

THE TOWN OF KERROBERT

BYLAW NO. 1012-16

A Bylaw to amend Bylaw No. 994-14 known as the Official Community Plan

The Council of the Town of Kerrobert, in the Province of Saskatchewan, enacts to amend Bylaw 994-14 as follows:

1. Section 2: "Town of Kerrobert Land Use Policies", subsection 2.1 "General Policies for New Development", clause 2.1.6 is amended by removing the clause in its entirety and is replaced with the following:

2.1.6 Council may authorize the preparation of an amendment to the OCP, provided the overall intent of the OCP is not changed, the vision and community goals are met, and there is sufficient supportive research and evaluation as determined through the Comprehensive Development Review process to warrant amendments.

2. Section 2: "Town of Kerrobert Land Use Policies", subsection 2.1 "General Policies for New Development", is to be amended by adding immediately following clause 2.1.21 the following new clause:

2.1.22 The Town recognizes the importance of implementing land use controls that identify and preserve pipeline rights-of-way. Public and pipeline safety shall be taken into consideration in the development planning and design. Development along pipelines shall be subject to the following:

- a) *Any development involving pipeline and/or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by Crown corporations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663", which may be amended from time to time;*
- b) *Setbacks from the edge of the pipeline easement shall be 12.0 metres (39 ft) except for where there is more stringent Federal and Provincial regulations in which those regulations apply;*
- c) *The National Energy Board has designated a setback area of 30 metres (98 ft) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation, must:*
 - i. *Ascertain whether a pipeline exists;*
 - ii. *Notify the pipeline company of the nature and schedule of the excavation; and,*
 - iii. *Conduct the excavation in accordance with such regulations.*

d) *Development proposals which may impact the pipelines within 200 metres (656 ft) of the Town's pipeline corridor shall consult with the pipeline operators as part of the formal land use planning and application process, and prior to submitting a subdivision or development permit application.*

2.1.23 Development proposed on the lands identified as potentially contaminated on the Reference Map provided in Appendix "B" may be subject to an Environmental Site Assessment at their cost prior to any excavation to ensure contamination is removed or contained in the interests of public safety and environmental management.

3. Section 2: "Town of Kerrobert Land Use Policies", subsection 2.3 "Residential Development", clause 2.3.9 shall be amended by removing it in its entirety and is replaced with the following:

2.3.9 New residential subdivisions consisting of the creation of more than one parcel, should be guided by a Comprehensive Development Review of the appropriate scope and detail based on the scale and location of the proposed development and should indicate:

- a) future major roads;*
- b) drainage systems and improvements required to meet non-agricultural drainage requirements;*
- c) major open space (including unique physical) areas;*
- d) cultural and archaeological significant areas;*
- e) areas requiring protection through buffering or other means;*
- f) major hazards such as flooding, areas of high water table, and slope lands;*
- g) phasing of development; and*
- h) include studies and reports from professional engineers and planners.*

4. Section 2: "Town of Kerrobert Land Use Policies", subsection 2.4 "Commercial Development", clause 2.4.4 be amended by removing the clause in its entirety and is replaced with the following new clause:

2.4.4 Commercial activities shall include the development of structures, buildings, and landscaped areas that are compatible with adjacent uses.

5. Section 2: "The Town of Kerrobert Land Use Policies", subsection 2.6 "Transportation Networks", shall be amended by adding immediately following clause 2.6.15 new clauses to include the following:

2.6.16 A minimum 30 metre (98 ft) setback from the railway right-of-way property line to the building face shall be required for any new residential or commercial development. Setbacks from industrial development shall be determined through consultation with the Railways.



2.6.17 Noise and vibration levels near roadways and rail lines shall be a factor in the evaluation of proposals throughout the development review process. Noise and vibration assessments may be required for new development within 300 metres (984 ft) from the rail line in order to prescribe mitigation measures and to determine the viability of foundation structures.

2.6.18 All costs associated with preparing the noise and vibration assessment and implementing the approved mitigation measures shall be borne by the affected developers.

6. Section 2: "Town of Kerrobert Land Use Policies, subsection 2.8 "Community Service and Recreational Lands" is be amended by adding immediately following clause (2.8.21) new clauses to include the following :

- a) *Green space is identified on the Future Land Use Map found in Appendix "A", green (or open) space is considered to be passive and structured leisure and recreational areas that enhance the aesthetic quality and conserve the environment of the community. The Town shall ensure these spaces are protected into the future.*
- b) *The Town should ensure green space is integrated as part of new developments especially in residential, core commercial, and community service areas. Green spaces will enhance the aesthetics of these areas and provide residents recreational opportunities.*

The number of subsequent clauses shall be adjusted accordingly.

7. Section 2: "Town of Kerrobert Land Use Policies", subsection 2.8 "Community Service and Recreational Lands", clauses 2.8.22; 2.8.23; and 2.8.24 shall be removed and replaced with the following new clauses:

2.8.22 Subdivision applicants will be required to dedicate the full amount of Municipal Reserve owing in the forms provided for in The Planning and Development Act, 2007. In the case of multi-lot residential subdivisions, land dedication for Municipal Reserve is preferred where possible.

