

TOWN OF ROSTHERN

OFFICIAL COMMUNITY PLAN

PREPARED FOR:

TOWN OF ROSTHERN

PREPARED BY:

CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE AND PLANNING
SASKATOON, SK

JUNE 2008

THE TOWN OF ROSTHERN

BYLAW NO. _____

A Bylaw of the Town of Rosthern to adopt an Official Community Plan.

The Council of the Town of Rosthern, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

1. Pursuant to Section 29 of *The Planning and Development Act, 2007* the Council of the Town of Rosthern hereby adopts the Town of Rosthern Official Community Plan, identified as Schedule "A" to this bylaw.
2. The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
3. Bylaw No. 8614, the Town of Rosthern Basic Planning Statement Bylaw, and all amendments thereto, are hereby repealed.
4. This bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a first time this ____ day of _____, _____

Read a second time this ____ day of _____, _____

Read a third time this ____ day of _____, _____

Adoption of bylaw this ____ day of _____, _____

Mayor

S E A L

Town Administrator

Certified a true copy of the Bylaw adopted by Resolution of Council on the ____ day of _____, _____.

A Commissioner for Oaths in the Province of Saskatchewan
My appointment expires _____.

THE TOWN OF ROSTHERN
OFFICIAL COMMUNITY PLAN

Being Schedule "A" to Bylaw No. _____
of the Town of Rosthern

_____ Mayor

_____ Town Administrator

S E A L

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1. INTRODUCTION

1.1 AUTHORITY

In accordance with Sections 29 and 32 of *The Planning and Development Act, 2007*, the Council of the Town of Rosthern has prepared and adopted this Official Community Plan to provide the Town with goals, objectives and policies relating to approximately 20 years of future growth and development within the community.

Section 32 of *The Planning and Development Act, 2007*, provides that the Official Community Plan is required to contain statements of policy with respect to:

- a) sustainable current and future land use and development in the municipality;
- b) current and future economic development;
- c) the general provision of public works;
- d) the management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
- e) the management of environmentally sensitive lands;
- f) source water protection; and
- g) the means of implementing the official community plan.

1.2 SCOPE

The policies of this Official Community Plan shall apply to the incorporated area of the Town. Policies which address the future development of areas outside the current limits of the Town will take effect on annexation of those areas to the Town, or in conjunction with the Council of the Rural Municipality. All development shall conform to the objectives and policies contained in this Official Community Plan.

1.3 PURPOSE

This Official Community Plan is intended to serve as a statement of the goals, objectives and policies of the Town of Rosthern relating to the future growth and development of the community. The policies are intended to provide Council with direction in establishing other bylaws and programs to guide the future growth and establish guidelines for formulating decisions on future land use and development proposals.

2. COMMUNITY GOALS

The planning goals for the Town of Rosthern are as follows:

- 2.1 To direct development and growth of Rosthern towards a diversification of land use activity in a manner that will maintain a positive relationship with environmental values, resource capabilities, community strengths and the broader community in the Rural Municipality of Rosthern.
- 2.2 To maintain and enhance Rosthern's commercial and industrial tax base, while maintaining the community's "small-town" lifestyle.
- 2.3 To ensure orderly, cost-efficient and appropriate development of the land consistent with the purpose of the community plan and within the financial capability of the community.
- 2.4 To promote and encourage creative and innovative growth and development within the Town, with the intent of enhancing resident's quality of life and Rosthern's overall sustainability as a community.
- 2.5 To ensure that green spaces and parks are fully integrated into the fabric of the Town and serve to connect and tie the community together in an equitable manner.
- 2.6 To support and complement provincial interests where those interests have been identified to the Municipality.

3. OBJECTIVES AND POLICIES

3.1 RESIDENTIAL

3.1.1 Findings

- (1) Rosthern, with a current (2006) population (Statistics Canada) 1382, experienced an annual population decline of 0.8% between 2001-2006. While population projections suggest a continued decline, there are other factors that may affect this possibility. The development of a debranning facility in the area, with construction starting in 2007, will bring in over 120 new jobs. Another factor that will increase the residential need in Rosthern is the decline in average household size over the past several years (2.5 in 1991 to 2.1 in 2006) which has created an increase in demand for new residential land. *Areas need to be identified for both short-term and long-term future residential development.*
- (2) Stakeholder representatives indicated that there is a desire to accommodate a mix of housing types and densities, within the Town in appropriate areas, in an orderly and planned manner. *Policies are required to accommodate a mix of housing types and densities in suitable areas throughout the Town.*
- (3) Responses to the community survey indicated a strong support for additional residential development in the Town, with an emphasis on the need for affordable housing
- (4) Stakeholder representatives have indicated a strong desire to keep walkability a key design feature for Rosthern's residential development. *Policies are required to accommodate walking and other alternative transportation options within the Town.*
- (5) Stakeholder representatives have indicated a desire to eliminate non-residential parking in residential areas. *Policies are required to ensure that home based businesses are appropriate for a residential setting.*
- (6) Stakeholder representatives have indicated a desire to ensure that new residential development is sensitive to existing development to ensure that the character of residential areas is preserved and protected from incompatible forms of development.

3.1.2 Objectives

- (1) To provide adequate land for future residential development.
- (2) To identify the areas, within Rosthern and outside of the Town's current boundaries, that are most suitable for future residential development.
- (3) To allow for the development of a full range of residential uses and densities including single-detached, semi-detached, duplex, and multiple-unit dwellings, within the corporate limits of the Town.
- (4) To support the development of affordable housing.
- (5) To support walking and other alternative forms of transportation in future residential development.
- (6) To ensure that future forms of residential development are compatible with existing development, maintaining the character of residential areas.
- (7) To ensure that buildings and lots are constructed and maintained to acceptable standards.
- (8) To keep future residential development within the area serviceable by the existing gravity sewer system as long as possible.
- (9) To facilitate economic development and foster entrepreneurship through home based businesses that are clearly secondary to the residential use of the property and compatible with the surrounding residential environment.
- (10) To develop sustainable residential areas, that offer quality of living, meet the needs of a variety of household types and incomes, in an efficient and environmentally sensitive way.

