

SCHEDULE 'A'

BYLAW #2010-1833

CITY OF ESTEVAN

OFFICIAL COMMUNITY PLAN

(OCP)



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(THIS DOCUMENT IS A CONSOLIDATION OF THE OFFICIAL COMMUNITY PLAN BYLAW #2010-1833 & ALL SUBSEQUENT AMENDMENTS)

PREFACE:

Official Community Plan [OCP] Format

The Official Community Plan is divided into five Sections:

Section 1; Identifies the Legislative Authority, Scope, Purpose and Procedures used in preparing, enacting, and administering the OCP.

Section 2; Examines pertinent physical/environmental, regional, demographic, and socio-economic attributes of the City of Estevan and further establishes policy related to the opportunities, impacts, and/or constraints that such attributes may pose for growth and development.

Section 3; Examines a wide range of Planning and Development issues relating to various aspects of Landuse, Facilities, and Infrastructure. Each topic has been presented with relevant goals followed by objective/policy statements intended to support the goal.

Section 4; Sets out a general land use pattern with respect to the City's future desired growth and expansion and identifies relevant characteristics and considerations attributing to such development.

Section 5; Establishes the strategy and tools which will be used to implement the OCP, including Landuse/Development controls, Policy relating to Infrastructure financing, Staging and coordination of land and infrastructure development, as well as public participation in the planning process.

SECTION 1: LEGISLATIVE AUTHORITY, SCOPE & PURPOSE

1.1 PREPARATION AND ENACTMENT

This document constitutes the *Official Community Plan [OCP] for the City of Estevan*. The OCP has been prepared and enacted under the legal authority of the *Planning and Development Act, 2007*.

The OCP is primarily derived from the findings and recommendations contained in the background planning study. The background planning study is a separate but related planning document which was undertaken in order to solicit citizen/stakeholder input and identify planning and development issues, conditions/trends, opportunities, and constraints in the following areas:

- Physical/Natural Environment
- Population / Demographics

- Residential Housing / Dwelling characteristics
- Urban Land use-Existing & Future
- Infrastructure & Services
- Land Use & Development Regulation

The objectives of the background planning study include:

- To provide an informational data base and analytical framework around which goals, objectives, and policies would be formulated.
- To identify and assess areas where there appear to be opportunities, problems, and/or constraints where municipal action may be required.
- To suggest and identify for discussion a broad range of proposals, alternatives, and options for both public and private sector development which would be geared towards addressing noted problems, concerns, constraints, and opportunities.

In order to gain a complete understanding of the OCP, the Background Planning Study should be referenced.

1.2 BASIS AND PURPOSE OF THE OFFICIAL COMMUNITY PLAN

This plan has been established in accordance with the provisions/requirements of Section 32 the Planning and Development Act, 2007. The purpose of the plan is to provide a comprehensive policy framework to help guide the physical, environmental, economic, social and cultural development of the municipality or any part of the municipality. The policy framework will help define, direct, and evaluate planning and development with the City of Estevan, in an effort to ensure that planning and development is undertaken in a sustainable, orderly and rational manner taking into consideration the City’s needs, resources and limitations.

1.3 SCOPE OF THE OFFICIAL COMMUNITY PLAN

The Official Community Plan is intended to guide the growth and development of the City of Estevan, and the objectives and policies herein contained apply to all lands within the jurisdictional boundaries of the City of Estevan, and all development within these boundaries are required to conform to the plan. The plan recognizes the following principles;

- economic diversity, economic security, and fiscal responsibility;
- environmental protection and stewardship;
- equity in land use decisions and a fair distribution of community services & resources;
- efficient use of land, infrastructure and other resources in managing the City, and accommodating growth and change;
- decision making based on democratic institutions and public consultation.

Unlike the Zoning Bylaw, the OCP is not solely intended as a regulatory instrument to enforce the specific requirements of any particular development or subdivision application. Rather the interpretation of the plan calls for the exercise of judgment and discretion in a manner that balances the achievement of long-term objectives with the specific circumstances associated with a particular land use, subdivision, or development application. The policies and guiding principles included in the plan are intended to provide guidance and direction in the evaluation of applications, and in general are not intended to be solely used to prescribe site-specific land use and/or other design solutions.

1.4 AUTHORIZATION FOR AMENDMENTS

Pursuant to the provisions of the Planning and Development Act, 2007, Council can authorize the preparation of an amendment to the Official Community Plan.

1.5 CONFORMITY WITH PROVINCIAL LAND USE POLICIES

Pursuant to the provisions of the Planning and Development Act, 2007 the Official Community Plan shall incorporate, insofar as is practical or required, any applicable Provincial Land use policies and statements of Provincial interest.

1.6 SEVERABILITY

A decision of a Court of Law that one or more of the provisions of this plan are invalid or inoperative, it does not render the remaining provisions invalid or inoperative.

SECTION 2: REGIONAL ROLE, POPULATION & DEMOGRAPHICS, PHYSICAL & NATURAL ENVIRONMENT

2.1 REGIONAL ROLE

The City of Estevan, with a population in excess of 10,000 persons, exists as one of two primary urban centers serving southeastern Saskatchewan.

Being one of two larger centers in southeastern Saskatchewan has resulted in Estevan having a strong regional role as a center for retail and wholesale trade, health and government services, entertainment and recreation, as well as a variety of services serving the commercial business, tourism, natural resource and agricultural sectors. This regional role has translated into a trade area which is estimated to encompass 30,000 persons (including the population of the City itself). In addition to being advantageously located at the intersection of three Provincial Highways (No. 18, 39, and 47) and along the Canadian Pacific main rail line, the City's location in the southeast corner of the Province further makes the City an opportunistic link to Eastern and U.S. destinations for trade, commerce and tourism.

Objectives and Policy Statements:

- a) *The City will continue to recognize the importance of creating and sharing a broad common view for the Estevan region as it relates to land use, economic development, infrastructure and servicing, transportation, drainage, water and wastewater, environmental stewardship, community promotion and tourism, as well as social and cultural opportunities.*
- b) *The City will continue to explore and facilitate opportunities that strengthen both the local and regional economy which includes, but is not limited to, expanding the availability, diversity, and quality of goods and services offered which will further increase employment/investment opportunities and contribute to an expanded tax base that benefits all citizens.*

2.2 COOPERATION WITH OTHER AUTHORITIES & JURISDICTIONS

The City of Estevan shares the region with other urban and rural municipalities, as well other jurisdictional authorities, both within and outside City limits. The operations of the City and these other jurisdictions can have a profound influence on one another, therefore mutual cooperation & consultation is essential.

Objectives & Policy Statements:

- a) *In recognition of the importance of regional cooperation and economic growth/prosperity, the City will continue to seek and maintain mutually beneficial relationships with nearby municipalities which work toward achieving shared regional interests and outcomes.*

- b) *Where appropriate, the City of Estevan will continue to consult and work collaboratively with other jurisdictional authorities, with respect to it's planning, development and operating strategies.*
- c) *The City of Estevan will continue to consult, solicit, and work with both Provincial and Federal Government authorities with respect to identifying both municipal and regional needs, requirements, and necessary actions that support regional strategies, systems, and delivery of regional infrastructure.*
- d) *The City of Estevan will continue to consult and work with the R.M. of Estevan No.5 on various issues through the City/RM Liaison Committee, inter-municipal agreements and other means, for the benefit of the City and the Region.*
- e) *The City of Estevan will continue on-going consultation and cooperation with the respective Boards of Education, Franchise Utility Companies, Provincial and Federal Agencies, and all other jurisdictions.*

2.3 POPULATION & DEMOGRAPHICS

The City of Estevan has experienced moderate population growth throughout it's history. The demographic breakdown of the local population has been subject to fairly significant shifts throughout the last three decades. Student population (5-19 age group) did experience a significant decline since the early 1970's for various reasons including a declining birth rate and declining average family size, however, there has been modest recovery since the early 1980's. While the 20-44 age group is dominant, indicating a relatively young population and strong workforce, the Senior population (65+ age group) continues to proportionately increase notwithstanding that this age group remains proportionally low relative to the total population. Current trends being observed include a birth rate that continues to decline as well as declining average family and household sizes and an aging population.

Objectives and Policy Statements:

- a) *To promote population growth in Estevan by increasing the opportunity for employment and enhancing the quality of life which will attract new residents and retain existing residents.*
- b) *The City will continue to monitor the City's population and demographic structure/trends in order to be aware and responsive to any changes or occurring shifts that may require modifications in planning and development policy.*
- c) *The City will continue to monitor the City's population and demographic structure in order to be responsive to critical and essential needs and services including but not limited to Housing, Community Infrastructure, Health issues, Educational issues, Socio-economic concerns, Cultural issues, as well as Recreational/Leisure needs.*

2.4 PHYSICAL & NATURAL ENVIRONMENT

2.4.1: Micro-Climatic Conditions

The micro-climatic conditions of the region are influential with respect to the City's planning and development practices, including:

- Above average annual solar radiation and strong prevailing wind may offer promising future opportunities for harnessing alternative energy sources;
- Potential for high precipitation levels requires due consideration for storm runoff management as it relates to urban design and development;
- Large fluctuations in temperature and precipitation during winter and summer months, requiring due consideration for energy conservation in urban design as well as hardy landscaping practices associated with a harsh urban environment and limited growing season.

