

Official Community Plan (Former Basic Planning Statement) Proposed Amendments

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
<p>Table of Contents</p> <p>13.0 Bylaw implementation</p> <p> “13.1 Land Use Concept Plan”</p>	<p>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:</p> <p> “13.1 Future Land Use Map”</p>	<p>The amendment changes the Table of Contents by renaming the Land Use Concept Map with its replacement, the “Future Land Use Map”.</p>
<p>Table of Contents</p> <p>“Maps</p> <p>Plan Map 1 Future Land Use Concept Map Plan Map 2 Pedestrian and Cycling Corridor Map Plan Map 3 Traffic Count Information”</p>	<p>Table of Contents is amended by deleting the section pertaining to Maps and substituting the following thereto:</p> <p>“Maps</p> <p>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”</p>	<p>The amendment adjusts the Table of Contents in line with proposed changes to delete Future Land Use Concept Maps 1.00 to 1.15 and substitute them with a single renamed map entitled Plan Map 1 – Future Land Use Map. In addition, reference to “Plan Map 4 – Environmentally Sensitive Areas Map” is added to the amended list of maps in the Table of Contents.</p>
<p>PART 1 INTRODUCTION is amended as follows:</p>		

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
<p>PART 1 INTRODUCTION</p> <p>“This document is the Basic Planning Statement for the Town of Lumsden. When adopted, this Basic Planning Statement replaces the Town of Lumsden Bylaw No. 5/88.”</p>	<p>PART 1 INTRODUCTION is amended by deleting the first sentence and substituting the following thereto:</p> <p>“The Council of the Town of Lumsden prepared and adopted a Basic Planning Statement in 2002 in accordance with Sections 39 and 42 of <i>The Planning and Development Act, 1983</i> to provide the Town with goals, objectives and policies relating to future growth and development within the community. According to Section 248 of <i>The Planning and Development Act, 2007</i> (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”.</p>	<p>The Basic Planning Statement (BPS) was approved in 2002 under <i>The Planning and Development Act, 1983</i>. The proposed amendment clarifies that the current BPS has the status of an Official Community Plan (OCP) within the meaning of <i>The Planning and Development Act, 2007</i>.</p>
<p>Part 3.3.9 Implementing Boundary Alterations</p> <p>“The use of the holding symbol “H” may be used in the Zoning Bylaw designation to limit future development until such time as policy for development of these areas is adopted. The future Land Use Concept Map identifies areas that are of high priority for inclusion in the Town of Lumsden with the intent of accommodating future residential development.”</p>	<p>Part 3.3.9 Implementing Boundary Alterations is amended by deleting the last two sentences and substituting the following thereto:</p> <p>“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.”</p>	<p>The amendment notes that the new Future Land Use Map shows the potential land use of areas that may in future be annexed into the Town.</p> <p>The holding symbol “H” tool is generally not used in relation to recently annexed land but is intended to facilitate the rezoning of phased developments so is deleted from this section. It is recommended that a proper reference to the holding symbol “H” tool be added to in Section 13.0 Bylaw Implementation.(see amendment to Section 13.2 below)</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
References to “ <i>The Planning and Development Act, 1983</i> ” and to sections of that Act that are contained within Bylaw No. 14-2002 are deleted and replaced with references to “ <i>The Planning and Development Act, 2007 (The Act)</i> ” and to applicable sections of <i>The Act</i> as follows:		
<p>PART 8.0 PUBLIC SERVICE LANDS Section 8.3 Public Service Policies Subsection 4</p> <p>“4. Council may require a servicing agreement in accordance with Section 143 of <i>The Act</i>, and may pass a Servicing Levy Bylaw in accordance with Section 55.1 of <i>The Act</i>, at the time of subdivision approval to ensure that new subdivisions are developed to the standards of the Town and to address other concerns specific to the proposed subdivision.”</p>	<p>Part 8.0 PUBLIC SERVICE LANDS Section 8.3 Public Service Policies is amended by deleting subsection 4 and substituting the following thereto:</p> <p>“4. Council will require a servicing agreement in accordance with Section 172 of <i>The Act</i> 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 <i>The Act</i> to address other concerns specific to a proposed development.”</p>	As above.
<p>PART 13.0 BYLAW IMPLEMENTATION</p> <p>“ Section 13.1 Land Use Concept</p> <p>Council’s intention for the future use of land is shown on the “Future Land Use Concept Map” (Plan Map 1), which is attached to and forms part of this bylaw.”</p>	<p>PART 13.0 BYLAW IMPLEMENTATION is amended by deleting Section 13.1 Land Use Concept Plan and substituting the following thereto:</p> <p>“Section 13.1 Future Land Use Map</p> <p>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.”</p>	The series of land use maps contained in the original Basic Planning Statement are deleted and replaced with a single future land use map. The new map further articulates future land use patterns for the Town.
<p>PART 13.0 BYLAW IMPLEMENTATION</p> <p>13.2 Zoning Bylaw</p> <p>.....</p> <p>“The Zoning Bylaw provides Council with actual control over land use and development within the Town. To ensure, that these regulations work to help achieve the stated goals and objectives, the bylaw itself must be consistent with the policies</p>	<p>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:</p> <p>“Plan Map 1 - Future Land Use Map”</p>	As above.

