

**RURAL MUNICIPALITY OF
ABERDEEN NO. 373**

BASIC PLANNING STATEMENT

Prepared for:

Rural Municipality of Aberdeen No. 373

Prepared by:

CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE AND PLANNING
SASKATOON, SK

March 2007

RURAL MUNICIPALITY OF ABERDEEN NO. 373
BYLAW NO. _____

A Bylaw of the Rural Municipality of Aberdeen No. 373 to adopt a Basic Planning Statement.

The Council of the Rural Municipality of Aberdeen No. 373, in the Province of Saskatchewan, in open meeting assembled, hereby enacts as follows:

1. Pursuant to Section 44 of *The Planning and Development Act, 1983*, the Council of the Rural Municipality of Aberdeen No. 373 hereby adopts the "Rural Municipality of Aberdeen No. 373 Basic Planning Statement", identified as Schedule "A" to this Bylaw.
2. The Reeve and the Rural Municipal Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
3. Bylaw No. 9205, the Basic Planning Statement, and all amendments thereto, are hereby repealed.

4. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time this ____ day of _____, _____

Read a second time this ____ day of _____, _____

Read a third time this ____ day of _____, _____

Adoption of bylaw this ____ day of _____, _____

REEVE

SEAL

RURAL MUNICIPAL ADMINISTRATOR

Certified a true copy of the Bylaw adopted by Resolution of Council on the ____ day of _____, _____.

A Commissioner for Oaths in the Province of Saskatchewan
My appointment expires _____.

SCHEDULE "A"

BYLAW No ___/200__

RURAL MUNICIPALITY OF ABERDEEN NO. 373

BASIC PLANNING STATEMENT

Reeve

SEAL

Rural Municipal Administrator

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1. INTRODUCTION

1.1 AUTHORITY

In accordance with Sections 39 and 42 of *The Planning and Development Act, 1983*, the Council of the Rural Municipality of Aberdeen No. 373 has prepared and adopted this Basic Planning Statement to provide the Rural Municipality with goals, objectives and policies relating to approximately 15 - 20 years of future growth and development within the community.

Section 42 of *The Planning and Development Act, 1983*, provides that a Basic Planning Statement is required to:

- a) contain a statement of the objectives for the future development of the municipality.
- b) contain a statement of the objectives to be accomplished by a Zoning Bylaw.
- c) incorporate, insofar as is practical, any applicable provincial land use policies.
- d) be based on any studies and surveys that the Minister may require or that may otherwise be appropriate.
- e) address any other matters that Council considers advisable.

1.2 SCOPE

The policies of this Basic Planning Statement shall apply to the incorporated area of the Rural Municipality. All development within the incorporated boundaries of the Rural Municipality shall conform to the objectives and policies contained in this Basic Planning Statement

1.3 PURPOSE

This Basic Planning Statement is intended to serve as a statement of the goals, objectives and policies of the Rural Municipality of Aberdeen No. 373 relating to the future growth and development of the community. The policies are intended to provide Council with direction in establishing other bylaws and programs to guide the future growth and establish guidelines for formulating decisions on future land use and development proposals.

2. MUNICIPAL GOALS

2.1 NATURAL AND HERITAGE RESOURCE BASE

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

2.2 PHYSICAL AND ECONOMIC DEVELOPMENT

- (1) To ensure sustainable physical development which reflects both market conditions and public needs, and is compatible with municipal financial capabilities and the need for resource conservation.
- (2) To strengthen the economic base of the municipality by creating a positive environment for sustainable business development.

2.3 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.

3. NATURAL AND HERITAGE RESOURCES

3.1 FINDINGS

- (1) A total of approximately 2629 ha (6496 acres) of wetlands have been identified in the municipality. In addition to providing often important wildlife habitat, wetlands are generally unsuitable for most forms of development and land use and may also present a flood hazard to many forms of development.
- (2) Lands exist within the municipality that are potentially subject to periodic flooding and erosion.
- (3) The Soil Survey report for the R.M. of Aberdeen indicates that a total of 13,570 ha (33,532 acres) is rated Class 2 or better in terms of capability for dry land agricultural production.
- (4) It is expected that only approximately 400 ha (988 acres) of land in the municipality may contain gravel resources that could offer potential as municipal or commercial sources of this aggregate resource.
- (6) One Municipal Heritage Property has been designated in the R.M. of Aberdeen. In addition to this, a high number of sites (432) have been documented as containing significant cultural heritage resources, including four “sites of a special nature”.

3.2 OBJECTIVES

- (1) To encourage the subdivision and development of land in the Municipality in an environmentally sustainable manner.
- (2) To protect natural features, resources, communities and ecosystems in the Municipality.
- (3) To protect known aggregate (gravel) sources from incompatible forms of development.
- (4) To protect historic, archaeological and other features, resources or sites of cultural heritage significance from incompatible development and, where such protection cannot be achieved, to ensure appropriate mitigation of impacts.
- (5) To encourage the preservation of natural wildlife habitat areas and other significant areas of natural vegetation in the Municipality.

- (6) To ensure that development does not occur on potentially hazardous land without adhering to appropriate development standards.
- (7) To ensure that future development does not compromise the significant cultural and heritage resources in the R.M..

3.3 POLICIES

- (1) Development shall not deplete or pollute ground water in the municipality.
- (2) Development shall not damage or destroy fish habitat within the municipality.
- (3) Development shall not needlessly destroy unique flora or critical wildlife habitat, providing fire and / or other safety hazards are not created.
- (4) Wetland areas along a lake, slough or creek will be protected and, where appropriate, integrated with recreational uses and development. Future development will not alter such wetland areas other than by the addition of appropriate structures such as: walkways, pedestrian bridges, boardwalks, and interpretive media.
- (5) Development shall not damage or destroy any building or site deemed to be of cultural or heritage significance.
- (6) 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.
- (7) Development shall avoid land that is potentially hazardous due to flooding, erosion, slumping or slope instability.
- (8) Where there is subdivision of land, any areas that are determined to be hazard land will be designated as environmental reserve in accordance with *The Planning and Development Act, 1983*.
- (9) Council may refuse to authorize development of structures on hazard land or may permit development only in accordance with specified mitigation measures. 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.