Objectives & Policy Statements:

- a) Where deemed practical and beneficial, the City will encourage and facilitate planning and development policies, practices and initiatives which address and/or can take advantage of the local micro-climatic conditions.*
- b) The City will promote energy conscious land development practices and development of an energy efficient urban form.*

2.4.2 Biophysical Environment

The observed biophysical characteristics of the region are influential with respect to the City's planning and development practices including:

- Within City limits, areas are designated as being part of the Souris River floodplain requiring due consideration for flood management practices;
- The valley lands extending through the City play an important role with respect to the City's external drainage system in addition to providing a urban wildlife habitat;
- There is a wide variation in soil types and subsurface conditions throughout the City which will impact and require due consideration with respect to development practices;

- The valley walls bordering the floodplain and drainage channel through Estevan are steeply sloping with evidence that some erosion and slumping is occurring thus requiring due consideration for preventative and protective measures;
- In addition to the adjacent Souris River/Woodlawn Park ecosystem, there is a considerable amount of natural open space and unique topography within the City that may be worth preserving and/or protecting from unsuitable development.

Objectives & Policy Statements:

- a) The City of Estevan will have regard to the physiographic characteristics of land and environment in preparing, enacting, and carrying out planning and development practices.*
- b) The City of Estevan will have regard to wildlife habitat and the preservation of key natural areas.*
- c) The City of Estevan will take reasonable efforts to identify and protect important ecosystems or unique physiographic characteristics within the City, as part of it's land development processes.*
- d) The City will have regard to the potential impacts that development may have on the local environment and/or environmentally sensitive areas, including the Woodlawn Regional Park and Souris River System.*
- e) The City will take efforts to protect and secure the public interest in the valley lands.*

SECTION 3: PLANNING AND DEVELOPMENT GOALS & POLICY STATEMENTS

3.1 CITY FORM AND STRUCTURE

GOAL: In a fiscally and environmentally responsible manner, to build and maintain a sustainable community that meets certain physical, social, and economical needs of its residents by;

- **striving to ensure the efficient use of land and economical provision of municipal services & infrastructure;**
- **maintaining a rational and effective system to facilitate and manage growth and development;**
- **providing an appropriate distribution of community facilities, services, and resources throughout the City.**

Objectives & Policy Statements:

- a) *The City of Estevan will encourage and facilitate the development of a compact and efficient urban form through it's planning and development practices.*
- b) *Outward expansion and development of any particular lands will only be permitted in areas where roads and utility services exist, or have been authorized by Council and for which community facilities and services will or can be provided. Development for non-residential purposes may be permitted in areas of the City that do not have access to a full range of services or utilities in order to recognize certain existing situations and/or to facilitate economic development opportunities, provided that development and/or servicing agreements have been entered into.*
- c) *Development shall generally take place in a contiguous manner to ensure efficient extension of municipal infrastructure and community services. Leap frog development shall be discouraged and in cases where a proponent wishes to initiate development contrary to this intent, the proponent shall be required to front end the costs of extending services and infrastructure to the proposed development site in accordance with standards established by the City.*

3.2 LANDS SURROUNDING CITY BOUNDARIES

GOAL: The City of Estevan in recognizing the importance of urban/rural fringe lands as it relates to the future growth and development of the City will, where necessary and appropriate, take steps to become involved with the management of such areas, in order to protect long term municipal interests for the general welfare of all it's citizens.

Objectives & Policy Statements:

- a) *The City will collaboratively work with the R.M. of Estevan No.5 on land use planning matters in support of orderly development on neighboring R.M. jurisdictional lands.*
- b) *The City of Estevan will, through available avenues, seek to protect and maintain environmentally sensitive lands and natural drainage courses in the rural/urban fringe, from unsuitable land uses and developments.*
- c) *Where any rezoning, subdivision or development within the City may directly or indirectly affect land use, roads, drainage courses, or other capital works within the Rural/Urban fringe, the City of Estevan will, where appropriate, consult with the Rural Municipality of Estevan No. 5 or any other authority having jurisdiction.*
- d) *The City of Estevan will pursue annexation of land into the City's jurisdiction to accommodate it's growth having regard to future land/development requirements,*

existing/future development needs, land use/compatibility issues, utility servicing and community infrastructure needs, issues and requirements.

3.3 RESIDENTIAL LAND USE, ZONING, & HOUSING

3.3.1 RESIDENTIAL LAND USE PLANNING

GOAL: To provide for, maintain and improve the quality of the City's residential environment through responsible residential land use planning and management, for the benefit and interests of all citizens.

Objectives & Policy Statements:

- a) The City will, through municipal land holdings/ownership, maintain a presence in the supply and development of residential land, and will monitor residential land supply in an attempt to ensure an adequate supply [1-2 year inventory] of salable lands suitable for residential development purposes.*
- b) Residential land development through both the public and private sector will be encouraged to accommodate the City's residential land needs, and all such development will conform with the standards of the Official Community plan, Subdivision Standards, Zoning Bylaw, and other applicable regulations and policies.*
- c) To facilitate an adequate supply of housing for individuals, the City shall continue to make provisions for residential land and infrastructure in advance of need.*
- d) Under separate bylaw the City will establish building and property maintenance standards and provide reasonable enforcement mechanisms to encourage acceptable and safe housing conditions in terms of health, safety and appearance.*
- e) Land pricing for city-initiated residential land development will include consideration for raw land replacement costs, on-site services and improvements, offsite services and improvements, community wide services & infrastructure, recreational/leisure needs, park/green space requirements, professional services, mark-up, and other factors deemed by Council to be necessary and appropriate.*
- f) Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting off-site development levy charges applicable to residential land subdivisions which create new lots/parcels for purposes of accommodating new residential development. These amounts will be derived based on estimated costs of development and will be reviewed and appropriately revised on a regular basis.*
- g) Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting development levies applicable to residential redevelopment's which increase the site's building/population density from what previously existed. These amounts will*

derived based on the estimated costs of development and will be reviewed and appropriately revised on a regular basis.

- h) The City will continue to monitor population growth, demographic and household characteristics to ensure residential land supply reflects any changes which may occur in household characteristics, location, housing and tenure preferences, income, and affordability.*
- i) To work towards a more compact/cost efficient urban form, and to stabilize/rehabilitate older residential neighborhoods, the City will encourage and facilitate residential infill development and redevelopment of the existing older housing stock in established neighborhoods being sensitive to the impacts that proposed infill development may have on the character of an existing community.*
- j) The City will direct new residential land development to suitable locations that will generate minimum conflict between residential and other landuses, access to employment areas, parks and recreation space, social and leisure activities, and cost effective provision of utility infrastructure and other community services.*

3.3.2 ZONING IN RESIDENTIAL NEIGHBORHOODS

GOAL: To provide efficient, safe, convenient, and stable residential neighborhoods which accommodate diverse types and densities of housing for the benefits and interests of all citizens.

Objectives & Policy Statements:

- a) The City will make provisions in the zoning bylaw for various residential zones which provide opportunities for the development of a variety of housing types/forms, densities and lot sizes. Whenever possible, residential zoning will attempt to achieve neighborhood development which reflects 65% low density development, 25% medium density Development, and 10% high density/mixed use development.*
- b) The City will take reasonable efforts to protect established single-family residential areas by ensuring such areas continue to be zoned for low density residential developments.*
- c) Wherever deemed practical and appropriate by the City, medium and high density residential areas will be contained along the outside boundaries of neighborhoods including taking advantage of direct access to major roadways, community services, educational facilities, and park/recreation/public amenity space, without the need or requirement to route heavier traffic through lower density areas.*
- d) Wherever considered necessary and appropriate by the City, a hierarchical pattern of residential zoning may be incorporated to protect low density residentially zoned areas*

from adverse impacts associated with higher density zoned areas, as well as other incompatible land uses.

- e) The predominant use of land within residential zones shall be residential. Zones may also permit a range of complimentary uses and facilities that may be compatible with and accessory to a residential environment. Various discretionary uses may also be incorporated into each respective residential zone, provided the type of use is consistent with ensuring such uses are complimentary and compatible with the zones purpose and intent, and will be of direct benefit to a particular residential zone.*
- f) The zoning bylaw will detail provisions and standards respecting site development requirements for various residential zones, taking into consideration building spacing, health and safety, privacy, environmental considerations, open/green space, grading & landscaping, parking, access, aesthetics and amenities, all in context to the purpose and intent of the zone.*
- g) The City through it's zoning bylaw, will provide for secondary dwellings as a permitted accessory use to a one unit residential dwelling subject to the City incorporating adequate development standards in it's zoning bylaw to minimize land use conflicts.*
- h) Mobile and Manufactured residential housing zones will be maintained and/or established at appropriate locations, and zoning regulations/standards will be incorporated respecting the development requirements for new mobile and manufactured home site development.*
- i) The City will maintain a working relationship with Provincial Housing Officials who control funds for social housing projects and will further work with the Provincial Government and Private sector to in order to make affordable housing or targeted housing solutions, including low income and rental housing available.*
- j) To protect rental tenancy and address low vacancy rates, the City may establish regulations/restrictions/controls with respect to residential building condominium conversions.*

3.3.3 RESIDENTIAL SUBDIVISION DESIGN

GOAL: To maintain and improve the value and quality of people's residential living environment while at the same time attempting to reduce public and private costs by optimizing the use of land, community services, and achieving greater efficiency with respect to infrastructure and utility servicing.

