OFFICIAL COMMUNITY PLANS (OCPs) AND ZONING BYLAWS (ZBs): PLANNING FOR THE FUTURE

Official Community Plan Workshop
January 20, 2016
Frontier, SK

SARM Community Planning Services

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*SARM…*the voice of rural Saskatchewan.

SARM Community Planning Department

- Drafting and Amending OCPs and ZBs
- Interim Development Control Bylaws
- Development Permits
- Subdivisions
- Servicing Agreements
- Development Appeal Board
- General Planning and Development Inquiries
- Public Consultation

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Overview

- Recap of Planning

- How to create an OCP and ZB?

- What's in an OCP and ZB?

- Land Use Planning for Environmentally Sensitive Areas

- How to use an OCP and ZB

- How to amend existing bylaws

- How to work as a region

- Questions?

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What is Planning Anyway?

- Canadian Institute of Planners Definitions of Planning:

    "Planning addresses the use of land, resources, facilities and services in ways that secure the physical, economic and social efficiency, health and well-being of urban and rural communities."

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Land Use Planning: Why do it?

- Responsibility of Local Government
- Plans tell how lands will be managed
- Future Growth Guide for the municipality
- Protect and Preserve what exists
- Council has the authority to say "yes" or "no"

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Overview: Planning Structure in SK

- Provincial Legislation
  - *The Planning and Development Act, 2007*
  - Statements of Provincial Interest Regulations
  - The Subdivision Regulations
  - The Dedicated lands Regulations
- Municipal Plans
  - Official Community Plans
  - Zoning Bylaws
- Roles in Planning
  - Provincial Government
  - Municipality
    - Councillor
    - Development Officer/Administrator
    - Planner

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Official Community Plans, Zoning Bylaws and All That

- Official Community Plan (OCP)
  - Growth Guide for the municipality
  - Statement from Council to residents about what the municipality wants to do in terms of growth management
- Zoning Bylaw (ZB)
  - Legal and administrative means of implementing the OCP policies
  - Regulations for specific types of land uses
  - Criteria and standards: aesthetics, location, landscaping, setbacks, etc.
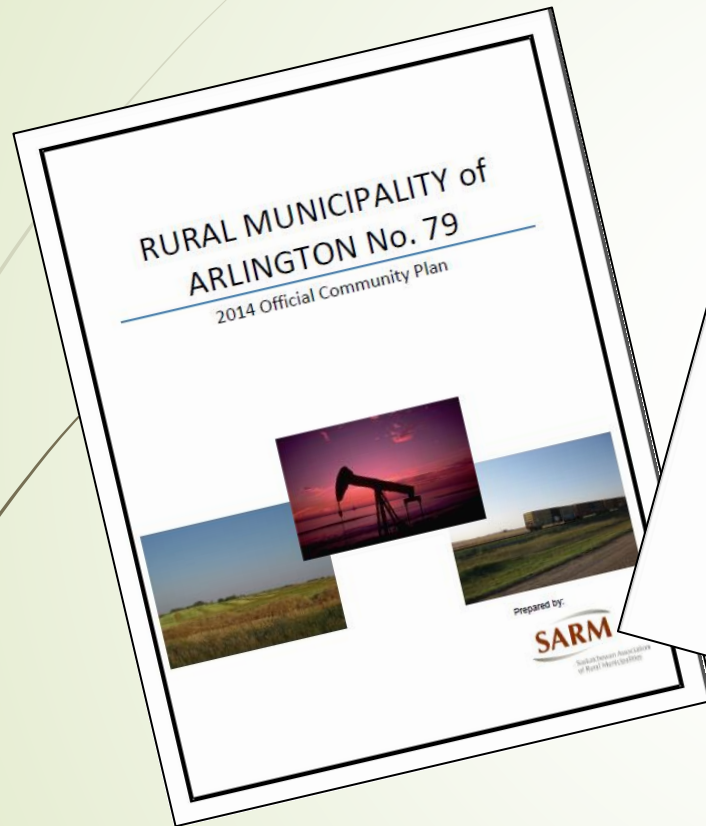
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OCP vs. ZB