- (10) Development shall avoid land that is environmentally sensitive.

4. AGRICULTURAL LAND USE AND DEVELOPMENT

4.1 FINDINGS

- (1) The Soil Survey report for the R.M. of Aberdeen indicates that a total of 13,570 ha (33,532 acres) is rated Class 2 or better in terms of its capability for dryland agricultural production.
- (2) Agricultural activity in the R.M. of Aberdeen is dominated by the dryland cultivation of grains and oilseeds, followed by the cattle industry.
- (3) 6 Intensive Livestock Operations (I.L.O.'s) are known to exist in the R.M.
- (4) Policy is needed to ensure adequate site size for agricultural holdings but flexibility will be needed to accommodate intensive agriculture, small-scale farms and farm diversification / agricultural innovation.
- (5) Policy is required to accommodate farm land subdivision to reflect realities of farm debt settlement, farmland consolidation, estate settlement and the existence of natural and human-created barriers and obstructions.
- (6) Policy is needed to deal with the location and development of Intensive Livestock Operations. Such policy must reflect the role(s) and responsibility(ies) of both the province and the Municipality in controlling I.L.O. development.
- (7) Policy is needed to provide for the orderly development of farm-based businesses in the Municipality (e.g. seed-cleaning plants).

4.2 OBJECTIVES

- (1) To recognize the value of high quality agricultural land for continuing productive agricultural use.
- (2) To protect agricultural land uses from negative impacts of non-agricultural use and development.
- (3) To ensure that buildings and lots are constructed and maintained to acceptable standards.
- (4) To accommodate intensive agricultural uses in the municipality provided they observe development standards and do not override environmental concerns.

- (5) To promote and encourage agricultural land use practices and development which enhance soil conservation.
- (6) To encourage agricultural and natural resource development which will improve the economic health of the Municipality.
- (7) To encourage, and provide opportunity for, further development and land uses that will result in increased economic diversification, agricultural innovation and agriculture-related value-added activity in the Municipality.
- (8) To accommodate agroforestry as an agricultural use.
- (9) To provide opportunity for farm-based business opportunities.
- (10) To accommodate farm residential needs.

4.3 POLICIES

- (1) The primary agricultural uses include grain farming, mixed grain/livestock operations, farm operations and farm residences, intensive agricultural uses, agricultural related commercial and industrial developments, and farm or home-based businesses. The Zoning Bylaw will contain an Agriculture / Commercial District to provide for these uses and compatible development.
- (2) Agriculture and farm-residential building construction will be regulated by the Rural Municipality's Building Bylaw.
- (3) Intensive Agriculture Uses
 - (a) Intensive Livestock Operations (ILO's)
 - (i) It is Council's view that development of ILO's is appropriate, provided that unacceptable land use conflicts are not created as a result of such development. In general, Council will support the development of intensive agricultural and livestock operations (ILO's) unless specific locational conflicts would be created.
 - (ii) Intensive livestock operations involving 100 animal units or more will be permitted subject to the discretion of Council in accordance with specific policies contained herein. An expansion of an operation to provide for a greater number of animal units than the maximum number specified in the initial discretionary use approval, or any change in an operation which alters the species of animal reared, confined or fed in the operation, shall require a new discretionary approval.

- (iii) The Zoning Bylaw may provide for the temporary confinement of cattle on a farm operation during winter months as part of a permitted use general mixed farm operation.
- (iv) Using the discretionary use procedure outlined in the Zoning Bylaw, Council shall require advertisement of a proposal that will result in development of an intensive livestock operation, or in the expansion or alteration of an intensive livestock operation requiring a new discretionary use approval, and shall hold a public hearing on the proposal.
- (v) Council shall require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- (vi) Council may require an applicant to utilize manure management practices or other technology than conventional stockpiling and spreading.
- (vii) As a condition of approval, Council may impose standards to reduce the potential for conflict with neighbouring uses which specify:
 - the location of holding areas, buildings or manure storage facilities on the site.
 - manure management practices of the operation.
 - use of synthetic or other covers for liquid manure storage lagoons or earthen manure storage facilities.
 - use of ventilation measures in buildings to control odours.
 - requirements for monitoring wells for water quality and quantity purposes.
 - annual confirmation of the availability of sufficient suitable lands for the disposal of manure.
- (viii) For applications for wild boar operations, Council may require that a containment plan be submitted, setting out in detail the techniques and methods to be used to keep the wild boars contained.

(b) Locational Policies

- (i) In order to minimize conflicts between intensive livestock operations and other development, policies for minimum separation between land uses are set out in Table 3-2. These minimum separation distance policies shall apply both to development, alteration or expansion of intensive livestock operations and to other development proposed in the vicinity of existing intensive livestock operations.
 - (ii) Council may approve a lesser separation than set out in (i) above where the applicant submits a copy of an agreement between the operator of the ILO and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an operator and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 215 of *the Planning and Development Act, 1983* to register an interest to the title(s) of the affected lands.
 - (iii) Council may require a greater separation than set out in (i) above. This would apply only where an unacceptable land use conflict would result with existing development. (e.g.: in instances where higher nearby development intensity or topographic situation results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels).
 - (iv) Council may require a greater separation from any liquid manure storage lagoon or earthen manure storage facility involved in the operation, to residential and other developments. A separation distance to the lagoon or storage facility from a residence of 1.5 times the distance required as per (i) above will be considered adequate.
- (c) Other Intensive Agricultural Uses
- (i) Intensive agricultural uses, such as nurseries, market gardens and other forms of intensive agriculture aimed at diversification of the farm economy, will be encouraged and permitted subject to the discretion of Council. Council may require the proponents of such developments to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation, as a basis for approval.
 - (ii) The Zoning Bylaw will contain minimum site size standards for intensive agricultural uses. Smaller sites will be permitted for

intensive agricultural uses, excluding intensive livestock operations, to facilitate their development.