2.8.23 Subdivision applicants will be required to dedicate, as Environmental Reserve, all lands in an area to be subdivided that can be defined as Environmental Reserve in accordance with the provisions of The Planning and Development Act, 2007.

2.8.24 Land provided as an Environmental Reserve becomes the property of the municipality. An applicant applying to subdivide land may be required to provide any amount of land in any location that the approving authority considers necessary, if the land consists of:

- a) *A ravine, coulee, swamp, natural drainage or creek bed;*



- b) *Wildlife habitat areas that:*
 - i. *Are environmentally sensitive; or*
 - ii. *Contain historical features or significant natural features.*

2.8.25 Multi-lot residential subdivisions may require land dedication for Municipal Reserve. Single-lot subdivisions of all land uses and multi-lot commercial and industrial subdivisions may defer municipal reserve or provide money in lieu is preferred for all or part of the Municipal Reserve requirement where it is deemed that land dedication is unnecessary or undesirable at the time of subdivision.

2.8.26 Where development is proposed adjacent to a watercourse, the Town will request the subdivision approving authority to dedicate Municipal or Environmental Reserve as appropriate to protect sensitive areas and ensure continued public access to these areas.

2.8.27 Dedication of municipal reserve is required for subdivision; the municipality may accept cash-in-lieu of dedication, deferral or a combination of dedication and cash-in-lieu unless there is an identified need for recreational land in the vicinity of the development. Where cash-in-lieu is taken, the money may be used to purchase municipal reserves, particularly where the land can also be used for storm water management or for the expansion and development of public reserve and environmental reserve as needed in other areas.

8. Section 4: "Administrative Tools", subsection 4.2 "Implementation and Monitoring", clause "Definitions" shall be removed in its entirety and replaced with the following:

The Town of Kerrobert's Zoning Bylaw definitions shall apply to this Official Community Plan. Any amendments to the Zoning Bylaw definitions shall ensure they do not conflict with the intents of the North West Resource Corridor District Plan, to which this OCP relates. The Town may refer any proposed changes to the District Planning Commission for review.

9. Section 4: "Administrative Tools", subsection 4.2 "Implementation and Monitoring", clause "Development Levies and Agreements" shall be removed in its entirety and replaced with the following:

Council may adopt a Development Levy Bylaw as specified in Section 169 to 170 of The Planning and Development Act, 2007, for the purposes of recovering all or a part of the municipalities capital costs of providing, altering, expanding or upgrading the following services and facilities associated, directly or indirectly, with a proposed development:

- *Sewage, water or drainage works;*
- *Roadways and related infrastructure;*
- *Parks; and,*
- *Recreational facilities.*

Before adopting a Development Levy Bylaw, Council will undertake studies necessary to define the benefiting areas and the unit costs associated with required capital upgrading of off-site services.

Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan and this Bylaw, pursuant to Section 171 to 176 inclusive, The Planning and Development Act, 2007. The development agreement will specify the owed levies based on the proposed development and the Development Levy Bylaw.

10. Section 4: "Administrative Tools", subsection 4.2 "Implementation and Monitoring", clause "Servicing Agreements" shall be removed in its entirety and replaced with the following:

Where a development proposal involves subdivision, Council may require the subdivision applicant/developer to enter into a servicing agreement to provide services and facilities that directly or indirectly serve the subdivision to the standard required by Council, pursuant to Section 172 to 176 inclusive, The Planning and Development Act, 2007. The servicing agreement may provide for:

- a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;*
- b) The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision;*
- c) Time limits for the completion of any work or the payment of any fees;*
- d) Provision for cost sharing between the Town and developer; and,*
- e) Any assurances as to performance that Council may consider necessary.*

The servicing agreement becomes a condition of approval of a subdivision by the approving authority. The requirements, conditions, and fees may vary depending upon service needs.

11. Section 4: "Administrative Tools", subsection 4.2 "Implementation and Monitoring", shall be amended by adding immediately following clause "Comprehensive Development Reviews" the following new clause:

Performance Bonds, Insurance and Registering Interest

Council may require a developer to post and maintain a performance bond to ensure developer performance and to protect the public interest.

Council may require developers to provide and maintain liability insurance to protect the municipality, developer and public.



Council may require that development servicing agreements and other documents be registered as an interest against the title to the affected lands, to protect municipal and public interests.

12. Appendix "A" - Town of Kerrobert Future Land Use Map is amended by removing the Future Land Use Map in its entirety and is replaced with the map referred to in Appendix "A" of this bylaw.

13. Appendix "B" - Reference Maps are amended by adding the following new reference maps referred to in Appendix "B" of this bylaw:

- Potential Flood Prone and Contaminated Lands;
- Bedrock Geology and Water Wells;
- Water Supply Facilities;
- Pipelines and Utility Right-of-Ways;
- Railway and Pipeline Emergency Response Planning;
- Health, Safety and Emergency Services.