Objectives & Policy Statements

- a) Whenever possible, public and privately initiated residential subdivisions will be designed based on the neighborhood concept, in which community services and*

associated amenities are localized, and each area maintains provisions for accommodating public utilities and services, neighborhood shopping and services, schools/institutional facilities, as well as park, leisure and recreational areas.

- b) Multiple residential lot subdivisions or those subdivisions involving large land assemblies, will give regard to energy efficient designs whereby solar radiation is maximized in the winter through lot orientation, and minimized in the summer by the strategic placement of landscaping.*
- c) Efforts will be taken to ensure that streets in neighborhoods are laid out and designed in such a manner as to promote safe traffic flow, with due regard for topography and will normally be designed as local streets served by appropriate collector streets. Traffic calming principles, such as loops and cul-de-sacs, will be employed in the design of neighborhood streets. Arterial streets shall not normally bisect a neighborhood.*
- d) Neighborhood design will provide opportunities for developing various types and densities of housing to meet the needs of a range of household types at appropriate locations within the neighborhood.*
- e) Neighborhood Design will take into consideration elements that seek to facilitate crime prevention and promote security of person and property.*
- f) Neighborhood commercial sites shall be provided as part of neighborhood design, as necessary, to serve the daily convenience needs of neighborhood residents.*
- g) The Development and subdivision of residential land will have regard to the protection and conservation of significant natural and environmental features of the area.*
- h) Residential subdivision design will ensure adequate provisions for infrastructure including but not limited to, utility servicing, streets, lanes, and walkways, storm water management, recreational/park space, fire and emergency vehicle access.*
- i) Residential subdivision design will ensure that infrastructure maintenance and utility servicing can be undertaken in an effective and cost efficient manner.*
- j) Wherever possible, larger tracts of municipal reserve/park/open space will be contained to the center of neighborhoods, and will encourage joint use by community facilities, parks, and school sites. Attempts will be made to ensure such areas are made accessible for both pedestrian and vehicle traffic.*
- k) Residential subdivision design will provide suitable aesthetics as far as landscaping/ buffering, lighting, pedestrian walkways, visual and sound privacy, where warranted.*

- l) *Where appropriate, Residential subdivisions shall be required to provide proper buffering to separate incompatible uses or incompatible forms of development including but not limited to Industrial/commercial uses, railways, and major roadways.*

3.4 COMMERCIAL LAND

3.4.1 COMMERCIAL LAND USE PLANNING

Goal: To plan and manage commercial land use/development for purposes of accommodating commercial activities throughout the City which contribute to the economic interests/wellness, physical development, and aesthetic quality of the community at large.

Objectives & Policy Statements

- a) *The City may, through municipal land holdings/ownership, maintain a presence in the supply and development of commercial land, and will monitor commercial land supply in an attempt to ensure an adequate inventory of salable lands suitable for commercial development purposes.*
- b) *Commercial land development (subdivision) through both the public and private sector will be encouraged to accommodate the City's commercial land needs, and all such development will conform with the standards of the Official Community plan, Subdivision standards, zoning bylaw, and other applicable regulations and policies.*
- c) *Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting off-site development levy charges applicable to commercial land subdivisions which create new lots/parcels for purposes of accommodating new commercial development. These amounts will be derived based on the estimated costs of development and will reviewed and appropriately revised on a regular basis.*
- d) *Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting development levies applied to commercial redevelopment's which increase the site's building/population density from what previously existed. These amounts will be derived based on the estimated costs of development and reviewed and appropriately revised on a regular basis.*
- e) *Land pricing for city-initiated commercial land development (subdivisions) will include consideration for raw land replacement costs, on-site services and improvements, offsite services and improvements, community wide services & infrastructure, professional services, markup, and other cost factors deemed by Council to be necessary and appropriate.*
- f) *The City will direct new commercial developments to locations that will generate minimum conflict with residential land use, provide access to residential households,*

access to major transportation corridors and roadways, and provide cost efficient provision of infrastructure and utility services.

- g) The City will encourage the infill, revitalization, enhancement and development of existing commercially zoned areas which have not yet reached their full development potential.*
- h) Emphasis will be placed on encouraging convenient and safe vehicular access to commercial sites.*

3.4.2 ZONING IN COMMERCIAL AREAS

GOAL: To provide for a range of commercial uses and developments throughout the City which provide convenient, compatible, efficient, and safe environments for the benefits of business and citizens throughout the City.

Objectives & Policy Statements

- a) The City will make provisions within the zoning bylaw for the development of commercial areas suitable for various types and densities of commercial development throughout the City, including but not limited to, **Downtown Commercial Districts, Service Commercial Districts, Arterial Commercial Districts, Transitional Commercial Districts, Shopping Center Districts, Commercial Health Care Districts and Neighborhood Commercial Districts.***
- b) The City will establish development standards within the zoning bylaw to ensure commercial development is undertaken to enhance the amenities of the City, and protect the health, safety, and general welfare of the inhabitants.*
- c) Where deemed necessary by the City, commercial land uses and developments will be required to be separated from residential land uses and developments through the use of physical screening, spatial separation, or landscaped buffers intended to minimize potential land use conflicts.*
- d) Where considered appropriate by the City, commercial land areas may be used to separate higher density residential areas, and lower density light industrial areas.*
- e) Provisions and standards will be established in the zoning bylaw to ensure commercial site developments provide adequate parking, vehicle/pedestrian/handicap access, landscaping, health and fire safety.*

3.4.3 DOWNTOWN DEVELOPMENT AND REVITALIZATION

GOAL: To promote the Downtown as the center for financial, administrative, entertainment and commercial activities and to ensure the Downtown is an attractive, functional, and viable place for Business & related activities.

Objectives & Policy Statements

- a) *The City will promote the downtown commercial area as the primary center for diverse types of uses and developments including commercial retail/service uses, recreational uses, administrative uses, institutional uses, as well as certain residential uses which enhance the vitality of the downtown area.*
- b) *The City will continue to support the phased implementation of the City of Estevan Downtown Redevelopment and Revitalization Plan (1995), as opportunities and capabilities arise.*
- c) *The City will work with the Estevan Business Improvement District, Chamber of Commerce and other organizations to enhance, revitalize and develop the Downtown area as opportunities and capabilities arise.*

3.5 INDUSTRIAL LAND

3.5.1 INDUSTRIAL LAND USE PLANNING

GOAL: To undertake and facilitate industrial land use planning for purposes of creating effective, efficient, functional, and well-planned industrial areas which will accommodate various types of industrial activities and ultimately promote, expand, and diversify the City's economic base.

Objectives & Policy Statements:

- a) *The City may, through municipal land holdings/ownership, maintain a presence in the supply and development of industrial land, and will monitor Industrial land supply in an attempt to ensure an adequate inventory of salable lands suitable for industrial development purposes.*
- b) *Both public and private industrial land development will be encouraged to accommodate industrial land needs, and all such development will conform to the standards of the Official Community Plan, Subdivision Standards, Zoning Bylaw, and other applicable bylaws, policies and regulations.*
- c) *Land pricing for City-initiated industrial land development will include considerations for raw land replacement costs, on-site services and improvements, off-site services and improvements, community wide services and infrastructure, professional services, mark-up, and other factors deemed by Council to be appropriate and necessary.*

- d) *Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting off-site development levy charges applicable to Industrial land subdivisions which create new lots/parcels for purposes of accommodating new Industrial development. These amounts will be derived based on the estimated cost of development and reviewed and appropriately revised on a regular basis.*
- e) *Under a separate Development Levy bylaw, the City will establish prescribed amounts respecting development levies applicable to Industrial redevelopment's which increase the site's building/population density from what previously existed. These amounts will be derived based on the estimated cost of development and be reviewed and appropriately revised on a regular basis.*
- f) *The City will encourage and promote industrial development to locate in existing industrial zoned areas which have not yet reached their full development potential.*
- g) *Where the location of an industrial land use/development is incompatible or adversely impacts neighboring land uses, the City may re-designate those areas to an alternate, more suitable zone, and whenever feasible and appropriate, may take steps to facilitate the relocation of existing non-conforming uses to more suitable locations.*
- h) *Emphasis will be placed on separating industrial land uses from non compatible land uses and activities through separation distances, hierarchical zoning patterns, and the incorporation of buffer strips/zones in urban design, especially between industrial and residential land uses.*
- i) *Designating areas for industrial land uses will have regard to the direction of prevailing winds recognizing that noxious externalities associated with some industry will have less of a detrimental impact on other land uses, where such industry is located downwind.*
- j) *Designating areas for industrial land uses will have regard to providing access to major transportation corridors, including truck routes and railway, where deemed appropriate.*
- k) *Designating areas for industrial land uses will have regard to avoiding the generation of truck traffic through established residential neighborhoods, the downtown commercial district, and/or any streets not designed for heavy traffic.*
- l) *Industrial land use will be designated so as to facilitate economically efficient design and operation, particularly with respect to utility services, infrastructure development, storm water management, and the capacity of existing systems and infrastructure in the area.*
- m) *Designating areas for industrial land uses will have regard to protecting environmentally sensitive areas which may be adversely effected or negatively impacted by intensive, noxious, or otherwise incompatible industrial activity.*

3.5.2 ZONING IN INDUSTRIAL AREAS

GOAL: To promote industrial developments which conform to established health, safety, and aesthetic standards, and which are compatible with one another at locations which maximize efficiency, minimize cost, and reduce environmental and land use conflicts.