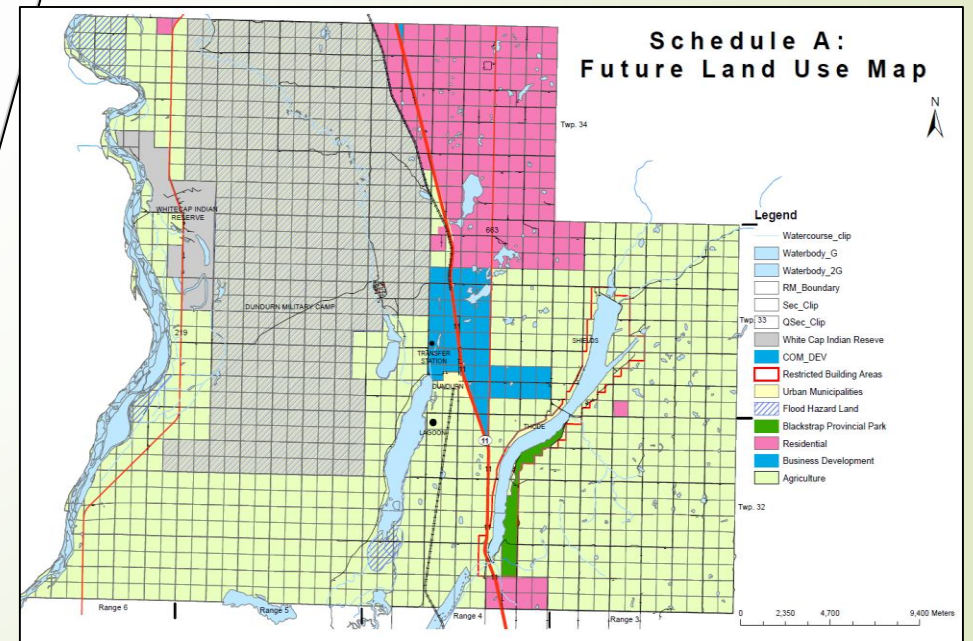- Broad in scope vs. specific

- Policy vs. Regulations

- OCP is used as a check for long term direction and guidance and Zoning Bylaw is used daily.

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OCPs: What's in them?

Goals, Objectives, Policies, Maps…

OCP Policies- Example

- All development is required to have direct access to a developed road that is built to a standard sufficient to service the development.

- Where the construction of the road may be too costly to develop and/or maintain, Council may refuse a development.

- All commercial development is required to be located within 2 miles of either side of Highways 13 and 37 and is required to have appropriate water and sewer services.

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ZBs: What's in them?