14. This bylaw shall come into force and take effect when adopted by Council.

Read a first time on this 27 day of APRIL, 2016

Read for a second time on this 25 day of MAY, 2016

Read for a third time and passed on this 25 day of MAY, 2016



MAYOR



ADMINISTRATOR

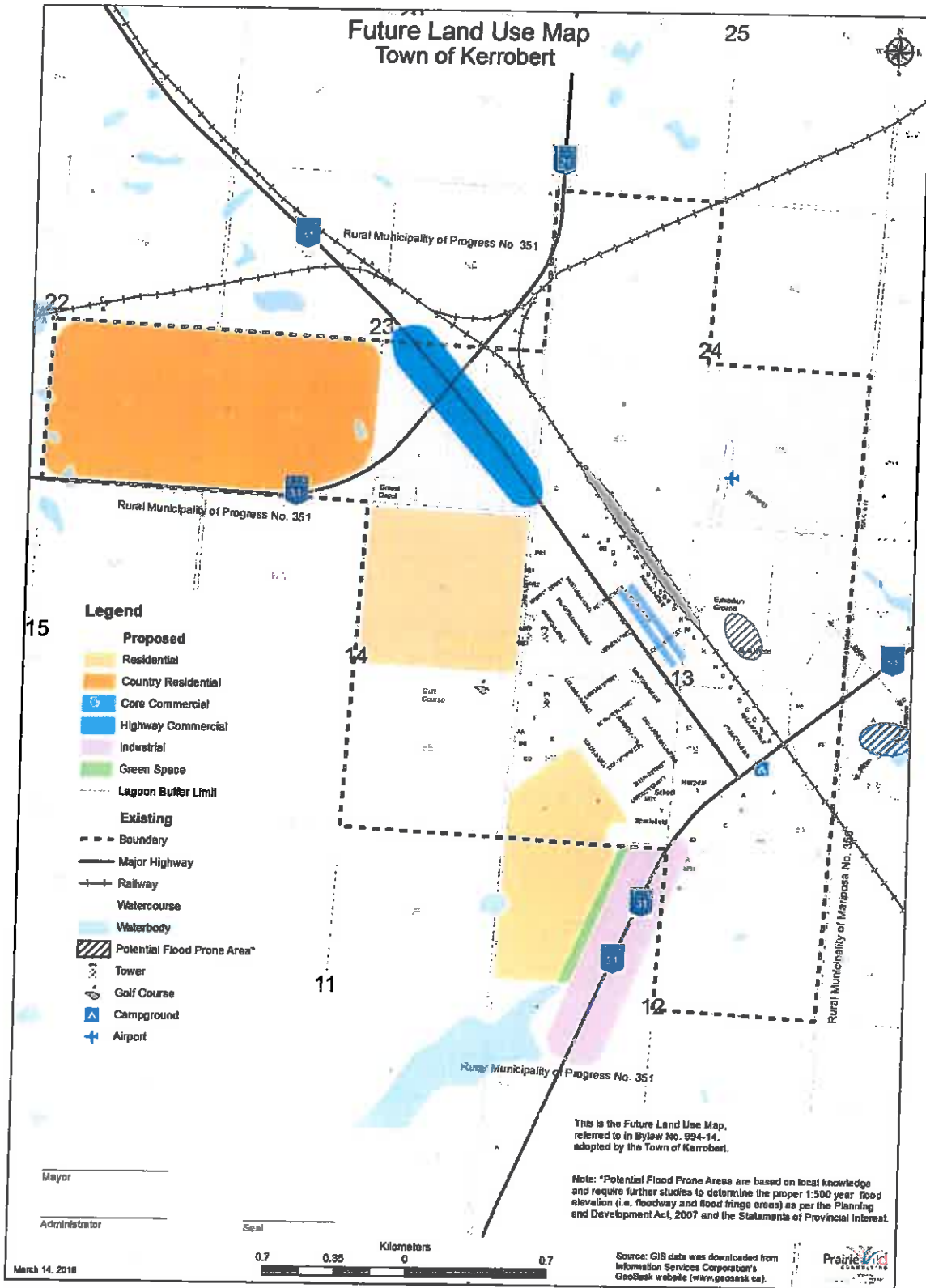


Certified a true copy of Bylaw No. 1012-16
Passed the 25 day of May, 2016.



