

# The Statements of Provincial Interest Handbook

Companion Document to *The Statements of Provincial Interest Regulations*

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## How to Apply the Statements of Provincial Interest Handbook

The Statements of Provincial Interest Handbook is a tool to assist municipalities, developers and professional planners in applying [The Statements of Provincial Interest Regulations](#) (regulations) to municipal planning documents and decisions.

This handbook provides background on the role of the regulations in the planning framework and information on general land use planning concepts. The handbook contains detailed information on each section of the regulations, with the main focus being the 16 interest areas. The information provided for each interest area represents advice the Ministry of Government Relations typically gives to municipalities, developers, land use planners and other stakeholders and rights holders. Each chapter references relevant legislation, regulation, policy, government resources and government contacts related to each interest.

With only a few exceptions, the regulations are objective-based. This allows flexibility and adaptability in their implementation. This handbook is written to provide guidance, advice and clarity to the intent of the regulations. However, it is not an inclusive list of ideas, methods or practices. It is important to be aware of the regulations and to ensure that they are applied in a balanced and practical fashion. Municipalities, land use planners and other stakeholders and rights holders are encouraged to find innovative solutions to implement the regulations within the context of their local or regional circumstances.

Please contact the Ministry of Government Relations' Community Planning branch with any questions about the Act, the regulations or this handbook.

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# 1. Introduction

The introduction section:

- Establishes the context for planning and the need for the regulations;
- Outlines the general purpose, scope and application of the regulations;
- Identifies planning tools available to municipal councils; and
- Outlines the role of the province in implementing the regulations.

The following information is contained in section 1 of the Appendix to the regulations. In addition, the ministry has identified the legislative authority in *The Planning and Development Act, 2007* (the Act) related to the regulations.

## Overview

Land use planning facilitates the orderly development of land, resources, infrastructure and services, with a view to securing the economic, environmental, social and cultural well-being of urban and rural communities. The driving force in planning is often the need for change, the need for improved management or the need for a different pattern of land use, dictated by changing investment circumstances.

*The Planning and Development Act, 2007* (the Act) authorizes the Lieutenant Governor in Council to adopt Statements of Provincial Interest. These Statements of Provincial Interest link provincial and municipal objectives for land use planning and, as a result, directly affect the use of land and impact community development, economic growth and environmental stewardship. These Statements of Provincial Interest reflect the diversity of issues affecting Saskatchewan's communities and regions, recognizing that wise management of development involves facilitating, promoting and sustaining growth, based on co-operative planning principles. Municipalities are authorized under the Act to set policies governing the development of their communities by preparing and adopting:

- Official community plans and district plans containing policies to guide land use and community development;
- Zoning bylaws establishing permitted, prohibited or discretionary land uses, development standards and permit requirements; and
- Subdivision bylaws.<sup>1</sup>

These planning documents express community priorities and goals and allow developers, business owners and homeowners to make informed decisions about purchasing and developing property in the community. The Statements of Provincial Interest provide guidance to municipalities on a complex series of land use and development issues for municipalities, enabling them to facilitate the development of vibrant, safe, self-reliant and sustainable municipalities.

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<sup>1</sup> Only municipalities with subdivision approving authority can adopt a subdivision bylaw. The following 10 cities have been granted subdivision approving authority status pursuant to section 13 of the Act: Estevan, Lloydminster, Moose Jaw, North Battleford, Prince Albert, Regina, Saskatoon, Swift Current, Weyburn and Yorkton.

Provincial oversight to ensure consistency with the Statements of Provincial Interest occurs through the approval of new official community plans, district plans, zoning bylaws and subdivision bylaws. Subdivision approving authorities, including the province, are responsible for ensuring consistency with the Statements of Provincial Interest during the subdivision approval process.

## **Legislative Authority**

The Ministry of Government Relations is responsible for implementing the Act. Authority is exercised through the review and approval of new official community plans, regional plans, zoning bylaws, subdivision bylaws and, where the Province is the approving authority, subdivisions. The Act states in:

- Section 8, every district plan, official community plan, regional plan, subdivision bylaw or zoning bylaw adopted or amended pursuant to the Act shall be consistent with the regulations.
- Section 30, the Minister of Government Relations (minister) has authority to direct a municipal council to prepare and adopt an official community plan or an amendment to an existing plan to achieve consistency with the regulations.
- Section 30.1, the minister has authority to direct a planning district to prepare and adopt a district plan or an amendment to an existing plan to achieve consistency with the regulations.
- Subsection 32(1), an official community plan shall incorporate, insofar as is practical, the regulations.
- Section 47, the minister has the authority to direct a municipal council to prepare and adopt an amendment to a zoning bylaw to achieve consistency with the regulations.
- Subsection 56(2)(d), a council may approve a discretionary use if the facts presented establish that the proposed discretionary use will be consistent with the regulations.
- Clause 60(1)((e)(ii), a minor variance must not be granted if it would be inconsistent with the Statements of Provincial Interest.
- Subsection 62(7), no development permit is valid unless it conforms with the zoning bylaw and the Act.
- Pursuant to an order under section 78, urban zoning bylaw amendments do not require the approval of the minister. In an urban municipality, council determines the consistency of zoning bylaw amendments with the official community plan which itself shall be consistent with both the regulations and the Act, except where amendments are undertaken at the direction of the minister.
- Subsection 80(3), all interim development control bylaws must be consistent with the regulations.
- Subsection 86(4), a decision of the Development Appeals Board or the Saskatchewan Municipal Board must be consistent with the regulations.
- Clause 102(10)(c), a district plan must contain statements of policy to ensure that the district plan is consistent with the regulations.
- Clause 119.8(7)(c), a regional plan must contain statements of policy to ensure that the regional plan is consistent with the regulations.
- Section 221(c), in determining an appeal, the board hearing the appeal must ensure that its decisions are consistent with the regulations.
- Section 248, every development plan or basic planning statement established pursuant to a former Act and existing on the day before the day on which this Act comes into force is deemed to be an official community plan and is continued in force pursuant to this section as if that plan or statement was approved pursuant to this Act, insofar as it is not inconsistent with this Act or the regulations.

- Section 248.1, a development plan for a planning district or an official community plan for an area included in a planning district that was in force on or before May 15, 2012 is continued in force to the extent that it is not inconsistent with the Act or the regulations.
- Section 253, every zoning bylaw established pursuant to a former Act and existing on the day before the day on which this Act comes into force continues in force insofar as it is not inconsistent with the Act or the regulations.

## 2. Purpose

The purpose section provides the context and intent of the regulations. This section is consistent with the purposes outlined in section 3 of the Act.

The following information is contained in section 2 of the Appendix to the regulations.

The purpose of the Statements of Provincial Interest is to:

- Identify provincial interests to guide provincial and municipal planning decisions in the development of safe and secure communities;
- Align provincial and municipal planning objectives to facilitate orderly development that is beneficial to communities; and
- Guide the development of economically, environmentally, socially and culturally sustainable communities.

### 3. Planning Principles

The planning principles section outlines eight principles which guide responsible community and land use planning. The planning principles are of equal value and relevance to the 16 statements of interest in the regulations. Decision makers are encouraged to review and consider the planning principles when preparing all planning documents and decisions to ensure the interests of all community members are represented.

The following information is contained in section 3 of the Appendix to the regulations.

Both local decisions that meet the interests of the province and the planning process and principles that guide the decisions affecting land use and development are important in planning. The following principles provide a context for decision-making, are relevant to the design of official community plans, district plans, zoning bylaws and subdivision bylaws and are an integral part of interpreting and applying the Statements of Provincial Interest:

- 3.1. **Comprehensive and Sustainable** planning requires land use plans and development decisions to consider economic, environmental, social and cultural needs of communities and regions for present and future generations.
- 3.2. **Responsive and Sensitive** planning recognizes the importance of stakeholders and the contribution that they bring throughout the planning process.
- 3.3. **Respectful and Balanced** planning provides an atmosphere of mutual respect and encourages discussion that balances the interests of all stakeholders in the management of common provincial resources and the development of economic, environmental, social and cultural opportunities.
- 3.4. **Efficient and Effective** planning considers the orderly and beneficial development of land uses, infrastructure and community services to ensure public safety, to meet the needs of the community and to be consistent with strategic planning at the provincial level.
- 3.5. **Informed and Innovative** planning is based on relevant information and expected implications of making land use development decisions and considers innovative solutions to planning challenges.
- 3.6. **Cooperative** planning maximizes the use of human and material resources across regions and involves individuals, municipalities, First Nations and Métis communities and provincial agencies as they work together toward a common vision to manage the economic, environmental, social, cultural and physical aspects of their communities and regions.
- 3.7. **Proactive** planning is the anticipation of future challenges, needs, or changes, such as climate change and demographics, that may impact Saskatchewan communities.
- 3.8. **Inclusive** planning considers the diversity of people and perspectives when formulating planning documents and arriving at planning decisions.

In addition to the listed planning principles, there are also a number of planning practices that reflect the intent of the planning principles. While the following planning practices are not included in the regulations, they may be useful to decision makers when implementing the regulations.