3.1.3 Policies

- (1) Infill of existing residential lots will be encouraged.
- (2) Initially, new residential development will be encouraged to locate in the areas noted as "Future Residential" on the Future Land Use Concept. At the time of subdivision, these areas will be zoned, in the Zoning Bylaw, for residential uses and compatible development.

Prior to such rezoning, development in these areas will be regulated to prevent development of uses which would conflict with the long term use of these areas.

- (3) The Town will take steps to subdivide and service land for residential purposes where there are insufficient lots to meet demand.
- (4) Additional residential subdivision development will be supported by Council only in order to ensure a three to five year supply of serviced lots, based on the rate of serviced lot uptake in the preceding three years. Where Council is of the opinion that a sufficient supply of desirable lots is unavailable, or a sufficiently wide range of lots for certain dwelling types is unavailable, this guideline may be adjusted.
- (5) If and when sufficient land is no longer available to accommodate additional residential development (pursuant to policies contained in Section 3.9.3 - Agricultural Land and Fringe Areas), new residential development will be encouraged to locate in the areas noted as "Potential Residential" on the Future Land Use Concept. Subject to policies contained in Section 3.9.3 - Agricultural Land and Fringe Areas, Council will initiate required actions to bring the areas noted as "Potential Residential" within the corporate limits of the Town through municipal boundary alteration. These areas will be zoned, in the Zoning Bylaw, for future urban development or for residential uses and compatible development when they are included within the corporate limits of the Town. When those lands that are zoned for future urban development are included within the corporate limits of the Town, they will be rezoned for residential uses and compatible development once plans for such development have advanced to the point where the appropriate residential zoning designation has been clarified and once the provision of municipal services has advanced to the point where additional development in the area can be serviced in a cost-effective manner.
- (6) A separate mobile home district, for mobile home and compatible development, will be established in the Zoning Bylaw. Extension of the mobile home district into additional areas will be considered on a case-by-case basis, as demand warrants, in conjunction with new residential subdivisions.
- (7) A series of residential districts will be provided for a full range of residential uses. These districts will provide varying levels of restrictions on residential types and dwelling unit densities. Single detached dwellings and certain community facilities will be permitted

in all residential districts except the mobile home district. Higher density residential uses and, at Council's discretion, other potential compatible uses will be allowed in only those areas in which increased residential densities and a wider range of compatible uses are determined to be appropriate.

- (8) Council will encourage the redevelopment of existing residential areas through programs, including but not limited to:
 - (i) residential tax incentives.
- (9) Council may, in the Zoning Bylaw, authorize the relaxation of rear yard requirements for corner lots in residential districts, provided that larger side yards are provided along the flanking street.
- (10) Building maintenance and upkeep is important in order to preserve a visually pleasing community. Construction of buildings should be completed and lots landscaped.
- (11) Council will promote and advertise the Town, and the associated high quality of life and amenities in the Town, to encourage individuals and families to locate their residences in Rosthern.
- (12) Home based businesses shall be accommodated, provided they are clearly secondary to the principal residential use of the dwelling unit and are compatible with the residential environment.
- (13) Home based businesses shall be compatible with nearby residential properties and shall preserve the amenity of the overall residential environment. Home based businesses shall not generate traffic, parking, noise, electrical interference, vibration, odour or other elements that are not normally found in the residential environment.
- (14) The Zoning Bylaw shall specify the types of activities to be fully permitted as home based businesses. Such uses are to be compatible with a residential environment and will not create land use conflicts.
- (15) Those types of home based businesses that are generally compatible with a residential environment, but may involve certain activities that are not acceptable in all locations, may be specified in the Zoning Bylaw as discretionary uses, and permitted only at Council's discretion. Time limits may be applied to the approval of these uses.

- (16) The Zoning Bylaw shall contain development standards pertaining to permitted and discretionary home based businesses, including standards for parking, use of accessory buildings, storage, product sales, resident and non-resident employees, number of business related vehicle trips per day, and other relevant matters.
- (17) To ensure compatibility with the residential environment, Council will not approve applications for discretionary Home Based Businesses in multiple unit dwellings.
- (18) To promote walkability and the use of alternative transportation modes, residential areas shall be oriented to serve pedestrian and cycling traffic as well as automobile traffic.
- (19) To ensure that new residential neighbourhoods connect to and complement existing and future development in Rosthern, the Town will require that concept plans be submitted to Council approval prior to consideration of rezoning applications associated with formal subdivision applications.

3.2 COMMERCIAL

3.2.1 Findings

- (1) A significantly greater proportion of Rosthern's population is employed in construction, transportation and warehousing, educational services, and health care and social assistance than is the case in Saskatchewan as a whole. This is a direct reflection of the major businesses that are located in Rosthern. Further, sales and service occupations ranks first in importance as an economic sector for employment in Rosthern.
- (2) Commercial land uses are focussed in two areas: along Highway #312 commercial land uses tend to be oriented to the highway (i.e. highway commercial); and along the west side of Railway Avenue as well as along stretches of 7th, 6th and 5th Streets from Railway Avenue to Second Avenue (i.e. downtown commercial).
- (3) There is a current inventory of 6 serviced, but undeveloped, downtown commercial lots in Town and zero highway commercial lots available. *Areas need to be identified for both short-term and long-term future highway commercial and downtown commercial development.*
- (4) Stakeholder representatives have indicated a desire to examine potential commercial development in the areas between the railway tracks and Highway #11 as well as in the south end of Town.
- (5) Responses to the community survey indicate strong support for additional commercial development within the Town.