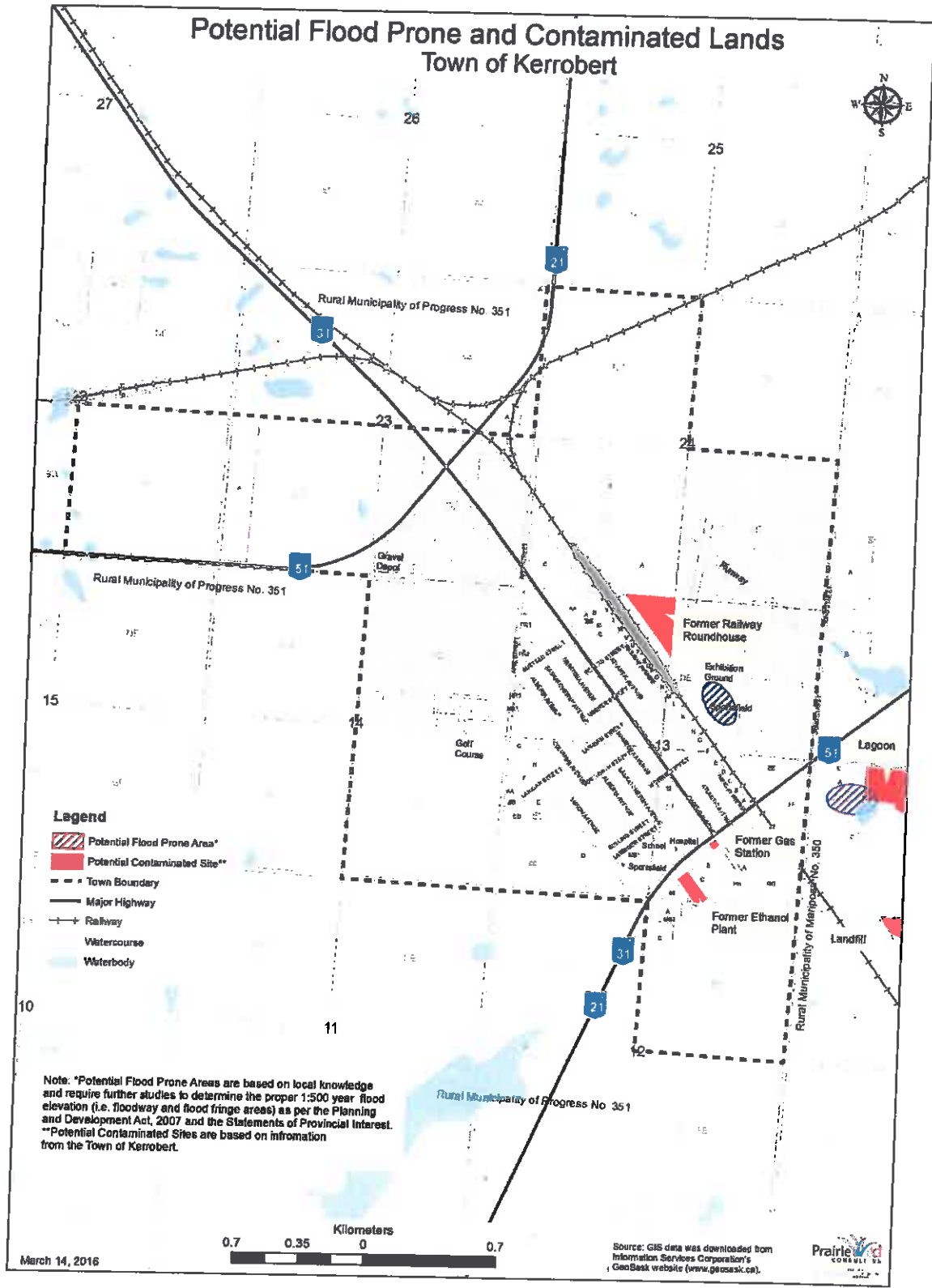
Administrator

Appendix "A": Town of Kerrobert Future Land Use Map

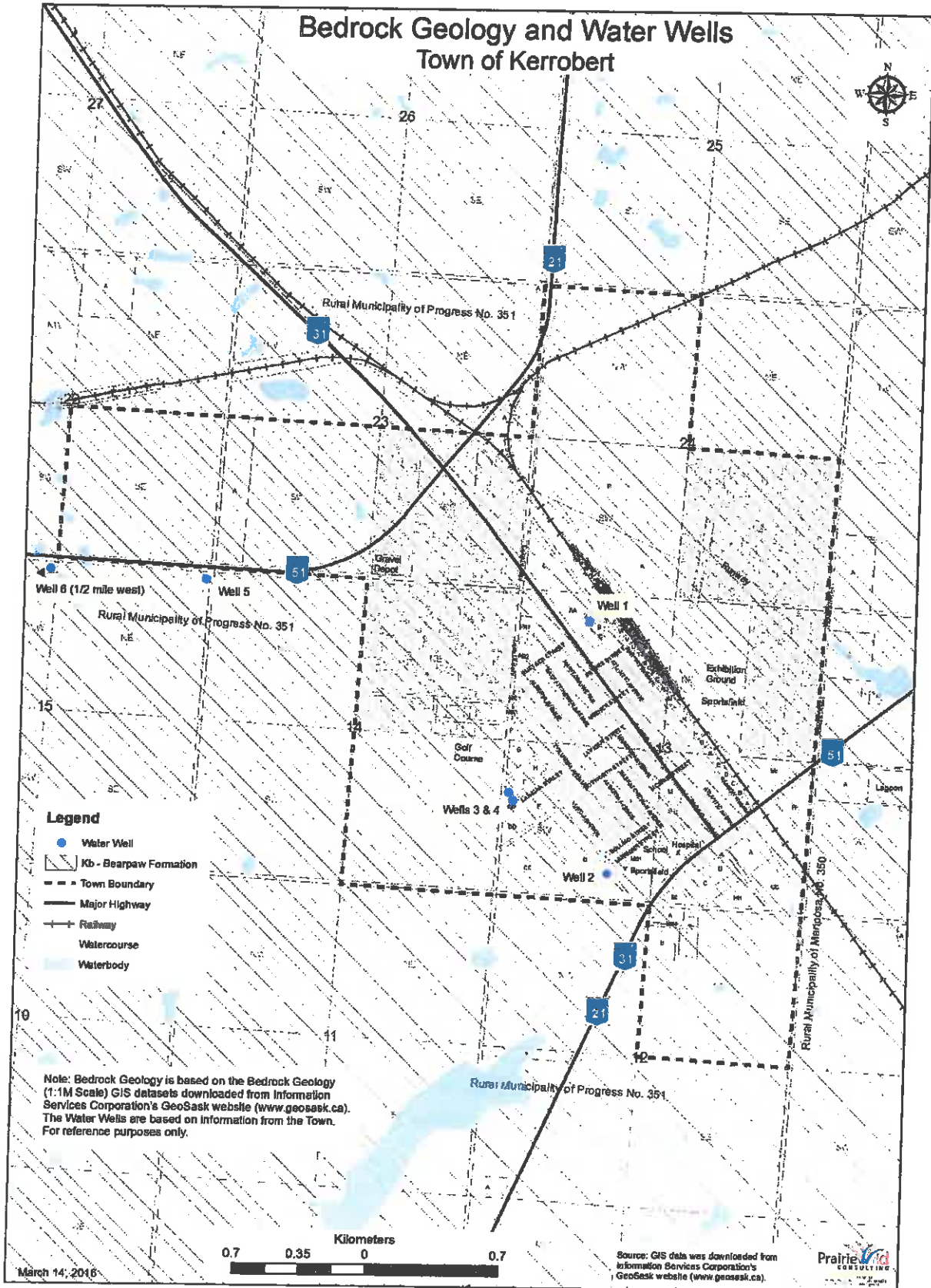


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Appendix "B": Town of Kerrobert Reference Maps

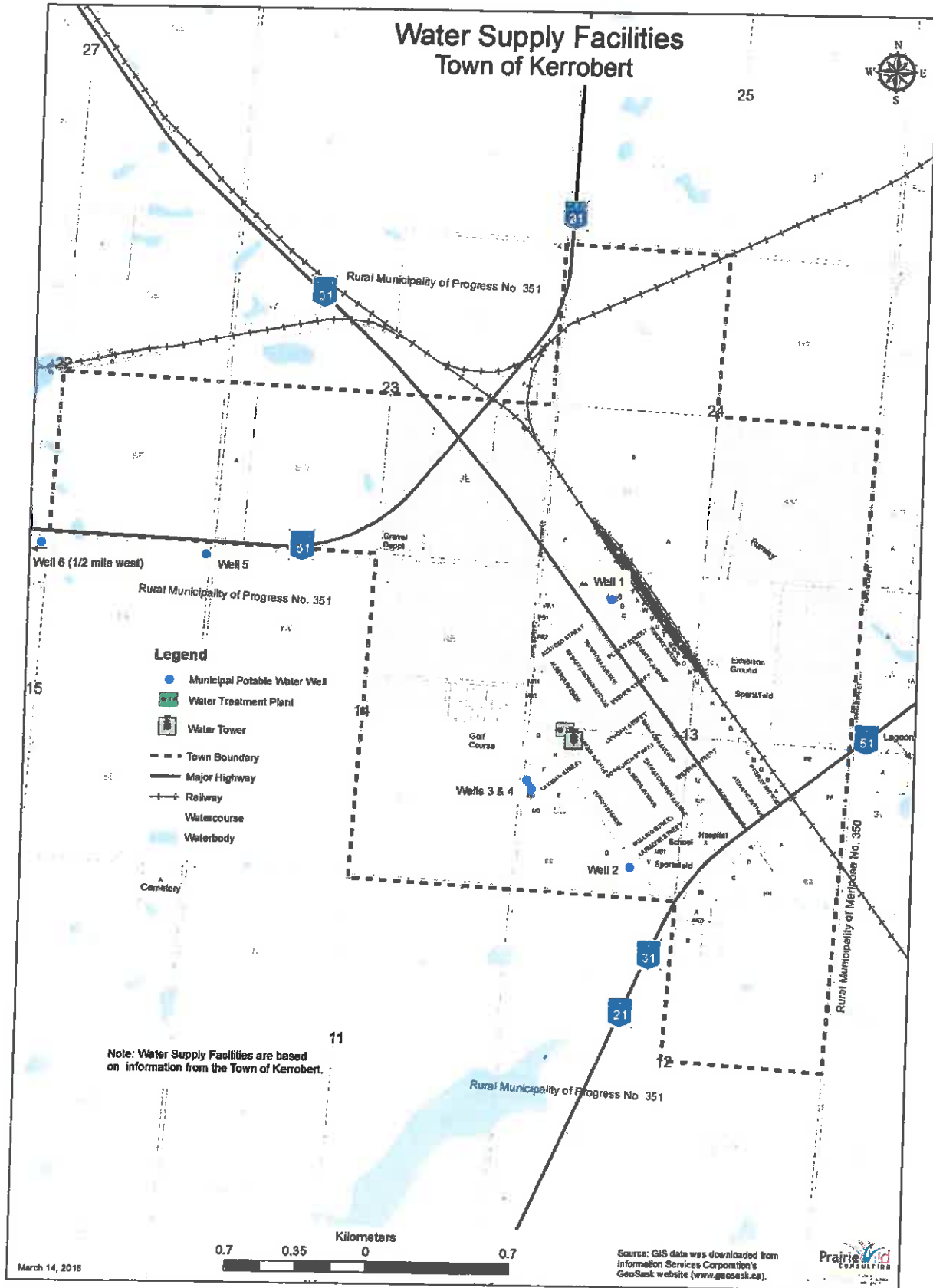


Bedrock Geology and Water Wells Town of Kerrobert



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Water Supply Facilities Town of Kerrobert



Legend

- Municipal Potable Water Well
- Water Treatment Plant
- Water Tower
- - - Town Boundary
- == Major Highway
- +— Railway
- Watercourse
- Waterbody

Note: Water Supply Facilities are based on information from the Town of Kerrobert.



