

**RURAL MUNICIPALITY OF
MARYFIELD NO. 91
BASIC PLANNING STATEMENT
BYLAW NO. 3/2003**

This is Exhibit "A" to the Statutory Declaration
of Jim Little, sworn before me this 21st day of
November, 2003.



Anna Macksymchuk
A Commissioner for Oaths in and
for the Province of Saskatchewan.
My Commission expires October 31, 2008.

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SECTION 1 - INTRODUCTION

1.1 Purpose

The Council of the R.M. of Maryfield No. 91 has authorized the preparation of a basic planning statement pursuant to *The Planning and Development Act, 1983*, to provide a set of objectives to guide the use of land and its future development within the limits of the municipality. Development and subdivision of land within the municipality shall be consistent with this bylaw.

SECTION 2 - MUNICIPAL GOALS

2.1 Agriculture

To preserve and enhance the agricultural economic base of the municipality.

2.2 Business Development

To enhance the rural way of life in the municipality, and provide for new opportunities that support that way of life.

2.3 Residential Development

To provide a variety of living environments and life styles for residents.

2.4 Municipal Services

To ensure orderly and appropriate development of land and of cost efficient services to support development.

2.5 Environmental Management

To support use of the land which will maintain its productivity and protect the quality of the environment for future generations.

2.6 Land Use Management

To minimize land use conflicts within the R.M. and along its borders with adjoining urban and rural municipalities and First Nation Lands.

SECTION 3 - AGRICULTURE

3.1 Discussion of Issues

- Protection of agricultural activities and resources is the principal concern of the municipality. Council wishes to encourage the retention of high quality agricultural land in larger parcels to avoid the fragmentation of productive land for speculative purposes.

3.2 Objectives

- To promote continued agricultural activity and to ensure that agriculture remains the primary land use in the municipality.
- To conserve high quality agricultural land for continuing productive agricultural use.
- To provide for intensive forms of agriculture including intensive livestock or irrigation operations and to recognize differing forms of subdivision and development patterns that intensive agriculture may require.
- To protect agricultural land uses from negative impacts of non-agricultural land use and development.
- To support agricultural uses in the municipality in a manner that would not create conflicts with neighbouring uses, jeopardize reasonable development potentials, or create significant environmental concerns.
- To promote and encourage agricultural land use practices and development which enhance soil conservation.

3.3 Zoning Implementation Policy

The zoning bylaw shall recognize primary agricultural uses. The primary agricultural uses include grain farming, mixed grain/livestock operations, farmsteads, intensive agricultural uses, and farm based agricultural related commercial developments or home based businesses.

3.3.1 Farm Operations

- (1) The development and operation of farms and farmsteads for field crop, pasture and non-intensive livestock operations will be accommodated.
- (2) The division of land for agricultural field crop and pasture use will be accommodated.

3.3.2 Farm Dwellings

- (1) Single detached and dormitory dwellings for agricultural operators will be permitted on agricultural sites, according to the policies on residential density.

3.3.3 Intensive Agriculture

- (1) In general, Council will support the development of intensive agricultural and livestock operations unless specific locational conflicts would be created.
- (2) Intensive agricultural operations and intensive livestock operations (ILOs) will be discretionary uses. Any expansion of an operation to provide for a greater number of animal units, or any change in an operation which alters the species of animal, shall require a new discretionary approval.