<p>and the intent of this Planning Statement. In considering a Zoning Bylaw or an amendment, the Council should refer to the policies contained in the Basic Planning Statement and “Future Land Use Concept” map to ensure that the development objectives of the Town are met.”</p>		
<p><None></p>	<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.2 Zoning Bylaw is amended by adding the following paragraph before the last sentence in the section:</p> <p>“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.”</p>	<p>The amendment provides an appropriate explanation for the use of the holding symbol and replaces the explanation for the use of the “H” symbol that is currently provided in Section 3.3.9 which is proposed to be deleted by the amendments.</p>
<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.2.2 Servicing Agreements</p> <p>“Council may require that a developer enter into a Servicing Agreement as a requirement of subdivision approval in accordance with Section 143 of The Act.”</p>	<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.2.2 Servicing Agreements is amended by deleting the words “Section 143 of the Act” and substituting thereto:</p> <p>“Section 172 of <i>The Planning and Development Act, 2007.</i>”</p>	<p>As above.</p>

<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.3 Development Levies and Agreements</p> <p>“Council may pass a Development Levy Bylaw in order to be able to use development levies for the purpose of recovering all or part of the Municipalities actual costs as specified in Section 55.1, 55.2, and 55.3 of The Act. Development Agreements may be required in accordance with Sections 55.4 and 55.5 of The Act.”</p>	<p>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 thereto:</p> <p>“Section 169 of <i>The Planning and Development Act, 2007</i> and Sections 171 and 173 of The Act respectively.”</p>	<p>As above.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
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 Municipal Affairs" as follows:		
<p>PART 9.0 FLOODPLAIN Section 9.1 Floodplain Considerations</p> <p>“...Government Relations and Aboriginal Affairs”.</p>	<p>PART 9.0 FLOODPLAIN Section 9.1 Floodplain Considerations is amended by deleting the words “Government Relations and Aboriginal Affairs” and substituting thereto:</p> <p>“the Ministry of Municipal Affairs.”</p>	<p>The amendment substitutes references to Government Relations and Aboriginal Affairs with references to the Ministry of Municipal Affairs.</p>
<p>PART 9.0 FLOODPLAIN Section 9.3 Floodplain Policies Subsection 5</p> <p>“5. Council will establish clear policy and procedures to establish expansion of the area protected by the dyke structure as a means of accommodating future growth. Identification of expansion areas and the nature of development within any such areas will be determined in consultation with, and with the approval of, the Saskatchewan Watershed Authority and Government Relations and Aboriginal Affairs.”</p>	<p>PART 9.0 FLOODPLAIN Section 9.3 Floodplain Policies is amended by deleting the words “Government Relations and Aboriginal Affairs” and substituting thereto:</p> <p>“the Ministry of Municipal Affairs.”</p>	<p>As above.</p>
<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.2.1 Subdivision Process</p> <p>“Subdivision, the breaking up of land into smaller legal units, normally is an integral part of the development process. Although the Director of Community Planning for Saskatchewan Government Relations and Aboriginal Affairs is the approving authority for subdivisions the Council has input into the subdivision procedure at two points...”</p>	<p>PART 13.0 BYLAW IMPLEMENTATION Section 13.2.1 Subdivision Process is amended by deleting the words “Government Relations and Aboriginal Affairs” and substituting thereto:</p> <p>“the Ministry of Municipal Affairs.”</p>	<p>As above.</p>

PART 11.0 ENVIRONMENTAL PROTECTION SECTION 11.3 ENVIRONMENTAL POLICES

“10. The Zoning Bylaw shall address Environmental Protection areas, the types of development allowed in these areas and the supplementary development standards.”