In general, planning practices consider:

- The suitability of land for an intended use;
- The compatibility of an intended use with neighbouring land and existing or planned land uses;
- The long-term local and regional implications of land use decisions as they relate to economic, environmental, and social objectives;
- Obtaining appropriate, adequate and clear information from relevant subject matter experts regarding potential impacts of a development decision when advising the public and municipal council;
- Balancing the interests of stakeholders and rights holders and examining the implications of development decisions on economic, natural, social and built environments;
- The effective, responsible use of public funds and resources;
- Engaging the public in the preparation of plans guiding land use and development;
- Promoting planning documents that use simple, straightforward language to ensure public understanding of policies, expectations, timelines and information;
- Incorporating various planning approaches to sustain the financial and environmental well-being of communities, municipalities and the province for the long term; and
- Exploring technically sound, innovative solutions to development challenges.

## 4. Interpretation

The interpretation section clarifies:

- The application of the regulations in the context of the Act;
- Language used in the regulations;
- The authority of various parties to implement the regulations; and
- Application of the regulations to the appeal processes.

The following information is contained in section 4 of the Appendix to the regulations.

- 4.1. The Statements of Provincial Interest should be read in their entirety to gain an appreciation of the complexity of development considerations that affect the achievement of economic, environmental, social and cultural objectives.
- 4.2. Each statement of interest is followed by issues or objectives municipalities are expected to address “insofar as is practical” in official community plans, district plans, zoning bylaws and subdivision bylaws.
- 4.3. No additional ability to appeal a provincial or municipal planning decision is created by the Statements of Provincial Interest.
- 4.4. Decisions of a municipal council, a development officer, a district planning commission, a district planning authority, a regional planning authority, a development appeals board, a district development appeals board, the Saskatchewan Municipal Board or the minister with respect to any planning matter must be consistent with the Statements of Provincial Interest.
- 4.5. The minister has the final authority to determine whether an official community plan, district plan, zoning bylaw or subdivision bylaw, or amendment to those bylaws is consistent with the Statements of Provincial Interest.
- 4.6. If there is a conflict in interpretation of the Statements of Provincial Interest, final authority for implementing, interpreting and determining the practicality of applying portions of the Statements of Provincial Interest lies with the minister.
- 4.7. Words or phrases used in the Statements of Provincial Interest have the same meaning as they have in the Act. Some words or phrases not defined in the Act are included in the glossary to these Statements of Provincial Interest.
- 4.8. There is no implied priority to the Statements of Provincial Interest based on the order in which they appear.

## 5. Implementation and Transitional

The implementation and transitional section clarifies:

- The timeframe for planning documents and decisions to comply with the regulations;
- How the regulations apply to planning documents and decisions;
- Decisions which are deemed consistent with the regulations; and
- Decisions which are deemed not to be consistent with the regulations.

The ministry understands municipalities need time to adapt to changes in the regulations. As such, municipalities are encouraged to consider incremental amendments to bring existing planning bylaws into compliance with the regulations when other amendments to planning bylaws are considered.

The following information is contained in section 5 of the Appendix to the regulations.

- 5.1. The Statements of Provincial Interest are effective on the date on which the regulations adopting them come into force. Provincial and municipal planning decisions made on or after the effective date shall be consistent with the Statements of Provincial Interest.
- 5.2. The Statements of Provincial Interest are implemented through official community plans, district plans, zoning bylaws, subdivision bylaws, and subdivision and development permit decisions, conditions or standards.
- 5.3. Official community plans, district plans, zoning bylaws or subdivision bylaws approved by the minister on or after the effective date are deemed to be consistent with the Statements of Provincial Interest.
- 5.4. Those portions of planning documents or decisions that are inconsistent with the Statements of Provincial Interest, without demonstrating a practical reason for being so, are considered inconsistent with the Act and are not valid.
- 5.5. The deemed consistency of an official community plan, district plan or zoning bylaw pursuant to paragraph 5.3 does not prevent the minister from seeking an amendment to the plan or bylaw pursuant to the Act.
- 5.6. Development permit decisions shall be consistent with the Statements of Provincial Interest.

## 6. Statements of Provincial Interest

There are 16 key areas of common planning interest to the province and municipalities:

- Agriculture and Value-Added Agribusiness
- Biodiversity and Natural Ecosystems
- First Nations and Métis Engagement
- Heritage and Culture
- Inter-municipal Cooperation
- Mineral Resource Exploration and Development
- Public Safety
- Public Works
- Recreation and Tourism
- Residential Development
- Sand and Gravel
- Shore Land and Water Bodies
- Source Water Protection
- Transportation
- Community Health and Well-Being
- Economic Growth

Each interest in this handbook includes:

- The **Interest** as written in *The Statements of Provincial Interest Regulations*;
- The **Context** that provides interpretive information for the interest;
- The **Benefits** of effective planning for residents, municipalities and the province;
- **Suggested and Common Practices** for implementing each interest objective; and
- **Relevant Acts, Regulation, Policy and Publications** relating to the specific interest areas; and
- **Contact Information** for provincial offices managing issues related to each interest.

## 6.1 Agriculture and Value-Added Agribusiness

### Statement of Interest

The province has an interest in supporting and promoting a sustainable and dynamic agricultural sector that optimizes the use of agricultural land for growth opportunities and diversification in agricultural operations and value-added agribusiness.

To assist in meeting the province's agricultural interests, planning documents and decisions shall, insofar as is practical:

1. Recognize the value of agricultural land for sustainable growth of agricultural operations and value-added agribusiness;
2. Provide opportunities for the growth, diversification and expansion of agricultural operations and value-added agribusiness;
3. Consider the compatibility of new development with existing and planned agricultural operations, including intensive livestock operations, and value-added agribusiness;
4. Locate non-agricultural development to avoid, minimize or mitigate fragmentation of agricultural land and its conversion to other land uses;
5. Include intensive livestock operations as a permitted or discretionary land use in each rural municipality;
6. Identify areas within rural municipalities that are not suitable for agricultural operations, including intensive livestock operations, and value-added agribusiness; and
7. Ensure that municipal permit requirements related to agricultural operations and value-added agribusiness do not duplicate or conflict with provincial regulatory requirements.



Photo credit: Government of Saskatchewan

## Context

- Approximately 5% of Canada’s land mass is classified as arable land.
- Approximately 40% of Canada’s arable land is located in Saskatchewan.
- Prime and viable lower class agricultural land is a valuable, non-renewable natural resource that is the foundation of all agricultural activities.
- Non-arable lands are threatened ecosystems that provide for grazing, biodiversity, water quality preservation and habitat for species at risk.
- Saskatchewan promotes primary and value-added production and recognizes its critical role in the provincial economy, meeting global food demand and producing agriculturally-related products.
- Growth and diversification of the agricultural sector are identified as key actions in Saskatchewan’s Growth Plan.
- Agricultural land is facing increasing pressure from non-agricultural land uses.
- Planning for agriculture can be challenging and requires long-term commitment from a municipality to prevent incompatible land uses from limiting the operation of and potential expansion for existing agricultural activities.

## Benefits of Good Planning and Policies

- Agricultural lands are a finite resource. Planning and managing the use of these lands ensures the longevity of agricultural activities.
- A sustainable and dynamic agricultural sector can provide economic, environmental and social benefits to communities.

## Implementation Guidance

### 1. Recognize the value of agricultural land for sustainable growth of agricultural operations and value-added agribusiness.

#### What does the municipality need to know?

- The physical make-up of the municipality. This includes:
  - Location and classification of agricultural land within and adjacent to the municipality;
  - Location of major natural features, such as rivers, lakes, floodplains and environmentally sensitive areas; and
  - Location of major built features, such as highways, rail lines and public works corridors.
- Location of existing agricultural operations and value-added agribusinesses in the municipality and region.
  - Agricultural operations are defined in *The Agricultural Operations Act*. A copy of this definition is also located in Section 7 – Glossary.
- Boundaries of administrative areas, such as district planning areas and watershed planning areas, which may encompass several rural and urban municipalities.
- Non-agricultural land uses within and adjacent to agricultural land can limit the sustainability and growth of agricultural operations and increase the potential for land use conflict.
- Where compatibility may be an issue between agricultural and non-agricultural land uses.
- Any issues which may affect the current or future use of agricultural land in the municipality.

### **The Ministry of Agriculture:**

- Considers the value of land based on:
  - The Canada Land Inventory;
  - An appraisal of potential uses; and
  - Its importance to biodiversity and habitat; and
- Encourages municipalities to:
  - Protect agricultural land;
  - Prevent non-agricultural land uses from impacting agricultural operations, biodiversity and habitat; and
  - Avoid erosion of soils, contamination of surface and ground waters and to maintain the integrity of natural ecosystems.

### **Planning *documents* should:**

- Identify the role and significance of primary production, intensive agricultural activities and value-added agribusiness in the local economy.
- Describe the physical make-up of the municipality.
- Outline the community's vision for achieving agricultural-related goals.
- Consider the following when designating land for agricultural uses:
  - Current agricultural activities;
  - Location and classification of agricultural land;
  - Location of major natural features; and
  - Location of major built features.
- Allow agricultural land uses on prime and viable lower class agricultural lands.
- Direct non-agricultural development to lands zoned for the appropriate use (e.g. residential, commercial, industrial).
- Promote the economic, environmental and social benefits that result from agricultural land.
- Limit the conversion of agricultural areas for other development.
  - See statement 6.1.4 within this chapter for more information on preventing the conversion and fragmentation of agricultural land to other land uses.
- Utilize the quarter section as the basic agricultural land unit.
- Be consistent with available local and regional watershed plans.

### **Planning *decisions* should:**

- Consider the quality of agricultural land when considering land use decisions.
- Discourage or prohibit non-agricultural development on and adjacent to prime and viable lower class agricultural land.