3.2.2 General Commercial Objectives

- (1) To promote the allocation of compatible commercial development in new residential areas.

3.2.3 General Commercial Policies

- (1) Council will consider the provision of appropriate and compatible commercial sites in new residential areas. Possible uses may include neighbourhood convenience stores, professional offices, personal service trades, and retail stores.

3.2.4 Downtown Commercial Objectives

- (1) To maintain and enhance a cohesive, viable and dynamic downtown commercial area.
- (2) To encourage the development of new commercial enterprises in downtown Rosthern.
- (3) To ensure an available supply of land for downtown commercial development.
- (4) To ensure that commercial buildings and sites are constructed and maintained to acceptable standards.
- (5) To provide opportunity for increased levels of overall activity in the downtown.
- (6) To allow for existing non-commercial uses in the downtown area, providing they do not hamper or conflict with commercial development.
- (7) To provide opportunity for higher density housing in areas near the downtown.

3.2.5 Downtown Commercial Policies

- (1) The Zoning Bylaw will contain a downtown commercial district to provide for a wide range of downtown commercial and other compatible uses.
- (2) The area shown as “Downtown Commercial” on the Future Land Use Concept will be zoned in the Zoning Bylaw, for downtown commercial uses and other compatible development.
- (3) Council will consider extending downtown commercial zoning to those areas shown as “Future Downtown Commercial”, on the Future Land Use Concept, as demand warrants. The areas shown as “Future Downtown Commercial” will be zoned for a mix of commercial, institutional and multi-unit residential uses which would not conflict with the long term future use of this area.
- (4) Council will continue to promote the Town as a place for new business development.

- (5) Council may, by resolution, adopt policies that provide business incentives to new businesses or expanding businesses, including but not limited to the following:
 - (i) Tax incentives;
 - (ii) Construction incentives;
 - (iii) Job creation incentives.
- (6) Where necessary, the Town will undertake to acquire land for additional downtown commercial development, through purchase or exchange. Where improvements are proposed for existing low-density residential uses in the downtown commercial area, Council will investigate the possibility of land exchange on a case-by-case basis.
- (7) Building Maintenance and upkeep is important in order to preserve a visually pleasing community. Construction of buildings should be completed and lots landscaped.
- (8) Generally speaking, a land use pattern that reflects higher density residential development (i.e. increased multiple unit developments) in proximity to the downtown commercial area, will be encouraged through residential and other zoning designations.

3.2.6 Highway Commercial Objectives

- (1) To ensure that sufficient land is set aside, along highway #312 and highway #11, for development of highway commercial uses.
- (2) To restrict development of non-highway commercial uses in designated highway commercial areas.
- (3) To promote the expansion of existing highway commercial operations and encourage the development of new uses in the existing highway commercial area.
- (4) To encourage and facilitate visually appealing entries to the Town through existing and future highway commercial areas.
- (5) To ensure that commercial buildings and sites are constructed and maintained to acceptable standards.

3.2.7 Highway Commercial Policies

- (1) The Zoning Bylaw will contain a highway commercial district to provide for a wide range of highway commercial and other compatible uses.
- (2) To ensure a viable and dynamic downtown commercial area, the highway commercial district will only be provided for commercial uses that are oriented to the highway, encouraging non-highway commercial uses to locate downtown.
- (3) Commercial areas oriented to a highway on the Future Land Use Concept will be zoned for highway commercial uses and compatible development.
- (4) Council will consider extending highway commercial zoning to those areas shown as “Future Highway Commercial”, on the Future Land Use Concept, as demand warrants. Prior to such re-zoning, development in these areas will be regulated to prevent development of uses which would conflict with the long term use of these areas.
- (5) If and when sufficient land is no longer available to accommodate additional highway commercial development (pursuant to policies contained in Section 3.9.3 - Agricultural Land and Fringe Areas), new highway commercial development will be encouraged to locate in the areas noted as “Potential Highway Commercial” on the Future Land Use Concept. Subject to policies contained in Section 3.9.3 - Agricultural Land and Fringe Areas, Council will initiate required actions to bring the areas noted as “Potential Highway Commercial” within the corporate limits of the Town through municipal boundary alteration. These areas will be zoned, in the Zoning Bylaw, for future urban development or for highway commercial uses and compatible development when they are included within the corporate limits of the Town. When those lands that are zoned for future urban development are included within the corporate limits of the Town, they will be rezoned for highway commercial uses and compatible development once the provision of municipal services has advanced to the point where additional development in the area can be serviced in a cost-effective manner.
- (6) Where necessary, the Town will undertake to acquire land for highway commercial development through purchase or exchange.

- (7) Industrial uses such as storage, warehousing, or freight and cartage operations may be allowed in highway commercial areas at Council's discretion.
- (8) Council may by resolution, adopt policies that provide business incentives to new businesses or expanding businesses including but not limited to the following:
 - (i) Tax incentives;
 - (ii) Construction incentives;
 - (iii) Job creation incentives.
- (9) To facilitate development of visually appealing entry points into the Town along Highway #11, Council may:
 - (i) initiate the preparation of a coordinated highway entry enhancement master plan or strategy;
 - (ii) provide financial support for the implementation of such a master plan or strategy; and
 - (iii) establish landscaping requirements in highway commercial areas.
- (10) Building Maintenance and upkeep is important in order to preserve a visually pleasing community. Construction of buildings should be completed and lots landscaped.