PART 11.0 ENVIRONMENTAL PROTECTION POLICIES SECTION 11.3 Environmental Policies is amended by deleting subsection 10 and substituting the following thereto:

“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).

- Council will consider the approval of proposed development in terms of the size and configuration of an adjoining waterway, water body or shore land, the capacity for public access, the potential impacts (social, environmental and environmental) of development, general and site specific environmental and ecosystem characteristics and economic potential for the development of the area. The developer shall be responsible for all the expenses associated with the preparation of studies and relevant information that will be undertaken by qualified professionals that are mutually agreed upon by Council. The studies shall provide recommendations to protect and conserve natural features and heritage resources.
- Council will work with any provincial agencies of the provincial government t protect any significant heritage resources, critical wildlife habitat , fish habitat and/or rare or endangered species as well as any wetland areas along a water body. 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

The amendment provides a policy context for the review and approval of development on lands that will be identified on Plan Map 4 - Environmentally Sensitive Lands Map. The current approach of providing environmental protection measures under the provisions of the zoning bylaw will be replaced with these measures and should prove to be more flexible yet still effective as a means of ensuring compatibility of development with the natural and environmentally sensitive features of the municipality.

	qualified professional to assess potential impacts to the development area. Any costs associated with meeting such requirements will be the responsibility of the applicant.	
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<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
Part 2: FUNDAMENTAL VALUES AND VISION is amended as follows		
<Nothing>	<p>Section 2.1 Community Values is amended by adding an additional community value as follows</p> <p>“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.”</p>	<p>The amendment responds to the request by Council that the OCP and zoning bylaw provide a stronger emphasis on the protection of natural resources in the municipality, including increased respect for the natural environment in site development and the maintenance of a pleasing and aesthetic built environment in keeping with Lumsden’s role as an environmentally respectful community.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 3: THE FORM OF LUMSDEN is <i>amended</i> as follows		
<p>PART 3.0 THE FORM OF LUMSDEN Section 3.3.8 Boundary Alteration</p> <p>“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. The Town will expand its boundaries in anticipation of this growth by working with The Rural Municipality of Lumsden No. 189 to incorporate land adjacent to existing Town boundaries, and ensuring that rural residential development in the Rural Municipality does not hem in the Town of Lumsden and preclude future higher density development on the edge of Town. The Town of Lumsden will support the Rural Municipality in its policy of retaining good quality agricultural land beyond the valley slopes.”</p>	<p>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:</p> <p>“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 area 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. The agricultural, rural residential and other forms of non-agricultural development that are of mutual benefit to the municipalities and that respect the Town’s planning and growth aspirations. It is important that peripheral development in the area of the Town’s future growth occurs in a manner that does not cause adverse effects upon existing land use or future development or create servicing difficulties for the Town.”</p>	<p>This amendment is recommended to provide a clear indication that the Town wishes to clarify its interests respecting future growth and development on its periphery and wishes to maintain a positive working relationship with the R.M. of Lumsden No. 189 based on the identification of mutual interests.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 4: RESIDENTIAL DEVELOPMENT is <i>amended</i> as follows		
<p>PART 4.0 RESIDENTIAL DEVELOPMENT Section 4.2 Residential Objectives Subsection 5</p> <p>“5. To work with the R.M. of Lumsden to discourage new residential subdivision and development within 1.0 kilometre of the Town of Lumsden, or to ensure that such development has comparable density and utility and public amenity services to developments within Lumsden, and does not preclude anticipated Town of Lumsden growth or place undue pressure on services located in the Town.”</p>	<p>PART 4.0 RESIDENTIAL DEVELOPMENT Section 4.2 Residential Objectives is amended by deleting subsection 5, and substituting the following thereto:</p> <p>“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.”</p>	<p>It is recommended that this amendment be made to reflect the positive working relationship between the Town of Lumsden and the R.M. of Lumsden No. 189. Additionally, the R.M. of Lumsden is embarking on an update of its Official Community Plan and Zoning Bylaw which should identify Future Growth Areas adjacent to the Town of Lumsden on its Future Land Use Map.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 5: COMMERCIAL DEVELOPMENT is <i>amended</i> as follows		