## **2. Provide opportunities for growth, diversification and expansion of agricultural operations, and value-added agribusiness.**

### **What does the municipality need to know?**

- Potential for growth in agricultural operations, value-added agribusinesses and other related industries in the municipality.
- Protecting prime and viable lower class agricultural land from non-agricultural development supports the growth, diversification and expansion of agricultural operations.

- See statement 6.1.4 within this chapter for more information on protecting agricultural land from being converted to other land uses.
- Non-agricultural activities within and adjacent to land zoned for agricultural activities increases the potential for land use conflict.
- Impacts of non-agricultural development on agricultural operations and the ability for those operations to continue or expand.
- Developers benefit from a municipality having easily-understood rules and processes guiding development. These can include clearly defined:
  - Locations suitable and/or not suitable for new or expanded activities;
  - Development standards and conditions;
  - Municipal costs associated with development;
  - Application requirements; and
  - Decision timelines.
- Agricultural operations and value-added agribusinesses often require access to utilities and transportation infrastructure.
- Value-added agribusinesses are often commercial enterprises requiring serviced commercial or industrial land.
- Irrigation increases the productivity of agricultural land. The Ministry of Agriculture and the Water Security Agency can provide more information on irrigation systems and permitting.

**The Ministry of Agriculture:**

- Supports the growth, diversification and expansion of agricultural operations and value-added agribusinesses in Saskatchewan.
- Encourages municipalities to classify agricultural activities as permitted uses on agricultural land and in areas designated for agricultural land use.
- Encourages municipalities to consider value-added agribusiness development.

**Council may wish to consider:**

- Implementing this statement in tandem with statements 6.1.5 and 6.1.6 located within this chapter.
- Working with the Ministry of Agriculture, the Ministry of Trade and Export Development, agricultural operations and value-added agribusiness operators to develop opportunities for economic development.

**Planning *documents* should:**

- Allow all agricultural activities and value-added agribusinesses listed below, either as permitted or discretionary uses, in rural municipalities:
  - Cultivating land and using land for grazing;
  - Producing agricultural and horticultural crops;
  - Producing eggs, milk, honey and other animal products;
  - Primary, intensive and extensive production of all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
  - Value added processing of agricultural by-products;
  - Conducting processes necessary to add value to primary agricultural production; and
  - Other activities that add value to primary agricultural production.

- Identify areas appropriate and/or not appropriate for growth of agricultural operations, value-added agribusinesses and other related industries.
  - This action should facilitate a diversity of agricultural operations and may involve a variety of zoning districts. For example, an Agriculture 2 zone may designate intensive, small farm or niche activities as permitted uses whereas an Agriculture 1 zone may choose to make these discretionary uses.
- Ensure roadways within the hauling route are developed sufficiently to accommodate increased use and vehicle weight. A municipality has several options to ensure roadways can accommodate the needs of a development. These include:
  - Servicing agreements entered into at the time of subdivision;
  - Development levy agreements entered into in concurrence with the issuance of a development permit; and
    - Note: this option is only available if the municipality has adopted a Development Levy Bylaw pursuant to the Act. Municipalities are encouraged to utilize servicing agreements which, provided subdivision is occurring, has no such restrictions; and
  - Road maintenance agreements (this process is outlined by *The Municipalities Act* and current road maintenance agreement rates are available on [saskatchewan.ca](http://saskatchewan.ca)).
- Encourage new developments that require significant road access to locate adjacent to highway corridors and established heavy haul routes.
- Assign an agricultural land use to prime and viable lower class agricultural lands where agricultural operations are prioritized and encouraged.
- Separate incompatible land use through zoning and directing non-agricultural development away from agricultural land. This can help reduce land use conflicts in the municipality and region.
- Establish reasonable and appropriate development standards and conditions. Potential examples include:
  - Agricultural developers must commit to obtaining required water-related permits or licenses from the Water Security Agency; and
  - Intensive livestock developers must commit to obtaining required waste storage or waste management approvals under *The Agricultural Operations Act* or demonstrate that approvals are not required.
- Establish reasonable and appropriate permitted and discretionary use criteria.
- Encourage agricultural operations and value-added agribusinesses to locate in areas where existing or planned services meet the needs of development.
- Direct non-agricultural development to lands with low potential to impact the growth, diversification and expansion of agricultural and value-added agribusinesses.
- Contain policies that provide direction to council when considering a potential rezoning of a property to accommodate a non-agricultural use.
  - Development that is incompatible with or will restrict future agricultural operations or value-added agribusinesses should be encouraged to locate elsewhere in the municipality.

**Planning *decisions* should:**

- Support diversity in agricultural activities.
- Discourage or prohibit non-agricultural development in agricultural districts in and adjacent to agricultural operations and value-added agribusinesses unless development is compatible with the agricultural use.
- Be consistent with:
  - Municipal goals and policies regarding the growth of the agricultural sector; and
  - Established development criteria.

**3. Consider the compatibility of new development with existing and planned agricultural operations, including intensive livestock operations, and value-added agribusiness.**

**What does the municipality need to know?**

- Issues important to the agricultural community.
- Location of existing and potential agricultural operations and value-added agribusinesses in the municipality.
  - Together with knowledge about the physical make-up of the community (see statement 6.1.1 within this chapter), the municipality will be better positioned to determine potential compatibility/incompatibility.
- Location and classification of agricultural land within and adjacent to the municipality.
- Potential growth opportunities for agricultural operations and value-added agribusinesses.
- How land use in the municipality and region may strategically change over the next 10 to 20 years.
- Development in one municipality can impact the compatibility of development in a neighbouring community. Municipalities are encouraged to be good neighbours when designating future land use areas to ensure cohesion and consistency.
  - Additional information on how communities can work together on areas of common interest can be found in interest areas 6.3 – First Nations and Métis Engagement and 6.5 – Inter-municipal Cooperation.
- Potential impacts of planning proposals.
- Agricultural operations are expected to engage in “normally accepted agricultural practices”, as defined in *The Agricultural Operations Act*, to operate their business.
  - There are several ways which normally accepted agricultural practices can impact adjacent land uses. For example, noise, odour, dust, smoke, slow moving farm vehicles on local roads, pesticide spraying and early/late periods of operation.
- Value-added agribusinesses can impact adjacent land uses through, for example, the production of light and noise.
- How to mitigate potential nuisance issues identified above.
- Non-agricultural uses in and adjacent to agricultural uses should expect some level of disturbance as a result of normally accepted agricultural practices.
- Real and perceived land use compatibility concerns from agricultural users and non-agricultural users.
- Expectations of country residential owners relative to normal agricultural practices.
- Implications of new development on riparian and environmentally sensitive areas.

**Planning *documents* should:**

- Separate incompatible land use through zoning and directing non-agricultural development away from prime and viable lower class agricultural land. This can help reduce land use conflicts in the municipality and region.
- Discourage or prohibit non-agricultural development in and adjacent to agricultural operations and value-added agribusinesses unless development is compatible with the agricultural use.
- Direct non-agricultural development to lands zoned for the appropriate use (e.g. residential, commercial, industrial) and away from established or future agricultural operations or value-added-agribusinesses.
- Direct the growth, diversification and expansion of agricultural operations and value-added agribusinesses away from established non-agricultural uses and environmentally sensitive or riparian areas.
- Contain reciprocal separation distances between agricultural development and non-agricultural development:
  - Separation distances are intended to reduce, not eliminate, potential nuisances and should not be used to effectively prohibit a particular use.
  - Municipalities are encouraged to contact the Ministry of Agriculture for guidance on appropriate separation distances.
  - Separation distances must be located in a municipality's zoning bylaw rather than an official community plan. This allows an applicant the ability to appeal a development standard.
  - Municipalities are encouraged to be innovative when determining how to apply development standards.
    - For example, a municipality could work with an agricultural operator to protect its ability to expand in the future. This could be done by undertaking the development permit review with the assumption that the operation will expand to a higher intensity in future. Doing this can both allow future expansion of the operation without requiring additional permits as well as reducing land use conflicts by preventing non-agricultural development from locating in an increased buffer.
    - Many municipalities have policies that allow council to consider reducing setback distances in certain situations. This can be a useful way to provide flexibility. If council uses this approach, it cannot delegate its decision-making authority to any other person(s)/agency/body.
- Outline potential mitigation measures, and the purpose of the mitigation, that can be applied at the development permit stage.
- Contain policies that provide direction to council when considering a potential rezoning of a property to accommodate a non-agricultural use.
  - Development that is incompatible with future agricultural operations or value-added agribusinesses should be encouraged to locate elsewhere in the municipality.

**Planning *decisions* should:**

- Prioritize agricultural activities in areas zoned and designated for agricultural land use;
- Discourage or prohibit non-agricultural development in and adjacent to agricultural operations and value-added agribusinesses unless development is compatible with the agricultural use;

- Utilize development standards or conditions on development permits, when appropriate, to help avoid, minimize or mitigate potential land use conflicts between uses;
  - Examples include visual screens or landscaping, buffers and setbacks.
  - Decision on using any of the above mitigation options should be a collaborative process between the municipality and the applicant.
  - Municipalities should understand what normally acceptable agricultural practices are when considering the use of development standards and conditions.
- Balance the interests of residents and developers against the goals and objectives of the municipality as set out in the official community plan; and
- Encourage solutions that address concerns of residents and developers.