Objectives & Policy Statements

- a) *To ensure industrial areas are being developed to a satisfactory standard, the City may incorporate in the zoning and other bylaws of the City, minimum development standards relating to subdivision and development of industrial land, and these standards will be included into all development and/or servicing agreements between the City and developer of industrial lands. Minimum standards may relate, but are not limited to, water, sanitary sewer, drainage provisions, grading/landscaping, street lighting, and street development.*
- b) *The City will make provisions in the Zoning Bylaw for areas appropriate for the location of business and industry. Zoning districts will compliment a differentiated mix of industrial uses which are based on industry's purpose, function, characteristic attributes, and servicing/infrastructure requirements.*
- c) *Light industrial zones will be designated to accommodate those industrial and service uses which are of a less intensive nature, do not generate noxious externalities, do not generate a significant amount of heavy truck traffic, and require a limited amount of outdoor storage and activity.*
- d) *Heavy industrial zones will be designated to accommodate more intensive industrial activity requiring larger site area requirements (i.e.storage), and due to the nature of their operation (manufacturing or processing) may generate smoke, smell, noise, dust, heavy truck traffic, or other noxious externalities which are incompatible in other areas.*
- e) *It is recognized that certain commercial activities are incidental to industrial activity (i.e. service stations, health clubs, restaurants), therefore, may be suitable for inclusion in industrial zones. The City may make provisions for such complimentary uses in industrial areas subject to discretionary use provisions contained in the zoning bylaw.*
- f) *Any intensive, non-compatible, non-industrial use will not be included as either a permitted or discretionary use in any industrial zoned district.*
- g) *The zoning bylaw may incorporate, as far as practical, standards relating to the screening/landscaping of industrial land uses, as well as site development provisions related to parking, access, health and fire safety and spacing.*

3.6 INSTITUTIONAL LAND USE PLANNING & ZONING

GOAL: To plan and manage land which accommodates institutional uses, development and activities involving public and community utilities, services, and facilities, which provide for the interest and benefit of all citizens.

Objectives & Policy Statements

- a) *The City will establish in the zoning bylaw an institutional zone for purposes of facilitating institutional land uses and developments including but not limited to educational institutions, federal/provincial/municipal services, medical treatment services, places of worship, public exhibition, recreation/leisure convention services, emergency and protective services, specialized care homes/facilities.*
- b) *The Zoning bylaw will make provisions respecting site development requirements applicable to institutional zones, taking into consideration spacing, parking, access, health/safety and aesthetics.*
- c) *In recognizing that some smaller scale institutional uses/developments are compatible within other zones, and in some cases it may not be practical or warranted to zone smaller individual sites to an institutional zone, the City will continue to maintain select institutional uses as discretionary uses in other zones.*
- d) *Where deemed appropriate by the City, sites on which existing institutional uses and development exist will be rezoned to the institutional zone established under the zoning bylaw.*
- e) *Any institutional site which is proposed to be rezoned to any other zoning district designation for redevelopment purposes shall retain a minimum of 30% of the site area for landscaped green space.*

3.7 MUNICIPAL EXPANSION AND DEVELOPMENT OF PERIPHERAL LANDS

GOAL: The City of Estevan in recognizing the importance of maintaining undeveloped lands (in the City) for the future expansion and growth of the City, will manage such areas in order to control and guide the present and future use and development of these lands in as efficient, equitable, and cost effective manner possible.

Objectives & Policy Statements

- a) *Where deemed necessary, practical and appropriate, the City of Estevan will acquire raw lands to accommodate the future growth and development of the City.*
- b) *Through the zoning bylaw, the City of Estevan will establish an 'urban holding zone' on lands designated for the City's future growth and expansion, notwithstanding that the future use of such land or the timing of development is uncertain due to issues of ownership, servicing, infrastructure development, need or market demand.*

- c) *Through the zoning bylaw, the City will establish interim uses for lands zoned urban holding and such uses shall be predominantly be non-intensive agricultural uses which involve non-permanent buildings and structures.*
- d) *The City may recognize and designate specific residential uses/developments within areas of the urban holding District which have been designated for future residential land use. The following principles will apply:*
 - i) *The residential use is limited to the development of one single family dwelling and one accessory building;*
 - ii) *The residential use does not exceed the density of one(1) dwelling unit per forty(40) acre legal subdivided parcel;*
 - iii) *Residential dwelling developments are provided with a “pump out” sanitary sewer septic tank system, and a cistern water supply or other safe potable water source.*
- e) *The City may, through the zoning bylaw, recognize and designate specific industrial uses/developments within urban holding areas designated for future industrial land uses. The following principles will apply:*
 - i) *Industrial uses will be of a non-intensive nature, for which there is no permanent building or structure or material change in the land.*
- f) *Any proposed development of industrial/commercial buildings or structures on lands zoned ‘urban holding’ shall not be permitted without subdivision and/or appropriate rezoning having first been carried out. A rezoning and/or subdivision application review will be conducted in accordance with the City’s rezoning and subdivision policy.*
- g) *Large industrial land assemblies requiring subdivision and/or involving any type of intensive industrial land development will not be permitted in urban holding zones unless the subdivision/development can be economically and efficiently serviced by the municipal water and sanitary sewer system.*
- h) *The City may designate urban holding zones on lands which are suitable and compatible for alternate types of landuses.*
- i) *Where considered appropriate by the City, the City may sell urban holding zoned lands as deemed necessary to ensure there is an adequate supply of land available for development purposes.*
- j) *The City will monitor the supply of lands zoned urban holding and will plan the development of urban holding zoned lands based on projected requirements and needs. Considerations for development will be based on the areas existing development, environmental/physical status, municipal servicing/infrastructure capabilities, and projected rate and direction of growth.*

- k) *The City will not permit the above or below ground mining and/or major surface excavating of any 'urban holding' zoned land unless it can be clearly demonstrated to the City that such mining or excavating will not impede or be detrimental to the future development of the area.*

3.8 MANAGING AND REGULATING POTENTIAL HAZARDOUS LANDS

GOAL: The City of Estevan in recognizing that there exist certain lands in and around the City which may pose a threat to persons and/or property will address and manage the situation in as reasonable and feasible a manner as possible.

Objectives & Policy Statements

3.8.1 FLOOD PRONE LANDS

- a) *The City of Estevan will continue to use the Flood area Mapping prepared by the appropriate authorities of the Federal and/or Provincial Government, in order to designate the Flood Hazard Areas within City limits. Any alterations or modifications to the Flood area boundaries as provided by these departments/agencies will generate review and revision to the City's Flood Management Policies.*
- b) *Where applicable, Floodway and Flood-fringe overlay districts currently in use by the City will continue to be maintained in the zoning bylaw in order to regulate land use and development within flood prone areas.*
- c) *Land subdivisions within designated Floodway zones will only be permitted to be undertaken where the proposed use(s) has a low damage potential and will not adversely affect flood levels. Most appropriate uses will continue to be open/natural space, recreational uses, and agricultural practices.*
- d) *Flood-fringe overlay districts will continue to maintain provisions for flood proofing requirements applicable to permitted development of the zone in which the flood-fringe overlay has been applied.*
- e) *Floodway zones will limit development to those types of uses of a less intensive/non-hazardous nature which minimize risk to life and property, and recognize the sensitivity of the surrounding environment, namely the Souris River System, and the Woodlawn Regional Park.*

3.8.2 CONTAMINATED LANDS

- a) *Where necessary and appropriate, the City of Estevan will work with the Saskatchewan Environment and Resource Management department and other*

departments and agencies to identify and address sites within the City that are contaminated with hydrocarbons and/or other environmental pollutants.

