

# Resort Village of South Lake

## Official Community Plan

RESORT VILLAGE OF SOUTH LAKE  
BYLAW NO. 26-15

A bylaw to adopt an Official Community Plan for the Resort Village of South Lake.

WHEREAS *The Planning and Development Act, 2007* (the Act) provides that a municipality may, by bylaw, adopt an Official Community Plan and has authorized the preparation of such an Official Community Plan in consultation with a professional community planner, pursuant to section 29 of the Act.

WHEREAS, section 35 of the Act provides that an Official Community Plan must be adopted by bylaw, in accordance with the public participation requirements of Section 207 of the Act. In accordance with section 207 of the Act, the Council of the Resort Village of South Lake held a public hearing on Thursday, January 14, 2016 in regards to the proposed bylaw, which was advertised in a weekly paper on and in accordance with the public participation requirements of the Act.

WHEREAS, this bylaw repeals and replaces the current Planning Statement Bylaw 13-89

WHEREAS, in order to ensure the orderly development of the Resort Village of South Lake the Council deems it necessary to adopt an Official Community Plan.

The Council of the Resort Village of South Lake in the Province of Saskatchewan in open meeting enacts as follows:

1. This Bylaw may be cited as the "Resort Village of South Lake Official Community Plan".
2. Schedule "A" attached hereto is hereby adopted as the Official Community Plan for the Resort Village of South Lake.
3. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

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MAYOR

SEAL

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ADMINISTRATOR

**Seal of Prof. Community Planner**

# Resort Village of South Lake

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*Official Community Plan – Schedule “A” to Bylaw*

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# 1. INTRODUCTION

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## 1.1. Purpose and Authority

The purpose of an Official Community Plan is to provide a comprehensive policy framework to guide the physical, environmental, economic, social and cultural development of the municipality.

In accordance with sections 29 to 43 inclusive of *The Planning and Development Act, 2007*, the Resort Village of South Lake adopts this Official Community Plan to state the goals, objectives and policies of the Resort Village relating to future development within South Lake.

## 1.2. Scope

The objectives and policies of this Official Community Plan shall apply within the incorporated area of the Resort Village. The objectives and policies relative to neighbouring municipalities shall guide Council in its actions regarding land use. All development shall conform to the objectives and policies contained in the Official Community Plan.

## 1.3. Severability

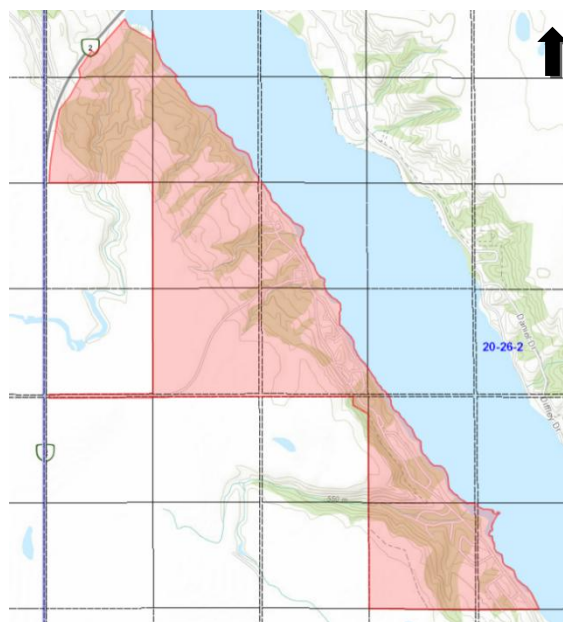
The provisions of this Official Community Plan are deemed to be severable, and if any provision is determined by a court to be invalid or inoperative, it does not render the remaining provisions invalid or inoperative.

# 2. LOCATION and BACKGROUND

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The Resort Village is 40 km northeast of the City of Moose Jaw, situated on the south shore of Buffalo Pound Lake and covers an area of 458.5 hectares (1133.09 acres). The Buffalo Pound Lake is characterized by the unique landforms that make up the Qu'Appelle Valley landscape. The Resort Village is dominated by three major landform types which are old valley side slump blocks, smooth valley sides and an alluvial fan deposit. The unique topography of South Lake is attractive for residents and visitors but they also contribute to geotechnical limitations for development.

The Resort Village of South Lake developed slowly over many years. Charlie Nabess and family as well as Mr. Richard Loney settled in the area in the 1890's. Charlie Nabess settled on the section 4-20-26-W2M and operated a dance hall and summer concession for beach goers on the lake. Charlie began operating a ferry in 1922 to mainly serve farmers from the north side of the



lake who hauled their grain to Tuxford. Richard Loney built a hunting lodge that not only served the local community but also hosted hunting parties from the U.S.

The cottage development of the area began around 1910 with mainly the residents of the City of Moose Jaw spending their weekends at the lake. Major subdivision of the land began to occur in 1958 with individual lots being created. Not long after the residents got together and formed the Organized Hamlet of South Lake on April 22, 1960. By incorporation in 1989, the residents sought to achieve higher levels of service and local control over municipal taxation.

In 2015 the Resort Village's property tax records indicated 439 residential lots.

Buffalo Pound Lake is a relatively large and significant recreational resource of 64 square kilometers in surface area. The southern three quarters of the lake are highly suitable for all types of water based recreation. The northern one quarter is shallow with reed beds forming the major fish breeding grounds, which support great angling on Buffalo Pound Lake. South Lake is located in one of the superior recreational class areas on the lake.