3.3 INDUSTRIAL

3.3.1 Findings

- (1) The importance of the industrial sector of Rosthern's economy is illustrated by the large portion of the Town population employed in construction, transportation and warehousing related occupations, relative to the province as a whole. Further, trades, transport and equipment operators ranks second in importance as an economic sector for employment in Rosthern.
- (2) There is a current inventory of one available serviced industrial lot in the Town. The need for serviced, developable industrial land has been identified, by stakeholder representatives, as a key an issue facing the Town.
- (3) Stakeholders indicated a desire to ensure that industrial development, particularly in highly visible areas, is adequately buffered, screened and separated from incompatible forms of development. *Policies and regulations are required to preserve the Town's aesthetic appeal.*
- (4) Responses to the community survey indicate reasonably strong support for additional industrial development within the Town.

3.3.2 Objectives

- (1) To attract new industrial operations to Rosthern.
- (2) To ensure an available supply of land for industrial development.
- (3) To identify areas for the development of industrial operations which will minimize conflicts with other land uses.
- (4) To ensure that locations and types industrial development are consistent with capacities of the Town's infrastructure to support such development, given the wide range of servicing requirements for different forms of industrial development.
- (5) To ensure that industrial buildings and sites are constructed and maintained to acceptable standards.
- (6) To ensure that industrial development and sites are adequately buffered, screened and separated from incompatible land uses.

3.3.3 Policies

- (1) The Zoning Bylaw will contain an industrial district(s) to provide for a wide range of industrial and other compatible uses.
- (2) The area shown as “Industrial”, on the Future Land Use Concept will be zoned for industrial uses and compatible development.
- (3) If and when sufficient land is no longer available to accommodate additional industrial development (pursuant to policies contained in Section 3.9.3 - Agricultural Land and Fringe Area), new industrial development will be encouraged to locate in the areas noted as “Potential Industrial” on the Future Land Use Concept. Subject to policies contained in Section 3.9.3 - Agricultural Land and Fringe Areas, Council will initiate required actions to bring the areas noted as “Potential Industrial” within the corporate limits of the Town through municipal boundary alteration. These areas will be zoned, in the Zoning Bylaw, for future urban development or for industrial uses and compatible development when they are included within the corporate limits of the Town. When those lands that are zoned for future urban development are included within the corporate limits of the Town, they will be rezoned for industrial uses and compatible development once the provision of municipal services has advanced to the point where additional development in the area can be serviced in a cost-effective manner.
- (4) Council will continue to promote the Town as a place for new business development.
- (5) Council may by resolution, adopt policies that provide business incentives to new or expanding industrial operations including but not limited to the following:
 - (i) Tax incentives;
 - (ii) Construction incentives;
 - (iii) Job creation incentives.
- (6) In the Zoning Bylaw, those industrial uses which have the potential to use significant volumes of water and/or contribute significant flows to the sanitary sewer system as a result of industrial processing operations, will be listed as discretionary uses.

- (7) Prior to the approval of a discretionary use application in the industrial district, Council must be satisfied that it is feasible to service the subject development with municipal water and sanitary sewer systems. Costs, if any, associated with demonstrating such servicing feasibility, will be borne by the applicant.
- (8) Adequate buffer zones will be provided to minimize conflict between industrial areas and other, incompatible uses.
- (9) Building Maintenance and upkeep is important in order to preserve a visually pleasing community. Construction of buildings should be completed and lots landscaped.

3.4 TRANSPORTATION AND UTILITIES

3.4.1 Findings

- (1) Saskatchewan Highways and Transportation is in the process of extending the divided highway from Osler to Rosthern by the year 2011. *The implications and new design of Highway #11 must be incorporated into municipal policies where applicable.*
- (2) Rosthern lies within the Carlton Trail Railway and currently has two elevators located within the Town. *Depending on location, future development and transportation networks may need to have regard to the railway (e.g. crossings, buffers).*
- (3) The Town's proposed primary vehicle entries (associated with the twinning of Highway # 11) have been identified as significant in both in terms of appropriate nearby land use as well as in the themes and general character of the areas. *Guidelines respecting land use and possible themes need to be developed for the future vehicle entry points into the Town.*
- (4) Stakeholder representatives have indicated a desire to examine potential strategies to decrease flooding in the spring.
- (5) Responses to the community survey indicate that upgrading town infrastructure is a high priority municipal servicing issue, followed (in order of relative importance) by improving protective services, developing a residential subdivision and increasing swimming pool loan payments.
- (6) The current well capacity will meet future requirements for 15 to 20 years, however, additional well capacity should be examined in 5 to 10 years to allow some redundancy and ensure the ability to meet peak days.
- (7) A proposed private residential development in the vicinity of 12th Street, west of 4th Avenue (120 residential lots), can be serviced to existing water and sewer on 4th Avenue, however sewage pumping station #3 will likely require a pumping upgrade before this development is completely full.
- (8) Generally speaking, the Town of Rosthern's municipal infrastructure is meeting community needs.

3.4.2 Objectives

- (1) To protect and facilitate the various functions of the provincial highway and municipal road system in Rosthern in order to maintain safe and efficient traffic movement.
- (2) To direct land uses associated with heavy truck traffic away from pedestrians and to areas where their impact on municipal roads will be minimized.
- (3) To ensure that development does not create traffic safety issues.
- (4) To minimize the costs of constructing, improving and maintaining roadways.
- (5) To optimize use of existing Town water, sewer and solid waste management infrastructure and capacities.
- (6) To ensure that future development remains within the area serviceable by the existing water and sewer system for as long as possible.
- (7) To minimize municipal costs in the provision of services to areas which pose special servicing problems.
- (8) To examine additional well capacity in 5 years.

3.4.3 Policies

- (1) The Town supports the Saskatchewan Highways and Transportation plans for redevelopment of Highway #11 and associated service roads and intersection configurations, and will ensure that municipal road development will complement such redevelopment.
- (2) The Town will not be responsible for costs associated with the provision of municipal services to new subdivisions, except for Town-owned developments. Where a private development requires municipal services, the proponent will be responsible for all costs associated with providing the services.
- (3) Where a subdivision of land will require the installation or improvement of municipal services such as water and/or sewer lines, streets, or sidewalks, within the subdivision, the developer will be

required to enter into a servicing agreement with the Town to cover the installation or improvements including, where necessary, charges to cover the costs of improvement or upgrading of off-site services. Council will, by resolution, establish the standards and requirements for such agreements and charges, including the posting of performance bonds or letters of credit.