- b) *The City of Estevan may require the proponent of a development to provide an environmental site assessment, as part of a rezoning, discretionary use, or subdivision application. The decision as to whether an environmental assessment is required will be subject to the following:*
 - i. *the nature of the proposed use;*
 - ii. *the current and historical use of the subject property and surrounding lands;*
an
 - iii. *information from other sources that suggests the subject property may contain environmental contaminants.*
- c) *Environmental site assessments will be undertaken by qualified consultants and completed to current industry standards.*
- d) *Appropriate remediation measures, approved by SERM will be carried out on any properties cited as containing environmental contaminants prior to development being commenced on the subject property.*

3.8.3 UNDERMINED OR OTHER POTENTIALLY UNSTABLE LANDS

- a) *The City of Estevan may require a geotechnical investigation or specific site engineering report/design, as part of any development, rezoning or subdivision application on lands which are known and/or have the potential to be unstable as a result of fill, soil conditions, surface and subsurface condition, undermining, slope or other cause.*

3.10: OTHER LAND USE PLANNING AND ZONING DESIGNATIONS

GOAL- **The City of Estevan in recognizing that there are lands within the City with specific and special uses, will regulate such areas in as efficient, equitable, and cost effective manner as possible.**

Objectives & Policy Statements

- a) *The City of Estevan will include a Restricted Development zone within it's zoning bylaw, and where appropriate the zone will be applied to recognize already existing uses in areas considered incompatible for any further intensive development, including, but not limited to lands associated with the City's wastewater treatment facilities.*

- b) *Where opportunities arise, the City may designate environmental reserve on lands which have been undermined, or are otherwise unstable, or are environmentally sensitive, and may, where deemed appropriate and feasible, take necessary steps to secure the areas in order to minimize hazards to persons and property.*
- c) *Where the City of Estevan considers it to be appropriate and feasible, the City may take steps to identify and secure hazardous areas of the natural terrain (valley) which pose a potential threat to life and/or property.*
- d) *The City will include a Railway District Zone within it's zoning bylaw the purpose of which will be to recognize lands used for railroad operations and ancillary functions.*
- e) *The City will include a Natural Area Zone within it's zoning bylaw, the purpose of which will be to recognize, designate, and protect natural environmental areas within the City, including wildlife areas, natural areas, wetlands, drainage courses and important vegetation which the City wishes to preserve.*

3.11; PLANNING RECREATIONAL PARK & OPEN SPACE

GOAL- To provide for the acquisition and development of recreation, park and open space which offers recreational/leisure opportunities, overall improvement to the aesthetic quality of people's living and working environment, and enhancement of a natural environment within the City.

Objectives & Policy Statements

- a) *To provide suitable open space and recreation opportunities that serve both neighborhood and City wide needs.*
- b) *Where deemed appropriate and necessary by the City, to facilitate and require the provision and development of new park/green space in all new development areas of the City with emphasis on providing more passive recreational opportunities for an aging population.*
- c) *The City will utilize the land dedication provisions of subdivision as a principle means by which park/openspace is acquired and developed.*
- d) *Where deemed appropriate and feasible by the City, land designated as municipal reserve may be jointly used to provide for appropriate community services and uses such as parks, recreation facilities, and institutional uses. Efforts will be taken to coordinate the joint use of municipal reserve sites through consultations and agreements entered into between City Business Divisions, School Boards, and other government departments and agencies.*

- e) *Where dedication of land for municipal reserve purposes would not be deemed appropriate by the City, the City may, in accordance with the applicable provisions of the Planning and Development Act accept cash in lieu of reserve land, and that money collected shall be put into an identifiable dedicated land accounts to be solely used for the purchase or improvement of other municipal reserve land.*
- f) *Municipal reserve dedication may be deferred by the City in situations where land reserve dedication is not deemed appropriate for an initial subdivision proposal which is part of a larger future land assembly. Deferral will make provisions for a lump sum dedication of land as further subdivision is undertaken in the area.*
- f) *Attempts will be made to ensure large tracts of joint use open space is located so as to accommodate the neighborhoods which they serve.*
- g) *Efforts will be taken to establish interconnected park and pathway systems, which take advantage of both natural and man-made features, and provides a variety of experiences.*
- h) *Funding for Park space development will be established by a combination of the dedicated lands account, Developer investment, off-site (recreation) development levies, and the Capital budget process.*
- i) *Wherever possible, important natural areas and features and systems shall be integrated into new development areas and form part of the park and open space system, including the retention of natural corridors and natural ponding areas.*
- j) *As part of the Zoning bylaw, the City may incorporate standards for the provision, design and maintenance of landscaping on industrial, institutional, commercial and multi-unit residential properties.*
- k) *As part of the Zoning bylaw, the City will incorporate and maintain minimum standards for the provision of landscaping/open space on all properties on which development is proposed.*

3.12: HERITAGE, ARTS & CULTURE

GOAL- To recognize the importance of Heritage, Arts and Culture as an essential part of the fabric of the City, and its vital role in stimulating and revitalizing the history, image and diversity of the City which contributes to and strengthens the City’s economic and social base.

Objectives and Policy Statements

- a) *Give due consideration to the historic and/or architectural significance of older structures and sites to determine the requirement of public or private action for the conservation thereof.*
- b) *Where opportunity exists, to support and stimulate the arts and cultural opportunities in the City through use and access to public lands and building facilities;*
- c) *Recognition and support of growing cultural diversity amongst existing and new residents in the City.*
- d) *Cooperate with the arts community in providing and supporting a broad range of artistic opportunities that are expressive, open and accessible to all City residents.*

3.13: ENHANCING LAND USE/DEVELOPMENT THROUGH THE USE OF SCREENING, BUFFERING AND LANDSCAPING PROVISIONS.

GOAL- To protect land tenure and enhance the physical environment by separating incompatible land uses or forms of development by the provision and use of buffers, screening and landscaping.

Objectives & Policy Statements

- a) *When considered necessary by the City, the City may undertake and/or require a development proponent (at it's own cost) to undertake landscaping, buffering, and/or screening provisions associated with new development/subdivision in order to separate incompatible land uses or incompatible forms of development. The standards for development may be provided for in the City's zoning bylaw.*
- b) *Discretionary use conditions, Contract zoning provisions, Land sale agreements, servicing/development agreements and general development standards of the zoning bylaw will be used to establish and implement buffering, screening, and landscaping requirements.*
- c) *The City will continue to support/promote, conserve and enhance landscaping practices throughout the City including tree planting on streets and other private/public lands. Efforts may include establishing effective maintenance schedules, greater investment in planting, and introduction of more appropriate species of plants and trees that are more adaptable to a harsh urban environment.*

3.14: HOME-BASED BUSINESSES

GOAL- To facilitate economic development and to further provide citizens the opportunity to use their principle place of residence for non-residential activities in order to produce or supplement personal or family income, without undermining the City's commercial sector and/or adversely impacting the integrity of residentially zoned areas.

Objectives & Policy Statements

- a) *Home based businesses shall be permitted uses in dwelling units throughout residentially zoned areas of the City, provided they are clearly secondary to the principal residential use of the dwelling unit.*
- b) *Home based businesses shall be compatible with nearby residential properties and shall preserve the amenity of the overall residential neighborhood. Home based businesses shall not generate traffic, parking, noise, electrical interference, vibration, odour, or other elements that are not normally associated with a residential environment.*
- c) *The zoning bylaw may specify the types of activities/businesses which may be permitted/prohibited as home-based businesses. Such uses shall be compatible with a residential environment and will not create land use conflicts.*
- d) *The Zoning bylaw will set out application/approval procedures, regulatory requirements, and development standards respecting the use and operation of home-based businesses.*
- e) *The City will maintain the right to refuse or revoke any home-based business permit, if in the City's opinion, the business is or has become detrimental to neighboring properties, or fails to address or conform to the regulations or conditions stated in the City's zoning bylaw.*

3.15 MOBILE/MANUFACTURED HOME DEVELOPMENTS

GOAL- To provide for a broad range of alternative types of residential housing which are safe, affordable, efficient, functional, and which contributes positively to the overall residential housing stock of the City, and creates a positive residential environment for the benefit and interests of all citizens.

Objectives & Policy Statements

- a) *To promote affordable housing options by providing opportunity for development of a broad range of lower cost alternative housing developments which includes but is not limited to mobile and factory built manufactured homes including sectional and modular dwellings;*
- b) *To work with developers and others in the planning and development of areas for non-traditional types of housing developments recognizing new innovations/advancements and technologies in housing design and construction methods.*

- c) *Within the zoning bylaw, the City will, where appropriate, provide for and designate mobile home and/or other specialized manufactured/modular home residential zones at suitable locations, and further establish provisions concerning the siting, aesthetics, and servicing of such areas.*
- d) *Manufactured/Pre-assembled housing proposed for relocation to districts exclusively devoted to such pre-assembled housing shall not be subject to the processes/procedures of Section 3.16 'Pre-assembled Housing & Relocations' but shall comply with all applicable provisions and standards that apply to such housing in that zone.*
- e) *Mobile home units, parks and subdivisions will not be permitted within any area of the City which is not exclusively zoned for mobile home parks and subdivisions.*

3.16 PRE-ASSEMBLED HOUSING & RELOCATIONS

GOAL- To provide for the relocation of pre-assembled housing into the City of Estevan, in order to accommodate housing needs and demands.