Zoning districts, permitted and discretionary uses, Setbacks and other regulations
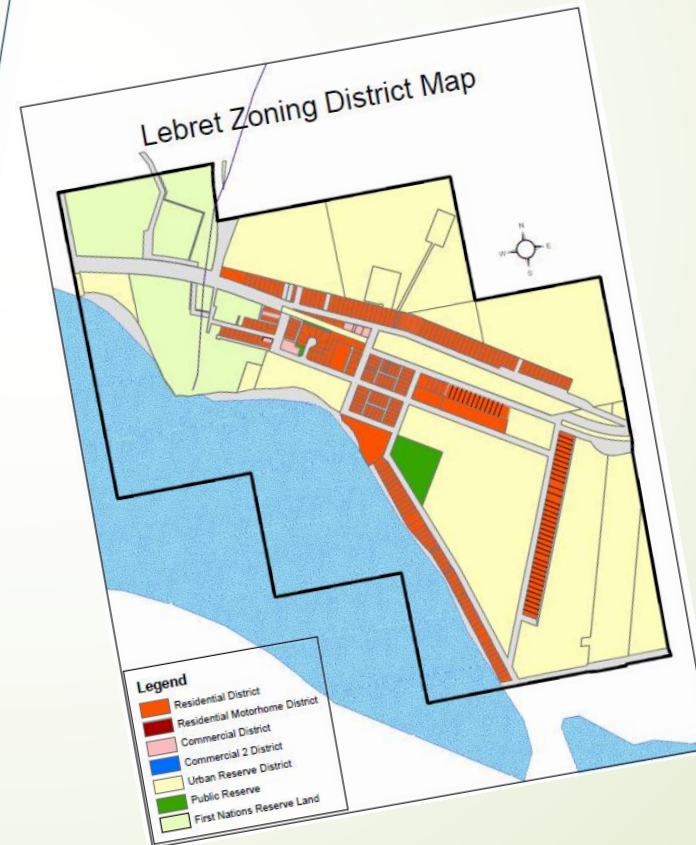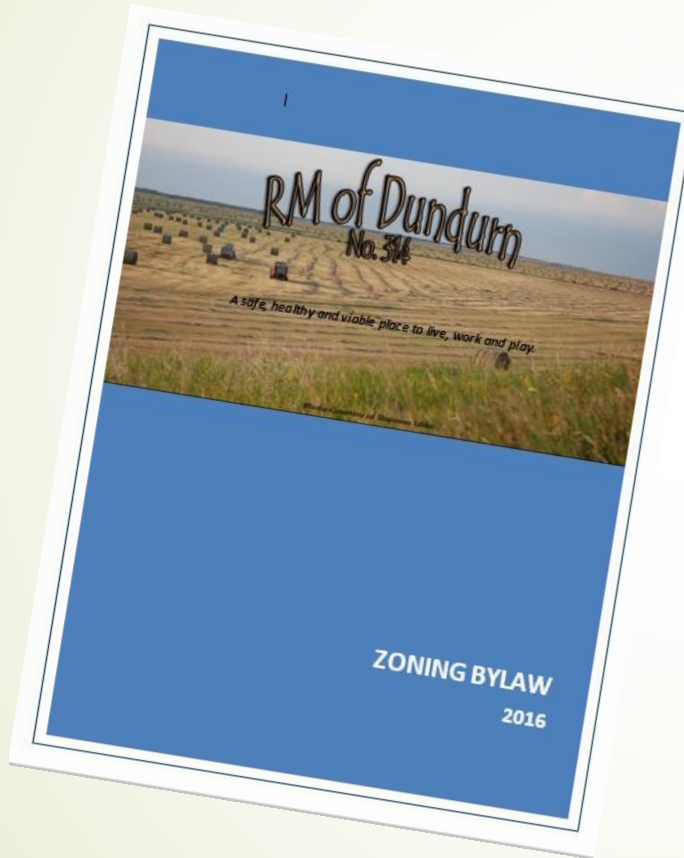
Sample: Zoning District

Section 5 – AGRICULTURAL DISTRICT (A)

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development.

5.1   Permitted Uses

a.   Residence (one per site)

b.   Resource based uses

    i.   Petroleum exploration, extraction wells and related facilities

    ii.   Petroleum pipelines and related facilities

    iii.   Mineral mines or extraction facilities

c.   Grain elevators

5.2   Discretionary Uses

a.   Agricultural Uses

    i.   New or expanding Intensive Livestock Operations (ILO)

    ii.   Intensive Agricultural Operations

    iii.   Commercial use related to the agricultural operations

    iv.   Agricultural product processing

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What does an OCP and ZB have to do with Species at Risk?

Environmentally Sensitive Areas (ESAs)

- Required to identify ESAs in an OCP
- Typically are areas in a municipality that are important because of their unique environmental qualities such as:
  - Rare and endangered species;
  - Habitats of large size or high diversity
  - Rare/unique landforms
  - Providing important ecological functions such as serving as a stopover location for migratory wildlife
  - Can also include natural resource areas, critical wildlife, and ecosystems in the municipality

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How are Environmentally Sensitive Areas Identified?