- (iii) New intensive agriculture development in the form of market gardens shall maintain minimum separation distances from existing industrial and hazardous industrial uses as shown in Tables 3-3 and 3-4.

TABLE 4-1: POLICIES FOR MINIMUM SEPARATION DISTANCE RELATING TO INTENSIVE LIVESTOCK OPERATIONS			
Other Principal Land Uses	100 - 300 Animal Units	301 - 1,000 Animal Units	Over 1,000 Animal Units
Residence not owned by the ILO operator ⁽¹⁾ , tourist accommodation ⁽²⁾	300 metres (985 feet)	800 metres (0.5 miles)	1,200 metres (0.75 miles)
Multiple-lot country residential subdivision ⁽³⁾ , hamlet ⁽³⁾ or urban municipality ⁽⁴⁾	1,600 metres (1 mile)	2,400 metres (1.5 miles)	3,200 metres (2 miles)
Commercial or industrial use ⁽⁵⁾	300 metres (1,000 feet)	300 metres (1,000 feet)	300 metres (1,000 feet)
Municipal Well ⁽⁶⁾	1,600 metres (1 mile)	1,600 metres (1 mile)	1,600 metres (1 mile)

- Notes:**
- (1) Distances from individual residences are measured between livestock facilities and residential building development.
 - (2) Distances from tourist accommodations are measured between livestock facilities and the tourist accommodation site.
 - (3) Distances from multiple-lot country residential subdivisions and hamlets are measured between livestock facilities and the residential or hamlet sites.
 - (4) Distances from urban municipalities are measured between livestock facilities and the corporate limits of the urban municipalities.
 - (5) Distances from commercial or industrial uses are measured between livestock facilities and the commercial or industrial sites.
 - (6) Distances from municipal wells are measured between livestock facilities and the well head.

(4) Agricultural Related Commercial and Industrial Uses

- (a) The Zoning Bylaw will list principal agricultural related commercial and industrial uses as discretionary uses.
- (b) Approval for such commercial or industrial developments may be granted if their function is related to agriculture and only after a review by Council, to ensure that:
 - (i) incompatibility with other land uses will be avoided, including consideration of proximity to urban centres, hamlets and multiple-parcel country residential subdivisions.
 - (ii) policies for environmental quality control will not be jeopardized, including water and waste disposal servicing.

- (iii) the design and development of the use will conform to high standards of safety, visual quality and convenience.
- (iv) the development will be situated along an all-weather municipal road.
- (v) all relevant approvals are obtained from government agencies for uses such as anhydrous ammonia fertilizer facilities.

(5) Farm Dwellings

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

(6) Agricultural Subdivision Policy

(a) Agricultural Land

Except as otherwise provided for intensive agricultural operations, the fragmentation of agricultural holdings is not encouraged. However, subdivision of land into parcels smaller than a quarter section for legitimate agricultural purposes will be permitted where:

- (i) the severity of a financial crisis for a particular farm operation is demonstrated, in Council's opinion, to warrant the subdivision of a smaller site to assist debt restructuring or settlement.
- (ii) it is fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man made (roadway, railway, etc.) barriers.
- (iii) it is intended to be consolidated under one title with adjacent land, in accordance with *the Land Titles Act, 2000*, to create a more viable agricultural unit.
- (iv) the agricultural parcel created results from the subdivision of land for purposes consistent with the objectives and policies in this Bylaw.
- (v) it is intended to accommodate estate planning or settlement.
- (vi) it will accommodate the purchase or lease of Crown land.

(7) Farm Based Businesses

- (a) It is recognized that farm based businesses and on-farm employment opportunities, such as but not limited to bed and breakfast establishments and vacation farms, can provide a valuable contribution to the diversified economic base of the rural municipality. Farm based businesses shall be listed as discretionary uses in the Zoning Bylaw. Approvals will be based on the evaluation of individual operations relative to specific zoning bylaw criteria to ensure that the agricultural character or land value is not diminished.
 - (b) Farm based businesses that include the provision of commercial accommodation, including but not limited to bed and breakfast establishments and vacation farms, shall maintain minimum separation distances from existing industrial and hazardous industrial uses as shown in Tables 3-3 and 3-4.
- (8) Dugouts, sewage lagoons, and manure storage pits shall maintain a minimum separation distance of 38 metres from the legal boundaries of municipal road right-of-ways / road allowances and provincial highway right-of-ways.

5. RESIDENTIAL LAND USE AND DEVELOPMENT

5.1 FINDINGS

- (1) Residential development in the R.M. of Aberdeen can generally be classified as “country” residential in character.
- (2) Two country residential subdivisions have been developed and built in the R.M. (Strawberry Hills and Strawberry Ridge). Three more subdivisions have been registered in the R.M. but are in vary stages of being serviced and built out (Berghem Estates, Cherry Hills, Mission Ridge).
- (3) Land use policy is required to minimize the costs of country residential development to the municipality and to ensure that it is undertaken in an orderly, planned manner.
- (4) Pressure to develop Country Residential subdivisions in the R.M. has been very high in recent years. Policies are required to deal with future applications for country residential subdivision and development, including locational guidelines and other conditions under which it may be permitted.

5.2 OBJECTIVES

- (1) To ensure that country residential land uses do not jeopardize essential agricultural or other natural resource activities.
- (2) To permit country residential development to provide a growth stimulus to the community and choice of lifestyles for residents.
- (3) To minimize the economic costs of country residential development to the Municipality.
- (4) To minimize negative impacts of country residential development on the environment and on surrounding land uses.
- (5) To ensure that multiple-lot 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.
- (6) To ensure that buildings and lots are constructed and developed so as to minimize conflict with adjoining land-owners and development.