Council will use the information contained in the 1983 and 2004 Lakeshore Management Studies as a guide and will work with neighbouring municipalities that abut the lake towards the improvement of the lake environment and the protection of municipal water sources. These reports are available at the Resort Village office.

### 3. Physical Characteristics

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The Qu'Appelle Valley has landforms that are unique to southern Saskatchewan. The Village which is located nestled in the valley walls is dominated by three major landform types: old valley side slump blocks, smooth valley sides and an alluvial fan deposit. The locations and terrain of the Resort Village is shown in "Map 1" Land Forms in South Lake as well as in the Air Photo Map provided in Appendix "A" (Map A). These landforms create the unique landscape of the Village, but also create development restrictions. Areas which are prone to slumping as well as flooding and erosion are identified in the Slump and Flood Overlay Districts included on Zoning Bylaw Maps in the Zoning Bylaw.

a) Old Valley Side Slump Blocks

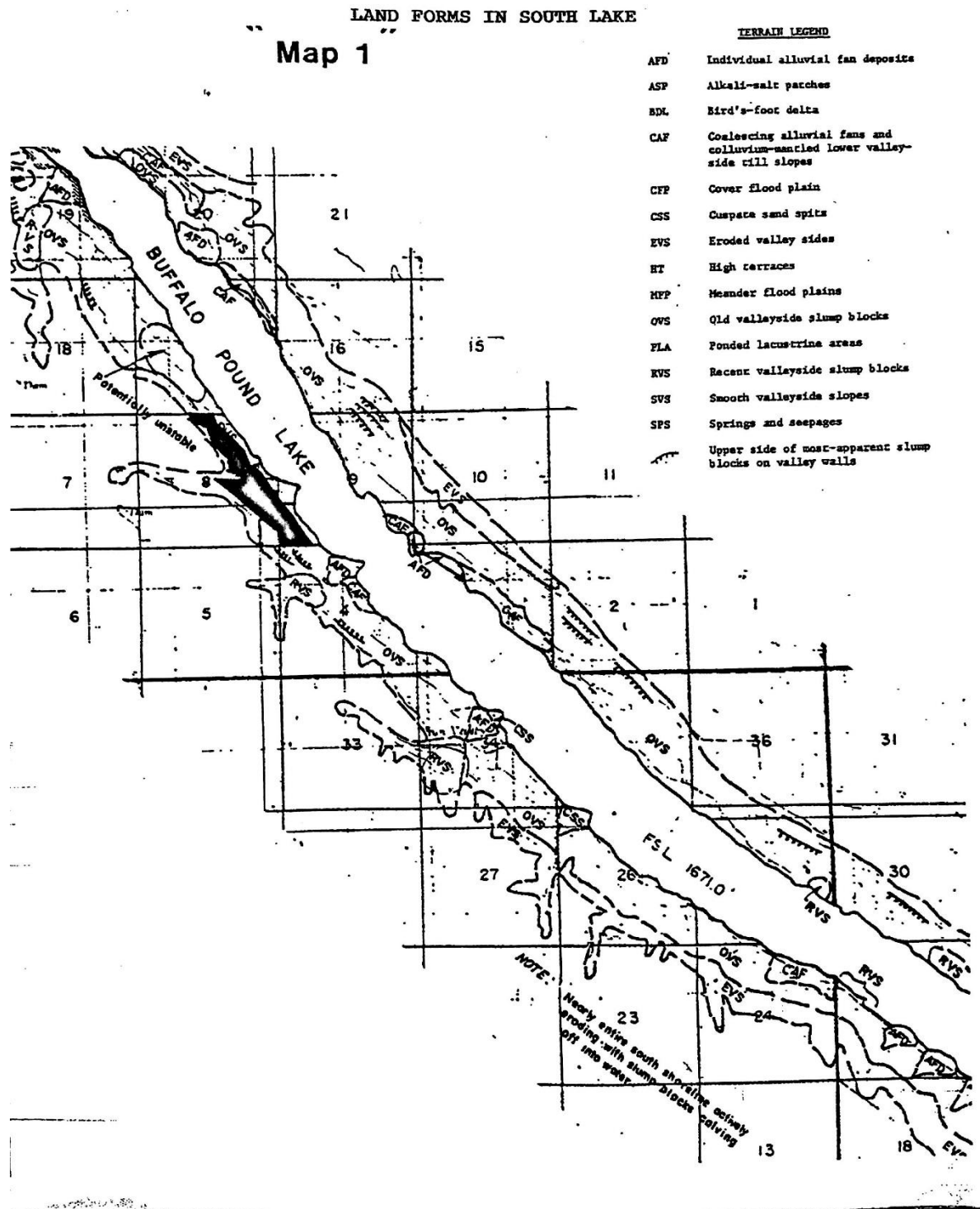
These valley sides slumped repeatedly before the deposition of thick valley fills, and should remain stable if left undisturbed. While failure zones and failure planes are believed to occur in weak marine shale lying beneath the drift cover, these old slumped slopes should be avoided in deep channel excavation.

b) Smooth Valley Side Slopes

These valley walls are frequently composed of thick deposits of glacial drift and are therefore not so subject to slumping as places where thin drift overlies clay shale. Very little drainage crosses them and thus they have not developed deep gullies and ravines.

c) Individual Alluvial Fan Deposits

Alluvial fans occur at the mouths of large creeks and small tributary rivers entering the Qu'Appelle Valley. These fan deposits consist mainly of complex layered sand and gravel with lesser silt and cobbles. Where these fans are capped by relatively deep impervious material (i.e.