- Studies/reports by other organizations, agencies and/or stakeholders
- Consultations with Council and the public

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Rural Municipality of South Qu'Appelle No. 157
Land Use Concept Map
W2M

LEGEND

- ❋ Public Well
- —— Potable Waterline
- ▢ Urban Municipality
- ▢ Hamlet Area
- ▢ McLean Growth Area
- ▢ Qu'Appelle Growth Area
- ▢ Heritage Area
- ▢ Environmentally Sensitive Area

THIS IS THE LAND USE CONCEPT MAP REFERRED TO IN BYLAW NUMBER _____
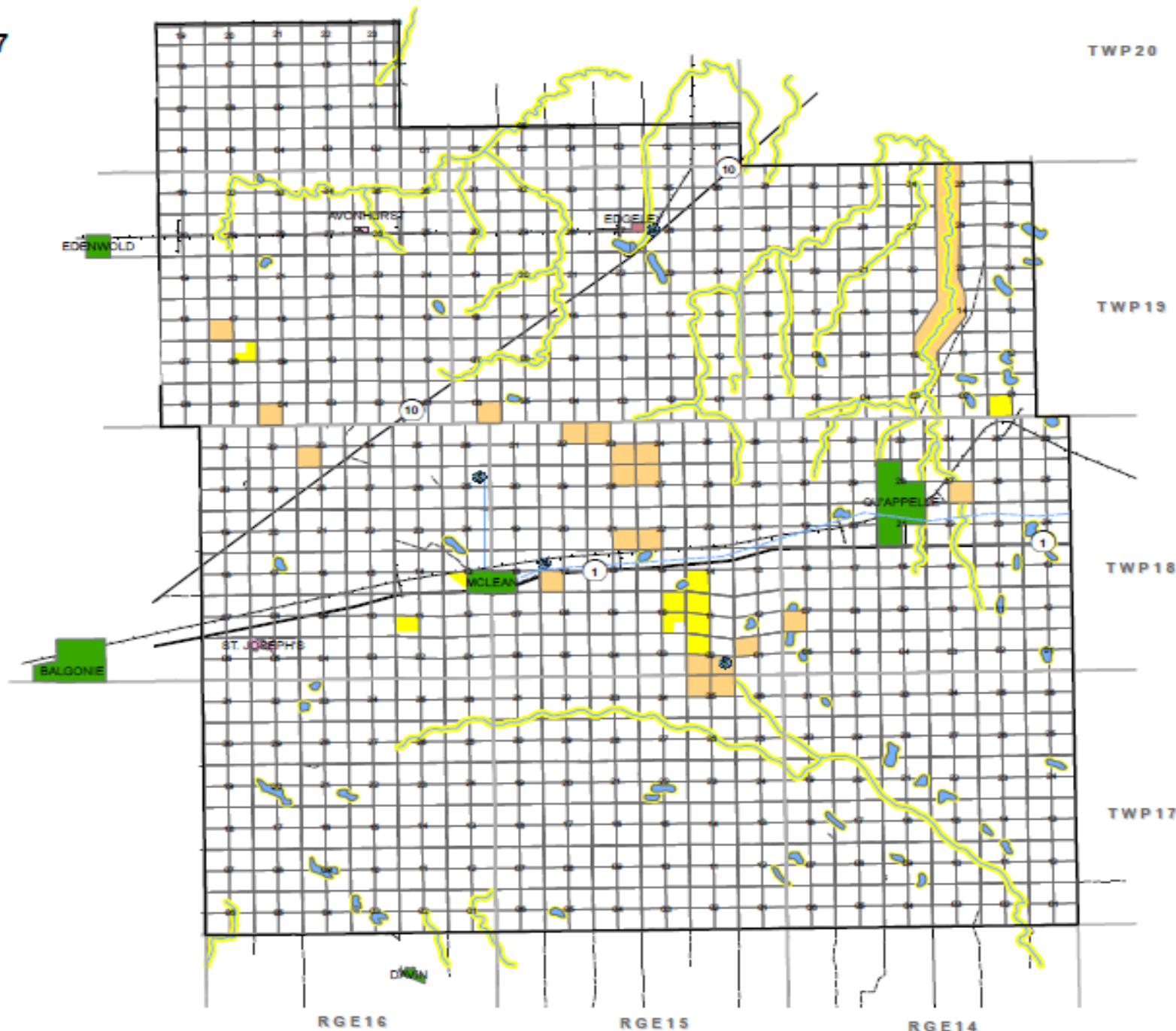ADOPTED BY THE RM OF SOUTH QU'APPELLE NO. 157