- (3) The Zoning bylaw may provide for the temporary confinement of cattle on a farmstead during winter months as part of a permitted use general mixed farm operation. The bylaw may also provide for other temporary holding and loading facilities as discretionary uses subject to discretionary conditions for approval including maximum number and time of confinement.
- (4) Council may advertise any proposal that will result in an intensive livestock operation and may hold a public hearing on the proposal.
- (5) In order to minimize conflict between intensive livestock operations and surrounding development, Council will consider applications for development of an I.L.O. and apply the following criteria:
 - a) No new I.L.O. will be considered if the operation will be less than 400 metres from a dwelling not located on the site, or associated with the proposed I.L.O.
 - b) The applicant has demonstrated to the satisfaction of Council that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
 - c) The minimum separation distances in Table 3.1 will be applied to determine acceptable locations.
 - d) A greater separation may be needed from any liquid manure storage lagoon involved in the operation, to residential and other developments.
 - e) Council may consider lesser separation distances than given in Table 3.1 where:
 - i) Written notice approved by Council has been given to the owner of a residence within the distance provided in Table 3.1, and to the hamlet board of a hamlet or Council of urban municipality with the specified distance, and
 - ii) A public hearing has been held,
 - iii) Council may approve or refuse a proposal based on any problems identified,
 - f) Council may require that the developer of a proposed I.L.O. enter into an agreement with the owner of a residence and the municipality, consenting to the proposed development up to a specified size, as a condition of approval where the separation distances are, in Council's opinion, less than the criteria of Table 3.1.
 - g) As a condition of approval Council shall specify the maximum number of animal units for which the approval is made, and may impose standards to reduce the potential for conflict with neighbouring uses which specify the location of holding areas, buildings or manure storage facilities on the site.
 - h) As a condition of approval Council may specify requirements based on development standards in the zoning bylaw regarding the disposal of manure produced by the ILO, or other measures intended to reduce odour, environmental problems, or conflict with neighbouring uses from an ILO.

**Table 3.1
Locational Separation Criteria for I.L.O.s to Specific Uses**

Development	Animal Units				
	10-49	50-299	300-449	450-2000	>2000
Residence, tourist accommodation, campground, commercial or industrial	400 m	800 m	1200 m	2400 m	2400 m
Residential subdivision, hamlet or village with less than 100 population	400 m	800 m	1200 m	2400m	2400 m
Village 100 or more population	400 m	800 m	1200 m	3200 m	3200 m
Town	800 m	1200 m	1600 m	3200 m	4800m
City	800 m	1600 m	2400 m	3200 m	4800m

(Distances are measured from the circumference of a circle that takes its center at the Residence and includes all out buildings of a Farmstead or Acreage to the circumference of a circle containing all buildings and lagoons of the ILO. In regards to Villages, Towns, Hamlets, or Cities, distances are measured between livestock facilities and the Corporate or Legal Limits.)

(6) Waste Disposal Facilities

- a) Disposal of manure from an ILO on agricultural land will be considered a permitted ancillary use in the zoning bylaw.
- b) Such disposal will be subject to special standards or location requirements specified in the zoning bylaw that are intended to reduce the potential for land use conflicts

SECTION 4 - BUSINESS DEVELOPMENT

4.1 Discussion of Issues

- Council recognizes that natural resource extraction and development (eg. oil and gas, forestry, bentonite, etc.) may provide opportunity for a diversified economic base for the municipality.
- Council supports the diversification of the farm economy through the establishment of farm site based business, agri business, and value added processing of agricultural products.

4.2 Objectives

- To encourage and promote economic development opportunities in the municipality including:
 - agri business
 - farmstead based business
 - value added processing of farm products
 - tourism
 - resource extraction related activity
- To ensure that business development occurs in a manner which minimizes negative impacts on the environment, other land uses, and municipal finances.

4.3 Zoning Implementation Policy

Council will accommodate uses that provide business development in the zoning bylaw in a manner that does not create conflicts with neighbouring uses, jeopardize reasonable development potentials, create significant environmental concerns, or result in excessive costs to the municipality.

4.3.1 Oil and Gas Development

- (1) Petroleum extraction development including wells, pipelines, compressor stations and storage facilities will be accommodated in the zoning bylaw as a permitted use.
- (2) Related processing and service development will be accommodated as a discretionary use. Council will consider the developments based on the results of any environmental impact assessment, availability of appropriate water and other resource supplies, compatibility of the operation with adjacent residences and other uses, and arrangements proposed for development or upgrading of necessary municipal services including the standard of roads necessary to support the development.

4.3.2 Agri-Business

- (1) The zoning bylaw will make provision for ancillary commercial developments on farms that support the operation of agriculture in the municipality.
- (2) Other commercial and industrial uses, as specified in the zoning bylaw, may be accommodated as discretionary uses. Council will consider such proposals based on their compatibility with adjacent uses, and the suitability of municipal services, including road access to the development.

4.3.3 Tourism

- (1) Tourist developments, such as bed-and-breakfast operations ancillary to a residence or vacation farms ancillary to a farmstead and operating agricultural use, will be discretionary uses.