5.3 POLICIES

- (1) The Zoning Bylaw will contain a series of country residential zoning districts to accommodate the range of existing residential uses, forms and densities that legally conform to Bylaw 9206, as amended.
- (2) Residential building construction shall be regulated by the R.M.'s Building Bylaw.
- (3) The bylaws of Council will provide for adequate separation between dwellings, clear of fire hazards.
- (4) Subject to all other policies in this document, Council will consider bare-land condominium development as an alternative to conventional subdivision, to achieve the goals and residential objectives set out in this document.
- (5) In association with an application for a development permit, Council may 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 adversely be affected by potential runoff from the site.
- (6) The Zoning Bylaw will regulate the distances of building 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 or structures.
- (7) 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.
- (8) Single Parcel Country Residential Policy

- (a) Locational Policies

- (i) To retain the agricultural character of the Municipality, a maximum of four separate single-parcel country residential sites per quarter section will be allowed at the discretion of Council. In order to minimize conflict between single-parcel country residential subdivisions and other development, subdivision and subsequent development will be allowed, subject to the following separation policies:

- minimum 400 metres from a wildlife management area or bird sanctuary.

- minimum 2 kilometres from the corporate limits of an urban municipality, or the edge of designated country residential district when it is demonstrated that a conflict will result with the future long term development of such area.
 - minimum 1.6 kilometres from an area that may be used for industrial purposes or large scale agricultural related commercial uses;
 - minimum 200 metres from an existing or proposed gravel pit operation.
- (ii) 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.
- (iii) The following separation policies shall also apply:
- minimum separation from Intensive Livestock Operations as provided in Section 4.3(3)(b) of this Bylaw.
 - minimum separation from industrial uses as provided in Section 7.3(8) of this Bylaw.
 - minimum separation from hazardous industrial uses as provided in Section 7.3(12) of this Bylaw.
 - minimum separation from public works in the form of solid and liquid waste management or disposal facilities as provided in Section 8.3(8) of this Bylaw.
- (iv) Single parcel country residential subdivision and development will be permitted only where direct all-weather public road access has been provided to the satisfaction of Council.

(b) Development Standards

- (i) The Zoning Bylaw will prescribe maximum and minimum site sizes and other appropriate development standards for single lot country residential development, with the aim of limiting the amount of productive agricultural land taken out of production and ensuring that such development does not result in increased road hazards related to obstruction of sight lines, etc..
- (c) Single parcel country residential subdivision and development will not be permitted on a quarter section that includes an existing multiple-parcel country residential subdivision.

(9) Multiple-Lot Country Residential Policy

- (a) The Zoning Bylaw will contain a series of country residential zoning districts to accommodate multiple-lot country residential subdivisions.
- (b) Subdivision for non farm residential development at a density greater than four residential sites per quarter section will be considered for multiple-lot developments, on the basis of project merits relative to the policies in this Bylaw. Such subdivision shall be implemented in association with a rezoning to a country residential zoning district.
- (c) Locational Guidelines

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

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

- (i) In order to minimize conflict between multiple-lot country residential subdivisions and other development, multiple-lot country residential subdivisions shall not be located:
- Closer than 1.6 kilometres (1 mile) from an area that may be used for large scale agricultural related commercial uses.
 - Closer than 305 metres (1,000 feet) from a non-refrigerated anhydrous ammonia facility or 600 metres (2,000 feet) from a refrigerated anhydrous ammonia facility licensed by the Government of Saskatchewan. Residences, which are an integral part of the fertilizer operation, are not subject to the foregoing requirements.
 - Closer than 600 metres (2,000 feet) 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.
 - Closer than 2 kilometres (1.25 miles) to a hamlet, regional park or the limits of an urban municipality.
 - Closer than 800 metres (0.5 miles) from a wildlife management area or bird sanctuary.
 - Closer than 2 kilometres (1.25 miles) from an airport.
- (ii) Multiple-lot country residential subdivisions are subject to policies governing minimum separation from Intensive Livestock Operations, as provided in Section 4.3(3)(b) of this Bylaw.
- (iii) Multiple-lot country residential subdivisions are subject to policies governing minimum separation from industrial uses as provided in Section 7.3(8) of this Bylaw.
- (iv) Multiple-lot country residential subdivisions are subject to policies governing minimum separation from hazardous industrial uses as provided in Section 7.3(12) of this Bylaw.
- (v) Multiple-lot country residential subdivisions are subject to policies governing minimum separation from public works in the form of solid and liquid waste management or disposal facilities as provided in Section 8.3(8) of this Bylaw.
- (vi) Multiple-lot country residential subdivisions shall not be located:

- Where direct all-weather public road access has not been developed, except where arrangements have been made, to the satisfaction of Council, for the development of such access.
- On land subject to flooding, or land where there is a high water table or potential for soil slumping, collapse or subsidence.
- In a linear fashion stretched along municipal roads.

(e) Development and Design

- (i) Phasing A maximum of three multiple-lot country residential subdivisions in developmental stages will be allowed at any point in time. Multiple-lot country residential subdivisions with less than 75% of building lots with completed residential construction will be considered to be in a developmental stage. If more than 16 sites are proposed within a single subdivision project, Council may require the project to be developed in stages to ensure that the proposal is not premature, and may limit the area of rezoning at any one time, and may utilize the holding symbol (H), pursuant to *Section 84 of The Planning and Development Act, 1983*. Where council is of the opinion that a sufficient supply of desirable lots is unavailable, this guideline may be adjusted.
- (ii) New Proposals: Pursuant to 5.3(9)(e)(i) above, when Council determines that an additional multiple-lot country residential subdivision is appropriate for consideration with respect to a zoning change (to a country residential zoning district), it will issue a formal Request For Country Residential Development Proposals. This Request For Country Residential Development Proposals will allow Council evaluate preliminary proposals / concepts pursuant to the “Country Residential Development Proposal Evaluation Workbook” contained in Section 12 of this Bylaw. Subject to all other policies contained within this Bylaw, Council will only consider rezoning land to accommodate additional multiple-lot country residential development where:
 - the proposal was deemed successful by Council pursuant to the Rural Municipality’s formal Request For Country Residential Proposals process; and
 - the proposal has been formally referred to Council by the Subdivision Approving Authority.
- (iii) Scale & Density Each multiple-lot country residential subdivision development shall be limited to a maximum area of 64.8 hectares

(160 acres), and contain no more than 23 separate residential sites, including any existing single-parcel country residential subdivisions.