Objectives & Policy Statements

- a) *Outside of areas which have been exclusively zoned for certain manufactured/pre-assembled dwellings, the City will maintain the discretion to permit any type of pre-assembled housing from relocating into City limits.*
- b) *The following Requirements/Guidelines for approving or denying a proposed pre-assembled dwelling will be used by the Development Officer in determining the suitability of a proposed application;*
 - i. *Any pre-assembled dwelling proposed for relocation into the City must be no older than the average age (with an allowable 10% variance) of all residential dwellings located within a 100 meter radius of the site that it is intended;*
 - ii. *Any pre-assembled dwelling proposed for relocation into the City must have a gross floor area which is not less (with an allowable 10% variance), than the average gross floor area of all residential dwellings located with a 100 meter radius of the site that it is intended to be relocated (gross floor area does not include the floor area of the basement or attached garage).*
 - iii. *Any pre-assembled dwelling application will be advertised for a two week period in the City page and all property owners located within a 100 meter radius of the site shall be notified by mail of the relocation intent and be provided an opportunity to comment. The development officer shall take all*

written submissions into consideration in making a decision whether to approve or deny a relocation application.

- iv. *Any pre-assembled dwelling proposed for relocation shall pass the inspection and requirements of the City's Building official.*
- v. *Architectural Compatibility guidelines shall include the following;*
 - *Height of the main floor above grade shall be consistent with the height of the main floor of dwelling units in the immediate and general area;*
 - *Roof pitch and Roof overhang/eaves shall be consistent with the roof pitch/overhang of dwelling units in the immediate and general area;*
 - *Finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwelling units in the immediate and general area;*
 - *Pre-assembled dwellings may utilize full perimeter foundations compliant with the NBC provisions or piling foundations and skirting perimeter enclosures which comply with the provisions of the NBC. Foundation perimeters shall be parged to create a finish similar in appearance and customarily found on basement foundations of single family detached dwellings in the immediate and general area.*
- c) *Pre-assembled dwelling approvals shall be subject to proponents signing a letter of undertaking and submitting performance deposit prescribed by the City.*
- d) *The proponent of a preassembled dwelling may, within 15 days of the official notice, appeal a decision of the Development Officer to Council, and upon filing a written notice of appeal with the City Clerk, the City Clerk shall schedule an appeal at the next regular Council meeting. Council may confirm modify or repeal the Development officer's decision, or substitute its own order for the decision being appealed.*

3.17 UTILITY SERVICES & INFRASTRUCTURE

GOAL- To provide for a safe, efficient, and economical/equitable provision of public utilities and infrastructure capable of meeting the present and future needs of the City of Estevan while ensuring that the costs associated with land development are fairly distributed among government, utility agencies, consumers, and the development industry.

Objectives & Policy Statements

3.17.1 General Policy Provisions

- a) *The City will continue to maintain water quality/capacity, sanitary sewer capacity, storm sewer capabilities and a viable transportation network to meet the needs of residents, businesses and industry;*
- b) *In general, the subdivision and development of land shall be subject to ensuring that there is adequate provision of services, utilities, and infrastructure including:*
 - *safe water supply facilities;*
 - *sanitary sewage and solid waste disposal facilities;*
 - *storm water management facilities including detention/retention basins;*
 - *electrical power, natural gas, telephone and cable television service;*
 - *safe and reliable roads, streets and pedestrian walkways;*
 - *park/green space.*
- c) *Through various financing measures available to the City, including but not limited to local improvements, all developments and subdivisions shall be required to pay their proportional share for the provision and/or replacement of utility and transportation infrastructure;*
- d) *The City will work with other public utility (franchise) agencies to ensure that utilities are in place to provide for an adequate supply of serviced land to meet future development needs.*
- e) *Prior to approving any subdivision, the comments of all agencies involved in the supply of utilities and other public services shall be received and considered.*
- f) *Subdivisions shall make provisions for rights-of-way and easements of all utility systems and structures required by the utility agencies concerned. Utility lines and structures shall be located in order to minimize visual, environmental, health or safety impacts, as well as to minimize the fragmentation of properties.*
- g) *Wherever possible, the City shall encourage joint use rights-of-way for utility distribution and transmission lines.*
- h) *For safety and aesthetic reasons, franchise utility lines (power/telephone/co-ax) shall be buried underground wherever economically and technically feasible.*
- i) *The City will work towards identifying existing and potential deficiencies with respect to it's water, sanitary sewer, storm sewer, and street infrastructure systems and where feasible and appropriate, will take necessary measures to address such deficiencies.*

- j) *Through the use of various financing measures, including the capital plan, collection of off-site development levies, Developer cost contributions, and the local improvement process, the City will work towards establishing an economical and equitable program of repair, replacement, and improvement of the City's utility and infrastructure system.*
- k) *Through the subdivision & rezoning process, Developer's will be responsible for utility servicing and infrastructure costs to a development site in accordance with a servicing agreement entered into with the City. The cost of utility servicing and other infrastructure may include both direct utility servicing/infrastructure costs which directly benefit the subject property in addition to off-site development levy costs which indirectly benefit the subdivision.*
- l) *In accordance with the Planning and Development Act, 2007, Council may establish development levies for the purpose of recovering all or part of the capital costs of providing, altering, expanding, or upgrading services, facilities, and infrastructure requirements associated with a proposed development.*
- m) *In planning for the City's present and future utility and infrastructure systems the City will take into consideration the demand/supply requirements of various land uses and densities of development.*
- n) *Subject to other applicable provisions of this plan, new development shall be directed to areas that allow for extensions to existing water, sanitary, and storm water sewer systems, roadways, and other services in an economical and practical manner within the financial capabilities of the City.*

3.17.2 Municipal Streets and Roads

GOAL- **To provide for a safe, efficient, and economical street and road system capable of meeting the present and future needs of the City of Estevan and it's citizens.**

Objectives & Policy Statements

- a) *The City will continue to promote the development of a hierarchal system of streets and roads classed as Arterial, Collector, Local, and Minor streets. Such classification shall be based on the function the streets serve and the type and amount of service they provide.*
- b) *The City may require that the impacts on the transportation system be evaluated prior to the approval of any major development.*
- c) *Street right-of-way widths will be sized according to projected volumes/types of vehicle traffic, and allowances for pedestrian works, utilities/infrastructure/drainage*

works, emergency and maintenance vehicle access and on-street parking, where deemed necessary.

- d) *The City will work towards identifying existing and potential design and traffic circulation problems associated with the street and road system, and where feasible and appropriate, will take measures to prevent and/or correct any such problems or deficiencies.*
- b) *The City will set and/or require minimum design standards associated with all classifications of street development.*
- c) *Any planned street or road upgrading/reconstruction will take into consideration the condition of underground utilities and whether there is prior necessity for utility installations, upgrading or replacement.*

3.17.3 Parking

GOAL- To provide for safe, functional, and efficient on-street and off-street parking allowances, in the interests, and for the benefits of the City at large.

Objectives & Policy Statements

- a) *Through the zoning bylaw, the City will make provisions for on-site(off-street) parking requirements associated with alternate classes of development, reflective of the parking demands associated with their use and function.*
- b) *Through the zoning bylaw, the City may make provisions for minimum design and development standards for on-site parking areas including but not limited to visibility, lighting, landscaping and screening, dimensions of parking spaces and aisles, parking for disabled persons, drainage and storm water storage, pedestrian and vehicular circulation, and other factors as may be required.*
- c) *The City may, where considered appropriate, permit or restrict on-street vehicular parking in designated areas.*
- d) *The City may, where considered appropriate, establish provisions within the zoning bylaw authorizing the payment of moneys in lieu of required on-site parking facilities, and such provisions shall reflect the requirements of the Planning and Development Act.*

3.17.4 Pedestrian and Secondary Vehicle Access

GOAL- To provide for safe, functional, and efficient means of pedestrian and secondary vehicle access to property through the use of sidewalks, walkways and lanes.

Objectives & Policy Statements

- a) *Where deemed appropriate, the City will as part of subdivision and development promote and/or require the development of sidewalks and/or walkways to provide for the safe and efficient movement of pedestrian traffic.*
- b) *The City will work towards establishing an economical and equitable program of maintenance, repair and replacement of pedestrian works within public rights-of-way.*
- c) *In planning the needs for the present and future pedestrian system, the City will consider pedestrian traffic volumes generated by varying land uses and densities of development and promote route designs which encourage residents to walk or bicycle rather than drive to neighborhood facilities.*
- d) *Where deemed appropriate, the City will promote and require the development of lanes to provide for secondary vehicle access to property, as well as for the provision of utilities and other municipal services.*

3.17.5 Highway Transportation

GOAL- To ensure a safe, viable, and efficient Provincial highway system is maintained within and through the City of Estevan in the most feasible and equitable manner possible.

Objectives & Policy Statements

- a) *The City will consult and work with the appropriate Provincial Government authorities to identify existing and/or potential problems or concerns associated with the present or future highway system, and where feasible and appropriate, will take measures to have problems or deficiencies corrected.*
- b) *The City will, in partnership with other provincial and federal government agencies, work toward implementation of the Heavy Truck Bypass Route.*

3.17.6 City Infrastructure/Operations located in the R.M. of Estevan No.5

GOAL- To maintain any of the City's lands, infrastructure and/or operations located within the R.M. of Estevan No.5 in as cost efficient and equitable manner as possible, and to protect such lands, infrastructure and/or operations from incompatible land uses/developments.

