### **23.4 SUBDIVISION AND REZONING APPLICATION REVIEW**

(1) When considering applications to rezone, subdivide, and develop land, Council shall have regard to the following concerns:

- a) Conformity with the DOCP goals, objectives, and policies, and the development standards of the Zoning Bylaw.
- b) Negotiated the terms of a servicing agreement with the applicant, if required, in accordance with the provisions of the Act.
- c) The compatibility and suitability of the proposed use with nearby land uses, existing and preferred public utilities, the character of the area, and the environmental protection goals, objectives, and policies.
- d) The effect of the proposed development on other municipal interests such as municipal reserve and recreational areas.
- e) Any additional reports, studies, development issues, resident concerns, provincial comments, and public hearing submissions.
- f) Determined its wishes with respect to the dedication of public lands.

(2) A decision to rezone land for subdivision and development shall not be approved where the proposal:

- a) Is detrimental to the health, safety, convenience, or general welfare of the persons residing or working in the area.
- b) Is injurious to, or incompatible with, existing or proposed developments or public utilities in the vicinity.
- c) Involves the refusal of a developer to enter into a servicing or development agreement.

(3) The Council may require an owner or applicant to undertake, at the applicants cost, any studies deemed necessary by the Council prior to considering sub-division, rezoning, or discretionary use proposals. These studies may include, but are not limited to:

- a) Environmental Site Assessment, conforming to the Canadian Standards Association (CSA) Standard Z768-94. The cost of the environmental site assessment shall be entirely the responsibility of the owner or applicant. Council's decision regarding the requirement for an Environmental Site Assessment shall be based on:

- Knowledge of past industrial or commercial use of the site;
  - Potential for future uses to be sensitive to the effects of pollution or to be used by children or the elderly, who are particularly sensitive to the effects of pollution; and
  - Any other reason that Council may have to require some assurance that a property is environmentally suitable for the proposed use.
- b) Professional traffic study to address issues including: parking, circulation, highway access, emergency access, and impact of traffic, noise, dust, etc. on adjacent residential areas. Council's decision regarding the requirements for a traffic study shall be based on:
- Knowledge of existing traffic concerns in the immediate area;
  - Access to the proposed development or use being via a local road, through a residential area; or
  - Any other reason causing Council to have concern about potential traffic needs or effects.

### **23.5 PLANNING DISTRICT COMMISSION**

- (1) The municipalities shall establish a Planning District Commission in accordance with Division 2 of *The Planning and Development Act, 2007*.
- (2) Council shall refer the following development applications to the North Central Lakelands Planning District Commission (NCLPDC) for its review and recommendations:
- a) all applications for re-zoning;
  - b) all applications for amendment to the District Official Community Plan;
  - c) all applications for subdivision proposing:
    - i. more than 5 residential lots;
    - ii. a new lot for industrial or commercial use; and
  - d) any other planning or development related matter that the municipality determines may require consideration by the Commission.

### **23.6 ADMINISTRATION**

- (1) This District Official Community Plan (DOCP) is binding on the municipalities, the Crown, and all other persons, associations and organizations, and no development shall be carried out in the municipality that is contrary to this DOCP.



- (2) The interpretation of words as contained in the Zoning Bylaw shall apply to the words in this DOCP.
- (3) If any part of this DOCP is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this DOCP.

(4) **Update of Development Plan**

Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this Development Plan shall be reviewed and updated within five years of adoption.

(5) **Development Levies**

In accordance with Section 169 of *The Planning and Development Act, 2007*, Council may establish, by separate bylaw, development levies for the purpose of recovering all or a part of the capital costs of providing, altering, expanding or upgrading services and facilities associated with a proposed development.

## **23.7 PUBLIC CONSULTATION**

(1) **Objectives**

- a) To ensure that the public is informed and consulted appropriately regarding planning and development proposals, and amendments to the District Official Community Plan.
- b) To enhance public knowledge in regard to planning and development, resource management, environmental protection, and about the content and implications of this District Official Community Plan and the Zoning Bylaw.

(2) **Policies**

- a) Council shall undertake public consultation in accordance with the provisions of part X of *The Act* for any bylaw proposing to amend the DOCP or Zoning Bylaw.

- b) Council may provide opportunities for public participation, including additional advertisement of proposals, beyond those required by *The Act*.
- c) The Council of the Resort Village of Candle Lake will endeavour to present proposals for subdivision or rezoning to the public during the summer period (May 01 to the first Monday of November) to invite public input. Alternatively, proposals may be considered at any time of the year provided a written notice has been distributed by mail to all assessed owners of land located within 400 meters of the proposed development.

## **24. MAPS**

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- 1. Policy Regions**
- 2. Southern Lakes Region**
- 3. Anglin Lake Region**
- 4. Highway #264 Corridor Region**