#### **4. Locate non-agricultural development to avoid, minimize or mitigate fragmentation of agricultural land and its conversion to other land uses.**

##### **What does the municipality need to know?**

- A healthy and sustainable agricultural sector requires available agricultural land.
- Non-agricultural development on land that is presently used for agricultural purposes can, over time, break up or fragment contiguous parcels of agricultural land.
- Once agricultural land is taken out of production, it is seldom returned to its former use.
- Fragmentation can impact current operation, expansion and diversification opportunities for agricultural activities and can create land use conflict.
- By removing agricultural land from production, over time, fragmentation can have significant long term effects. This can negatively impact the environment, the economy and the food security of the region.
- Reducing fragmentation does not mean development or subdivision cannot occur. The intent of this statement is to have municipalities consider three things concurrently:
  - How and where the municipality should accommodate future growth and development;
  - Strategies that would limit fragmentation of agricultural land; and
  - The municipal and provincial interests regarding the long-term and best use of land including its economic opportunities and benefits.

##### **Planning documents should:**

- Include a long-term, strategic vision for agriculture and non-agriculture development in the municipality and region.
- Encourage the clustering of similar forms of non-agricultural development:
  - This could include directing certain forms of development to specific locations in the municipality; and
  - Clustering of development can lead to more efficient infrastructure and service delivery. See statement 6.10.2 within the Residential Development chapter for more information on making the best use of municipal infrastructure when planning residential development.
- Contain policy that limits the conversion of agricultural areas for other development unless:
  - The proposal is supported by policies or a future land use map within the official community plan;
  - There are unique physical circumstances such as roads, railways or topographical features; or

- There are existing adjacent non-agricultural uses.
- Outline standards or criteria that protect agricultural land. For example:
  - Develop criteria for when smaller parcel sizes will be considered.
  - Outline maximum parcel sizes for non-agricultural uses that would be applied during subdivision.
    - If a municipality chose to utilize this tool, the zoning bylaw could provide flexibility by increasing the maximum site size in certain situations.
  - Limit the number of parcels or total area that may be subdivided out of a quarter section for non-agricultural uses.
- Utilize the quarter section as the basic agricultural land unit.
- As much as possible, cluster non-agricultural uses.
- Contain policies that provide direction to council when considering rezoning of a property that would convert agricultural land.
  - Development that would convert existing agricultural land should be encouraged to locate elsewhere in the municipality.

**Planning *decisions* should:**

- Encourage protection of agricultural land;
- Consider the impacts to agricultural activities and biodiversity and habitat when reviewing development applications; and
- Be consistent with municipal goals and policies regarding fragmentation.

**5. Include intensive livestock operations as a permitted or discretionary land use in each rural municipality.**

**What does the municipality need to know?**

- Intensive livestock operations may be a permitted or discretionary land use.
- Livestock production contributes to the provincial and local economy and supports other areas of the agricultural sector and the surrounding region. For example:
  - Providing a market for low quality grains and grain by-products;
  - Supplying nutrients for crop production;
  - Supporting value-added food production and meat processing;
  - Building soil health and preserving native grasslands and critical habitat;
  - Supporting agritourism; and
  - Providing employment.
- Intensive livestock operations require access to utilities and transportation infrastructure to receive inputs (e.g. feed, livestock) and export outputs (e.g. manure, livestock, milk).
- Developers benefit from a municipality having easily-understood rules and processes guiding development. These can include clearly defined:
  - Locations suitable and/or unsuitable for new or expanded activities;
  - Development standards and conditions;
  - Municipal costs associated with development;
  - Application requirements; and
  - Decision timelines.

- What activities are considered normal agricultural practices:
  - See *The Agricultural Operations Act* for more information on normally accepted agricultural practices.
- Expectations of country residential owners relative to normal agricultural practices.
- Effective land use planning can reduce nuisances but it does not eliminate them.
- Municipalities should provide opportunities and locations for a variety of land uses within the community:
  - See statement 6.1.6 within this chapter for additional information on how a rural municipality can utilize their planning bylaws to increase predictability for development.

**The Ministry of Agriculture:**

- Ensures the protection of water resources through *The Agricultural Operations Act* by requiring intensive livestock operations to have suitable waste storage and waste management plans;
- Encourages the operation, expansion and development of intensive livestock operations in areas designated for agricultural land use, where appropriate; and
- Encourages municipalities to consider intensive livestock operations as permitted uses in areas designated for agricultural land use.

**Council may wish to consider:**

- Working with the Ministry of Agriculture to:
  - Develop opportunities for intensive livestock production; and
  - Explore policies related to intensive livestock operations.
    - For example, reciprocal separation distances and development standards and conditions.
- Creating multiple agricultural zoning districts in the zoning bylaw that accommodate a variety of agricultural activities:
  - One example would be to establish a zone where intensive livestock operations are permitted uses and encouraged to locate.
- Working with neighbouring communities when determining locations suitable and/or not suitable for intensive livestock operations. This cooperation can ensure consistency throughout a broader region and benefits proponents, residents and municipalities.

**Planning documents should:**

- Include intensive livestock operations as a permitted or discretionary land use in each rural municipality.
- Identify the role, significance and potential of intensive livestock operations to the municipality and region.
- Encourage intensive livestock operations in areas designated for agricultural land use.
- Establish the requirements for intensive livestock operations, including:
  - Reciprocal separation distances from non-agricultural land uses and intensive livestock operations:
    - See statement 6.1.3 within this chapter for some additional detail on separation distances.
  - Reasonable and appropriate development standards and permitted and discretionary use criteria.
  - Reasonable and appropriate development permit application requirements.

**Planning *decisions* should:**

- Support the development, operation and expansion of intensive livestock operations in areas designated for agricultural use, as appropriate.
- Allow for intensive livestock operations while addressing impacts to nearby development and municipal infrastructure.
- Support development permit applications that meet established municipal requirements.

**6. Identify areas within rural municipalities that are not suitable for agricultural operations, including intensive livestock operations, and value-added agribusiness.**

**What does the municipality need to know?**

- The physical make-up of the municipality. This includes:
  - Location and classification of agricultural land within and adjacent to the municipality;
  - Location of major natural features, such as rivers, lakes, floodplains and environmentally sensitive areas;
  - Location of known hazardous areas; and
  - Location of major built features, such as highways, rail lines and public works corridors.
- Location of existing land uses in the municipality and region.
- How land use in the municipality and region may change over the next 10 to 20 years.
- Developers benefit from a municipality having easily-understood rules and processes guiding development. These can include clearly defined:
  - Locations suitable and/or not suitable for new or expanded activities;
  - Development standards and conditions;
  - Municipal costs associated with development;
  - Application requirements; and
  - Decision timelines.
- Outlining where various forms of development may locate in a community provides clarity to residents and guidance to potential investors.
- Identifying areas that are suitable and not suitable for certain forms of development does not preclude the municipality from amending their planning bylaws in the future if circumstances change. Council may update their bylaws based on new information.

**Planning *documents* should:**

- Identify, either visually (e.g. a constraints map) and/or statements and policies, areas in the municipality that are not suitable for agricultural operations and value-added agribusinesses to develop.
  - Areas that are deemed not suitable for agricultural operations and value-added agribusinesses should be based on evident and identifiable factors. Examples could include:
    - Environmentally sensitive areas;
    - Potentially hazardous lands;
    - Lack of infrastructure necessary for development; or
    - Proximity to existing, incompatible development and any established separation distances (see statement 6.1.3 within this chapter for further detail).

- Outline the conditions that would need to be met in order to make development of certain agricultural activities permissible on lands that are identified as unsuitable. These conditions should be connected to the factors that make the location unsuitable or undesirable (see previous bullet for listing of items that can make a site unsuitable).
- Consider factors in neighbouring communities (e.g. existing and future development patterns, roadway infrastructure).
- Support development permit applications for agricultural operations and value-added agribusinesses if they propose to locate outside of any identified unsuitable areas.

**Planning *decisions* should:**

- Discourage or prohibit agricultural operations and value-added agribusinesses from developing in areas that are identified in planning documents as unsuitable locations; and
- Require conditions for agricultural operations and value-added agribusinesses that propose to develop in areas identified in planning documents as unsuitable or undesirable. For example:
  - If a constraints map deems a particular location unsuitable because of concerns related to environmental suitability, the municipality may require a proponent to submit information (e.g. a report) demonstrating the suitability of the land; or
  - If a location is unsuitable due insufficient road infrastructure, the municipality may require the applicant to enter into:
    - A servicing agreement to construct an all-weather road; and
    - A road maintenance agreement to maintain the road. Additional information on both of these options is located in statement 6.1.2 within this chapter.

**7. Ensure that municipal permit requirements related to agricultural operations and value-added agribusiness do not duplicate or conflict with provincial regulatory requirements.**

**What does the municipality need to know?**

- Duplication of regulation has a negative impact on developers, municipalities and the province.
- Approval of an intensive livestock operation can involve several government ministries and agencies, including the Ministry of Agriculture, the Water Security Agency, the Ministry of Environment and the Ministry of Government Relations.
- What items a municipality can and cannot regulate.
- When there is shared jurisdiction over items, municipal requirements can only address matters which have not been dealt with through a provincial approval.