- (iv) 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 area that will ultimately be developed and submission of supporting documentation, where appropriate, as follows:
- 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.
 - Engineering reports to address concerns such as availability of water supply, surface water drainage, and sewage treatment and disposal.
 - The initial concept plan shall provide an integrated layout for the total country residential subdivision development envisioned, showing road layout and access to external public road, phasing of development, and dedicated lands. 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 all policies in this document will be permitted without acceptance of a revised concept plan by Council.
- (v) Services: Based on the recommendations of engineering reports as per Section (iv), above:

Water:

- each site in the proposed development area shall have its own independent water system; or
- each site in the proposed development area will be connected to a Regional Water Distribution system; or
- each site in the proposed development area will be serviced with an independent communal water supply system approved pursuant to either *the Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *the Environmental Management and Protection Act, 2002* and associated regulations.

Except as required in *the Public Health Act, 1994*, the Municipality will not be responsible for the operation of communal water systems.

Sewer:

- each site in the proposed development area shall have its own independent sewage disposal system approved by the Regional Health Authority; or
- each site in the proposed development area will be serviced with an independent communal sewage collection, treatment and disposal system approved pursuant to either *the Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *the Environmental Management and Protection Act, 2002* and associated regulations.

Except as required in *the Public Health Act, 1994*, the Municipality will not be responsible for the operation of communal sewage treatment and disposal systems.

Solid Waste:

- Council will require that an agreement has been reached for the disposal of solid waste in a licensed solid waste management facility.

(f) Development Standards

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

(11) Home Based Business

It is recognized that home based businesses can provide a valuable contribution to the diversified economic base of the Rural Municipality. Approvals 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.

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

6. HAMLETS

6.1 FINDINGS

- (1) The hamlet of Edenberg includes limited residential / agriculture development on large sites and a dairy farm.

6.2 OBJECTIVES

- (1) To accommodate future development in Hamlets which will minimize conflict with other land users.
- (2) To ensure that future development within Hamlets is consistent with the capacities of the R.M.'s infrastructure to support it.

6.3 POLICIES

- (1) The Zoning Bylaw designate land within the Hamlet of Edenburg for agriculture development.
- (2) Limited residential and commercial growth in the form of infilling of existing vacant land shall be allowed in the Hamlets. The provision of additional lots adjacent to existing communities will not proceed until such time as a detailed layout and servicing concept is prepared for the affected Hamlet and is adopted by Council.

7. COMMERCIAL AND INDUSTRIAL LAND USE

7.1 FINDINGS

- (1) Commercial and light Industrial activity in the Municipality includes several large-scale agriculture-oriented industrial operations as well as a green house, agricultural service operations, and aggregate extraction. Policy should provide direction for growth and development of industrial / commercial enterprises relating to agriculture and other enterprises if and as demand arises.
- (2) To avoid conflict with other land uses / development, policies are required to set locational guidelines and other conditions under which industrial and commercial development may be permitted.
- (3) Policy is needed to provide for the orderly development of farm-based and home based businesses in the Municipality.

7.2 OBJECTIVES

- (1) To ensure that buildings and lots are constructed and maintained to acceptable standards.
- (2) To maintain and enhance the existing nodes of commercial and industrial development in the municipality.
- (3) To facilitate new commercial and industrial development that would avoid land use conflicts.
- (4) To protect existing and future agricultural-oriented industrial land uses in the Municipality from incompatible forms of development.
- (5) To ensure that future agricultural-oriented industrial land uses do not conflict with other land uses and development within the municipality.

7.3 POLICIES

- (1) The Zoning Bylaw will contain a commercial district that will accommodate existing commercial and industrial development that legally conforms to Bylaw 9206, as amended.
- (2) Principal light industrial and commercial uses will be accommodated as permitted uses within the commercial zoning district.

- (3) Principal heavy industrial uses will be accommodated as discretionary uses within the commercial zoning district.
- (4) Commercial and industrial building construction will be regulated by the R.M.'s Building Bylaw.
- (5) In association with an application for a development permit, Council may 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.
- (6) Future commercial or industrial subdivisions or re-zoning for commercial or industrial development shall avoid conflict with existing land uses and development. Conflict with existing land uses and development will be demonstrated by, but such demonstration will not necessarily be limited to, the following:
 - (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
 - (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,.
- (7) Highway commercial uses should maintain the functional integrity of the highway, through the use of service road systems, or controlled highway access points, which are approved by Saskatchewan Highways and Transportation.
- (8) Industrial uses shall maintain a minimum separation distance from existing development as shown in Table 7-1. Council may require a greater separation than that shown in Table 7-1, based on the specific nature of the proposed development and the potential for conflict with other uses.

TABLE 7-1: MINIMUM SEPARATION DISTANCES BETWEEN INDUSTRIAL LAND USES & OTHER FEATURES / LAND USES	
Land Use/Location	Required Separation Distance
Single residence ⁽¹⁾	300 metres (0.2 miles)
Multiple lot/unit residential subdivisions ⁽²⁾	800 metres (0.5 miles)
Urban municipality ⁽³⁾	1,600 metres (1 miles)
Resort commercial development ⁽⁴⁾	800 metres (0.5 miles)

- Notes:**
- (1) Distances from individual residences are measured between industrial site and residential building.
 - (2) Distances from multiple lot or multiple unit residential subdivisions are measured between industrial site and the nearest residential site.
 - (3) Distances from urban municipalities are measured between industrial site and the corporate limits of the urban municipality.
 - (4) Distances from resort commercial development are measured between industrial site and resort commercial development site.
- (a) Council may approve a lesser separation than set out in Table 7-1 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 215 of *the Planning and Development Act, 1983* to register an interest to the title(s) of the affected lands.
- (9) Before considering an industrial or commercial 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.
 - (h) any other matters that Council considers necessary.
- (10) Commercial and industrial development should be encouraged to locate along existing primary transportation corridors.
- (11) Where Council is of the belief that a proposed commercial or industrial development may require large volumes of water, Council may require the applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- (12) Hazardous Industries

