

**TOWN OF LUMSDEN  
BYLAW NO. 14-2012**

A Bylaw to amend Bylaw No. 14-2002 known as the Official Community Plan.

The Council of the Town of Lumsden, in the Province of Saskatchewan, enacts to amend Bylaw No. 14-2002 as follows:

1. Table of Contents, Section 13.0 Bylaw Implementation is amended by deleting the reference in Section 13.1 to "Land Use Concept Map" and substituting the following thereto:

"13.1 Future Land Use Map"

2. Table of Contents is amended by deleting the section pertaining to Maps and substituting the following thereto:

**"Maps**

Plan Map 1 – Future Land Use Map  
Plan Map 2 – Pedestrian and Cycling Corridor Map  
Plan Map 3 – Traffic Count Information  
Plan Map 4 – Environmentally Sensitive Areas Map"

3. PART 1.0 INTRODUCTION is amended by deleting the first sentence and substituting the following thereto:

"The Council of the Town of Lumsden prepared and adopted a Basic Planning Statement in 2002 in accordance with Sections 39 and 42 of The Planning and Development Act, 1983 to provide the Town with goals, objectives and policies relating to future growth and development within the community. According to Section 248 of The Planning and Development Act, 2007 (the Act), a Basic Planning Statement existing as of the date of the coming into force of the Act is deemed to be an Official Community Plan and is continued in force as if it were approved under the Act insofar as it is not inconsistent with the Act or a provincial land use policy or statement of provincial interest. Therefore references in this document to "Basic Planning Statement" should be taken to mean "Official Community Plan"."

4. References to "The Planning and Development Act, 1983" and to sections of that Act that are contained within Bylaw No. 14-2002 are deleted and replaced with references to "The Planning and Development Act, 2007 (The Act)" and to applicable sections of The Act as follows:

- A. PART 8.0 PUBLIC SERVICE LANDS Section 8.3 Public Service Policies is amended by deleting subsection 4 and substituting the following thereto:

"4. Council will require a servicing agreement in accordance with Section 172 of *The Act* at the time of subdivision approval to ensure that new subdivisions are developed to the standards of the Town and may adopt a development levy bylaw pursuant to Section 169 of *The Act* to address other concerns specific to a proposed development."

- B. PART 13.0 BYLAW IMPLEMENTATION Section 13.2.2 Servicing Agreements is amended by deleting the words "Section 143 of the Act" and substituting the following thereto:

"Section 172 of *The Planning and Development Act, 2007.*"

  
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- C. PART 13.0 BYLAW IMPLEMENTATION Section 13.3 Development Levies and Agreements is amended by deleting the words "Section 55.1, 55.2 and 55.3 of The Act" and substituting the following thereto:

"Section 169 of *The Planning and Development Act, 2007* and Sections 171 and 173 of The Act respectively."

5. References to "Government Relations and Aboriginal Affairs" that are contained within Bylaw No. 14-2002 are deleted and replaced with references to "the Ministry of Government Relations" as follows:

- A. PART 9.0 FLOODPLAIN Section 9.1 Floodplain Considerations is amended by deleting the words "Government Relations and Aboriginal Affairs" and substituting the following thereto:

"the Ministry of Government Relations."

- B. PART 9.0 FLOODPLAIN Section 9.3 Floodplain Policies is amended by deleting the words "Government Relations and Aboriginal Affairs" and substituting the following thereto:

"the Ministry of Government Relations."

- C. PART 13.0 BYLAW IMPLEMENTATION Section 13.2.1 Subdivision Process is amended by deleting the words "Government Relations and Aboriginal Affairs" and substituting the following thereto:

"the Ministry of Government Relations."

6. PART 2.0 FUNDAMENTAL VALUES AND VISION Section 2.1 Community Values is amended by adding an additional community value as follows:

"Residents have pride in the appearance and aesthetics of their community based on its natural setting in the river valley and wish in the future to enhance Lumsden's tradition in strong environmental stewardship."