Terrain Mapping of Qu'Appelle Valley between Qu'Appelle Dam and St. Lazare, Manitoba for Qu'Appelle Basin Study – J.D. Mollard and Associates, Regina, 1972.

heavy clay), the underlying sand and gravel beds may contain ground water under artesian pressure. In these situations, deep cuts in the fans may develop local sloughing of canal banks. Rain and snowmelt waters often enter pervious strata in the middle and upper portions of the larger gully and ravine bottoms. As the groundwater moves downslope in these deposits, it can cause quicksand conditions in silty and fine sand layers in the lower reaches of the gully and ravine bottoms.<sup>1</sup>

d) Natural Resources

The Resort Village does not possess significant natural resources. Recent annexation has seen some agricultural land being incorporated into the Village, but the Village still does not have a significant amount of wildlife habitat. The existing natural vegetation provides some wildlife habitat as well as protects the land from erosion. Shoreline erosion due to the removal of this vegetation has caused property damage in the past and the Village will continue to promote the preservation of the natural vegetation in and around the Village.

## 4. MUNICIPAL VISION

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*“The Vision for the Resort Village of South Lake is to preserve the quaintness of the existing Village and the security and camaraderie of a well maintained community that our residents are proud to be a part of. “*

## 5. GOALS

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The goals of the Resort Village of South Lake describe the main emphasis for the future development of the community. These goals provide the framework for the objectives and policies of Council in the Resort Village of South Lake.

The planning and development goals of the Resort Village of South Lake are:

- 5.1. To protect and enhance the quality of life for residents of the Resort Village and its surrounding region for the purpose of developing a recreational and residential community.
  - 5.2. To provide for an orderly and sustainable development of land, consistent with and complementary to the primary purpose of the community.
  - 5.3. To provide for limited commercial development with the ability to serve the residential and recreational needs of the community.
  - 5.4. To ensure that the development on Buffalo Pound Lake is done in cooperation with the neighbouring resorts and municipalities.
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## 6. OBJECTIVES

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- 6.1. To maintain and enhance the established low density residential and resort character of the area.
- 6.2. To avoid and minimize potential land use conflicts.
- 6.3. To ensure that future development recognizes the physical capabilities and limitations of the land.
- 6.4. To maintain the high quality physical environment of South Lake in which residents and visitors may live, work and play.





## 7. RESIDENTIAL DEVELOPMENT

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### 7.1. Discussion

The Resort Village of South Lake stretches along the lakeshore of Buffalo Pound Lake. The cottages and houses run parallel along the shoreline and some backshore lands have been developed for residential use as well as some cul-de-sac areas in the coulee areas. Less intensive uses may develop in areas which have no significant geotechnical problems.

The residences in the Resort Village are permanent and seasonal dwellings. There is also a trend towards seasonal dwellings being insulated and made habitable year round. This trend can be expected to continue as cottages are used increasingly for year round recreation, or people decide to retire to their resort property.

Residential development will continue to be the predominant use of land however, the location of the Resort Village of South Lake in the Qu'Appelle Valley limits the potential for large scale residential growth. The valley slopes are prone to slumping as well the close vicinity of South Lake to Buffalo Pound Lake puts it at risk for flooding. New subdivisions must integrate with the existing development in the Resort Village to ensure connectivity and to provide appropriate municipal servicing.

### 7.2. Residential Goals

- 7.2.1 To maintain and improve the value, quality and character of residential property within the Resort Village.
- 7.2.2 To provide for future residential development within the Village where building conditions allow.
- 7.2.3 To encourage new development that is harmonious and does not conflict with existing residential development.
- 7.2.4 To consider the visual impact of all proposed development on neighbouring properties.

### 7.3. Residential Policies

- 7.3.1 Redevelopment and infill development in existing residential areas is encouraged as a first priority where the lots are suitable for development.
- 7.3.2 The upgrading and improvement of existing residences is encouraged. Conversion of seasonal residences to year round residences is permitted.

- 7.3.3 Land uses which are incompatible, or which would result in unacceptable conflicts with adjacent residential areas will not be allowed.
- 7.3.4 Council will consider the visual impact which new residential development will have on neighbouring residences. Unless otherwise authorized by the Zoning Bylaw, Council shall not be required to approve any such development which in their opinion will have a negative visual impact on the valley walls or on the view of Buffalo Pound Lake from any neighbouring dwelling.
- 7.3.5 Home based businesses will be encouraged where they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding areas, and won't put added pressure on the current municipal services that are in place.
- 7.3.6 Council will encourage a variety of housing styles in the Zoning Bylaw to provide greater housing alternatives in the Resort Village. Single detached dwellings are the preferred form of housing type in the Resort Village.
- 7.3.7 Mobile homes/trailer coaches may be allowed in the residential areas and shall have permanent foundations and connections to municipal services.
- 7.3.8 Residential development shall occur where municipal services currently exist or where they can be economically provided.