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

- (a) It is Council's view that hazardous industries have the potential to negatively affect the general welfare of nearby residents and farm operations, relating to such factors as decreased land values and perceived hazards. Therefore, in order to minimize conflict between hazardous industrial uses and other development, policies for minimum separation distances between hazardous industrial uses and other principal land uses are listed in Table 7-2. These minimum separation distance policies shall apply both to development, alteration or expansion of hazardous industries and to other development proposed in the vicinity of existing hazardous industries.
- (b) Council may approve a lesser separation than set out in (a) above where the applicant submits a copy of an agreement between the operator of the hazardous industry and the owner(s) of the other affected development or urban Council (as appropriate), agreeing to such lesser separation. Such agreements between an operator and an owner (owners) of another

development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 215 of *the Planning and Development Act, 1983* 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) Separation from permanent surface water bodies or water courses of at least 1.6 km (1 mile).
- (e) Buildings or yards used for the storage, handling or processing of hazardous materials shall be located at least 75 m (250 feet) from any road or railway right-of-way.
- (f) 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 hazardous industrial use and shall hold a public hearing on the proposal.

TABLE 7-2: POLICIES FOR MINIMUM SEPARATION DISTANCE RELATING TO HAZARDOUS INDUSTRIAL USES	
OTHER PRINCIPAL LAND USES	DISTANCE
Single residence ⁽¹⁾ , tourist accommodation ⁽²⁾	1,600 metres (1 mile)
Multiple-lot country residential subdivision, lakeshore residential subdivision or hamlet ⁽³⁾	2,400 metres (1.5 miles)
Urban Municipality ⁽⁴⁾	2,400 metres (1.5 miles)
Municipal Well ⁽⁵⁾	1,600 metres (1 mile)

Notes:

- (1) Distances from individual residences are measured between hazardous industrial use sites and residential building development.
- (2) Distances from tourist accommodations are measured between hazardous industrial use sites and the tourist accommodation site.
- (3) Distances from multiple-lot country residential subdivisions, lakeshore residential subdivisions and hamlets are measured between hazardous industrial use sites and the residential or hamlet sites.
- (4) Distances from urban municipalities are measured between hazardous industrial use sites and the corporate limits of the urban municipalities.
- (5) Distances from municipal wells are measured between hazardous industrial use sites and the well head.

8. MUNICIPAL INFRASTRUCTURE/SERVICES

8.1 FINDINGS

- (1) The R.M. is currently responsible for the maintenance of approximately 340 miles of municipal main farm access, grid, special grid or primary grid, and other municipal roads (gravel and bladed) in the Municipality. Policy is required to ensure that future development does not place additional unnecessary pressure on existing road maintenance obligations of the Municipality.
- (2) The R.M. operates a solid waste transfer station ½ mile west of the Town of Aberdeen. Policy is needed with respect to future management and disposal of solid waste and sewage generated in the Municipality.
- (3) The R.M. operates four raw water stations throughout the R.M. Policy is needed to ensure that future development in the Municipality can be adequately serviced by municipal infrastructure systems.
- (4) Policy is needed requiring that, as a condition of subdivision approval, applicants shall enter into a servicing agreement with the Municipality, as provided for in Section 143 of *the Planning and Development Act 1983*.
- (5) Residents of country residential subdivisions are requesting more municipal services than that which is typically provided by a Rural Municipality. Policies are required to clarify the level and types of services the R.M. is capable of delivering to country residential developments.

8.2 OBJECTIVES

- (1) To ensure that any new development can reasonably be accommodated by existing municipal services.
- (2) To ensure that the road maintenance obligations created by any future residential development can be fulfilled.
- (3) To ensure that development does not create any traffic safety issues.
- (4) To ensure that future development does not exceed capacities of municipal solid waste management and sewage disposal facilities.

8.3 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, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (2) All developments shall provide for:
 - (a) on-site liquid waste treatment and disposal approved pursuant to *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority; or
 - (b) an independent communal sewage collection, treatment and disposal system approved pursuant to either *The Public Health Act, 1994* and associated regulations, as administered by the Regional Health Authority or *The Environmental Management and Protection Act, 2002* and associated regulations.
- (3) All developments shall provide for solid waste disposal to the satisfaction of Council.
- (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) Except as required in *The Public Health Act, 1994*, the Municipality will not be responsible for the operation of communal water systems or communal sewage treatment and disposal systems.
- (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 8-1.

TABLE 8-1: POLICIES FOR MINIMUM SEPARATION DISTANCE RELATING TO PUBLIC WORKS IN THE FORM OF SOLID AND LIQUID WASTE MANAGEMENT OR DISPOSAL FACILITIES		
OTHER PRINCIPAL USES	SOLID WASTE FACILITY	LIQUID WASTE FACILITY
Single residence ⁽¹⁾ , tourist accommodation ⁽²⁾	457 metres (1,500 feet)	600 metres (2,000 feet)
Multiple-lot residential subdivision ⁽³⁾ or urban municipality ⁽⁴⁾	457 metres (1,500 feet)	600 metres (2,000 feet)
Commercial or industrial use ⁽⁵⁾	457 metres (1,500 feet)	300 metres (1,000 feet)
Municipal well ⁽⁶⁾	1,600 metres (1 mile)	1,600 metres (1 mile)

- Notes:**
- (1) Distances from individual residences are measured between waste facility site and residential building.
 - (2) Distances from tourist accommodations are measured between waste facility site and the tourist accommodation site.
 - (3) Distances from multiple-lot residential subdivisions are measured between waste facility site and the residential sites.
 - (4) Distances from urban municipalities are measured between waste facility site and the corporate limits of the urban municipality.
 - (5) Distances from commercial or industrial uses are measured between waste facility site and the commercial or industrial site.
 - (6) 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 215 of *the Planning and Development Act, 1983* 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 may establish, by separate bylaw, policies respecting garbage pickup and solid waste disposal in country residential subdivisions and other areas of the Rural Municipality.