## What is the Provincial Role in the Approval of Intensive Livestock Operations (ILOs)?

### Ministry of Agriculture:

- Reviews and issues permits for ILO manure management plans and mortality management plans to ensure water resources are protected.
- As part of its review process, refers permit applications to other agencies including the Ministry of Government Relations and the local RM.
- Conducts audits of approved plans to ensure waste storage facilities, and nutrient and mortality management practices are conforming to approved plans.
- Anyone with questions regarding ILO manure and mortality management is encouraged to contact the Ministry of Agriculture's Livestock branch.

### Water Security Agency:

- Administers the approval and construction of water supply works, and rights to use surface water.
- Reviews referrals of ILO applications from the Ministry of Agriculture to provide comment on groundwater and any potential impacts to groundwater quality.
- The Licensing and Water Use branch can be contacted regarding water supply and groundwater protection.

### Ministry of Government Relations:

- Approves subdivisions for all municipalities except 10 cities. If a proposed ILO requires subdivision, the Community Planning branch will review the application for subdivision for a proposed ILO site for compliance with provincial and municipal legislation.
- In the absence of subdivision, if a proposed ILO is referred for comment, the Community Planning branch advises the Ministry of Agriculture of any applicable municipal legislation that may affect the proposal.
- Anyone with questions regarding subdivision is encouraged to contact the Ministry of Government Relations' Community Planning branch.

### Ministry of Environment:

- Is responsible for species at risk and habitat protection associated with any potential ILO application.

\* Note: The above list is not exhaustive. Depending on the circumstances of each ILO, other provincial ministries and agencies may be involved. Questions related to a specific situation can be addressed as part of the Ministry of Agriculture's ILO approval process.

## What is the Municipal Role in the Approval of Intensive Livestock Operations?

- RMs often have concerns for water, odour, separation distances and road impacts when an ILO is proposed. These concerns can be managed through the development permit process.
- Municipalities can choose to manage and regulate land use and development within their communities by adopting an official community plan (OCP) and zoning bylaw.
- If a municipality has adopted an OCP and zoning bylaw, an ILO is often listed as a discretionary use in the zoning bylaw. Council will review permit applications for a discretionary use using a number of criteria prescribed in the zoning bylaw to determine the suitability of the proposed development.
  - See statement 6.1.5 in this chapter for additional information on how to utilize land use planning tools to accommodate ILOs.
- Pressure from ratepayers can be managed through the public notice and public hearing procedures associated with discretionary use permit applications.

### **Council may wish to consider:**

- Contacting the appropriate government ministry or agency for clarification on matters it is responsible for (see list of roles and responsibilities in call out box above).

### **Planning *documents* should:**

- Recognize the role of the province in the review and approval of certain agricultural operations and value-added agribusinesses;
- Establish reasonable and appropriate development standards and permitted and discretionary use criteria;
- Allow municipal and provincial regulatory processes to proceed independently; and
- For areas of shared jurisdiction, only address matters which are not provincially regulated.

### **Planning *decisions* should:**

- Address land use conflicts with new development, infrastructure and servicing requirements and any other issues not considered by provincial regulatory requirements;
- Avoid placing redundant regulation on new and expanding agricultural operations and value-added agribusinesses; and
- Complement provincial requirements and objectives.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation
<i>The Agricultural Operations Act</i>
<i>The Agricultural Operations Regulations</i>
<i>The Food Safety Regulations</i>
<i>The Health Hazard Regulations</i>
<i>The Land Surveys Act, 2000</i>
<i>The Land Surveys Regulations</i>
<i>The Pastures Act</i>
<i>The Pastures Regulations</i>
<i>The Planning and Development Act, 2007</i>
<i>The Provincial Lands Act, 2016</i>
<i>The Provincial Lands Regulations</i>
<i>The Public Health Act, 1994</i>
<i>The Subdivision Regulations, 2014</i>
<i>The Water Security Agency Act</i>
<i>The Water Security Agency Regulations</i>
Federal / Provincial Policy
<i>The Canadian Agricultural Partnership</i>

### Relevant Publications, Documents and Information

Title	Author
Canada Land Inventory	Government of Canada
Crown Lands	Ministry of Agriculture
Various Pages and Info Sheets on Development of Intensive Livestock Operations and Value-Added Agribusinesses	Ministry of Agriculture
Saskatchewan's Growth Plan	Government of Saskatchewan
Saskatchewan Soil Information System	University of Saskatchewan
Guide to Edge Planning	Government of British Columbia, Ministry of Agriculture

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Intensive Livestock Operations	Ministry of Agriculture, Livestock Branch	Phone: 306-787-2150 Fax: 306-787-1315
Agricultural Operations Review Board	Ministry of Agriculture, Policy Branch	Phone: 306-787-5950 Fax: 306-787-5134
Agricultural Lands	Ministry of Agriculture, Lands Branch	Phone: 306-787-5322 Fax: 306-787-1315
Value-Added Agribusiness	Ministry of Agriculture, Trade and Value-Added Branch	Phone: 306-787-5942 Fax: 306-787-5134
	Ministry of Trade and Export Development, Economic Development Branch	Phone: 306-787-0917 Fax: 306-787-7559
Irrigation	Ministry of Agriculture, Crops and Irrigation Branch	Phone: 306-787-4660 Fax: 306-787-0428
Land Use Planning and Subdivision of Agricultural Lands	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>

## 6.2 Biodiversity and Natural Ecosystems

### Statement of Interest

The province has an interest in conserving Saskatchewan’s biodiversity, unique landscapes and ecosystems for present and future generations.

To assist in meeting the province’s interests in biodiversity and natural ecosystems, planning documents and decisions shall, insofar as is practical:

1. Consider the ecological value, integrity and management of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands;
2. Avoid, minimize or mitigate development impacts to safeguard the ecological integrity of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands;
3. Consider dedication of critical or threatened habitat and environmentally sensitive areas as environmental reserve;
4. Recognize Crown rights and responsibilities to regulate activities related to the utilization and protection of forest resources on Crown forest lands; and
5. Recognize and support provincial planning initiatives contributing to ecological integrity.

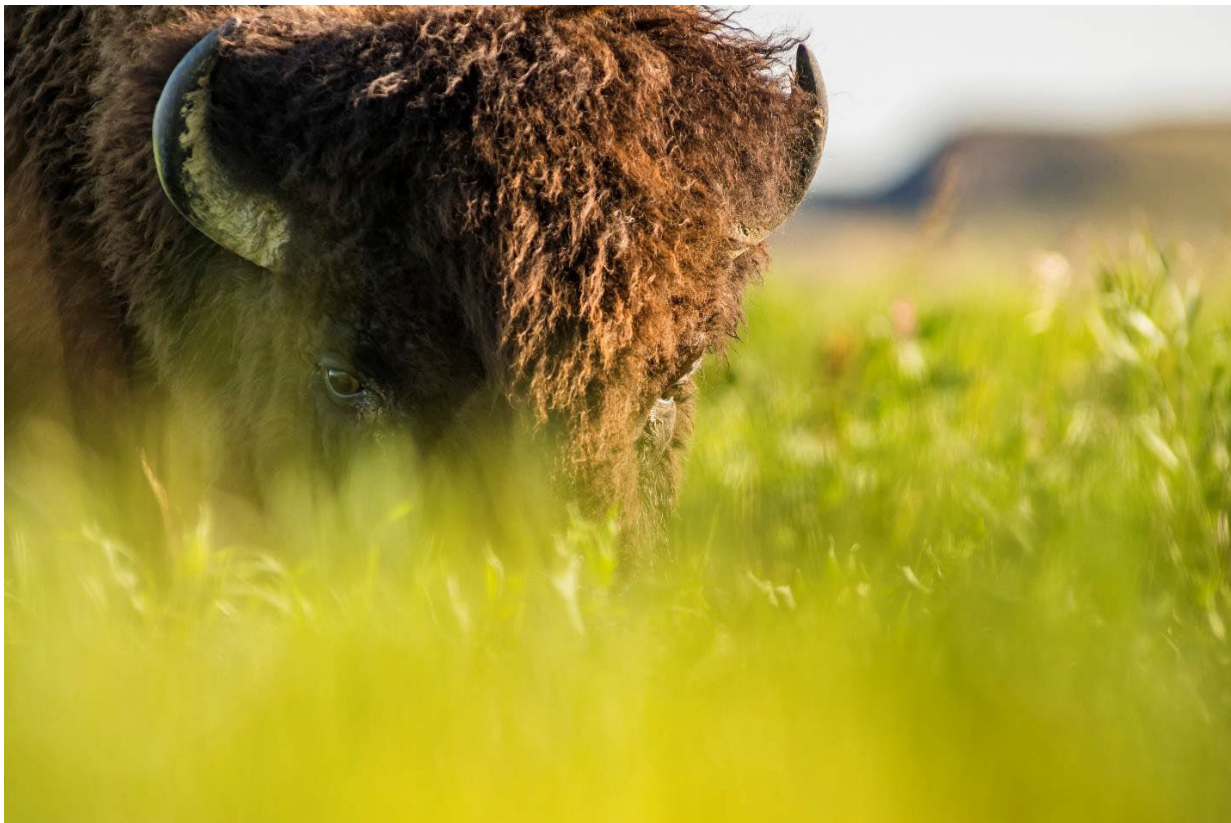


Photo credit: Chris Hendrickson Photography, Tourism Saskatchewan

## Context

- Saskatchewan's abundant natural resources are valuable commodities, which sustain communities, aquatic life and wildlife.
- Over 90% of the forests in Saskatchewan are Provincial Crown forests. These cover approximately 50% of the landscape and are a significant component of biodiversity.
- The number and extent of Species at Risk is an indicator of ecosystem health and is a measure of environmental sustainability and biological integrity.
- Innovation and outcome based environmental management contributes to the continued environmental health of the province.