## 7.4. Subdivisions

- 7.4.1 When reviewing proposals for new residential subdivisions, Council will take into consideration:
- a) the topography of the land
  - b) soil characteristics;
  - c) surface and sub-surface drainage;
  - d) potential flooding, subsidence, landslides and erosion issues;
  - e) the availability and adequacy of a water supply, a sewage disposal system and solid waste disposal;
  - f) economical provision of services;
  - g) existing and prospective uses of land in the vicinity;
  - h) provision for layout of streets and lanes;
  - i) provision of access;
  - j) protection of provincial highways and major roads;
  - k) segregation of pedestrian and vehicular traffic and of traffic flow between streets and road and the protection of public safety by ensuring adequate sight distances at intersections;
  - l) design and orientation of the subdivision including the size and shape of each parcel;
  - m) the need to minimize the likelihood of air, water or soil pollution by the subdivision or the need to protect the subdivision from such pollution by outside influences; the anticipated need for recreational facilities and parks;

- 7.4.2 The Village Council will review the considerations above as well as the other provisions of this Official Community Plan and Zoning Bylaw when considering proposals. Council is not the approving authority for subdivisions and therefore they do not make the final decision on subdivision applications, however, all zoning amendment applications are at the discretion of the municipality.
- 7.4.3 Developers will be responsible for the installation and construction of all services required to facilitate the proposed multi-parcel residential subdivision. A Servicing Agreement between the developer and the Village will be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required.
- 7.4.4 The Village will work with adjacent and nearby municipalities to establish servicing requirements in order to ensure the services are coordinated between the municipalities.
- 7.4.5 Where development is proposed on hazardous lands, the developer will be responsible to hire a professional to prepare a report on the proposed development. The report shall assess the geotechnical suitability of the site, susceptibility to flooding, slumping, slope instability or other environmental hazards, together with any required mitigation measures. These measures may be attached as a condition for a development permit approval.

## 8. COMMERCIAL DEVELOPMENT

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### 8.1. Discussion

The Resort Village of South Lake provides a residential community in a resort setting. Council desires to support commercial services designed to complement this function within the area designated for commercial use. Some expansion of commercial use areas may be considered, however, they should not detract from the primarily residential character of the community.

### 8.2. Objectives

- 8.2.1. To provide for future commercial areas in the Resort Village in a form that will complement and improve the community as a residential and recreational area.
- 8.2.2. To ensure that commercial development will not intrude into areas of primarily residential development.
- 8.2.3. To encourage the upgrading of both the appearance and quality of commercial services in the Resort Village.
- 8.2.4. To recognize the need of some residents to conduct their occupations in their dwelling.

### 8.3. Policies:

- 8.3.1. Council will provide for the development of commercial service functions designed to serve the residents of the Resort Village and guests in the area.
- 8.3.2. All business development shall have adequate services, including roads and utilities, which meet municipal standards.
- 8.3.3. Council will have the ability to require screening, landscaping or buffering as a condition of approval and in accordance with the criteria in the Zoning Bylaw.

## 9. PARKS, RECREATION, CULTURE and HERITAGE

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### 9.1. Discussion

The Resort Village of South Lake stretches along the shores of Buffalo Pound Lake which gives it large beach areas for recreational opportunities. The Village has many Public Reserve lands that include the main beach areas as well as many small parcels scattered throughout the village serving as open green spaces. The Resort Village also has picnic sites, hiking trails, boat launches, and public playgrounds. The Resort Village of South Lake not only provides recreational services for its own residents but also for the residents of surrounding areas. Council recognizes that recreational opportunities are an important part of the daily life of residents.

Council's priority for the dedicated lands within the Resort Village will be as follows:

The beaches, buffer strips, green spaces and environment lands within the Resort Village provide aesthetic and natural areas for recreation and the protection of biodiversity. Council will maintain these important areas and endeavor to connect them as future dedicated lands are contemplated.

Through the subdivision process Municipal and Environmental Reserve Lands will be required for public use, in accordance with *The Dedicated Lands Regulations, 2009*. Council will also have the option to require money-in-lieu of municipal reserve, should municipal reserve lands not be required or desired at the time of subdivision.

There are numerous sites within the Resort Village that have not been designated as a heritage property but still hold heritage, cultural or archaeological significance. The Provincial Heritage Department can help identify sites that will need special care and attention during development to protect the integrity of archaeological sites. The protection of archaeological sites has become an accepted step in the development process, similar to environmental protection. The Heritage Sensitivity Map provided in Appendix "A" (Map B), identifies heritage sensitive areas within the Resort Village.

Archaeologically sensitive lands include those located:

- within the same quarter-section (or within 500 m of) a Site of a Special Nature (per s.64 of *The Heritage Property Act*), or other previously recorded site(s), unless it is shown to be of low heritage significance;
- within 1 km of permanent rivers/streams;
- within 1 km of well-formed valleys (defined by 3 or more changes in contour intervals) containing permanent and/or seasonal water body or watercourse;
- within 1 km of permanent/seasonal waterbodies greater than 2 km in length/width;
- within 1 km of smaller waterbodies that are located in well-defined drainage basins;
- adjacent to (or within 500 m of) readily identifiable strandlines (ancient lake shores);
- on islands greater than 1 km in length/width;
- on hummocky terrain (defined by 3 or more changes in contour intervals and 4 or more sloughs per quarter-section);

- within (or on the periphery of) sand dune complexes;
- on escarpments (defined by 2 or more changes in contour intervals within 200m), prominent uplands, and hills/ridges (including eskers).