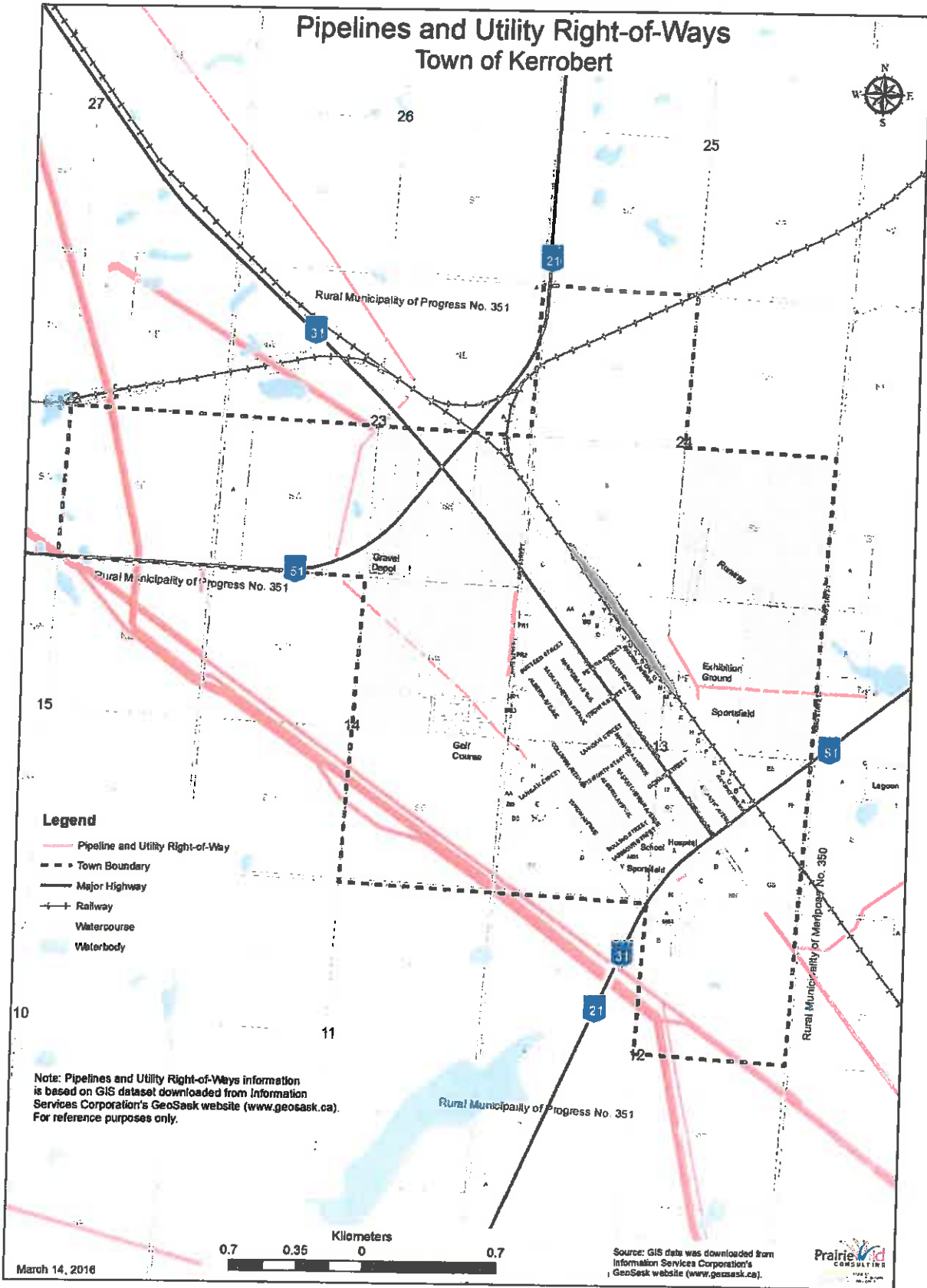
Source: GIS data was downloaded from Information Services Corporation's GeoSask website (www.geosask.ca).



March 14, 2016



Pipelines and Utility Right-of-Ways Town of Kerrobert



- Legend**
- Pipeline and Utility Right-of-Way
 - - - Town Boundary
 - Major Highway
 - +— Railway
 - Watercourse
 - Waterbody

Note: Pipelines and Utility Right-of-Ways information is based on GIS dataset downloaded from Information Services Corporation's GeoSeek website (www.geosask.ca). For reference purposes only.