Objectives & Policy Statements

- a) *The City will monitor and consult with the R.M. of Estevan No.5 and other government agencies to ensure that development policy and regulation within the*

surrounding rural municipality does not negatively impact upon the City's airport lands and operations, solid waste management facility, or potable water source.

- b) The City will work with other jurisdictions, departments, agencies, and Government authorities in an effort to protect natural drainage courses in and around the City of Estevan which are of benefit to the City.*
- c) Where deemed feasible and appropriate, the City may explore opportunities for expanded operations on the City airport lands or City solid waste management lands.*
- d) Consideration for extending, distributing, or selling City services and infrastructure outside the boundaries of the City, shall have regard to the following principles;*
 - The recovery of capital and operating costs of the services being provided;*
 - ensuring the nature or volume of the service being provided will not place limitations on the provision of services with the City of Estevan;*
 - the municipality or jurisdiction receiving the service shall enter into an agreement clarifying the intent and implementation of the service being provided.*

SECTION 4: FUTURE LAND USE DEVELOPMENT PATTERN

4.1 Future Development Pattern

In general, the future outward expansion of the City will maintain the following development pattern;

4.1.1 Residential Land Use

- Residential land use/subdivision will be directed to the Northwest, North and Northeast (west of Kensington Avenue) in the following quarter sections:
 - NE ¼ Section 28-2-8-W2M (Privately held lands annexed into the City in 2009)
 - NW ¼ Section 27-2-8-W2M
 - NE ¼ Section 27-2-8-W2M
 - NW ¼ Section 26-2-8-W2M
 - NE ¼ Section 26-2-8-W2
 - Remainder of the NE ¼ Section 23-2-8-W2 (Trojan)

4.1.2 Commercial Land Use

- Commercial development will be encouraged to locate to existing commercial areas that have not yet reached their full development potential, including:

- Commercial Downtown Area
 - Commercial Service Area adjacent to the Downtown
 - Transitional Commercial area adjacent to the Downtown
 - Roycen Commercial Area-NW ¼ Sec 25
- Future Commercial land use/subdivision expansion involving small scale neighborhood shopping and service facilities will be encouraged to integrate into and around new residential neighborhoods and along certain arterial and major collector streets.

4.1.3 Industrial Land use

- Industrial development will be encouraged to locate to existing Industrial areas that have not yet reached their full development potential including;
 - Soo Industrial Area
 - East Industrial Area
 - Glen Peterson Industrial Park
- Future Industrial land use/subdivision expansion shall be directed toward the North East, East and Southeast, in the following quarter sections, all of which are situated east of Kensington Avenue;
 - NW ¼ Section 25-2-8-W2
 - SW ¼ Section 25-2-8-W2
 - SE ¼ Section 24-2-8-W2
 - NE ¼ Section 13-2-8-W2
- The future land use development pattern noted above identifies the general areas where future residential, commercial, and industrial uses may be accommodated and/or directed to. It is further established that the areas identified may not be exclusive to any one land use and the City may consider certain mixes of compatible land uses in any particular area or location.

4.1.4 Criteria for Future Growth and Expansion

- In carrying out planning and/or plan evaluation for new areas designated for future growth and development, the City will have regard to the following;
 - Population/Employment growth and forecasting;
 - Residential housing demands, Household characteristics;
 - Industrial/Commercial land demand and supply;
 - avoidance of environmentally sensitive or hazardous areas;
 - compatibility of adjoining land uses;
 - the ability of the City to provide efficient and economical municipal services;
 - the impact on financial and capital planning;
 - zoning, subdivision design, street layout, and site planning;

- topography and subsurface conditions;
 - transportation networks;
 - other relevant policy provisions contained in the plan.
- Planned expansion shall also be considered in context to a Concept plan submitted for the area.

4.2 Concept Plans

- On the basis of the general Land development pattern, the City may undertake or require to be undertaken more detailed plans in order to facilitate orderly longer term subdivision design and development in areas proposed for future urban growth and expansion . These plans will be referred to as “Concept plans” and may normally consist of objectives, and/or maps that provide a more detailed overall development scheme for the area.
- The concept plans will address issues of land use mix and compatibility, street alignment planning, municipal services/infrastructure, lot layout/densities, road access points, location of community and commercial facilities, buffering, municipal/environmental reserve/public use property and any other matter that the City may require for consideration.
- Concept plans will be required to be submitted as a condition for subdivision approval of a portion of a larger parcel of land.

SECTION 5: PLAN IMPLEMENTATION TOOLS & POLICIES

5.1 Basis and Intent of the Zoning Bylaw

The Zoning controls and development standards to complement this plan shall be the Zoning Bylaw of the City of Estevan. The Zoning bylaw which is adopted in accordance with the provisions of this plan, shall provide for the regulation and control of the major land use types, all sub-categories and development/regulatory standards, in conformity with the development patterns and policies of this plan. Zoning will be used to preserve or promote those elements and development standards in the built environment which are considered to be desirable or necessary.

- a) *Pursuant to requirements of the Planning and Development Act, the City shall prepare and adopt, in conjunction with the Official Community Plan, a new Zoning bylaw for the City of Estevan.*
- b) *The content of the Zoning Bylaw shall include those provisions contained in Section 49 of the Planning and Development Act, and may further include those provisions and standards set forth in Section 52 of the Planning and Development Act.*

- c) Pursuant to the applicable sections of the Planning and Development Act, the City may, where necessary, establish Holding Provisions, Demolition Control and Architectural Control Districts as part of its Zoning Bylaw.

5.2 Contract Zoning

As a means to exercise flexibility in the accommodation of specific development and subdivision proposals which:

- Conform to the general intent of a particular land use designation;
- May not otherwise conform to established site, development and/or servicing standards for that land use designation;
- Represent a unique and positive development opportunity; and
- May require special consideration or protection of an identified public interest.

the City may undertake a zoning contract/agreement for the purpose of accommodating a request for the rezoning of land to permit the carrying out of a specified proposal where the proposal is consistent with the following guidelines;

- a) *The rezoning will accommodate a specific use(s) and/or development which is reasonably compatible with adjacent land uses and development subject to specified conditions which are, in the City's opinion, necessary to ensure such compatibility.*
- b) *The requirements and types of conditions which may be included in a zoning contract shall conform with those provisions as specified in the Act including the following;*
- i) *the uses to which the land, buildings, or other forms of development may be put;*
 - ii) *the site layout and external design, including, setbacks, parking areas, grading/landscaping, entry and exit points;*
 - iii) *Any other development standards considered necessary;*
 - iv) *time limits for carrying out terms and conditions;*
 - v) *limiting the use and development of land or buildings to the terms, conditions, and time limits prescribed in the agreement;*
 - vi) *Performance bond or other acceptable means of financial security to ensure implementation of the agreement.*

5.3 Direct Control Districts

The designation of direct control districts may be considered by the City in areas which may require a more sensitive, flexible means of land use and development control in order to establish, preserve, mitigate or enhance;

- i) A unique physical, historic, or cultural character or ambience;
- ii) A significant environmental condition or concern; and

- iii) Special historic, cultural, archaeological, natural or aesthetic sites identified under municipal, provincial or federal legislation;

The Planning and Development Act establishes parameters for the designation and administration of Direct Control Districts. This technique is to be used in accordance with guidelines respecting the development of designated areas, which are as follows:

a) *Direct Control Districts are likely to be applied to the following locations;*

- i) *Lots subject to physical barriers or limitations (ie. water courses, excessive slopes, railway yards);*
- ii) *Large land tracts that are proposed for phased and/or preplanned development (new neighborhoods);*
- iii) *Infill sites in developed areas or in areas with different classes of use or development.*

b) *Criteria utilized in the evaluation of development in Direct Control Districts shall include, but not be limited to the following;*

- i) *The development shall provide for a reasonably compatible interface with adjacent land use and development;*
- ii) *The development shall provide for proper vehicle and pedestrian access;*
- iii) *The development shall accommodate and coordinate with all relevant public service facilities (ie. waste disposal, transportation/emergency services, power/gas/telephone);*
- iv) *The development shall be designed in a manner which addresses applicable environmental concerns.*

5.4 Development & Servicing Agreements

Pursuant to the appropriate Sections of the Planning and Development Act, the City has the authority to enter into development and servicing agreements for the purposes of carrying out the Official Community plan policies and provisions of the Act.

- a) *The City may require the proponent of any development or subdivision proposal, to enter into a subdivision or development agreement, and that agreement may contain provisions with respect to any matter covered within this plan or the Act, or any other matter deemed necessary and appropriate by Council.*
- b) *Where deemed necessary, development and servicing agreements may be registered on land titles to protect public interests.*

5.5 Subdivision Regulations

Provincial regulations governing subdivisions, and the approval of subdivision applications have been established pursuant to the Planning and Development Act. The Planning and Development

Act also enables local municipalities with subdivision approving authority to prepare and adopt specific subdivision regulations in a bylaw or alternatively operate under the Provincial Subdivision Regulations.