_____
REEVE

                              SEAL
_____
ADMINISTRATOR

APPROVED THIS _____ DAY OF _____, 201_

0   3   6   12 Miles

TWP 20

TWP 19

TWP 18

TWP 17

RGE 16   RGE 15   RGE 14

EDENWOLD
AVONHURST
EDGELEY
QU'APPELLE
MCLEAN
BALGONIE
ST. JOSEPH'S

How can Environmentally Sensitive Areas be Protected?

Example OCP Policies:

- Environmentally Sensitive Areas will be protected from incompatible development

  - Development and site alterations will not be permitted in significant portions of the habitat of endangered and threatened species

  - Development and site alterations may be permitted where it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified

- Council will work with agencies of the provincial government to protect any significant wildlife habitat, fish habitat and or rare or endangered species as well as any wetland areas along a lake, slough or creek. These resources will be protected.

- Development shall avoid land that is environmentally sensitive

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How can Environmentally Sensitive Areas be Protected?

Example ZB Regulations

- Wildlife Habitat

  - Where development is proposed in an area identified as containing critical wildlife habitat the Development Officer may require the applicant to provide additional information as required by the Wildlife Habitat protection Act (WHPA) and any other relevant provincial regulations.

  - Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term conservation.

  - Council may specify development and subdivision requirements based on reports from qualified consultants or official from the provincial government.

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How do we Balance Industry Development with Environmental Sensitive Lands?

- Identify suitable areas in your municipality
- Consultations with stakeholders
- Prioritize and set clear goals in your planning documents!

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What happens if you do not have plans?

How to Create an OCP and ZB?

1. Preliminary review of key issues

2. Consult with a Professional Community Planner

3. First round of public consultation

4. Gather data and background information

5. Draft Planning Documents

6. Second round of public consultation

7. Council review and approval

8. Community Planning approval

Things to consider prior to starting:

1. Process
2. Budget
3. Requirements

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Preliminary Review of Key Issues

- What are some of the current issues for the municipality?

- What types of developments are taking place?

- Where are they taking place?

- What capacity does the municipality have to deal with these types of developments?

- What is needed?

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# Consult with a Professional Community Planner

- Saskatchewan Professional Planners Institute (SPPI) and the Canadian Institute of Planners (CIP)

- The professional accreditation for planners in Canada is "RPP and MCIP", signifying that they are a Registered Professional Planner and Member of the Canadian Institute of Planners.

http://sppi.ca/

http://www.cip-icu.ca/#

The Official Community Plan must be prepared in consultation with a Registered Professional Planner (RPP).