## Benefits of Good Planning and Policies

- Protecting the environment and promoting the sustainable use of natural resources contributes to a strong, healthy economy and society.

## Implementation Guidance

### 1. Consider the ecological value, integrity and management of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands.

#### What does the municipality need to know?

- Location of provincially designated lands, Crown forests, wetlands, riparian areas, significant natural landscapes and regional features in the municipality.
  - One way to gather this information would be to discuss with the Ministry of Environment's Fish, Wildlife and Lands branch. This will help municipalities to make informed choices on planning documents and decisions.
- The characteristics that make these lands ecologically valuable.

#### Planning documents should:

- Identify provincially designated lands, Crown forests, large wetlands, riparian areas, significant natural landscapes and regional features in the municipality.
- Describe significant natural features unique to the municipality and its region.
- Contain policies regarding the preservation and management of significant natural features during the development process.
- Establish appropriate development standards and mitigation measures for development in the vicinity of significant lands and features, having regard for their value to the municipality, region and province. For example:
  - A requirement for integrated stormwater management to reduce costs associated with traditional stormwater management; and
  - Conservation of significant wetlands to help reduce flooding, protect water quality and replenish groundwater sources.

**Planning *decisions* should:**

- Ensure development processes have given due consideration to significant landscapes and features; and
- Encourage developers to discuss their development plans with the Ministry of Environment prior to any work occurring near sensitive or protected areas.

## **Wetlands**

A wetland is an area where land and water meet. Wetlands keep our waters clean by acting as reservoirs that help minimize flooding and prevent drought and erosion. Wetlands help build a level of resiliency into the natural systems upon which humans depend for preserving our economies and built environments. These ecosystems also provide habitat for many plants and animals. Wetlands come in many shapes, sizes and names including marshes, swamps and bogs. In the prairies, wetlands are commonly referred to as “potholes” or “sloughs”.

Retaining functionally effective wetlands is an important aspect of a comprehensive water management strategy. However, wetlands are under threat from a variety of sources, including pollution, invasive species, unsuitable drainage ditches, drainage for urban or agricultural development, and more severe and frequent droughts related to a changing climate.

Fortunately, land use planning can help preserve wetlands. Municipalities are encouraged to identify and protect these areas from development wherever possible through development of land use policies within long range planning documents.

Additional information can also be found in Chapter 6.12 – Shore Lands and Water Bodies.

Source: Canadian Wildlife Federation and Ducks Unlimited

- 2. Avoid, minimize or mitigate development impacts to safeguard the ecological integrity of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands.**

**What does the municipality need to know?**

- Location of provincially designated lands, Crown forests, wetlands, riparian areas, significant natural landscapes and regional features in the municipality.
- Human activities can alter natural habitats, changing patterns of species composition, abundance and diversity of organisms. This can permanently transform the ability of an ecosystem to function.
- The potential for disturbance from construction where projects are adjacent to significant lands or features (e.g. noise, light, odour and dust pollution and sediment runoff during construction).
- The potential for disturbance from the development once established (e.g. ongoing noise, light, odour, dust or traffic).
- Construction methods and best management practices that can avoid, minimize or mitigate negative impacts.

- Interest areas 6.12 – Shore Lands and Water Bodies and 6.13 – Source Water Protection contain additional information regarding protection of shore lands, water bodies and source water.
- Any changes to the volume of standing water may have an impact on local fire departments who rely on access to water supply for firefighting operations.
- Wetlands and natural areas often fall within park lands and regional parks. See interest area 6.9 – Recreation and Tourism for additional information on how these lands can relate to recreation and tourism opportunities in the province.

**Planning *documents* should:**

- Seek to identify, link and preserve significant natural regional features;
- Categorize the vulnerabilities of species in the municipality and region; and
- Contain policies that ensure negative impacts as a result of development are avoided or minimized.
  - For example, one way this can be achieved is for municipalities to work together and develop a regional, systems-based approach for the planning and management of environmentally sensitive areas.

**Planning *decisions* should:**

- Utilize mitigation measures, such as buffers, screens and setbacks, to minimize impacts of development on significant lands and features;
- Consider the placement of road infrastructure, its ongoing use and maintenance and how that may affect environmentally sensitive lands; and
- Address on-site and off-site stormwater retention and management for industrial, commercial and large-scale agricultural and residential applications.
  - Information on public works, including storm drainage, can be found within interest area 6.8 – Public Works.

**3. Consider dedication of critical or threatened habitat and environmentally sensitive areas as environmental reserve.**

**What does the municipality need to know?**

- Location of critical or threatened habitat or environmentally sensitive areas in the municipality and surrounding region.
  - A municipality should also have information regarding the characteristics of these areas available. For example, this should include what makes these lands critical, threatened or sensitive.
- Measures the municipality can reasonably take to protect critical or threatened habitat or environmentally sensitive areas.
- Environmental reserve is a type of dedicated land. It is dedicated during subdivision with the purpose to ensure public safety and environmental protection.
- Under section 185 of the Act, environmental reserve can include lands that may be hazardous to develop or those which are environmentally sensitive, such as:
  - A ravine, coulee, swamp, drainage course or creek bed;
  - Wildlife habitat;
  - Areas that contain historical features or significant natural features;
  - Land that is subject to flooding;

- Land that is unstable or prone to erosion; and
- Land that abuts the bed or shore of any lake, river, stream, or other water body and is required for prevention of pollution, preserving the bank, or protecting against flooding.
- More information about dedicated land can be found in the information box located in statement 6.15.3 within the Community Health and Well-Being chapter.

**Planning *documents* should:**

- Outline how dedicated lands, including environmental reserve, are to be used and managed within the municipality; and
- Provide for the designation of land, containing or buffering wetlands, riparian areas, waterways, significant natural features and critical or threatened habitat as environmental reserve.

**Planning *decisions* should:**

- Be consistent with municipal goals and policies regarding dedicated lands; and
- Preserve critical or threatened habitat and environmentally sensitive areas, for purposes such as education and research, by dedicating the land as environmental reserve during subdivision.

**4. Recognize Crown rights and responsibilities to regulate activities related to the utilization and protection of forest resources on Crown forest lands.**

**What does the municipality need to know?**

- The location and extent of Crown forests.
- The province is responsible for managing Crown forests on behalf of the people of Saskatchewan.

**Planning *documents* should:**

- Recognize the Crown right to manage forestry operations and harvesting of forest resources in provincial forests; and
- Recognize the Province’s responsibility to regulate activities related to the protection of provincial forest resources, including fire, insects, diseases and invasive exotic species.

**Planning *decisions* should:**

- Not conflict with or inhibit the Province’s ability to manage Crown forests.

**5. Recognize and support provincial planning initiatives contributing to ecological integrity.**

**What does the municipality need to know?**

- The location and extent of provincial land use plans for Crown lands.
- The objectives and focus of the provincial land use plan and implications or opportunities for the municipality.
- Wildlife in Saskatchewan, including all species at risk, are protected from being disturbed, collected, harvested, captured, killed, sold or exported without a permit.
  - The den, house, nest, dam or usual place of habitation of wildlife and wild species at risk is also protected from disturbance and destruction.

- Habitat protection has additional benefits for the province’s flora and fauna and helps to maintain a healthy environment for all of Saskatchewan’s wildlife.
- *Saskatchewan Activity Restriction Guidelines for Sensitive Species* is a resource that can assist proponents during the planning of projects.
  - If the project will include any activity falling within the listed setback distances, contact the local Ministry of Environment office early in the planning process.

**Planning *documents* should:**

- Recognize the role and authority of the province in managing the ecological integrity of provincial forest systems;
- Support the role of organizations, programs and planning initiatives contributing to ecological integrity, biodiversity and natural systems; and
- Include surveys done throughout the project area and not just in species at risk representative areas to ensure that any rare species are adequately detected.

**Planning *decisions* should:**

- Not conflict with or inhibit the province’s planning initiatives related to ecological integrity.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation
<i>The Dedicated Lands Regulations, 2009</i>
<i>The Ecological Reserves Act</i>
<i>The Forest Resources Management Act</i>
<i>The Forest Resources Management Regulations</i>
<i>The Natural Resources Act</i>
<i>The Planning and Development Act, 2007</i>
<i>The Wildlife Act, 1998</i>
<i>The Wildlife Habitat Protection Act</i>
<i>The Wildlife Regulations, 1981</i>

Federal Acts, Regulation and Policy
<i>Canada Wildlife Act</i>
<i>Fisheries Act</i>
<i>Migratory Birds Convention Act</i>
<i>Species at Risk Act</i>

## Relevant Publications and Documents

Title	Author
Economics of Riparian Grazing Management	Water Security Agency
Health of Riparian Areas in Southern Saskatchewan	
Protecting our Water a Watershed and Aquifer Planning model for Saskatchewan	
Saskatchewan Activity Restriction Guidelines for Sensitive Species in Natural Habitats	Ministry of Environment – Saskatchewan Conservation Data Centre
Terrestrial Field Surveys, Permit Requirements and Design and Methodology Guidelines	Ministry of Environment
The Dedicated Lands Handbook	Ministry of Government Relations, Community Planning Branch
Native Grassland and Forest Rangeland Health Assessment	Prairie Conservation Action Plan
Riparian Health Assessment Workbook – Lakes, Sloughs and Wetlands	
Riparian Health Assessment Workbook – Streams and Small Rivers	
Managing Saskatchewan’s Wetlands – A Landowner’s Guide	Denis Huel, Saskatchewan Wetland Conservation Corporation
Streambank Stewardship – A Saskatchewan Riparian Project	
Managing your Native Prairie Parcels	Jim Moen
Riparian and Wetland Sites of the Saskatchewan Prairie Ecozone	William H. Thompson and Paul Hansen

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Provincially Designated Lands	Ministry of Environment, Fish, Wildlife and Lands Branch	Phone: 1-800-567-4224 Fax: 306-787-9544 Email: <a href="mailto:er.servicedesk@gov.sk.ca">er.servicedesk@gov.sk.ca</a>
Species at Risk	Ministry of Environment, Fish, Wildlife and Lands Branch	Phone: 306-567-4224 Fax: 306-787-9544 Email: <a href="mailto:er.servicedesk@gov.sk.ca">er.servicedesk@gov.sk.ca</a>
Dedicated Lands	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>

## 6.3 First Nations and Métis Engagement

### Statement of Interest

The province has an interest in enhancing the participation of First Nation and Métis communities in land use planning and in fostering respectful relationships between municipalities and First Nation and Métis communities.