(10) Transportation Policies

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

(10) Dedicated Land Policies

- (a) When dedication of Municipal Reserve is required for a subdivision, Council will request cash-in-lieu of dedication unless there is a specific need for park land in the vicinity of the proposed development.

9. INTERMUNICIPAL/JURISIDCTIONAL COOPERATION

9.1 FINDINGS

- (1) The R.M. of Aberdeen surrounds the Town of Aberdeen which is situated in the centre of the R.M. and is located approximately 29 km northeast of Saskatoon (west of provincial Highway #41)
- (2) The population of the Town of Aberdeen is projected to grow at least modestly (at an accelerating rate), eventually leading to a need for additional land to be brought within Town boundaries to accommodate such growth. It is anticipated that the Town will require an annexation in the short to medium term future.

9.2 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 pursue agreements, with the Town of Aberdeen, that will address future growth directions and joint delivery of services, based on the planning needs of the Rural Municipality as well as the Town of Aberdeen.

9.3 POLICIES

- (1) Council will pursue inter-municipal cooperation, with the Town of Aberdeen, in the provision of municipal services with the interest of improving municipal services and providing them on a more cost-effective basis.
- (2) Council will facilitate cooperation with the Town of Aberdeen with respect to existing and future development in the Town that has or potentially will have a significant impact on the R.M.'s services, facilities, residents and / or natural resources.
- (3) Land within 3.2 kilometres (2 miles) of the corporate limits of the Town of Aberdeen shall be considered the rural-urban fringe.

- (4) Council will evaluate annexation proposals by all urban municipalities within the R.M.. Council will consider the impact of an annexation:
 - (a) on adjacent rural land uses;
 - (b) on the agricultural productivity of the area;
 - (c) on the relationship of annexed lands to the particular community's growth strategy as defined within its Basic Planning Statement or Development Plan; and
 - (d) on the financial implications of the annexation to the R.M..
- (5) Council will favourably consider boundary alteration proposals where the boundary alteration proposal is intended to accommodate community growth and development sufficient to accommodate up to ten (10) years projected growth providing that this growth / need is demonstrated to the satisfaction of Council.
- (6) The following land uses may be permitted within the rural-urban fringe only if they are complementary to the long-term growth strategy of the municipality, or if the urban municipality does not clarify its intentions for the area:
 - (a) multi-parcel country residential development.
 - (b) intensive recreation development.
 - (c) rural industrial park development.

10. FUTURE LAND USE CONCEPT

The Future Land Use Concept for the Rural Municipality of Aberdeen No. 373 reflects the present land use patterns as well as identified opportunities for, and constraints on, future land use and development within the R.M.. The concept identifies two "Policy Areas," to be referred to as:

- (1) Country Residential Policy Area
- (2) Agricultural / Commercial Policy Area

The purpose of these Policy Areas shall be to help in applying the general goals, objectives and policies of the Basic Planning Statement, as well as objectives and policies relating more specifically to the spatial distribution of land use and development opportunities and constraints.

The designation of these Policy Areas in the Basic Planning Statement is shown on the map entitled "Future Land Use Concept", which forms part of the policies set out in the Basic Planning Statement.

10.1 AGRICULTURE / COMMERCIAL POLICY AREA

10.1.1 Intent

The intent of the Agriculture / Commercial Policy Area is to accommodate appropriate commercial and industrial development and to encourage agriculture and other natural resource-oriented developments and uses.

10.1.2 Separate Residential Sites

- (1) Within the Agriculture / Commercial Policy Area, single parcel residential development may occur in a limited fashion on separate sites, subject to the general and residential development policies in the Basic Planning Statement and to development standards set out in the Zoning Bylaw.

10.1.3 Implementation

- (1) Lands within the Agriculture / Commercial Policy Area occupied by existing commercial, industrial or multiple parcel residential development will be zoned for such purposes in the Zoning Bylaw.
- (2) Agriculture / Commercial Development Policy Area development requirements, limitations and standards shall be further specified in the Zoning Bylaw. Generally, land within the Agriculture / Commercial Development Policy Area will be zoned restrictively (generally for agriculture development), until and unless applications for commercial or industrial development are approved.

- (3) Where applications for commercial or industrial development or subdivisions are made in the Agriculture / Commercial Policy Area, Council will consider such applications favourably and make required amendments to the Zoning Bylaw to accommodate such developments where it is demonstrated that:
 - (a) site conditions are suitable for the type of development.
 - (b) negative environmental impacts of such development are avoided or suitably mitigated.
 - (c) the proposed development would not conflict with surrounding land uses and development.
 - (d) the development conforms to all other relevant provisions of the Basic Planning Statement and Zoning Bylaw.
- (4) Council will not approve applications for multiple-parcel country residential subdivisions in the Agriculture / Commercial Policy Area.

10.2 COUNTRY RESIDENTIAL POLICY AREA

10.2.1 Intent

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

10.2.2 Implementation

- (1) Lands within the Country Residential Policy Area occupied by existing country residential development will be zoned for such purposes in the Zoning Bylaw.
- (2) Elsewhere within the Country Residential Policy Area, until and unless applications for country residential developments are approved, land will be zoned restrictively (generally for agriculture development).
- (3) Where applications for rezoning to accommodate multiple parcel, residential subdivisions are made in the Country Residential Policy Area, Council will consider such applications and make required amendments to the Zoning Bylaw to accommodate such developments where it is demonstrated that:
 - (a) site conditions are suitable for multiple parcel country residential development.
 - (b) negative environmental impacts of such development are avoided or suitably mitigated.