7. PART 3.0 THE FORM OF LUMSDEN Section 3.3.8 Boundary Alteration is amended by deleting the first paragraph and substituting the following thereto:

"The Town of Lumsden is expected to continue to grow because it offers a desirable rural character with diverse services, highway access, and proximity to a large urban centre. Council may from time to time seek to alter the town boundaries in such a manner to ensure a sufficient supply of land for future urban expansion and development in accordance with the policies of this Plan. Land that can accommodate future development for a ten to twenty year period and that can be serviced in a practical and cost effective manner will be considered sufficient for future development. The Future Land Use Map herein identifies land for future annexation which will serve as the future growth areas for the Town. The Town of Lumsden will endeavour to work closely with the Rural Municipality of Lumsden No. 189 to protect its long term planning interests. It is important that peripheral development in the area of the Town's potential future growth areas occurs in a manner that does not cause adverse effects upon existing land use or future development or create servicing difficulties for the Town."

- 8. PART 3.0 THE FORM OF LUMSDEN Section 3.3.9 Implementing Boundary Alterations is amended by deleting the last two sentences and substituting the following thereto:

“Plan Map 1 - Future Land Use Map identifies potential land use for areas adjacent to the town boundary that have potential for future inclusion into the Town of Lumsden.”

- 9. PART 4.0 RESIDENTIAL DEVELOPMENT Section 4.2 Residential Objectives is amended by deleting subsection 5 and substituting the following thereto:

“5. The Town has identified a Future Annexation Area to accommodate its future growth and is committed to working in cooperation with the R.M. towards the development of “like minded” planning policies which respect the Town’s long term interests in the development of this area. The Town encourages the R.M. to incorporate these policies in its planning bylaws. In addition, the Town will encourage the R.M. to implement planning policies and a consultation process for the development of land within the rural / urban fringe that extends a greater distance from the Town (e.g. 1 km or some other mutually agreed upon distance) that respects Town interests.”

- 10. PART 4.0 RESIDENTIAL DEVELOPMENT Section 4.3 Residential Policies is amended by adding the following new Subsection:

“18. Additional residential subdivision development will be supported by Council to ensure a three to five year supply of serviced lots. Where Council is of the opinion that a sufficient supply of desirable lots is unavailable, or a sufficiently wide range of lots for certain dwelling types and densities is unavailable, this guideline may be adjusted.”

- 11. PART 5.0 COMMERCIAL DEVELOPMENT is amended by adding the following sentence to Section 5.1.2 Special Events and Arts and Crafts Business:

“Recently various craftsmen and artists have indicated that they wish to work out of their homes. Consequently, the Town is in agreement that the arts and crafts production should be included as an allowable home based business in the community.”

- 12. PART 5.0 COMMERCIAL DEVELOPMENT is amended by deleting the last sentence in Section 5.1.3 Home Based Business and substituting the following thereto:

“Home-based businesses should not include those types of businesses that would normally locate in commercial areas or have a deleterious impact on the sewage treatment system or the environment. Arts and crafts production is anticipated to become an increasingly important part of the home-based business sector in the future.”

- 13. PART 6.0 INDUSTRIAL DEVELOPMENT Section 6.3.1 Implementation is amended by deleting the subsection titled “I2 – Craft Industrial District” and substituting the following thereto:

“I2 – Craft Industrial District

The purpose of this zoning district is to accommodate development of small scale manufacturing of one-of-a-kind (or limited reproductions such as prints and



photographs) art and craft products of unique character and high quality, and to facility storage, wholesale, and retail sales of art and craft as a complement to the Town Centre Commercial District. The intent is to accommodate the development of an identifiable and thriving artisan area within the community which accommodates the expansion of a wide range of small scale arts and craft production facilities for products of unique character and high quality and associated activities including retail sales of products, storage and wholesale functions. Provision for onsite residency for artists and proprietors will be accommodated.”

14. PART 8.0 PUBLIC SERVICE LANDS Section 8.1 Public Service Concerns is amended by deleting the first sentence in paragraph six and substituting the following thereto:

“Municipal sewer and water services are being expanded to accommodate a growing population.”

15. PART 8.0 PUBLIC SERVICE LANDS Section 8.3 Public Service Policies is amended by adding the following new Subsections:

“8. The Town will not be responsible for the capital 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. Council may require a proponent of a development to undertake an engineering study that clearly articulates the on and off-site infrastructure required to support the development. On-site and off-site infrastructure to support new development proposals may:

- already exist and have the capacity to support the development, subject to the payment of applicable levies or fees; or
- be proposed to be constructed by the developer as an integral component of the development itself.