- (2) Campgrounds and other public or commercial recreation uses will be discretionary uses.
- (3) Commercial services for the travelling public will be discretionary uses. The primary locational criterion will be safe access to a highway, except where the development will be directly associated with another recreation or destination use.
- (4) Council will exercise its discretion based on the suitability of the location and development with respect to physical access, and separation to intensive livestock operations, resource extraction facilities, or other uses which may be incompatible with tourist developments.

4.3.4 Home Based Business

The zoning bylaw will provide for home based business for the occupants of a farmstead or residence as a discretionary use based on compatibility of the occupation with the principal agricultural or residential use of the property.

4.3.5 Sand and Gravel

- (1) A sand and gravel operation shall be a discretionary use.
- (2) Such uses will be considered under the following criteria:
 - a) The applicant is willing to enter into a road maintenance agreement, or other similar agreements that will provide for the additional costs of required municipal services and protection of municipal infrastructure, where required by Council.
 - b) Separation from residential or other incompatible uses.
 - c) Council may apply special standards and requirements based on provincial guidelines (e.g. *Guidelines for Environmental Protection During Development and Restoration of Sand and Gravel Pits*, Saskatchewan Environment and Public Safety, 1983), to ensure compatibility with adjacent uses, safe operation and suitable reclamation.

SECTION 5 - RESIDENTIAL DEVELOPMENT

5.1 Discussion of Issues

- Council recognizes that there are various forms of residential development that will occur in the municipality.
- Council wishes to ensure that the needs of the various forms of development are addressed to create suitable residential environments.

5.2 Objectives

- To provide for residential development in agricultural areas as is necessary to support the agricultural and business function of the municipality.
- To manage the development of other non farm residential sites to minimize negative impacts on farmland fragmentation and municipal service delivery.
- To provide for and manage multi-parcel residential development.

5.3 Zoning Implementation Policy

Council recognizes that various forms of residential development including farm residential, single parcel residential acreage, residential acreage communities, resort areas and hamlet areas may be required.

5.3.1 Farm Residential

Single detached dwellings and multiple unit dwellings located on the same site, for operators of the agricultural use, will be permitted on agricultural farmstead sites.

5.3.2 Density of Residential Development in Agricultural Areas

- (1) Within an agricultural zoning district in any quarter section, residential development will be limited to a maximum of 3 sites that contain residences, including a farmstead.
- (2) Development of a residence on a site of less than a quarter section will be a discretionary use. Council will consider residential developments based on compatibility with adjacent uses, and the following criteria:
 - a) Compliance with the density requirement.
 - b) Direct access to a developed municipal road.
 - c) The minimum separation distances to I.L.O.s as specified in Table 3.1, for any existing operation. Council may apply the same criteria for separation to a proposed I.L.O. operation or expansion where it considers appropriate.
 - d) The minimum separation distances required to utility facilities or hazardous goods storage facilities such as anhydrous ammonia, from residential development as required by municipal, provincial or federal authorities shall apply to residential development proposals.
- (3) Subdivision for residential sites will comply with the density requirements of this section.

5.3.3 Medium Density Residential Development

- (1) Subdivision for residential development at a density greater than 3 residential subdivisions per quarter section, will be considered on its merits through a rezoning to a medium density residential district.

- (2) Medium density residential developments shall observe the minimum separation distances from intensive livestock operations as provided in Table 3.1. Council may refuse a rezoning for a residential development where, based on information submitted to Council, in its opinion a new operation or future expansion of an intensive livestock operation will require a greater separation.
- (3) The minimum separation distances required to utility facilities or hazardous goods storage facilities, such as anhydrous ammonia, shall be observed.

SECTION 6 - MUNICIPAL SERVICES

6.1 Discussion of Issues

- Council recognizes that the planning and management of development are required to ensure the provision of cost effective municipal services that don't create a financial burden on the municipality.
- The primary servicing and administrative concerns of the municipality have been the provision and maintenance of roads; however, it is also recognized that there is an increasing public expectation for services from the municipality.

6.2 Objectives

- To ensure that development is serviced to a sufficient standard for its use and density without excessive cost.
- To ensure that municipal interests are addressed in the planning of transportation, utility and pipeline facilities, and any associated subdivision or easements.

6.3 Zoning Implementation Policy

6.3.1 Road Access

- (1) All residential, commercial or intensive agricultural development shall be required to have access to a developed road.
- (2) Council may require any person to enter into an agreement with the municipality for the maintenance of any municipal road within the municipality in accordance with *Section 190 of The Rural Municipal Act*.