## 9.2. Goals

- 9.2.1. To maximize ongoing recreational opportunities for residents to enjoy and appreciate the water, land and cultural resources of the Resort Village.
- 9.2.2. To provide residents with convenient access to the public beach and public parks.

## 9.3. Policies

- 9.3.1. At the time of subdivision, the Resort Village will assess whether municipal reserve (MR) land is required, if it is not required, money in lieu of municipal reserve land will be requested from the developer. Council may require municipal reserve land to provide a separation buffer between incompatible land uses.
- 9.3.2. Lands to be subdivided that contain swamps, drainage courses or land subject to seasonal or frequent flooding will generally be recommended for approval as Environmental Reserve.
- 9.3.3. *The Planning & Development Act, 2007* along with *The Dedicated Lands Regulations, 2009* prohibits the use of Municipal or Public Reserve for private boat housing or docking structures.
- 9.3.4. *The Planning & Development Act, 2007* along with *The Dedicated Lands Regulations, 2009* prohibits the use of dedicated lands for the use of camping or other similar activities.
- 9.3.5. Council may specifically authorize limited Resort Village sponsored events on dedicated lands by resolution.
- 9.3.6. Where applicable, developers will be required to contribute to the upgrade of or development of new recreational facilities, structures or locations such as but not exclusive to community centers, boat launches, bicycle or walking paths and park areas and/or facilities.
- 9.3.7. Public access to green spaces such as, but not exclusive to, parks, boat launches, open spaces, wildlife, environmental and historic features, water/lake fronts and walking paths will be encouraged through servicing agreements.
- 9.3.8. If a proposed development is located in the heritage area, identified in the Heritage Sensitivity Map provided in Appendix “A” (Map C), the developer must follow-up with the province and provide the pertinent information to the municipality if the development is allowed to proceed.

## 10. SERVICES AND PUBLIC WORKS

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### 10.1. Discussion

The Resort Village of South Lake provides a number of services to its residents on a year round basis. They have full time employees, snow removal and tree trimming services. The Village also has street lights.

Storm water drainage in the Resort Village is accomplished through culvert systems and natural surface drainage.

All sewage produced within the Resort Village must be contained in an approved holding tank. Sewage must be transported by a certified hauler to a designated lagoon facility at the expense of the land holder. The Resort Village does not have any municipal water services at this time. Residents haul water in from surrounding areas.

The Resort Village has a fire fighting agreement with the City of Moose Jaw.

Power, natural gas and telephone utilities are available.

The Resort Village has an assortment of structures, docks, playground equipment and buildings on municipal reserves throughout the resort.

### 10.2. Goals

- 10.2.1 To maintain and improve the existing level of services.
- 10.2.2 To ensure that new subdivisions will not place a financial burden on the Resort Village.
- 10.2.3 To work with the Rural Municipality of Marquis and other adjacent municipalities to provide the appropriate level of infrastructure and services to the residents, businesses and visitors to the region.

### 10.3. Policies

- 10.3.1. Council will continue to supply and maintain the services that it provides to residents and other services could be introduced given public demand and the financial capability of the Resort Village.
- 10.3.2. All waste water must be contained in an approved holding tank and be transported by a certified hauler.
- 10.3.3. In order to avoid additional costs to the municipality, the Council will require a developer to enter into a servicing agreement at the time of subdivision. This will ensure that capital services of the new subdivision will meet the standards of the Resort Village.

10.3.4. The Resort Village contains existing parcels of public reserve (Crown) land administered by the Ministry of Government Relations or applicable agency.

10.3.5. Council will acquire additional undeveloped shoreline for recreational use whenever possible.

10.3.6. Future subdivisions and development shall be logical, reasonable, and cost effective and will be limited to areas that can be efficiently provided with municipal services that will be serviceable at an acceptable cost to the Resort Village. Preference will be given to reinforce existing services, however, when municipal services are expanded to new development areas, the cost of extending these services shall be borne by the development itself.

**10.3.7. Sand and Gravel Operations**

- a) Where appropriate, at the discretion of Council, and in consultation with adjoining municipalities, the development of aggregate resources may be permitted within the Agricultural Zoning District.
- b) Council will not permit the subdivision of areas with moderate to high potential aggregate deposits into non-agricultural uses.
- c) The development of an aggregate extraction operation shall require the discretionary approval of Council. A development permit may require a development agreement.
- d) The development permit shall be issued for a period of one (1) year and renewed at the discretion of Council.
- e) Prior to the issuance of the development permit, the developer and Council may enter into a development agreement which defines the responsibilities of the developer with respect to aggregate resource extraction.

The development agreement may specify any of the following items:

- i) Compliance with
- ii) Any other conditions with respect to the planning, siting, operation and restoration of the site including:
  - Specifying the after-use of the site
  - Phasing of operational and restoration components
  - The identification of potential environmental problems (i.e. drainage, erosion control, noise, dust, and dirt) and proposed mitigation measures
  - The visual effects on the site (i.e. weeds) and the landscape (i.e. loss of scenic qualities) and proposed mitigation measures
  - The erection of fencing and signs
  - The development and maintenance of municipal roadways
  - The routing of trucks to avoid noise and dust problems
  - Compensation to adjacent land owners
  - The posting by the developer of a letter of credit, cash or performance bond to guarantee adherence to these requirements
  - Or any others that Council may specify.