- (4) Traffic safety for pedestrians, cyclists and private vehicles shall be a consideration in all land use and development decisions and shall be demonstrated on all concept plans.

3.5 COMMUNITY SERVICES

3.5.1 Findings

- (1) Responses to the community survey indicates residents generally feel that there needs to be more recreation programming and facilities in the Town, with a particular emphasis on the youth age group.
- (2) Fire protection is provided by a joint agreement with the R.M. of Rosthern, police service is provided by the Rosthern RCMP detachment and health care services, including ambulance service, are all available in the Town of Rosthern.
- (3) Stakeholder representatives have indicated that they wish to see more public recreation facilities in the Town.
- (4) Stakeholder representatives have indicated a desire for the Town to enhance cooperation with neighbouring First Nations in terms of the provision of community services.

3.5.2 Objectives

- (1) To monitor shifts in population structure and types of recreation demands and, on that basis, adjust recreation program delivery and facility provision on the basis of these shifts.
- (2) To support public service delivery agencies in the provision of services and, where appropriate, to assist in programming of services to the public.
- (3) To encourage the coordination and integration of community facilities where appropriate.

3.5.3 Policies

- (1) The Zoning Bylaw will contain a community service district in the zoning bylaw to provide for a wide range of community service and other compatible uses.
- (2) The areas shown as “Community Service” on the Future Land Use Concept will be zoned for community service and compatible development.

- (3) Council will, from time to time, and in conjunction with the Recreation and Parks Board, examine the feasibility of expanding the types of recreational programs and facilities in the community in accordance to town demographics and population growth.
- (4) The Town will encourage extensive participation by service clubs, community and public agencies, developers and other interested groups, in the development of community facilities.
- (5) Before supporting any subdivision application for new residential development areas, Council will consult with the Prairie Spirit School Division No. 206 to ensure that any requirements for new schools have been satisfactorily addressed in the proposed subdivision plan.

3.6 AMENITIES AND DEDICATED LANDS

3.6.1 Findings

- (1) Stakeholder representatives have indicated that trails should continued to be enhanced, for passive recreation and for alternative transportation opportunities (i.e. walkable / accessible community).
- (2) While results from the community survey indicate a general feeling that Rosthern has adequate green space, stakeholder representatives identified the need for green space in the south east area of Town, improved playground equipment in the main park as well as the inclusion of play equipment in other areas throughout the Town.
- (3) Stakeholder representatives have identified a desire to see a natural park development on the west side of Town.

3.6.2 Objectives

- (1) To maintain the character of Rosthern, including its pleasant residential setting, “small-town” lifestyle and scenic values.
- (2) To make provision for municipal reserves when land is subdivided.
- (3) To recognize the natural and scenic significance of surrounding natural areas and to promote their conservation and preservation.
- (4) To continue to provide park space that is suitable and sufficient for community needs.
- (5) To use green and open spaces to maintain and enhance the walkability of Rosthern.
- (6) To ensure that storm water / runoff management systems do not ultimately detract from the amount of functional park space that is required to be dedicated as part of new subdivisions (i.e. municipal reserve).

3.6.3 Policies

- (1) A parks and recreation zoning district will be established in the Zoning Bylaw for the purposes of delineating those areas in which

only parks, recreation uses, resource conservation uses and compatible development will be permitted.

- (2) The area shown as “Open Space” on the Future Land Use Concept will be zoned for parks, recreation uses, resource conservation uses and compatible development.
- (3) In the Zoning Bylaw, open space in the form of parks and playgrounds will be permitted uses in all zoning districts.
- (4) Council will consider the following factors in making decisions on the provision of municipal reserves:
 - (i) Smaller public reserve areas within new residential subdivisions should be provided for neighbourhood parks and playgrounds.
 - (ii) In commercial and industrial subdivisions, cash-in-lieu will be considered as the primary method of meeting the municipal reserve requirement, unless the requirement can be transferred to an acceptable area and dedicated.
- (5) The Town will encourage extensive participation by service clubs, community and public agencies, developers and other interested groups in the development of parks, green space and recreation facilities.
- (6) To facilitate development of visually appealing entry points into the Town along Highway #11, Council may:
 - (i) provide financial support for the development of gateway features and corridor enhancement; and
 - (ii) establish landscaping requirements in highway commercial areas.
- (7) Wherever possible, natural and scenic areas of significant value shall be placed in public ownership.
- (8) To facilitate development of a walkable community, council will consider the provision of adequate sidewalks, pathways in linear parks and adequate lighting. The development of pedestrian amenities shall be done in a manner that promotes public safety.

- (9) Where possible, the Town will encourage the linkage of natural areas and parks in a continuous open space system.

3.7 BIOPHYSICAL CONSTRAINTS ON DEVELOPMENT

3.7.1 Findings

- (1) Biophysical constraints on development in and around Rosthern include a creek that runs through the middle of the Town. *Policies are required to avoid drainage and flooding issues in the Town.*

3.7.2 Objectives

- (1) To discourage inappropriate development in areas with potentially hazardous site conditions.
- (2) To ensure that environmentally sensitive or hazardous lands are dedicated, as appropriate, as environmental reserve, during the subdivision process.

3.7.3 Policies

- (1) Urban development will be directed into areas believed to be capable of supporting such development.
- (2) The Zoning Bylaw will contain development standards for development on or near hazard lands.
- (3) Environmentally sensitive and flood hazard areas shall be used for public open space.