- (c) the proposed development would avoid or suitably mitigate potential conflict with surrounding land uses and development.
 - (d) the development conforms to all other relevant provisions of the Basic Planning Statement and Zoning Bylaw.
- (5) Intensive Livestock Operations shall not be permitted in the Country Residential Policy Area.

11. IMPLEMENTATION

11.1 ZONING BYLAW

The Zoning Bylaw will be the principal method of implementing the objectives and policies contained in this Basic Planning Statement.

(1) **Purpose**

The purpose of the Rural Municipality of Aberdeen No. 373 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 Rural Municipality.

(2) **Content and Objectives**

The Zoning Bylaw will implement the land use policies contained in this Basic Planning Statement by prescribing and establishing zoning districts. The Zoning Bylaw will contain the following zoning districts:

(a) **A - Agriculture District**

The objective of this district is to provide for the primary use of land in the form of agricultural development, associated residences, limited single-parcel country residential development, location-dependent natural resource development other uses compatible with agricultural development.

(b) **CR1 - Low Density Country Residential District**

The objective of this district is to provide for low density, multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

(c) **CR2 - Medium Density Country Residential District**

The objective of this district is to provide for medium density, multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

(e) C1 - Commercial / Industrial District

The objective of this district is to provide for commercial, light industrial, heavy industrial and other compatible development in specific areas, with standards for such development.

(3) **Additional District Classifications**

Council may consider adding other zoning districts to carry out the objectives of this Basic Planning Statement, or to provide for a greater density of development than initially considered in this Basic Planning Statement.

(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 Basic Planning Statement;
- (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.

(5) **Zoning By Agreement**

- (a) Where an application is made to Council to rezone land to permit the carrying out of a specified proposal, Council may, for the purpose of accommodating the request, enter into an Agreement with the Applicant pursuant to Section 82 of *The Planning and Development Act, 1983*.
- (b) Section 11.1(4) of this Basic Planning Statement shall apply in the review of applications for rezoning by agreement.
- (c) Council may enter into an agreement with the applicant setting out a description of the proposal and reasonable terms and conditions with respect to:

- (i) the uses of the land and buildings and the forms of development.
 - (ii) the site layout and external design, including parking areas, landscaping and entry and exit ways.
 - (iii) any other development standards considered necessary to implement the proposal, provided that the development standards shall be no less stringent than those set out in the requested underlying zoning district.
- (d) Council may limit the use of the land and buildings to one or more of the uses permitted in the requested zoning district.

(6) **Use of the Holding Symbol “H”**

- (a) 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.
- (b) Council shall specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment of 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.
- (c) In making a decision as to whether or not to remove the Holding Symbol “H” by amendment of the Zoning Bylaw and thereby permit the development of the land as specified in the Zoning Bylaw, Council shall consider whether such development has progressed to a point where extension of municipal services and connection to municipal systems is appropriate.
- (d) Holding provisions may be applicable to all land use categories in the Basic Planning Statement and may be applied to any zoning category and to a specific site within a zoning category.
- (e) Existing uses shall be permitted, subject to Sections 113 to 118 of *The Planning and Development Act, 1983*.

11.2 OTHER IMPLEMENTATION TOOLS

(1) **Subdivision Application Review**

- (a) In reviewing any application for subdivision, Council shall indicate support for such application only when it has:
 - (i) Ensured that all policies and guidelines established regarding densities, development standards and design of the subdivision, as set out in this Basic Planning Statement, have been satisfied.
 - (ii) Ensured that the application is in conformity with the zoning bylaw.
 - (iii) Negotiated the terms of a servicing agreement, if required, with the applicant.
 - (iv) Determined its wishes with respect to the dedication of lands.

(2) **Land Exchange and Purchase**

- (a) To facilitate the relocation of non-conforming uses, Council may consider a program for acquiring such sites, or for exchanging municipally owned land in an appropriate area of the Rural Municipality for the relocation of those uses.

(3) **Building Bylaw**

- (a) Council will use its building bylaw to provide standards for the construction, repair and maintenance of buildings in the community as well as ensuring acceptable physical conditions. Provisions for occupancy permits and inspections can be included in the bylaw.

(4) **Development Levies**

- (a) In accordance with Section 55.1 of *The Planning and Development Act, 1983*, 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.

11.3 OTHER

(1) Update of Basic Planning Statement

- (a) Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this Basic Planning Statement, including the Future Land Use Concept, shall be reviewed and updated within five years of adoption.

(2) Further Studies

- (a) As necessary, Council will undertake such studies or programs required to facilitate and encourage the growth and development of the Rural Municipality.

(3) Cooperation and Inter-jurisdictional Consideration

- (a) Council will work with the Town of Aberdeen and with other neighbouring rural or urban municipalities to develop joint service programs where such arrangements will be of financial benefit to the Rural Municipality.
- (b) Council will work with the Town of Aberdeen to improve beneficial and cost effective joint administrative and other services.
- (c) Council will consider the provision of recreational facilities on a community basis with the other governments for the community that the facilities are intended to serve.

(4) Programs

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

(5) **Provincial Land Use Policies and Interests**

- (a) This Bylaw shall be administered and implemented in conformity with applicable provincial interests, statutes and regulations and in co-operation with provincial agencies.
- (b) Council will review this Basic Planning Statement and the Zoning Bylaw for consistency with a new provincial interest adopted pursuant to *The Planning and Development Act, 1983*.
- (c) Wherever feasible and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.

11.3 ADMINISTRATION

- (1) This Basic Planning Statement is binding on the Rural Municipality, the Crown, and all other persons, associations and organizations, and no development shall be carried out in the Municipality that is contrary to this Basic Planning Statement.
- (2) The Zoning Bylaw definitions shall apply to this Basic Planning Statement.
- (3) If any part of this Basic Planning Statement 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 Basic Planning Statement.

12. MAPS

MAP 1 FUTURE LAND USE CONCEPT

insert Future Land use concept

13. COUNTRY RESIDENTIAL DEVELOPMENT
PROPOSAL EVALUATION WORKBOOK