- f) Subject to Council's discretion, aggregate extraction operations must be located on sites that are:
  - i) 805 meters (0.5 miles) from any residence
  - ii) 45.7 meters (150 feet) from the center of a developed road allowance
  - iii) Accessible to roadways adjacent to the operation, and if this is not the case, the development agreement shall address this concern.
  - iv) Not unique environmental, recreational or heritage lands which should not be disturbed.
  - v) Not sensitive or hazard lands as outlined in the OCP and Zoning Bylaw.
- g) Council, at its discretion, may reduce the minimum separation distances between aggregate extraction operations and other developments if:
  - i) The operator/owner consults the affected neighbours and
  - ii) The affected neighbours provide written acknowledgement and agreement to the reduced separation distances.

# 11. HAZARD LANDS AND ENVIRONMENTALLY SENSITIVE LANDS

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## 11.1. Discussion

Environmental sustainable planning is an important aspect of planning. The conservation and protection of hazard lands need to be taken into consideration when submitting and reviewing development proposals. Council recognizes that there is a need to protect development from hazardous areas and a need to protect environmentally sensitive areas. The plan identifies areas where natural hazardous conditions exist so future developers and/or property owners can undertake the proper steps to assess the potential hazards when developing.

Changing lake levels as well as land formations that the Village is situated on and surrounded by represents some risks for flooding, and landform slumping. Council is aware of the geotechnical limitations such as slumping and flooding, which are limiting factors of new development. Areas affected by slumping and flooding are shown on “Map 2” Shoreline Erosion and Flooding as well as on the Zoning Bylaw Maps included as part of the Zoning Bylaw.

## 11.2. Goals

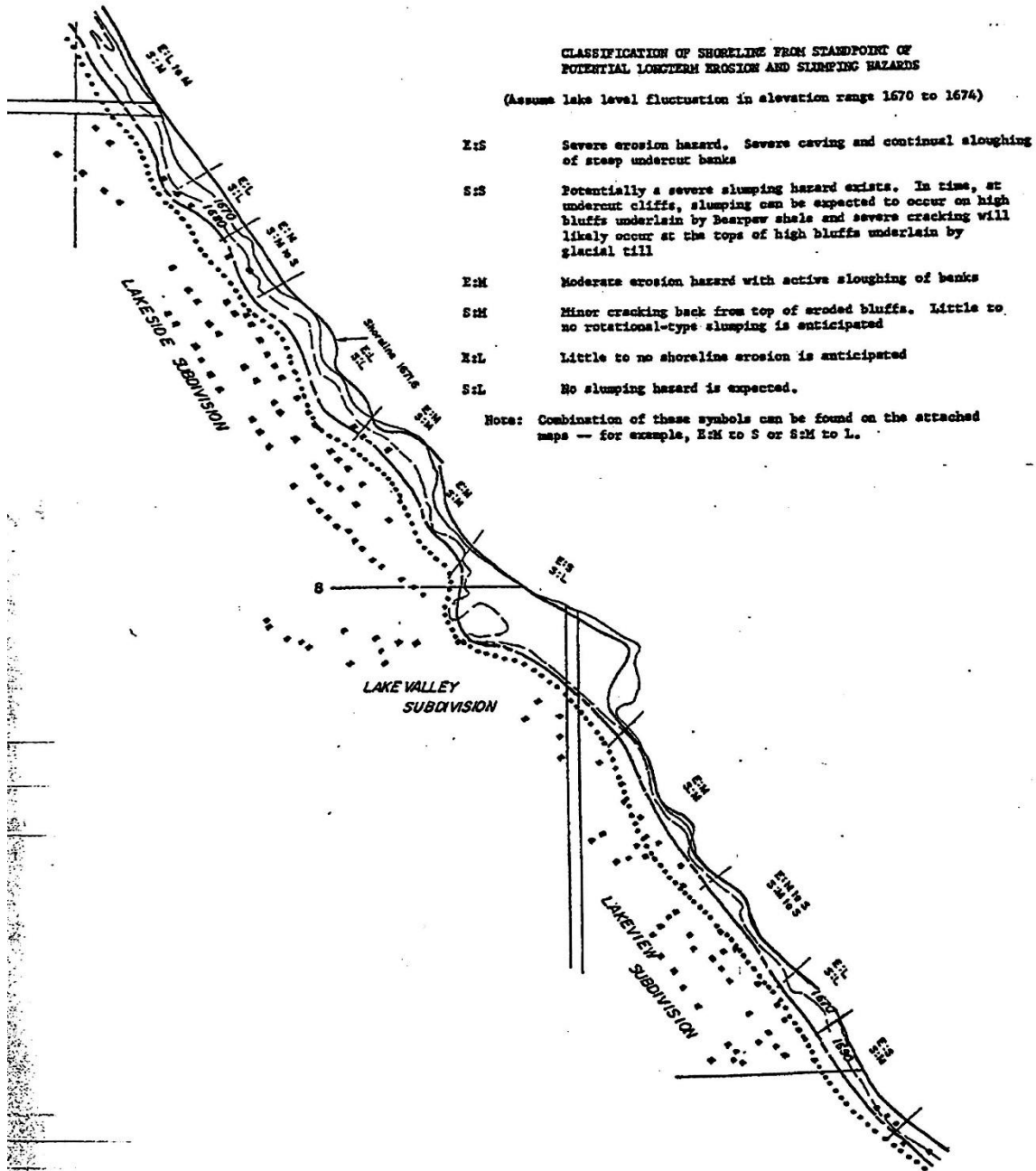
- 11.2.1. To ensure that development does not occur on potentially hazardous lands without adhering to appropriate development standards and mitigation measures.
- 11.2.2. To ensure that future development within the District does not have a negative impact on the water quality, environmental resources and sensitive areas within and surrounding the valley and lakes.
- 11.2.3. To protect critical water supply resources including both ground and surface water resources.