3.8 URBAN DEVELOPMENT CENTRES

3.8.1 Findings

- (1) Many of the outstanding land claims owed to several First Nations in Saskatchewan are now being settled. The *Treaty Land Entitlement Framework Agreement* specifies details of this process. As part of this process, First Nations have an opportunity to obtain additional lands, including those located within urban municipalities. It is anticipated that some of these lands will be converted to reserve status. Such lands are known as "Urban Development Centres".
- (2) When lands within urban municipalities convert to reserve status, they become exempted from paying municipal tax and school levies.
- (3) As a condition of reserve status, Article 8 of the *Framework Agreement* requires First Nations and urban municipalities to negotiate an agreement which addresses:
 - Compensation for loss of taxes, levies or grants to urban municipalities. Compensation options include sale of municipal services to Urban Development Centres or receipt of a grant or other type of payment.
 - Compatibility of municipal bylaws and Urban Development Centre bylaws and their application and enforcement.
 - How disputes will be resolved.
- (4) If a First Nation and an affected urban municipality jointly elect not to enter into an agreement addressing the above points, they may choose to enter into any agreement which meets their respective objectives and needs. In the event an agreement cannot be reached, the matter may be settled by an arbitration board.

3.8.2 Objectives

- (1) To establish a fair and equitable framework for the potential establishment of an urban development centre within the Town of Rosthern (i.e. establish an Indian Reserve within the corporate limits of the Town).

- (2) To maintain the financial integrity of the Town, its tax base and its municipal services, in the event that a First Nation desires to establish an Urban Development Centre.
- (3) To ensure compatible and enforceable land use and development standards in any Urban Development Centre that may be established in Rosthern.
- (4) To ensure that there is no property or commercial tax or other similar advantage to individuals or businesses located on any Urban Development Centre that may be established in Rosthern, relative to other areas in the Town.

3.8.3 Policies

- (1) In all cases Council will see an agreement pursuant to part 9 of the Treaty Land Entitlement Framework Agreement before an Urban Development Centre is created with reserve status. The Agreement shall be negotiated in good faith by the Town, and will be based on the objectives noted above.
- (2) The Agreement will consist of any or all of the following matters:
 - (a) Mutual Recognition clauses, which acknowledge the individual legislative and jurisdictional authority of each party and the Treaty rights of the First Nation, including the right to Self-Government;
 - (b) Bylaw Compatibility clauses, which recognize the right of each party to pass their own Bylaws, the extent to which the First Nation's Bylaws should be compatible with Town Bylaws (and vice versa), procedures to ensure continued Bylaw compatibility for each party to use as their Bylaws are prepared, discussed, adopted, enforced and changed;
 - (c) Tax Loss Compensation clauses, which recognize that after the new Centre has been created as an Indian Reserve, the First Nation will be exempt from paying Town taxes (which pay for municipal services), describe how the Town will be compensated for loss of these taxes, recognize the types of and costs for those Town services which the First Nation plans for the new Centre and describe the responsibility for collection and the procedures and timing of payments;

- (d) Dispute Resolution clauses, which will describe the formal procedures for resolving disputes over the application, interpretation or administration of the Agreement; and
- (e) Other Issues, which may include but are not limited to, regular meetings of the Band and Town Councils, procedures for sharing information between the Administrators of each party and between the Elected Councils of each party, incentives, exemptions, rebates and abatements of servicing costs, etc., access to property for maintenance, repairs etc.

3.9 AGRICULTURAL LAND AND FRINGE AREAS

3.9.1 Findings

- (1) In areas adjacent to the Town it is important to ensure that developments do not cause adverse effects upon existing or proposed future urban land uses or servicing requirements. Intensive livestock operations, anhydrous ammonia depots or construction of farm buildings could interfere with future urban land requirements. *Policies are required to identify future development areas outside of current Town boundaries (if required).*

3.9.2 Objectives

- (1) To encourage orderly development in the area surrounding the Town to ensure that future urban development or servicing needs are not prejudiced.
- (2) Where required, to alter the Town limits based on need and to provide for orderly development of land uses and services.
- (3) To safeguard municipal services from incompatible land uses.
- (4) To ensure that future urban land requirements are not restricted by the development of uses, such as intensive livestock operations, near or within the corporate limits of the Town.

3.9.3 Policies

- (1) The Town will work with the R.M. of Rosthern to address and resolve issues and concerns of mutual interest.
- (2) Areas suitable for development within the corporate limits of the Town not immediately required for urban development will be designated, in the Zoning Bylaw, as a “Future Urban Development” district.
- (3) The Zoning Bylaw will contain provisions to ensure that land use and development in the Future Urban Development district does not jeopardize or otherwise unduly restrict such future development.
- (4) Council will support any request for alteration of Town boundaries when such alteration is consistent with sound land use planning

principles and this Official Community Plan, and is determined to be of benefit to the Town.

- (5) To provide for orderly development in accordance with the development policies contained in this Official Community Plan, Council may, from time to time, seek to alter the Town boundaries in a manner that will ensure that sufficient lands are available within the Town limits. Sufficient lands are deemed to exist within the Town if they should accommodate future development for a period of ten to twenty years and they can be serviced in a practical, cost-effective manner.

4. IMPLEMENTATION

4.1 ZONING BYLAW

The Zoning Bylaw will be the principal method of implementing the objectives and policies contained in this Official Community Plan, and will be adopted in conjunction herewith.

4.1.1 Purpose

The purpose of the Town's Zoning Bylaw is to control the use of land providing for the amenity of the area within Council's jurisdiction and for the health, safety and general welfare of the inhabitants of the Town.

4.1.2 Content and Objectives

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts for residential uses, mobile homes, community service uses, retail commercial uses, highway commercial uses, industrial uses, future urban development lands and restricted development lands. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, off-street parking, landscaping and so forth.