To assist in meeting the province's First Nation and Métis engagement interests, planning documents and decisions shall, insofar as is practical:

1. Identify local and regional First Nations and Métis communities;
2. In the spirit of reconciliation, consider Indigenous interests, Indigenous knowledge, and present day Indigenous land uses;
3. Provide opportunities to engage and partner with First Nations and Métis communities on economic, environmental, social, cultural and service delivery initiatives;
4. Encourage proponent engagement with First Nations and Métis communities in advance of proposed development that is in proximity to Crown lands, public water bodies, and Reserve lands.



Photo credit: Greg Huszar Photography, Tourism Saskatchewan

## Context

- First Nation and Métis history is an integral part of Canadian culture and heritage.
- Treaty and Aboriginal rights are recognized and affirmed in Section 35 of the *Constitution Act, 1982*. They are a foundation for ongoing co-operation and partnership as Saskatchewan moves forward together to advance reconciliation.
- First Nation and Métis people have interests in both rural and urban areas in the province and are potential partners in land use development and community development and growth initiatives.
- See Section 7 – Glossary for the definition of engagement.

## Benefits of Good Planning and Policies

- Reflects municipal leadership's spirit of reconciliation. This helps promote diversity and builds relationships with neighbours.
- Promotes greater awareness and understanding of First Nation and Métis culture and history, as well as land use opportunities and challenges.
- Sends a positive message to residents and supports the goals and objectives of the entire community and region.
- Broadens the opportunities to build relationships and improves the potential for mutually beneficial partnerships and agreements.
- Building Municipal – First Nation-Métis relationships can further operational understanding, acknowledge areas of common interest and mutual benefit, and establish open, honest, respectful communication.
- Having a common understanding of interests, concerns, expectations and responsibilities can help in future decision-making.
- Best practices have shown early engagement and an ongoing relationship between municipalities and First Nation and Métis communities often facilitates more timely and improved decision-making for all parties involved at all decision-making levels.
- Partnerships can lead to progressive project development as well as opportunities for cost sharing and increased access to funding and grants.

## Implementation Guidance

### 1. Identify local and regional First Nations and Métis communities.

#### What does the municipality need to know?

- The First Nation or Métis communities that could be affected by municipal or regional development plans and decisions.
- Contact information for First Nation and Métis communities.
- The treaty and Aboriginal rights of First Nation and Métis people in Saskatchewan.
- An important part of building relationships with First Nation and Métis communities is recognizing them as being distinct orders of government.
- An understanding of the diverse and unique culture, language, heritage, customs and protocols of First Nation and Métis communities.
- An understanding of unique challenges faced by a particular Indigenous community or organization.

**Council may wish to consider:**

- Obtaining agreement with the First Nation and Métis leadership to appoint a council liaison to facilitate regular communication; and
- Maintaining a list of the local and regional First Nation and Métis contacts and representatives to share with proponents to facilitate engagement, as appropriate.

**Planning *documents* should:**

- Identify, via a map and/or statements and policies, all local and regional First Nation and Métis communities, land holdings, and First Nation reserve lands;
- Acknowledge that First Nation and Métis communities may have potential interests in participating in planning projects or initiatives with the municipality;
- Seek First Nation and Métis input during policy development;
- Demonstrate an understanding of treaty and Aboriginal rights regarding land uses; and
- Acknowledge the treaty or treaties in the region.

**Planning *decisions* should:**

- Include consideration of First Nation and Métis interests and treaty and Aboriginal rights regarding land uses in the region.

**2. In the spirit of reconciliation, consider Indigenous interests, Indigenous knowledge, and present day Indigenous land uses.**

**What does the municipality need to know?**

- The municipality's role in upholding the ninety-four Calls to Action from the Truth and Reconciliation Commission of Canada report.
- The relevant treaty that applies to the region, any outstanding land entitlements, and the municipality's role related to respecting and protecting treaty and Aboriginal rights.
- Location of First Nation reserve land, land holdings and unoccupied Crown lands in the area.
- Become familiar with the knowledge, heritage and cultural contributions of First Nation and Métis people in the region.
- That impacts to traditional First Nation or Métis activities on Crown lands, such as hunting, trapping, fishing, gathering, spiritual or cultural sites, may occur during or after development from construction or ongoing operational activities.
- The processes for First Nations to acquire land in the province to resolve treaty land entitlement (TLE) and other specific claims:
  - Land transitioned into First Nation reserve land status may require a servicing arrangement with the municipality; and
  - TLE processes may achieve mutual goals and objectives and help to develop beneficial relationships.

## What is Reconciliation?

In 2015, to redress the legacy of residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission released ninety-four Calls to Action.

From the Truth and Reconciliation Commission:

“Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour.”

### **The Ministry of Parks, Culture and Sport, Heritage Conservation Branch**

- Maintains information on the location of known significant heritage and cultural sites.

### **Council may wish to:**

- Schedule regular engagement between mayors, reeves and First Nation and Métis leadership through formal and informal meetings regarding interests and future land uses; and
- Refer and discuss subdivision and development proposals with potentially impacted First Nation and Métis communities, so council can:
  - Identify any areas of interest and concern and potential impacts from a proposed development that could adversely affect the activities of First Nation or Métis people on nearby Crown land; and
  - Incorporate Indigenous knowledge and interests into planning and land use decisions. For example, an area known for having medicinal plants may be preserved as green space or avoided by the developer.

### **Planning *documents* should:**

- State the municipality’s commitment to engage with identified First Nation and Métis communities;
- Include information regarding First Nation and Métis interests, knowledge and present day land uses in the region;
- Incorporate First Nation and Métis knowledge of present day land uses and interests in planning the future uses of the land;
- Include policies that support actions to avoid, minimize or mitigate any negative impacts of development on present day land uses by First Nation and Métis communities;
- Establish a process for communicating when considering the impacts of a proposed development on present day land uses by First Nation and Métis communities; and
- Identify occupied and unoccupied Crown lands and acknowledge any access rights of First Nation and Métis people.

**Planning *decisions* should:**

- Consider the information from First Nation or Métis communities that carry out traditional activities in the area (hunting, trapping, fishing, gathering, spiritual or cultural activities) on Crown lands;
- Consider the impacts of development decisions on unoccupied Crown lands and First Nation reserve lands in the area of the use. For example, early in the planning process council should share information about a project with First Nation and Métis communities that could increase the use of a public watercourse or waterbody or have an impact on any shared services (e.g. emergency services, water, etc.). Feedback that council receives from the communities about any potential impact from the project should factor into and be included in the decision; and
- Demonstrate council's commitment to encourage developers and all planning commissions and boards to communicate with First Nation and Métis communities. Further, council should consider their interests in proposed policies and objectives regarding land use planning and service delivery.

### **First Nation Reserve Lands and Reserve Creation**

The federal government and First Nations signed Treaties 2, 4, 5, 6, 8 and 10 between 1871 and 1906 in the area that is now Saskatchewan. A key component of these Treaties is the allocation of reserve land to First Nations people.

Not all Saskatchewan First Nations received the amount of land they were promised under the Treaties. While First Nations and the land reserved for them are a federal responsibility, under the terms of the *Natural Resources Transfer Agreement, 1930*, the provincial government is obligated to help fulfill the federal government's outstanding treaty land entitlements. These land claims are referred to as TLE, and the province is involved in the negotiation and settlement of these claims. To date, TLE settlement agreements have been signed with 33 First Nations, and government is aware of eight remaining TLE claims.

There are other land claim agreements that the province is not a signatory to, but agreed to facilitate any reserve creation if there is a land component. These land claims are referred to as Specific Claims. There may be other additions to reserves or correction of boundaries, but TLE and Specific Claim settlement agreements comprise the majority of reserve creation in our province. Part of the provincial government's role in implementing the land claim agreements is to ensure that any provincial third-party interests are identified and resolved prior to reserve creation, and provincial commitments are met.

Municipalities and planners looking to find out more are encouraged to seek out additional resources on [saskatchewan.ca](http://saskatchewan.ca) or the federal government's website.