## 11.3. Policies

- 11.3.1. Valley slopes are potentially unstable and subject to sliding and erosion. Council or the Development Officer appointed by Council under the Zoning Bylaw, may visit the site of any proposed development, in order to assess the local site suitability for the specific development. Persons developing on potentially unstable land may be required by Council to contact a geotechnical engineer to determine appropriate construction techniques. Council may utilize the findings of such geotechnical reports in establishing conditions for development, as part of any Development Permit which may be issued.
- 11.3.2. On Environmentally Sensitive Lands, development will not be considered unless mitigating measures, as determined through a professional report, can be achieved.
- 11.3.3. Developers may be required to provide professional, certified environmental, geotechnical, hydrological reports to address development hazards and may require a preliminary analysis by a professional engineer or environmental scientist, to identify which hazards may exist in the area of a

## Map 2

### SHORELINE EROSION AND FLOODING



Shoreline Erosion and Slumping Study of Last Mountain and Buffalo Pound Lakes, Sask. Water Resources Commission, 1968 prepared by J.D. Mollard, P. Eng.

proposed development. The study and/or report will include the process, method of testing, number of test holes and outputs of the assessment and conditions for development, if it is recommended that development proceeds. The study and/or report will assess environmental hazards such as:

- a. Geotechnical suitability of the site which includes the susceptibility to flooding, slumping and steepness of the slope, including possible slope instability and the degradation of the valley topography over time;
- b. Drainage, storm water run-off and possible pollution; and
- c. Include any other impact that the development may cause on the natural environment along with recommended mitigation measures.

11.3.4. The development of structures on hazard land may be authorized only in accordance with the recommended preventative measures identified in the study and/or report. These measures may be attached to the development permit as conditions.

11.3.5. In order to maintain the stability of slopes, prevent erosion, provide wildlife habitat and maintain the attractiveness of the area, Council will encourage the preservation of natural vegetation. Clearing required to accommodate a proposed development should be kept to a minimum.

11.3.6. Council may deny a permit to any development that may significantly deteriorate the land resources or deplete or pollute ground water sources.

11.3.7. No development shall take place in the floodway of the 1:500 year flood elevation of any water body or watercourse.

11.3.8. No new development shall be permitted on an unstable slope area without undertaking slope stability investigations, which includes the requirement for drill holes to conduct a proper investigation. Development shall be setback from slopes in accordance with the recommendations of a qualified professional engineer.

11.3.9 During the subdivision process where environmentally sensitive areas are determined to be unsuitable for development, the Resort Village will designate these areas as Environmental Reserve during the subdivision process. This includes parcels that may contain:

- a. Ravines, coulees, swamps, water courses;
- b. Land that is flood prone or unstable;
- c. Land needed to prevent pollution, preserve banks, or protect against floods.

## 12. AGRICULTURE

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### 12.1. Discussion

The Resort Village of South Lake has recently annexed land from the Rural Municipality of Marquis that is currently being used for agricultural purposes. These lands will continue to be used for agricultural activities unless the land owners wish to take advantage of residential or commercial opportunities available because of their proximity to the Resort Village.

### 12.2. Goal

12.2.1. To balance farming as an industry and as a way of life alongside the Resort Village.

12.2.2. To support new opportunities that support and enhance the rural and Resort Village way of life.

### 12.3. Policies

12.3.1. Existing agricultural land uses and developments shall be deemed conforming by Council and shall be recognized within the Zoning Bylaw of the Resort Village of South Lake.

12.3.2. Developments compatible with agricultural production and accessory uses shall be permitted by Council.

12.3.3. Intensive agricultural operations and intensive livestock operations will be considered discretionary uses in the Zoning Bylaw and applications for such developments will be reviewed by Council in accordance with the policies specific to such uses.

12.3.4. Council shall permit the clearing of land for the purpose of agricultural production and irrigation except in environmentally sensitive areas, hazard lands or heritage sensitive areas, Council shall consult with the appropriate senior levels of government responsible for these sensitive lands prior to reviewing a land clearing proposal.

12.3.5. Agricultural land use objectives and policies may be implemented through such instruments as the Zoning Bylaw, subdivision control procedures, and the issuance of development and building permits.

## 13. POLICIES FOR IMPLEMENTATION

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- 13.1 The primary means of implementation of this Official Community Plan shall be the Zoning Bylaw No. \_\_\_\_\_ adopted in conjunction with this Official Community Plan.
- 13.2 All development within the Resort Village of South Lake shall conform to this Official Community Plan.
- 13.3 Amendments to the Zoning Bylaw shall only be considered where consistent with the Official Community Plan and within the general outline of the areas designated for future land use therein.
- 13.4 Council will consult with and seek input from neighbouring municipalities when making amendments to the OCP or Zoning Bylaws.
- 13.5 Council will engage and participate with neighbouring municipalities in research and actions to ensure development remains within the capacity of the lake and environment.
- 13.6 Zoning Bylaw

The Zoning Bylaw shall direct future growth and divide the Resort Village into zoning districts. The intent of each district is as follows:

- (a) R – Residential District – To provide for medium density pattern of residential development.
  - (b) Rec - Recreational District – To provide for the development of area for open space, recreational and other uses for service to the public.
  - (c) C- Commercial District – To provide for commercial and community service development.
  - (d) UR- Urban Reserve District – To reserve un-subdivided and/or undeveloped lands within the municipality for future development.
  - (e) AR- Agricultural District – to provide for agricultural and agricultural related developments and subdivisions.
  - (f) S- Slump Hazard Overlay District- to provide for orderly development and safe construction in areas subject to slope instability.
  - (g) F- Flood and Erosion Hazard Overlay District- to provide for orderly development and to reduce potential for flood damage in areas subject to flood hazards and shoreline erosion.
  - (h) Council may add additional Residential or Commercial districts where necessary to provide for the appropriate control of specific forms of development, within the context of the Official Community Plan.
- 13.7 Other bylaws and resolutions of Council shall not be inconsistent with this Official Community Plan.
  - 13.8 Council shall cooperate with the provincial authorities to enforce fire safety, flood protection, environmental protection and shore land pollution control regulations with the Resort Village.

- 13.9 The expansion of municipal boundaries, through the annexation of land will only be considered when, in the opinion of Council, the annexation meets the requirement of this Official Community Plan and results in an overall benefit to the municipality. The Resort Village of South Lake will negotiate and finalize the terms of any annexation of land with the impacted municipality. All costs related to the annexation of land shall be borne by the requesting developer, when applicable.
- 13.10 Where appropriate, Council will purchase or lease property or use public investment to achieve the objectives of this Official Community Plan.
- 13.11 Subdivision of private land that requires the provision of new streets or other public services shall only be approved in conjunction with a servicing agreement. A servicing agreement shall provide for the construction of services required by the subdivision either at the total expense of the developer, or partially at the expense of the developer and of the municipality, as may be negotiated with Council. The Resort Village will only consider sharing costs of a service that is of wider benefit to the community beyond the area of the proposed subdivision.
- 13.12 Hazard Overlay Districts
- In any district designated as flood/erosion or slump hazard overlay district on the Zoning District Maps, all permitted or approved discretionary uses in that district and the following permitted uses shall also be subject to the regulations and standards of this section.
- 13.13 Servicing Agreements and Development Levy Agreements.
- a. At the time of subdivision a Servicing Agreement between the developer and the Resort Village will be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required, in accordance with Section 172 of *The Planning and Development Act, 2007*.
  - b. The Resort Village will work with adjacent and nearby municipalities to establish servicing requirements in order to ensure the services are coordinated between the municipalities.
  - c. Council has the authority to establish, by bylaw, development levies to recover the capital costs of services and facilities associated with a development approved through a development permit application.
  - d. If Council adopts a development levy bylaw, a development levy agreement between the developer and the Village may be required to ensure there is an understanding of the type, standard and timing of installation or construction that will be required.
- 13.14 Provincial Land Use Policies
- a. This Official Community Plan shall be administered and implemented in conformity with applicable provincial land use policies, statutes and regulations and in cooperation with provincial agencies.

- b. Council will review this Official Community Plan and the accompanying Zoning Bylaw for consistency with provincial land use policies.
- c. Wherever feasible and in the municipal interest, Council will avoid duplication of regulation of activity and development governed by appropriate provincial agency controls.

#### 13.15 Administration

- a. This Official Community Plan is binding on Council and all development within the Village of South Lake must comply with this Plan.
- b. The interpretation of words as contained in the accompanying Zoning Bylaw shall apply to the words in this Official Community Plan.
- c. If any part of this Official Community Plan is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the Plan as a whole, or any other part, section or provision of this Plan.

#### 13.16 The Future Land Use Map

The Future Land Use Map provided in Appendix “A” (Map B), identifies areas that have the potential for new development in the Resort Village of South Lake with the intent of accommodating future growth. The Resort Village’s intention for the future use of land is shown on the Future Land Use Map which is attached to and form part of this Official Community Plan. The unique topography of South Lake presents challenges and opportunities for future growth. All new development will need to acquire appropriate studies and applicable permits to assess the suitability of the land to be developed.

#### 13.17 Concept Plans

Concept plans are reference plans, not policy plans. They represent design layout concepts prepared at the request of the Municipal Council to provide direction for how new developments:

- Ensure the efficient provision of current and future infrastructure services;
- Demonstrate how site development will be organized to ensure compatibility with adjoining land uses and transportation systems;
- Outline density of developments and proposed phasing of development;
- Provide design features for special purposes such as landscaping, buffers, open spaces, and street layout; and
- The Council shall ensure that any concept plan is consistent with the Official Community Plan.

#### 13.18 Bylaw No. 03-2012 Rezoning and Subdivision

Due to the timing of the creation of the Zoning Bylaw, a portion of the SE ¼ 8-20-26 W2M was rezoned from UR—Urban Reserve to R2- Medium density Residential under Bylaw No. 03-2012 for a multi parcel residential subdivision. The individual lots in the subdivision have yet to be titled. Due to



the size of the rezoned land in Bylaw No. 03-2012 it does not meet the site size requirements under the new R-Residential District, and therefore if the lot titles are not raised a Zoning Bylaw Amendment should be passed to rezone the land back to UR-Urban Reserve.

## Appendix “A”