6.3.2 Servicing Agreements

- (1) Where a subdivision of land will require the installation or improvement of municipal services such as roads or streets, utilities, water supply systems, or sewage disposal facilities, the developer will be required to enter into a servicing agreement with the municipality pursuant to *The Planning and Development Act, 1983* dealing with the installation or improvements.
- (2) Council will consider participation in the costs of installation or improvement of a facility where it will benefit a wider area than the proposed development, exclusive of any increase in assessment.

6.3.3 Municipal Reserve

- (1) When dedication of municipal reserve is required for subdivision, the municipality will prefer cash-in-lieu of dedication unless there is a specific need for park land in the vicinity of the development.
- (2) Where Council considers a proposed development of a municipal reserve in an adjacent urban or other municipality to be of benefit to the residents of the municipality funds of the dedicated lands account may be used for that purpose.

6.3.4 Public Utilities

Public utilities exclusive of waste disposal facilities will be permitted uses in the municipality. No minimum site requirements shall apply for public utilities.

6.3.5 Waste Disposal Facilities

- (1) Domestic waste disposal systems located on the site and serving only the principal use will be permitted accessory uses to that principal use.
- (2) Other municipal and commercial solid or liquid waste disposal facilities shall be discretionary uses. Council will consider these uses under the following criteria:
 - a) They will be as near as practical to the source of waste.
 - b) They will have undergone satisfactory review as required by provincial authorities for environmental assessment, and operational design.
 - c) The facility will be at least 400 metres for liquid waste, and 600 metres for solid waste, from any residence or tourism facility.
 - d) Council may apply special standards for screening, fencing, and reclamation of the site on closure, to any approval.
- (3) Soil farms and other facilities for the rehabilitation of contaminated soil will be discretionary uses, based on satisfactory assessment by provincial authorities for environmental impacts, and suitable mitigation measures being undertaken.
- (4) All liquid manure storage facilities will be considered under section 3.3.3.
- (5)
 - a) Disposal of manure on agricultural land will be considered a permitted accessory use to agriculture.
 - b) Such disposal may be subject to special standards or location requirements in the zoning bylaw to reduce the potential for land use conflict.

6.3.6 Road Crossings

The municipality may apply special standards to protect the municipal interest when transportation, utility and pipeline facilities cross municipal roads.

SECTION 7 - ENVIRONMENTAL MANAGEMENT

7.1 Discussion of Issues

- Council recognizes that it has a role and responsibility for stewardship of the environment.

7.2 Objective

- Council's role in environmental management will be:
 - to minimize the impact on development from environmental hazards,
 - to minimize the impact of development on environmentally sensitive lands, and
 - to provide the municipal perspective in provincial or federal environmental impact processes.

7.3 Zoning Implementation Policy

7.3.1 Hazard Land Development

- (1) Council may require developers to provide professional, certified environmental, geotechnical or hydrological reports for development of hazard land. Council may refuse to authorize development of structures on such land or may authorize such development only in accordance with specified mitigation measures.
- (2) Where development is proposed in an area identified on a Map, which is attached as Appendix "B", entitled "Potential Hazard Land", Council may require a proponent to submit sufficient topographical information to determine if the land has potentially hazardous slopes or land subject to potential flooding. Where such land is identified Council may defer a decision until suitable professional analysis has been submitted.

7.3.2 Environmentally Sensitive Land

Council will work with provincial government agencies to protect any significant heritage resources, critical wildlife habitat, wetlands, and rare or endangered species located on land proposed for development. Where significant potential for such has been found, Council may defer issuing a permit for any development until such time as the requirements of the relevant provincial agencies to protect such resources have been obtained.

7.3.3 Groundwater

Development shall not deplete or pollute groundwater resources within the rural municipality. Council will monitor the impact of development on groundwater resources and may incorporate development standards in the zoning bylaw to maximize aquifer protection and supply.

SECTION 8 - IMPLEMENTATION

8.1 Zoning Bylaw

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

8.1.1 Content and Objectives

The zoning bylaw will implement the land use policies contained in this Basic Planning Statement by prescribing and establishing zoning districts. Initially the zoning bylaw will contain one (1) district as follows.