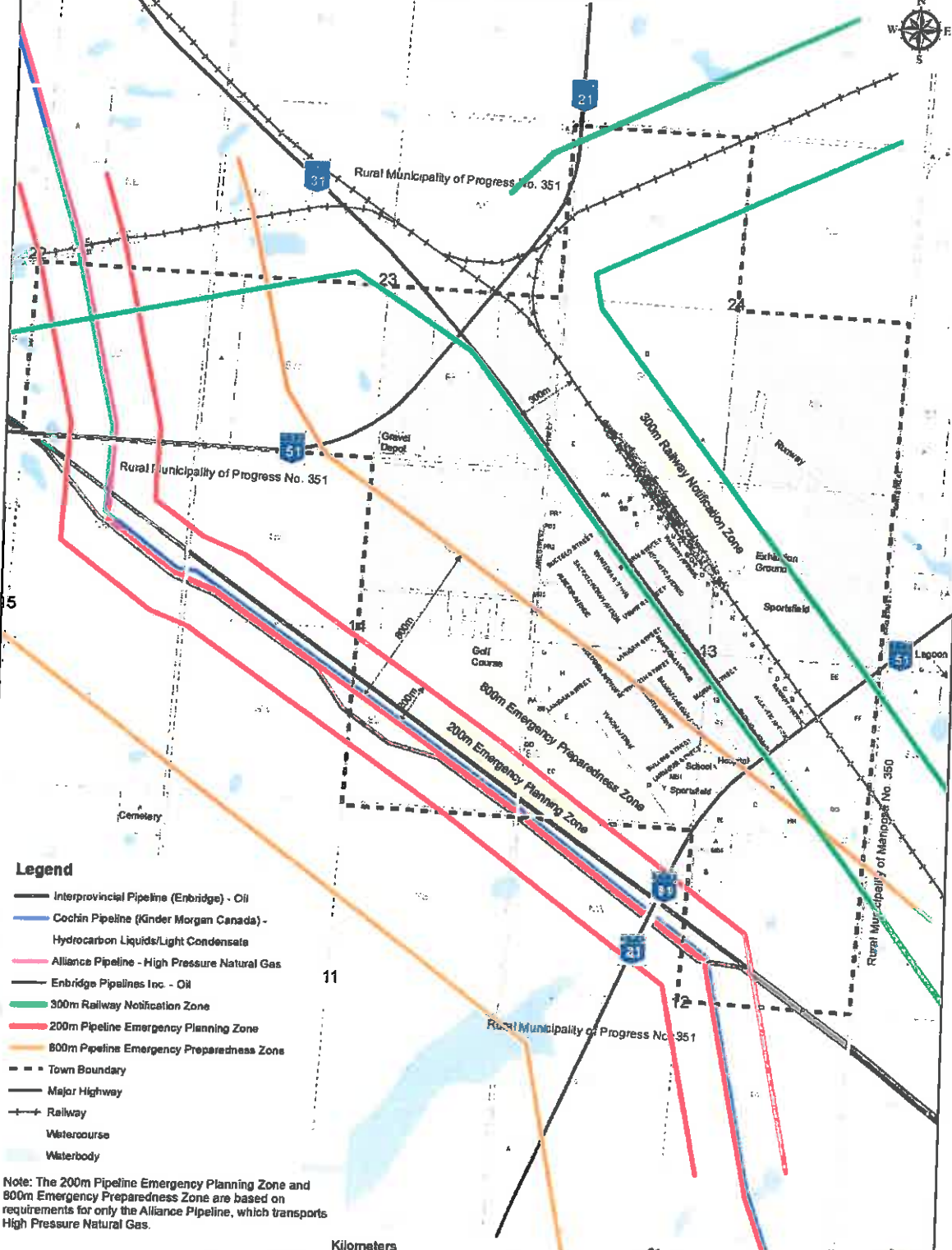
March 14, 2016

Source: GIS data was downloaded from Information Services Corporation's GeoSeek website (www.geosask.ca).



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Railway and Pipeline Emergency Response Planning Town of Kerrobert



- Legend**
- Interprovincial Pipeline (Enbridge) - Oil
 - Cochin Pipeline (Kinder Morgan Canada) - Hydrocarbon Liquids/Light Condensate
 - Alliance Pipeline - High Pressure Natural Gas
 - Enbridge Pipelines Inc. - Oil
 - 300m Railway Notification Zone
 - 200m Pipeline Emergency Planning Zone
 - 800m Pipeline Emergency Preparedness Zone
 - - - Town Boundary
 - Major Highway
 - Railway
 - Watercourse
 - Waterbody

Note: The 200m Pipeline Emergency Planning Zone and 800m Emergency Preparedness Zone are based on requirements for only the Alliance Pipeline, which transports High Pressure Natural Gas.