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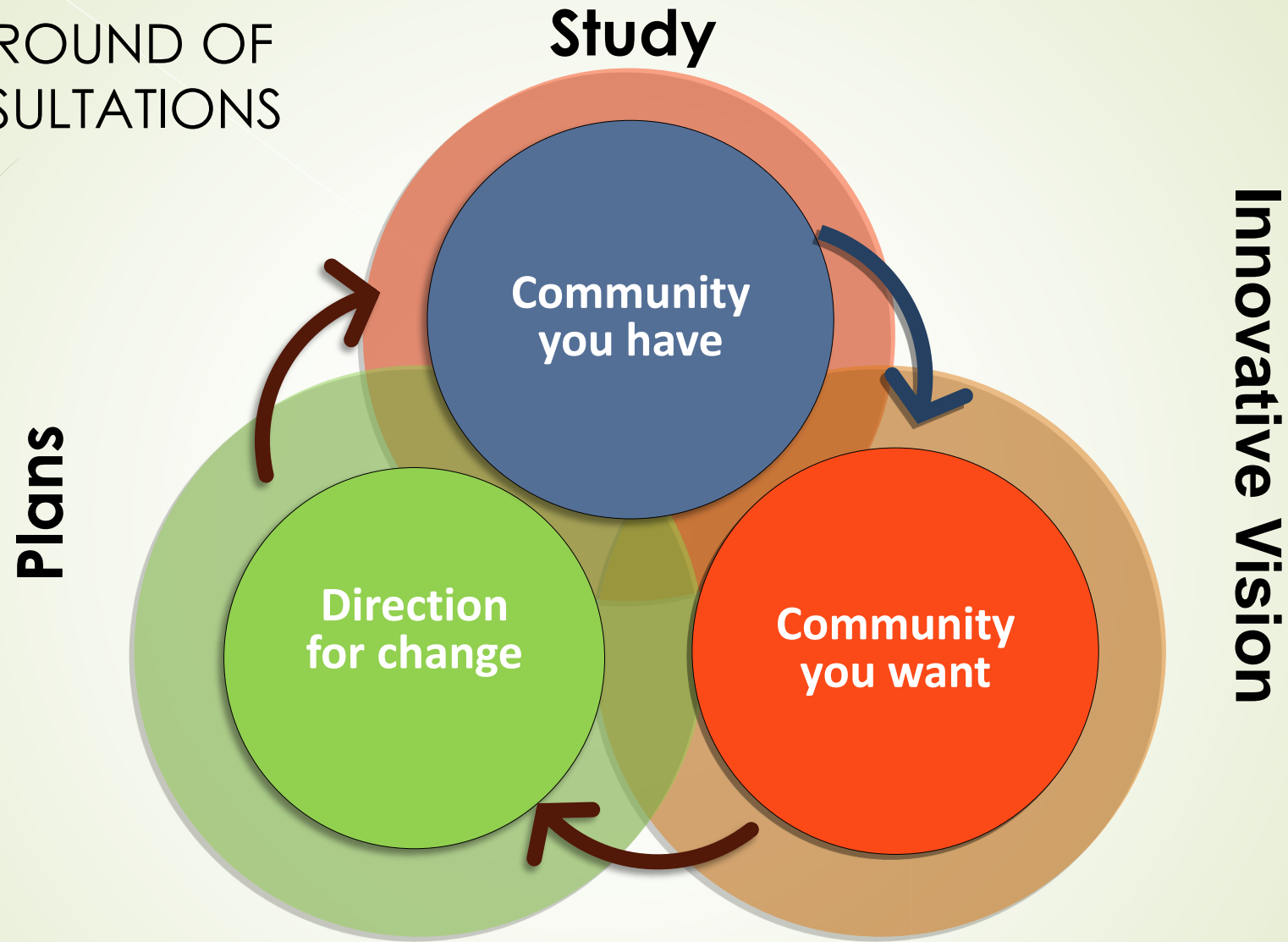
But it's my land!...

▶ Planning is not meant to hinder development- can be used to promote the community and protect what already exists.

▶ Common sense land uses that established in writing and can be regulated

Gather Data and Background Information

- Take an inventory of the municipality's assets:
  - Local economy/industry
  - Population/demographics
  - History/culture
  - Environment
  - Infrastructure
  - Etc.

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Draft Planning Documents and Second Round of Public Consultation

▶ Based on the information provided, draft documents can be made

Zoning Bylaw

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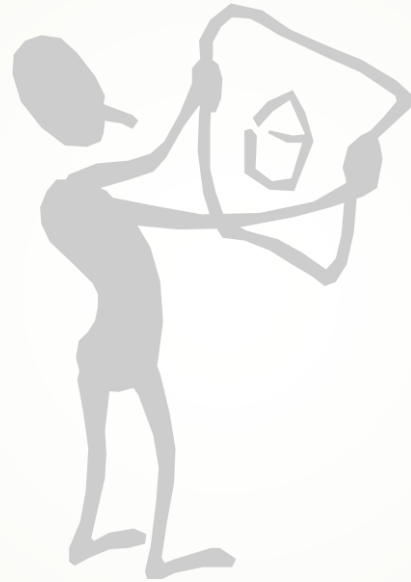