9. Council will consider partnering with local urban and rural municipalities, such as the R.M. of Lumsden, to construct and manage infrastructure that will support future development in the Town and the region, including but not limited to sewage treatment and disposal systems, water treatment and distribution systems and solid waste management facilities.

10. Council will not approve new subdivision applications unless infrastructure and utility systems and services have adequate capacity.”

16. PART 11.0 ENVIRONMENTAL PROTECTION Section 11.1 Environmental Considerations is amended by deleting the third sentence and substituting the following thereto:

“Second, the issues of river water pollution, energy conservation, waste reduction, and recycling are very important urgent matters.”

17. PART 11.0 ENVIRONMENTAL PROTECTION Section 11.3 Environmental Policies is amended by deleting subsections 9 and 10 and substituting the following thereto:

“9. To conserve water resources, protect ground water and improve surface water quality within the Qu’Appelle River Systems.

10. Areas of the municipality that have been identified as being environmentally sensitive are identified on Plan Map 4 – Environmentally Sensitive Areas Map. These lands shall be protected from the potential negative effects of development which could lead to the destruction of significant natural areas (e.g. soils which are sensitive to wind or water erosion), unique biological lands or waters (e.g.

areas with sensitive plants or animal /fish habitat, or significant heritage features (e.g. land with archaeological or historical artifacts or features).

- Where the development of a building or structure is proposed in an environmentally sensitive area as identified on Plan Map 4 – Environmentally Sensitive Areas Map of the Official Community Plan, Council shall require the applicant to submit an environmental study. The developer shall be responsible for the costs of the study which is to be undertaken by qualified professionals that are mutually agreed upon by Council and the developer. The study shall provide recommendations to protect and conserve natural features and demonstrate to the satisfaction of Council that the proposed development is suitable and will not adversely affect environmentally sensitive land.
- Council will work with any provincial agencies of the provincial government to protect any significant heritage resources, critical wildlife habitat, fish habitat and/or rare or endangered species as well as any wetland areas, and water bodies. These resources will be protected and, where appropriate integrated with recreational use and development (by the addition of structures such as walkways, pedestrian bridges, boardwalks and interpretive media). Where significant potential for the incorporation of such features has been identified to Council, the Council may delay development until such time as the requirements of the relevant provincial agency to protect such resources (such as the undertaking of mitigating measures) have been obtained. The developer may be required to contract a qualified professional to assess potential impacts to the development area. Any costs associated with meeting such requirements will be the responsibility of the applicant.”

18. PART 13.0 BYLAW IMPLEMENTATION is amended by deleting Section 13.1 Land Use Concept Plan and substituting the following thereto:

**“13.1 Future Land Use Map**

Land Use Strategy Maps – Plan Maps 1.00 to 1.15 attached to Bylaw No 14/2002 are hereby deleted and substituted with Plan Map 1 – Future Land Use Map which is attached to and forms part of this bylaw.”

19. PART 13.0 BYLAW IMPLEMENTATION Section 13.2 Zoning Bylaw is amended by deleting the words “Future Land Use Concept map” and substituting the following thereto:

“Plan Map 1 - Future Land Use Map”

20. PART 13.0 BYLAW IMPLEMENTATION Section 13.2 Zoning Bylaw is amended by adding the following paragraph before the last sentence in the section:

“The Council may, in accordance with Section 71 of The Act, use the holding symbol “H” in conjunction with the rezoning of land to any zoning district designation in order to facilitate the development review and approval process.”

21. A new map – entitled “Plan Map 4 – Environmentally Sensitive Areas Map” which is attached to and forms part of this Bylaw as “Schedule A” – is added immediately following Plan Map 3 – Traffic Count Information.

22. This Bylaw shall come into force and take effect when approved by the Minister of Government Relations.

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Read a first time this      11<sup>th</sup> Day of September, 2012.  
Read a second time this    23<sup>rd</sup> Day of October, 2012.  
Read a third time this      23<sup>rd</sup> Day of October, 2012.

  
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Mayor

  
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Chief Administrative Officer