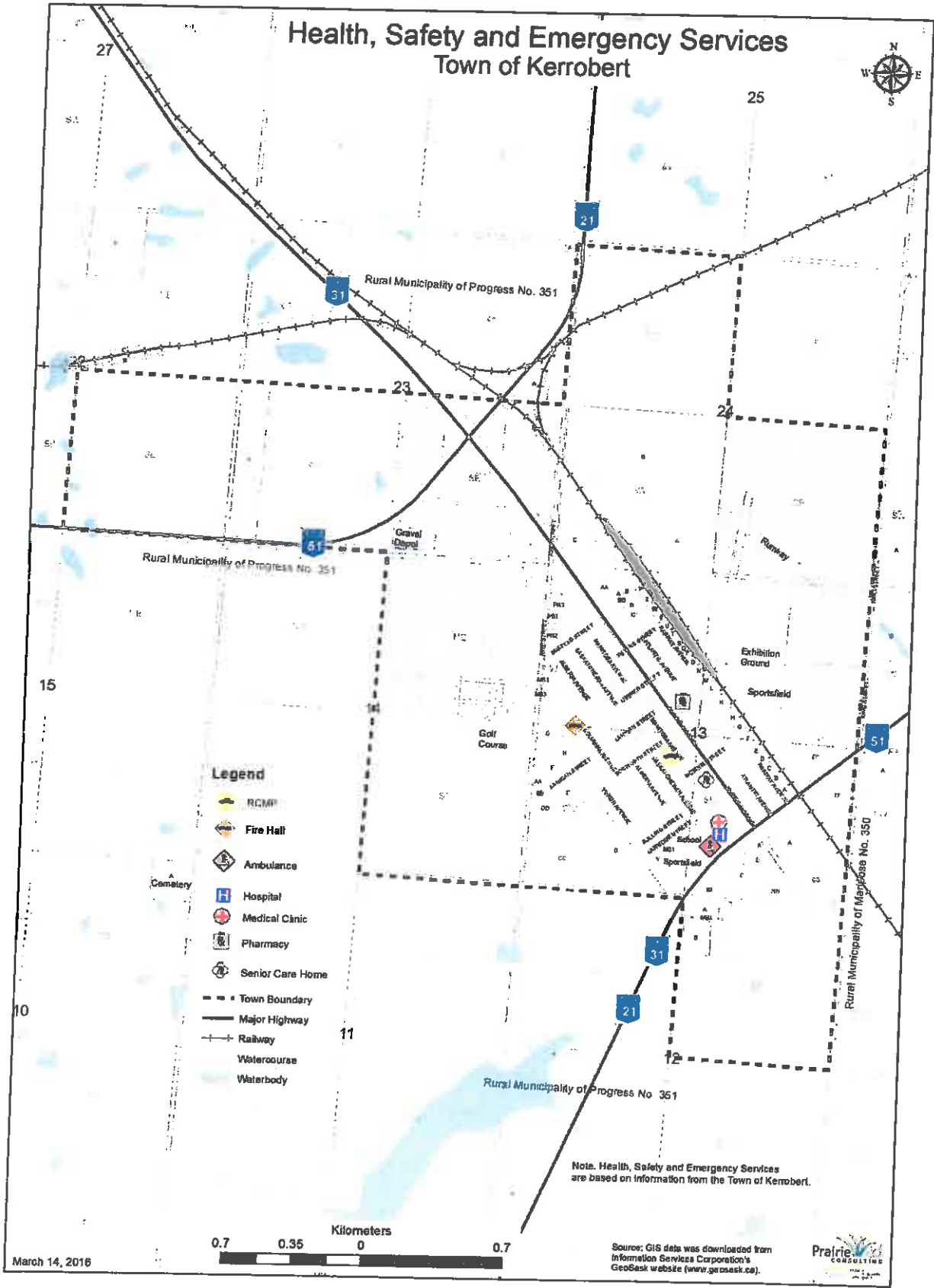
Source: GIS data was downloaded from Information Services Corporation's GeoSeek website (www.geoseek.ca).



March 14, 2015



Health, Safety and Emergency Services Town of Kerrobert



Legend

- RCMP
- Fire Hall
- Ambulance
- Hospital
- Medical Clinic
- Pharmacy
- Senior Care Home
- Town Boundary
- Major Highway
- Railway
- Watercourse
- Waterbody



March 14, 2016

Source: GIS data was downloaded from Information Services Corporation's GeoBask website (www.geobask.ca).





Government
of
Saskatchewan

RECEIVED JUL 06 2016

Community Planning

Ministry of Government Relations

Rm 978, 122-3rd Avenue North
Saskatoon, Canada S7K 2H6
Phone: (306) 933-5729
Fax: (306) 933-7720

June 30, 2016

File: T Kerrobert OCP

Ms. Monica Merkosky, Administrator
Town of Kerrobert
Box 558
KERROBERT SK S0L 1R0

Dear Ms. Merkosky:

RE: **Town of Kerrobert**
Bylaw No. 1012-16 (Official Community Plan amendment)

I am pleased to inform you that Bylaw No. 1012-16, an amendment to the Town of Kerrobert Official Community Plan (OCP), has been approved. Enclosed is one certified true copy of the above bylaw, endorsed by the Assistant Deputy Minister of Government Relations, on June 27, 2016, for your records. Please also note that the subject bylaw satisfies the conditional approval of the Town's OCP dated September 25, 2015.

If you have any questions feel free to contact me.

Sincerely,

Jared Stephenson
Planning Consultant

Enclosure (1)

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MAYOR



ADMINISTRATOR



I hereby certify that this is a true and correct copy of the original document.

Certified By mmf
Date June 6, 2016