Official Community Plan

RM of Somewhere No. 861

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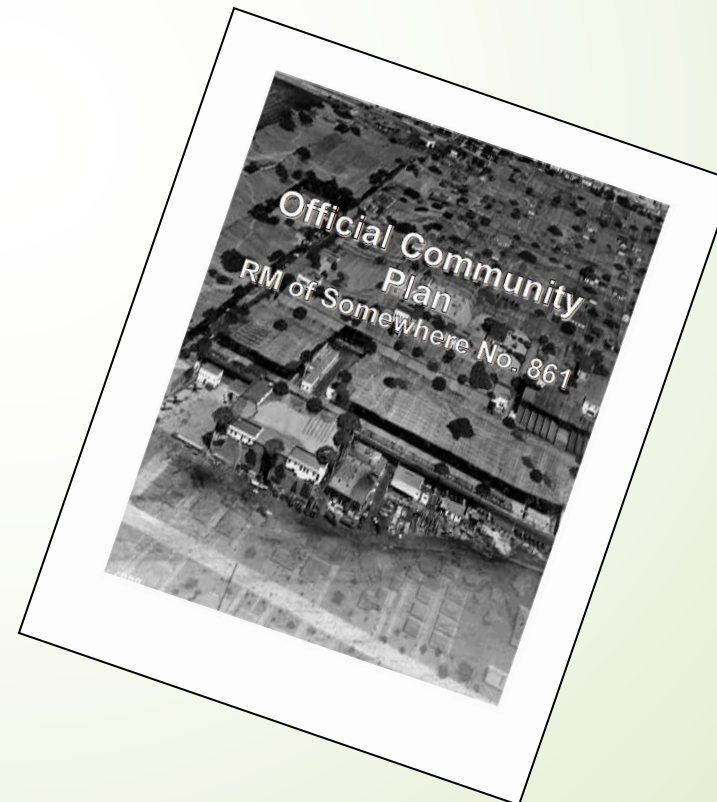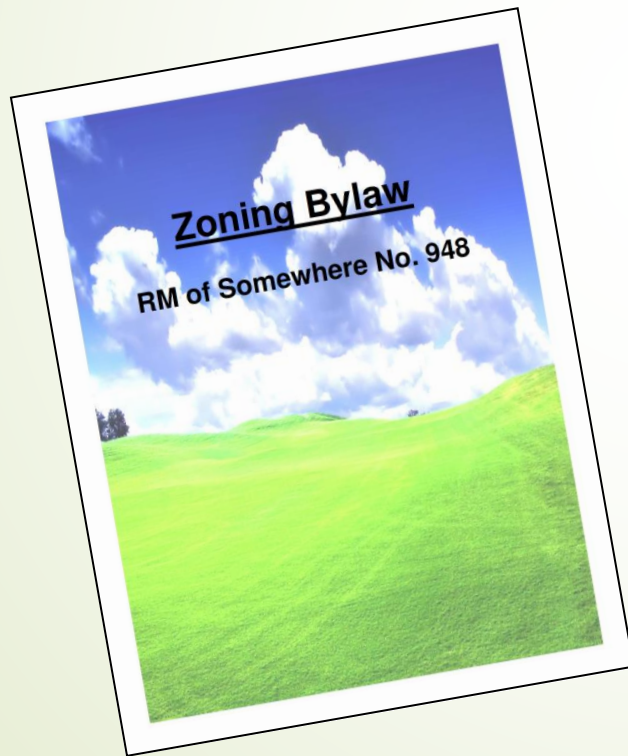
Council Review & Adoption