(1) AGRICULTURAL DISTRICT

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated farmsteads. Other uses compatible with agricultural development are provided for to support a farm way of life. Location dependent natural resource development is also provided for. Fragmentation of agricultural land in this district generally will be avoided.

(2) The Municipality will be zoned to this district except where circumstances require a special purpose district.

8.1.2 Additional District Classifications

(1) Council may consider adding other zoning districts to carry out the objectives of this statement, or to provide for a greater density of development than initially considered in this statement, including but not limited to:

- (a) Hamlet districts - to provide for urban density development of residential and associate commercial or industrial development.
- (b) Commercial districts - to provide for more intensive commercial or industrial development.

8.2 Other Implementation Tools

8.2.1 Inter-Municipal Co-operation

- (1) Council will work with neighbouring rural or urban municipalities to develop joint service programs where such arrangements will be of financial benefit to the municipality, including regional parks.
- (2) Council may work with the Village of Maryfield and the Village of Fairlight to improve beneficial and cost effective joint administrative and other services.
- (3) Council may consider the provision of recreational facilities on a community basis with the other governments for the community that the facilities are intended to serve.
- (4) Council will work with First Nations having land in the area of the municipality to resolve land use issues, and to cooperate on joint service programs where of benefit to the municipality.

8.2.2 Provincial Land Use Policies

- (1) This statement shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations and in co-operation with provincial agencies.
- (2) Council will review this statement and the zoning bylaw for consistency with a new provincial land use policy adopted pursuant to The Planning and Development Act, 1983.

- (3) Wherever feasible and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.

8.2.3 Administration

- (1) This statement is binding on council and all development in the municipality.
- (2) The interpretation of words as contained in the zoning bylaw shall apply to the words in this statement.
- (3) If any part of this statement is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this statement.

8.3 Land Use Concept Plan

- (1) The map entitled "Land Use Concept Plan" which is attached as appendix "A" and forms part of the bylaw, shall outline Council's land use policies. The map shall be used by Council to identify potential land use conflicts when considering such issues as rezoning requests or discretionary use applications.

SECTION 9 - ADOPTION

This bylaw is adopted pursuant to **The Planning and Development Act, 1983**, and shall come into force on the date of final approval of the Minister of Municipal Government.





Reeve



Rural Municipal Administrator

Read a first time this 16th day of October, 2003.

Read a second time this 16th day of October, 2003.

Read a third time and passed this 20th day of November, 2003.

Certified a true copy of
Bylaw No 3/2003 adopted
by Resolution of Council on the
20th day of November, 2003.