- a) *Pursuant to the Official Community Plan and Zoning Bylaw, the City may prepare and adopt a local subdivision bylaw which sets out requirements, processes/provisions and requirements respecting the subdivision of land.*
- b) *Bareland Condominium proposals shall be reviewed in accordance with regulatory standards and requirements applicable to standard lot/parcel subdivisions.*
- c) *The City of Estevan shall review subdivision proposals and applications in accordance with the goals, objectives, and policies of this plan, zoning and other bylaws of the City of Estevan, and the provisions of the Planning and Development Act.*

5.6 Development Levies

Development Levy provisions applicable to the subdivision and development of land as prescribed under applicable provisions of the Planning and Development Act, are options available to the City for purposes of financing the cost of present and future utility, service and infrastructure requirements.

- a) *Pursuant to the development levy provisions contained within the Planning and Development Act, the City will establish and require the payment of development levies applicable for the subdivision and development of land, and such charges and procedures shall be set forth in a Development Levy Bylaw adopted by the City.*

5.7 Other City Bylaws

Development involves various aspects of other City bylaws including but not limited to the Building Bylaw, Sign Bylaw, Solid Waste Management Bylaw, Traffic Bylaw, Water and Wastewater Bylaw. These bylaws will, in many instances be complimentary and assist in implementing various aspects of the Official Community plan and Zoning bylaw, and further set out specified terms, conditions, and procedures under which various permits may be issued. The standards applied through these bylaws have an impact upon the appearance and quality of development.

- a) *The City will have regard to the relationship of the Official Community Plan and Zoning Bylaw with other bylaws of the City, and will, where considered necessary and appropriate, maintain and update the various bylaws of the City to ensure consistency throughout.*

5.8 Variances

The Planning and Development Act authorizes a Development Appeals Board and Council, in certain instances, to grant variances to the standards established in a zoning bylaw.

- a) *The City shall maintain a Development Appeals Board consisting of 6 members to deal with zoning bylaw variance requests relating to the subdivision and development of land.*
- b) *The City shall, in accordance with Section 20 of the Planning and Development Act, maintain provisions and procedures within it's zoning bylaw for granting minor variances.*

5.9 Zoning Amendments and Rezoning of Land

Zoning amendments and rezoning of land are necessary for responding to changing needs within the City in addition to maintaining efficiency, effectiveness and harmony with the official community plan.

- a) *The City may, where considered necessary and appropriate, undertake an amendment to the Zoning bylaw which may include the rezoning of land, provided such an amendment is consistent with sound planning principles (including the following), and further conforms to the relevant provisions of the Planning and Development Act.*

(i) Conformance with Plan-Objectives & Policy

- *the nature of the proposal and it's conformity and compliance with any Official Community plan objectives and policies, Zoning standards, and development regulations.*

(ii) Development Pattern/Land use Compatibility

- *the need to foster a rational pattern of relationships between all forms of land.*
- *The suitability of the proposed development/use with respect to established development patterns in the area.*
- *The compatibility of the proposed development/use with surrounding land uses, the character of the area, site conditions/on-site amenities, as well the traffic impacts which include the capacity of the street system.*

(iii) Demand-Alternative Site Availability

- *The need for the form of land use proposed, and the supply of appropriately zoned land currently available in the general area capable of meeting that need.*

(iv) Amenities/Transportation/Municipal Services & Utility Infrastructure

- *The adequacy of on-site amenities associated with the proposal.*
- *The adequacy of the Transportation network/system to serve the proposed use.*

- *The physical capability of existing community infrastructure/utilities to serve the proposal.*

(v) Fiscal Responsibility-Public Investment

- *The benefits and costs of the proposed use with respect to municipal finances and required public expenditures.*
- *The effect of the proposed development on the City to feasibly provide municipal services, utilities and infrastructure, including adequate system capacities, and the obligations of the proponent to financially participate in providing such services*

- b) *Amendments to the zoning bylaw to accommodate proposals shall only be considered when specific development proposals or subdivision/rezoning applications, and/or other pertinent information has been presented to and reviewed by the City.*

5.10 Acquisition of Lands

- a) For the purpose of carrying out or complying with the objectives and/or policies of the plan, the City may purchase or otherwise acquire land inside or outside the municipality.
- b) If the City cannot purchase required land at a fair price or cannot otherwise acquire the land by agreement with the owner, it may undertake to expropriate the land in accordance with the provisions of the Planning and Development Act.

5.11 Development Review Considerations

- a) **When reviewing an application to rezone, subdivide and/or develop land, the City shall give due regard to the following;**
 - (i) conformity and compliance with the Official Community Plan objectives and policies, zoning standards and development regulations;
 - (ii) the viability and necessity of the use(s) at the proposed location;
 - (iii) the availability of alternative sites and buildings to accommodate the proposed development to achieve the intent of this plan;
 - (iv) the benefits and cost effectiveness of the proposed development with respect to municipal finances and required expenditures;
 - (v) the suitability of the proposed development with respect to development patterns;
 - (vi) the ability of the City and proponent to provide the required municipal services and public utilities and enter into suitable servicing and development agreements;

- (vii) the compatibility of the proposed use with surrounding land uses, existing and proposed public utilities, the character of the area, and environmental objectives;
- (viii) the effect of the proposed development on municipal services and utilities, including system capacities;
- (ix) reports, studies, development issues, public concerns, provincial agency comments, and other submissions on the proposed development;

b) Subdivision and Development proposals will not be approved where the proposal;

- (i) fails to conform to the policies of this plan, or any zoning, subdivision, or other development requirement;
 - (ii) is deemed to be detrimental to the health, safety, convenience, or general welfare of any persons working or residing in the area;
 - (iii) is injurious to, or incompatible with, existing or proposed developments or public utilities in the vicinity;
 - (iv) involves the refusal of a development proponent to;
 - enter into a servicing or development agreement; or
 - provide a requested environmental, geotechnical, development, servicing, or comprehensive development or subdivision proposal report or information.
 - (v) is not located, arranged, or serviced in an environmentally suitable manner.
- c) As part of any development application, development proponents shall be required to provide, maintain, and/or address the following services and public utilities, in accordance with the appropriate Provincial Acts and regulations and bylaws of the City;**
- (i) on-site and off-site water supply;
 - (ii) on-site and off-site sanitary sewage collection, storage, and disposal;
 - (iii) on-site and off-site solid waste collection, storage, and disposal;
 - (iv) road/street development and maintenance;
 - (v) on-site and off-site storm drainage provisions;

(vi) municipal/environmental/public utility reserve provisions;

(vii) franchise utilities;

(viii) fire protection/emergency services;

(ix) screening, buffering and landscaping provisions;

(x) public and environmental safety.

d) When requested by the City, Development/Subdivision proponents shall be required to provide any supplemental reports and/or support information relating to:

(i) Development specifics, impacts, phasing and others as specified;

(ii) geotechnical information including, but not limited to slope stability reports, surface/subsurface (soil) characteristics, development limitations, soils permeability, and erosion;

(iii) hydrological information including water demand, water supply, flooding or storm water management;

(iv) on-site and off-site servicing provisions relating to water, sanitary sewer, storm sewer, streets and roads;

(v) traffic impact analysis.

5.12 Capital Works Program

The capital works program is an essential tool for assisting in the implementation of infrastructure initiatives and policies contained within the Official Community plan.

a) The City may, where it considers appropriate and feasible, allocate finances for the improvement, expansion and development of capital works necessary to carry out the goals and objectives of this plan.

5.13 Public Participation in Planning and Development Processes

Public participation in the decision-making process is a fundamental principle of community planning, and successful planning requires public participation to be understood and practiced.

a) The City will continue to engage public participation in its planning and development processes, where such participation is required and/or is deemed necessary and appropriate in the interests of the community.

- b) The City will carry out the public notification requirements/processes established in the Planning and Development Act.
- c) The City, through Council, may establish a municipal planning commission whose role would be to advise and assist the Council with respect to all matters pertaining to Community Planning and Development within the City;

5.14 Administration and Review Fees

The City will establish a schedule of fees in the Zoning Bylaw, based on cost recovery, applicable to the following:

- Development Application Review
- Preassembled Dwelling Relocation Review
- Rezoning Application Review
- Zoning Amendment Review
- Subdivision Application Review and Approval
- Special Planning Services
- Home Based Occupation Application Review

and such fees established shall be reviewed and revised on a regular basis.

5.15 Effective Date of the Official Community Plan

This Official Community Plan shall come into force and effect on the date of final approval by the Minister of Ministry of Municipal Affairs.

Read a first time this 9th day of August , 2010
Read a second time this 20th day of September 20, 2010
Read a third time this 20th day of September, 2010

“seal”

Mayor Gary St. Onge

Lyndon Stachoski, City Clerk

Approved by the Minister of Community Planning Services this _____ day of _____ 2010

Minister