(1) R1 - Low Density Residential District

The objective of the **R1** - Low Density Residential District is to provide for residential development in the form of single detached dwellings, semi-detached, two-unit dwellings and for other compatible uses.

(2) R2 - Medium Density Residential District

The objective of the **R2** - Medium Density Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, multiple-unit dwellings, street townhouses, dwelling groups and for other compatible uses.

(3) **RMH - Mobile Home Residential District**

The objective of the **RMH** - Mobile Home Residential District is to provide for residential development in the form of mobile homes and for other compatible uses.

(4) **CS - Community Service District**

The objective of the **CS** - Community Service District is to provide for development in the form of a range of community services and other compatible uses.

(5) **C1 - Community Centre Commercial District**

The objective of the **C1** - Community Centre Commercial District is to provide for development in the form of a range of downtown commercial / community centre commercial and other compatible uses.

(6) **C2 - Highway Commercial District**

The objective of the **C2** - Highway Commercial District is to provide for development in the form of a range of highway commercial and other compatible uses.

(7) **MU - Mixed Use District**

The objective of the **MU** - Mixed Use District is to provide for a mix of land uses, including higher density residential uses, a range of downtown commercial uses, and other compatible uses, in proximity to the downtown area or other community centre.

(8) **M - Industrial District**

The objective of the **M** - Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

(9) **PR - Parks and Recreation District**

The objective of the **PR** - Parks and Recreation District is to provide for parks and recreation development and for other compatible uses.

(10) FUD - Future Urban Development District

The objective of the **FUD** - Future Urban Development District is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

4.1.3 Amendment of the Zoning Bylaw

When considering applications to amend zoning regulations or standards, or requests for the rezoning of land, Council shall consider such proposals within the context of:

- (1) the nature of the proposal and its conformance with all relevant provisions of this Official Community Plan.
- (2) the need to foster a rational pattern of relationships among all forms of land use and to protect all forms of land use from harmful encroachments by incompatible uses.
- (3) the need for the form of land use proposed and the supply of land currently available in the general area capable of meeting that need.
- (4) the capability of the existing road system to service the proposed use and the adequacy of the proposed supply of off-street parking.
- (5) the capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools and other utilities and community services.

4.1.4 Zoning By Agreement

- (1) Where an application is made to Council to rezone land to permit the carrying out of a specified proposal, Council may, for the purpose of accommodating the request, enter into an Agreement with the Applicant pursuant to Section 69 of *The Planning and Development Act, 2007*.
- (2) Section 4.1.3 of this Official Community Plan shall apply in the review of applications for rezoning by agreement.

- (3) Council may enter into an agreement with the applicant setting out a description of the proposal and reasonable terms and conditions with respect to:
 - (a) the uses of the land and buildings and the forms of development.
 - (b) the site layout and external design, including parking areas, landscaping and entry and exit ways.
 - (c) any other development standards considered necessary to implement the proposal, provided that the development standards shall be no less stringent than those set out in the requested underlying zoning district.
- (4) Council may limit the use of the land and buildings to one or more of the uses permitted in the requested zoning district.

4.1.5 Use of the Holding Symbol “H”

- (1) Council may use the Holding Symbol “H”, in conjunction with any other use designation in the Zoning Bylaw, to specify the use to which lands shall be put at some time in the future but which are now considered premature or inappropriate for immediate development.
- (2) Council shall specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment of the Zoning Bylaw. Such circumstances may require the identification and further consideration of social, environmental or economic issues and opportunities prior to permitting the use and development of the specified lands.
- (3) In making a decision as to whether or not to remove the Holding Symbol “H” by amendment of the Zoning Bylaw and thereby permit the development of the land as specified in the Zoning Bylaw, Council shall consider whether such development has progressed to a point where extension of municipal services and connection to municipal systems is appropriate.

- (4) Holding provisions may be applicable to all land use categories in the Official Community Plan and may be applied to any zoning category and to a specific site within a zoning category.
- (5) Existing uses shall be permitted, subject to Sections 88 to 93 of *The Planning and Development Act, 2007*.

4.2 OTHER IMPLEMENTATION TOOLS

4.2.1 Subdivision Application Review

In reviewing any application for subdivision, Council shall indicate support for such application only when it has:

- (1) Ensured that all policies and guidelines established regarding occupancy levels, development standards and design of the subdivision, as set out in this Official Community Plan, have been satisfied.
- (2) Ensured that the application is in conformity with the Zoning Bylaw.
- (3) Negotiated the terms of a servicing agreement, if required, with the applicant.
- (4) Determined its wishes with respect to the dedication of lands.

4.2.2 Dedicated Lands

- (1) When reviewing any application for subdivision, Council may indicate to the approving authority, its desire to have unstable or flood-prone areas set aside as environmental reserve and/or municipal reserve, as a condition of subdivision approval, pursuant to Section 185 of *The Planning and Development Act, 2007*.
- (2) Pursuant to *The Planning and Development Act, 2007*, Council may elect to request that an approving authority require the owner of land that is the subject of a proposed subdivision to provide money in place of all or a portion of land that would otherwise be required to be dedicated as municipal reserve.

4.2.3 Municipal Land Banking

Where private development of land for urban purposes is not occurring to meet the Town's land use requirements, Council may undertake to acquire land for subdivision or development to meet such demand. Council will determine a suitable pricing system for resale of any lots developed.

4.2.4 Land Exchange and Purchase

To facilitate the relocation of non-conforming uses, Council may consider a program for acquiring such sites, or for exchanging municipally owned land in an appropriate area of the Town for the relocation of those uses.

4.2.5 Building Bylaw

Council will use its building bylaw to provide standards for the construction, repair and maintenance of buildings in the community as well as ensuring acceptable physical conditions. Provisions for occupancy permits and inspections can be included in the bylaw.

