



## Rural Municipality of Meadow Lake #588 Policy

Policy #PD-002

Policy Title: Planning and Development Procedures

### Policy Objective:

To help developers and clients complete their subdivision and development requests while complying with the Federal, Provincial, and Local regulations and procedures

### Authority:

Council Resolution #248/19

Dated: November 12, 2019

### Background:

1. Subdivision of land and the construction of buildings are becoming more common. There are situations where problems could arise with the location of the subdivision or the placement of a building (e.g.: flood area, building codes, etc.)
2. In order to protect the landowner, the adjacent landowners, the future purchasers, etc. the governments of Canada and Saskatchewan have come up with Legislation, Regulations and policies that must be followed by property owners and developers.
3. In order to protect the Rural Municipality from future legal situations, the RM must comply with the Legislation and Regulations as set by both the Federal and Provincial Governments.
4. Also, Community Planning, a branch of the Ministry of Government Relations, are the final approving authority for any subdivisions. Community Planning must follow local municipal bylaws and also must comply with federal and provincial law. The Government of Saskatchewan also has in place *The Statements of Provincial Interest Regulations* which also must be adhered to.

### Policy:

1. Subdivisions
  - a. All subdivision applications must be completed by a legal surveying company as hired by the developer/landowner;
  - b. All subdivisions must be sent to Community Planning prior to being considered by the RM. Community Planning refers subdivision applications to the Council for their comments and also notes the Municipal Reserve requirement (if applicable). **PLEASE NOTE THAT COMMUNITY PLANNING IS THE FINAL APPROVING AUTHORITY FOR SUBDIVISION APPLICATIONS AND OFFICIAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENTS**
  - c. The Chief Administrative Officer (CAO) shall review the subdivision application as follows:
    - i. Where it fits with the OCP and Zoning Bylaws.
      1. If the subdivision complies with the OCP and Zoning Bylaw, then the CAO is given authority to send the information to Community without the need to have the subdivision application go to the next Council meeting
      2. If a change is required, Council will direct administration to prepare an amendment. The developer/landowner will be invoiced for any costs incurred in amending the bylaw(s). Every OCP and Zoning Bylaw amendment is subject to Community Planning approval.
        - a. Council will review the amendment and consider if the change in the OCP or Zoning Bylaw is desirable, subject to the bylaw

POLICY # PD-002

RM OF MEADOW LAKE #588

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Date Issued: November 12, 2019

Replacing – March 11/19 – Res #059/19

Reeve

amendment process outlined in *The Planning and Development Act, 2007*.

- b. Fees for a bylaw amendment are set in Policy #GG-006
- ii. If a **Municipal Reserve dedication** is required by law, the following process shall be used to determine the way in which the requirement is met:
  - 1. If Cash in lieu of dedication is recommended: Contact SAMA and obtain the assessed value of the required acres to be paid out to the RM.
  - 2. *The Planning and Development Act, 2007* requires residential subdivisions to provide 10% of the gross area to be subdivided for Municipal Reserve (notwithstanding a few exceptions contained within *The Act*);
  - 3. *The Planning and Development Act, 2007* requires non-residential subdivisions to provide 5% of the gross area to be subdivided for Municipal Reserve (notwithstanding a few exceptions contained within *The Act*); If the decision is to set aside the actual acres, then the Municipal Reserve land must be directly adjacent to an all-weather municipal road.
  - 4. If the Municipal Reserve requirement amounts to less than 5 acres, then Council shall request cash in lieu of dedication. If the Municipal Reserve Requirement amounts to 5 acres or more, Council has the discretion to require either cash in lieu of dedication or dedication of land.
- iii. If a **Servicing Agreement** is required:
  - 1. CAO shall review the subdivision and consider whether the application is adjacent to an “all-weather” road;
  - 2. CAO shall have a Servicing Agreement drawn up where the property requires an “all-weather” road built;
    - a. Road Consultant/Engineer shall be contracted to complete a survey of the road and recommend the road structure to be built;
    - b. Road Consultant/Engineer shall present an approximate cost for this road building;
    - c. Applicant shall pay for all costs to construct an “all-weather” road;
    - d. The Reeve and CAO shall be authorized to enter into a Servicing Agreement with the Applicant;

2. Tie Code Removals

- a. Under the process of tie code removals, it is required that the RM of Meadow Lake #588 complete a complimentary resolution in order to allow for a Tie Code to be removed.
- b. The RM of Meadow Lake is concerned with legal and physical access for certain tie code removal subdivisions and therefore requires the following:
  - i. Any parcel created by tie code removal must have access to an all-weather road..
  - ii. Any new all-weather roads required to access a parcel created by tie code removal, must be built prior to the completion of the tie code removal
  - iii. A servicing agreement shall be required where a new all-weather road is to be constructed.

- iv. That the RM of Meadow Lake place an interest on the properties involved in the tie code removal indicating the requirement for access to be completed at the developer's/landowner expense upon completing the tie code removal.
3. Development Permits
- a. As a requirement of the Zoning Bylaw, a Development Permit is required for all buildings within the RM of Meadow Lake with the exception of:
    - i. Grain bins
  - b. A fee for the Development Permit is set in accordance with Policy #GG-006 and Bylaw #1/15 (Building Bylaw);
  - c. Discretionary Use Permits must be reviewed by Council for approval at their regular council meeting or Development Committee Meeting. All Discretionary Use Applications must be submitted and be deemed complete by the CAO at least 14 days prior to the Council or Development Committee meeting.
4. Building Permits
- a. Fees for building permits are set in the RM of Meadow Lake Building Bylaw and also in Policy #GG-006 and Policy #PD-001.
  - b. Building Officials
    - i. Must be a member in good standing with the Building Association;
    - ii. Must have a liability insurance policy and present this prior to inspections;
    - iii. Must be a member of the Workers Compensation Board of Saskatchewan;
    - iv. Appointed by Council;
    - v. If an individual requests the use of a building official that is not appointed by Council, then an application in writing must be completed and the building official must respond with his/her acceptance.
  - c. Compliance
    - i. Must comply with the Building Bylaw as set by the Council for the RM of Meadow Lake and approved by Building Standards;
    - ii. Must comply with the Official Community Plan and Zoning Bylaw for the RM of Meadow Lake, as well as the District Plan for the North of Divide Planning Commission.
  - d. Procedure for a Building Permit
    - i. Apply for a Development Permit;
    - ii. Upon receipt of the Development Permit Approval – then apply for a building permit;
    - iii. Work with the Building Official – fill out the Building Permit and return it to the RM of Meadow Lake office along with:
      - 1. Application for building permit;
      - 2. 2 sets of copied Engineered plans for the building;
      - 3. Plan Review from Building Inspector;
      - 4. Elevation Plans may be requested.
  - e. Commercial Development
    - i. Commercial development shall be defined as development located in commercial subdivisions which relate to any one of the following conditions:
      - 1. Provide services directly to the public;
      - 2. Involve processing or manufacturing.
    - ii. There shall be a full assessment on the land;



- iii. The RM shall not be responsible for utilities or services such as water and sewer, etc.