- First Reading and Set Public Hearing Date
- Advertise Notice in local newspaper
- Public Hearing
- Second and Final Reading
- Ministry of Government Relations:
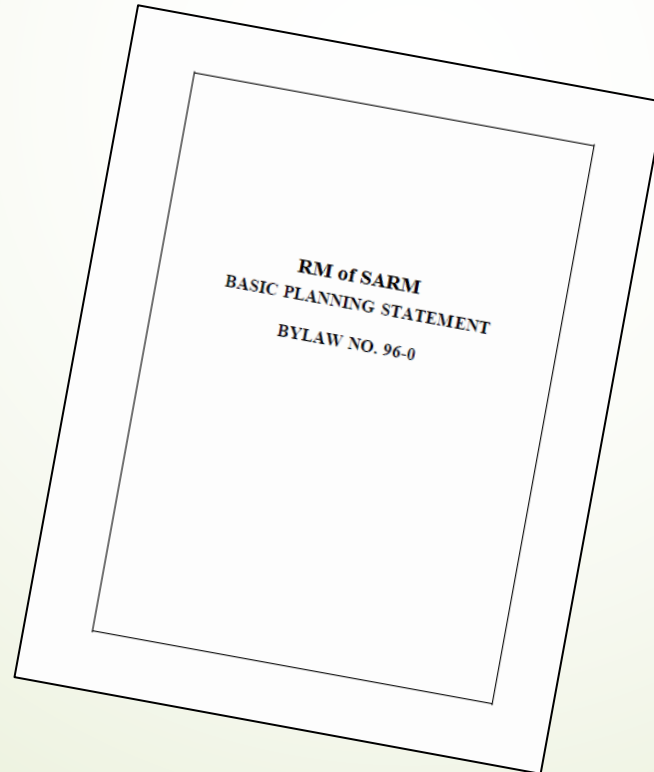 - Community Planning Branch

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Community Planning Branch Review

Outdated Plans

- Development Plans and Basic Planning Statements are still valid but cannot contravene The Planning and Development Act, 2007

- Plans should work for you, not against you: Review regularly

RM of SARM
BASIC PLANNING STATEMENT
BYLAW NO. 96-0

How to Amend Planning Documents?

- Amendments should be expected.
- Examples of Amendments:
    - Re-zoning
    - Addition/removal of a provision or a use
    - Clarification

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Amendment Process

- Application & Fee if requested by developer
- Administration Review & draft bylaw
- Council Approval and Adoption Process
- Ministerial Approval

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Can We Collaborate as a Region?

Regional Planning

- Formal
  - Planning Districts
  - Agreements
- Informal
  - Shared staff
  - Consistent Regulations

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Formal: Planning District

- Two or more municipalities can enter into a planning district, which can be operated by a planning commission or planning authority

- Boundaries of the District need to be established

- Municipalities enter into an agreement and set rules and regulations.

- Plans: District Plan> Individual OCP (optional)> individual ZB

- Examples: Calling Lakes District Planning Commission

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Example District Plan

- Goal: To ensure that future development within the District does not have a negative impact on the water quality, environmental resources and sensitive areas within and surrounding the valley and Lakes.

- Policy: On Environmentally Sensitive Lands, development will not be considered unless mitigating measures, as determined through a professional report, can be achieved.

- Policy: During the subdivision process where environmentally sensitive areas are determined to be unsuitable for development, the Calling Lakes Planning Commission will encourage the Municipality to designate these areas as Environmental Reserve during the subdivision process.

"4 Lakes, 4 Seasons, 4 Everyone"

Calling Lakes District Plan
Calling Lakes Planning District

Calling Lakes

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Informal Planning Groups

- Many different structures

- Plans: Individual OCP > Individual ZB but similar policies and regulations

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Next steps from here...

- Use the Action Plan and work collaboratively to develop consistent policies and regulations for species at risk- and other important aspects as well!

- Amend existing plans to adopt the policies and regulations

- Adopt an OCP and ZB

- Regional Planning

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QUESTIONS OR COMMENTS?

For more information contact:

Dana Schmalz, MCIP, RPP– Director of Community Planning Services

306-761-3728

dschmalz@sarm.ca   OR/

Heather Kindermann – Community Planner

306-761-3734

hkindermann@sarm.ca

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