4.2.6 Development Levies

In accordance with Section 169 of *The Planning and Development Act, 2007*, Council may establish, by separate bylaw, development levies for the purpose of recovering all or a part of the capital costs of providing, altering, expanding or upgrading services and facilities associated with a proposed development.

4.3 OTHER

4.3.1 Update of Official Community Plan

Plans and projections for future development shall be monitored on an ongoing basis. Policies contained in this Official Community Plan, including the Future Land Use Concept, shall be reviewed and updated within five years of adoption.

4.3.2 Further Studies

As necessary, Council will undertake such studies or programs required to facilitate and encourage the growth and development of Rosthern.

4.3.3 Cooperation and Inter-jurisdictional Consideration

Council shall cooperate with senior governments, other municipalities and public and private agencies to implement this Official Community Plan.

4.3.4 Programs

Council shall participate in senior government economic development, public utility, resource enhancement, housing, social and environmental protection programs and projects, where such will help in achieving its goals and objectives.

4.3.5 Provincial Land Use Policies and Interests

This bylaw shall be administered and implemented in conformity with applicable provincial land use policies and interests, statutes and regulations and in cooperation with provincial agencies.

4.3.6 Binding

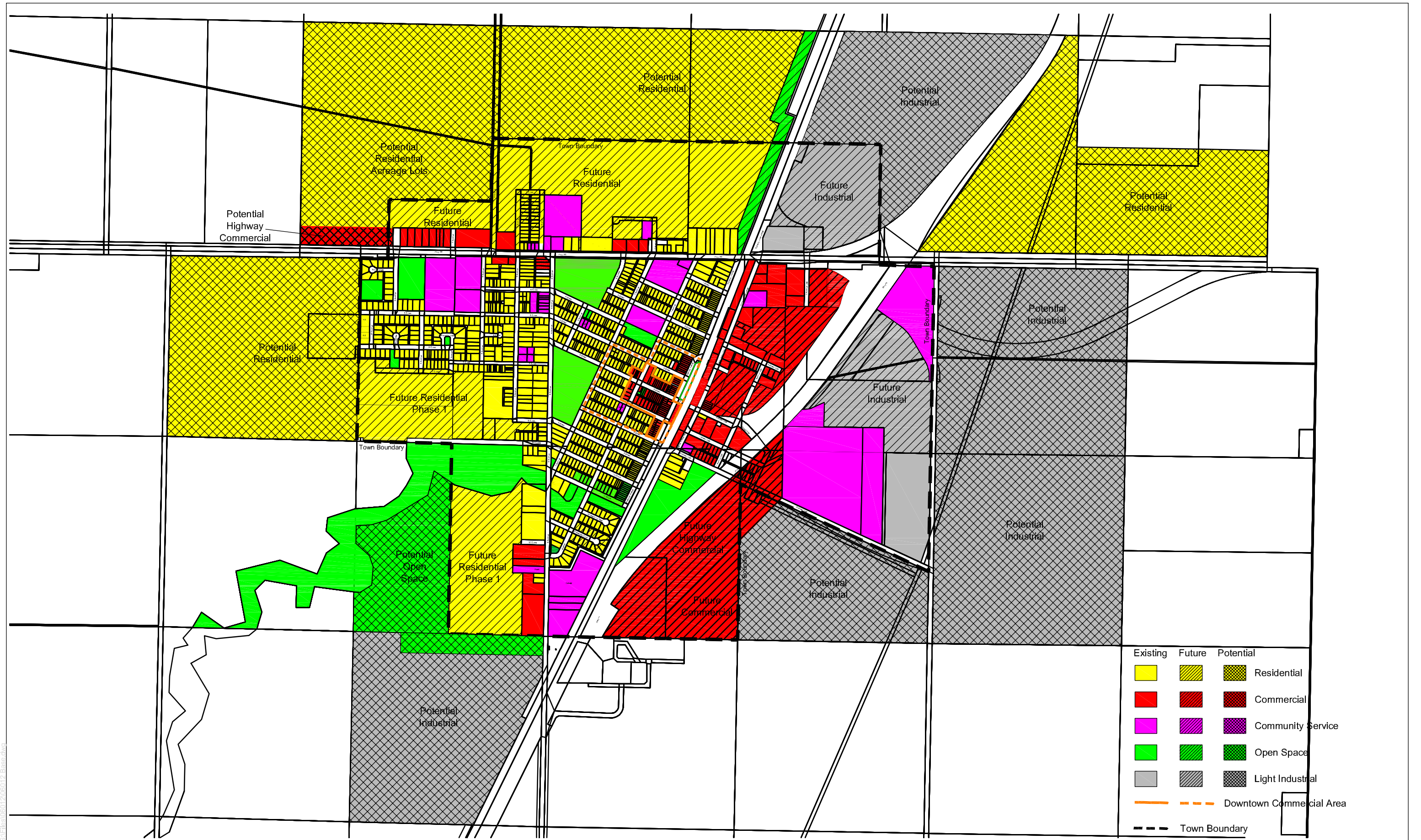
Subject to Section 40 of *The Planning and Development Act, 2007*, the Official Community Plan shall be binding on the Town, the Crown, and all other persons, associations and other organizations, and no development shall be carried out that is contrary to this Official Community Plan.

4.3.7 Definitions

The Zoning Bylaw definitions shall apply to this Official Community Plan.

5. MAPS

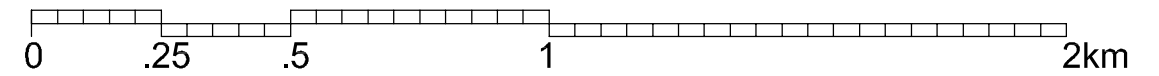
1. FUTURE LAND USE CONCEPT



Rosthern Official Community Plan

Map 1 - Future Land Use Concept

CROSBY HANNA & ASSOCIATES - LANDSCAPE ARCHITECTURE AND PLANNING -



08/06/13