<p>PART 5.0 COMMERCIAL DEVELOPMENT Section 5.1.2 Special Events and Arts & Crafts Business</p> <p><Nothing></p>	<p>PART 5.0 COMMERCIAL DEVELOPMENT is amended by adding the following sentence to Section 5.1.2 Special Events and Arts and Crafts Business:</p> <p>“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. Sale of products should be directed to designated commercial areas.</p>	<p>It is recommended that this amendment be made due to the demand by craftsmen and artists who have indicated they wish to produce arts and crafts out of their homes. Current policy provides for the sale of goods in the main commercial area of the Town. The Town Centre will therefore maintain its ability to attract visitors/customers who wish to purchase these goods and services.</p>
<p>PART 5.0 COMMERCIAL DEVELOPMENT Section 5.1.3 Home Based Business</p> <p>“The number of home-based businesses may increase as technology enables more people to work at home and as family circumstances require one or more income earners to be at home. These businesses are important to the economic activity of Lumsden but must not be allowed to detract from the viability of commercial areas or disrupt residential areas and they should contribute equitably to the financial base of the community. Home-based businesses should not include those types of businesses that would normally locate in commercial areas especially retail.”</p>	<p>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:</p> <p>“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.”</p>	<p>As above.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 6: INDUSTRIAL DEVELOPMENT is <i>amended</i> as follows		
<p>PART 6.0 INDUSTRIAL DEVELOPMENT Section 6.3.1 Implementation Subsection I2</p> <p>“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.”</p>	<p>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:</p> <p>“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.”</p>	<p>The proposed amendment retains the current policy direction for the I2 District with added emphasis on the desire by the Town to create a visible artist presence in the community. A new feature is the accommodation of onsite residency for artists and craftsmen.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 8: PUBLIC SERVICE LANDS is amended as follows		
<p>PART 8.0 PUBLIC SERVICE LANDS Section 8.1 Public Service Concerns</p> <p>“Municipal sewer and water services are being expanded to accommodate a population of 3,500.”</p>	<p>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:</p> <p>“Municipal sewer and water services are being expanded to accommodate a growing population.”</p>	<p>It is recommended that this amendment be made to reflect the need to accommodate the future population of Lumsden and not necessarily limiting the future planning of infrastructure to a population of 3500 persons.</p>

<u>Existing Provision</u>	<u>Proposed Amendments</u>	<u>Explanation</u>
PART 11: ENVIRONMENTAL PROTECTION is <i>amended</i> as follows		
<p>PART 11.0 ENVIRONMENTAL PROTECTION Section 11.1 Environmental Considerations</p> <p>“Second, and most strongly voiced by students and young adults, the issues of river water pollution, energy conservation, waste reduction, and recycling are very important, urgent matters.”</p>	<p>PART 11.0 ENVIRONMENTAL PROTECTION Section 11.1 Environmental Considerations is amended by deleting the second sentence and substituting the following thereto:</p> <p>“Second, the issues of river water pollution, energy conservation, waste reduction, and recycling are very important urgent matters.”</p>	<p>The amendment is recommended to reflect the concern held by all residents regarding the issues of river water pollution, energy conservation, waste reduction, and recycling.</p>
<p>PART 11.0 ENVIRONMENTAL PROTECTION Section 11.2 Environmental Objectives Subsection 9</p> <p>“9. The Town will work with other municipalities and government institutions to investigate and improve the quality of water in the Qu’Appelle River and in other small bodies of water in and near Lumsden.”</p>	<p>PART 11.0 ENVIRONMENTAL PROTECTION Section 11.2 Environmental Objectives is amended by deleting subsection 9 and substituting the following thereto:</p> <p>“9. To conserve water resources, protect ground water and improve surface water quality within the Qu’Appelle River Systems.”</p>	<p>The current environmental objective is reworded to broaden its scope and provide a wider context for the Towns focus on protection of water resources.</p>