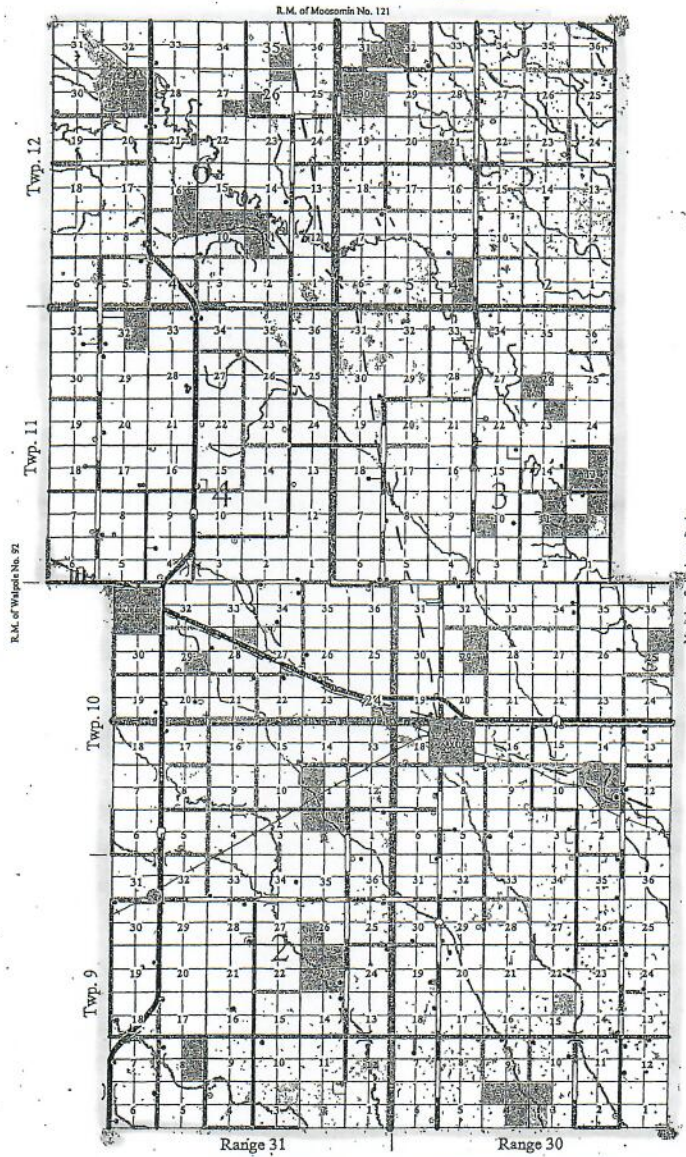


Reeve/Administrator

APPROVED
REGINA, SASK.
FEB 25 2004


Associate Deputy Minister of
Municipal Relations Division
Sask. Government Relations
and Aboriginal Affairs

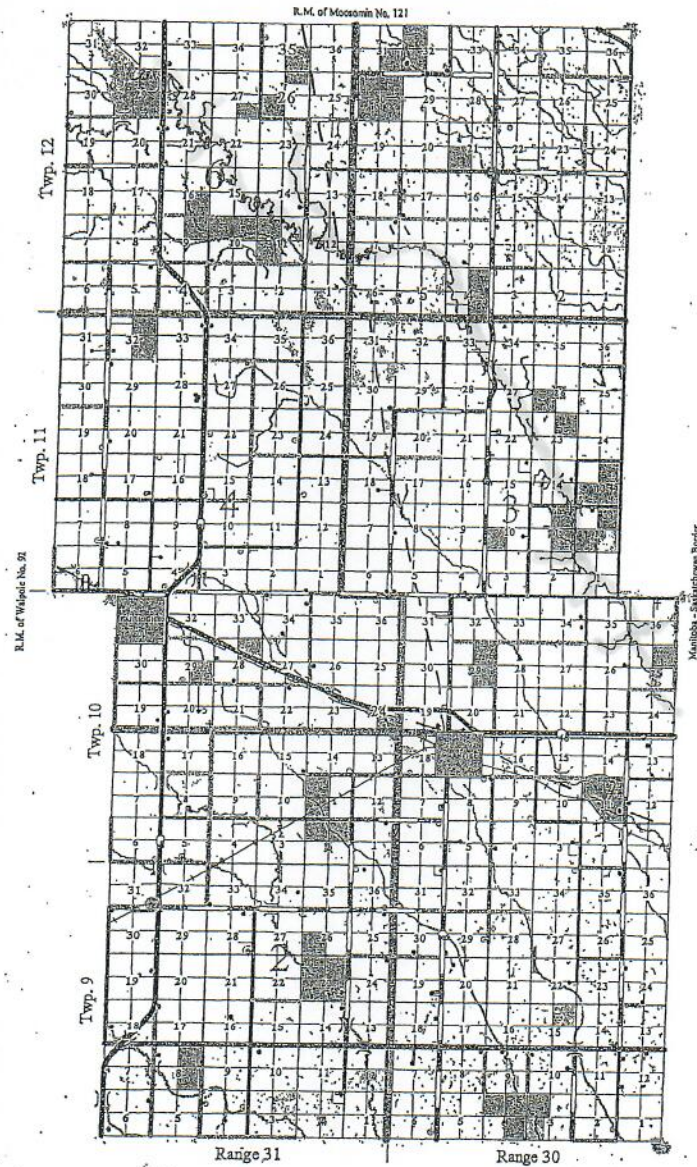
RURAL MUNICIPALITY OF MARYFIELD No. 91
WEST OF 1st MERIDIAN



A - AGRICULTURAL DISTRICT - ENTIRE R.M.

APPENDIX A
"LAND USE CONCEPT PLAN"
Attached to and Forming Part
of Bylaw No. 3/2003

RURAL MUNICIPALITY OF MARYFIELD No. 91
WEST OF 1st MERIDIAN



APPENDIX "B"
"POTENTIAL HAZARD LAND" Map
Attached to and Forming Part
of Bylaw No. 3/2003