## Municipal Role in Reserve Creation

There can be a number of implications, challenges and opportunities to municipalities associated with First Nation reserve creation. This includes:

- The municipal tax loss compensation provisions and/or requirement for service agreements to alleviate loss of municipal revenue contained in the land claim settlement agreement.
- Land transferred to reserve status is no longer subject to provincial legislation unless by agreement; and
- The socio and economic development opportunities in working with First Nation communities that have reserve land in the region.

More information about reserve creation can be found by contacting the Ministry of Government Relations, Lands and Consultation branch as listed at the end of this chapter.

### **3. Provide opportunities to engage and partner with First Nations and Métis communities on economic, environmental, social, cultural and service delivery initiatives.**

#### **What does the municipality need to know?**

- Beneficial outcomes can be achieved when the municipality engages First Nation and Métis communities and request their participation in planning projects or initiatives.
- First Nation and Métis communities get a lot of notifications from various governments and organizations. The municipality should not be discouraged if their initial attempts to communicate are unsuccessful. Follow up phone calls may be helpful.
- Leadership to leadership relationships between elected municipal, First Nation and Métis officials is a best practice for relationship building.
- It is important to reach out to First Nation and Métis communities and to meet on a regular basis to build and maintain strong relationships.
- What information it may gather regarding Indigenous knowledge of land uses, cultural sites, and present day Indigenous land uses in the region and how to use the information.
- Ask about and practice protocols for meetings with First Nation and Métis leadership. It is important to note protocols may vary between communities.
- The goals and objectives of neighbouring First Nation and Métis communities regarding future economic, environmental, social, and cultural development.
- How to support or expand existing service delivery arrangements.
- The potential for future partnerships with First Nation or Métis communities for infrastructure and servicing or other projects.
- District Planning Commissions and other opportunities for innovation, funding and grants may include First Nation or Métis partners.

**Councils may wish to consider:**

- Developing a set of shared criteria to evaluate emerging development and service delivery partnership opportunities with First Nation and Métis communities;
- Defining a mutually agreed to process of how, when and why the municipality and the First Nation and Métis communities will come together and consider partnering on development projects or service delivery; and
- Consider establishing a District Planning Commission, where practical, that includes First Nation and Métis participation.

**Planning *documents* should:**

- Include policies regarding the municipality's commitment to engage First Nation and Métis communities regarding land use policies and decisions and to consider partnerships for service delivery opportunities;
- Identify areas of mutual interest, such as common land use interests, economic development and growth, infrastructure, social and cultural services and service delivery partnerships for education, recreation, health and wellness, as well as other areas;
- Outline principles to guide planning and development decisions in shared areas of concern or mutual interest; and
- Identify or describe the potential for joint initiatives between the municipality and First Nation and/or Métis communities.

**Planning *decisions* should:**

- Acknowledge and respect common interests and existing agreements or partnerships;
- Illustrate how the appropriate level of communication with the First Nation and Métis communities was determined and accomplished; and
- Support opportunities to partner with First Nation and Métis communities.

**4. Encourage proponent engagement with First Nations and Métis communities in advance of proposed development that is in proximity to Crown lands, public water bodies, and Reserve lands.**

**What does the municipality need to know?**

- The location of Crown lands, public water bodies and Reserve land within the municipality and surrounding region.
- First Nation and Métis present day land uses in proximity to the proposed development.
- How subdivision, concept plans and development permits can be used as tools to guide development and address potential negative impacts.

**Councils may wish to consider:**

- Developing a policy to encourage and outline the process of early proponent engagement with First Nation and Métis communities for proposed development in proximity to Crown lands, public water bodies, and First Nation reserve lands;
- Identifying the areas in which the First Nation and Métis communities would be interested in discussing proposed development with the municipality or a proponent; and

- Requiring engagement for specific types of development, such as mineral and resource development, sand and gravel, or economic development.

**Planning *documents* should:**

- Support developer engagement of First Nation and Métis communities;
- Encourage the use of standards and conditions in situations where avoiding, mitigating or minimizing of identified negative impacts is required; and
- Outline how the municipality will engage with First Nation and Métis communities when it is the proponent of a development.

**Planning *decisions* should:**

- Consider and acknowledge all the relevant information gathered by the proponent or municipality regarding the interests of First Nation and Métis communities;
- Recognize the potential negative impacts of development and involve the proponent in mitigating these impacts;
- Apply conditions on development permits, when appropriate, to help avoid, minimize or mitigate negative impacts from proposed development; and
- Communicate back to any involved First Nation and Métis community how their information was used in the planning decision process.
  - This helps build positive relationships and trust in municipal decisions.

### **What is the Duty to Consult?**

The Government of Saskatchewan has a duty to consult with First Nation and Métis communities when contemplating decisions or actions that have the potential to adversely impact the exercise of:

- Treaty and Aboriginal rights, such as the right to hunt, fish and trap for food on unoccupied Crown lands and other lands to which First Nations and Métis have a right of access for these purposes; and
- Traditional uses of lands and resources, such as the gathering of plants for food and medicinal purposes and/or the carrying out of ceremonial and spiritual observances and practices on unoccupied Crown lands and other lands to which First Nations and Métis have a right of access for these purposes.

In addition, municipalities may have a duty to consult whenever they independently exercise their legal authority in a way that might adversely impact the exercise of treaty and Aboriginal rights and/or traditional uses on unoccupied Crown land or other lands and waterbodies to which First Nations and Métis have a right of access.

Source: First Nation and Métis Consultation Policy Framework

## Does Proponent Engagement Replace the Crown’s Duty to Consult?

Proponent engagement does not replace the Crown’s duty to consult.

“When a proponent submits a project proposal to government for authorization, government will assess whether the project triggers the duty to consult. Where the duty to consult is triggered, government has an obligation to ensure First Nation and Métis communities are appropriately consulted and accommodated in accordance with the *First Nation and Métis Consultation Policy Framework* in advance of issuing authorizations.”

The proponent engagement activities prior to the submission of a project proposal are taken into consideration but do not replace requirements for the duty to consult process.

Source: *Proponent Handbook: Voluntary Engagement with First Nations and Métis Communities to Inform Government’s Duty to Consult Process*

## References

### Relevant Acts, Regulations and Policy

Provincial Acts and Regulation
<i>The Planning and Development Act, 2007</i>
<i>The Saskatchewan Natural Resources Transfer Agreement (Treaty Land Entitlement) Act, 1993</i>
<i>The Treaty Land Entitlement Implementation Act, 1993</i>
Provincial Policy
<i>First Nation and Métis Consultation Policy Framework, 2010</i>
<i>Proponent Handbook: Voluntary Engagement with First Nations and Métis Communities to Inform Government’s Duty to Consult Process, 2013</i>
<i>Saskatchewan Treaty Land Entitlement Framework Agreement, 1992 (and eight subsequent treaty land entitlement settlement agreements modelled on the Framework Agreement)</i>
<i>Specific Claims Memorandum of Agreement, 2021</i>
Federal Acts, Regulation and Policy
<i>Federal Guidelines for Aboriginal Consultation and Accommodation</i>

### Relevant Publications and Documents

Title	Author
<i>First Nation and Métis Consultation Policy Framework</i>	Ministry of Government Relations, Lands and Consultation Branch
Stronger Together Toolkit	Federation of Canadian Municipalities
Declaration on the Rights of Indigenous Peoples	United Nations
Calls to Action	Truth and Reconciliation Commission of Canada
Various profiles and information on First Nation communities, including an interactive map	Government of Canada
Policy on Planning Practice and Reconciliation	Canadian Institute of Planners

**Contact Information**

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
<ul style="list-style-type: none"> <li>• Consultation with First Nation and Métis Communities</li> <li>• Processes for Consulting with First Nation and Métis Communities</li> <li>• Treaty or Aboriginal rights to hunt, trap and fish on Crown lands</li> </ul>	Ministry of Government Relations, Lands and Consultation Branch, Aboriginal Consultation Unit	Phone: 877-879-7099 Fax: 306-787-6336 Email: <a href="mailto:aboriginal.consultation@gov.sk.ca">aboriginal.consultation@gov.sk.ca</a>
<ul style="list-style-type: none"> <li>• Engagement with First Nation and Métis Communities</li> <li>• First Nation and Métis Council Liaison Roles and Responsibilities</li> <li>• Processes for Engaging with First Nation and Métis Communities</li> </ul>	Ministry of Government Relations, Indigenous and Northern Relations Branch, First Nations and Métis Relations Unit	Phone: 306-798-0183 Fax: 306-787-5832 Email: <a href="mailto:fnmr@gov.sk.ca">fnmr@gov.sk.ca</a>
<ul style="list-style-type: none"> <li>• First Nation land claims (treaty land entitlement, specific claims, etc.)</li> <li>• Land proposed for Reserve creation in an urban or rural municipality, including the respective processes</li> </ul>	Ministry of Government Relations, Lands and Consultation Branch, Land Claims Unit	Phone: 306-787-5722 Fax: 306-787-6336 Email: <a href="mailto:fnlandclaims@gov.sk.ca">fnlandclaims@gov.sk.ca</a>

## 6.4 Heritage and Culture

### Statement of Interest

The province has an interest in ensuring that Saskatchewan's culture and heritage resources are protected, conserved and responsibly used.

To assist in meeting the province's culture and heritage interests, planning documents and decisions shall, insofar as is practical:

1. Provide for the protection and conservation of culture and heritage resources;
2. Encourage opportunities for the reuse, rehabilitation, preservation or restoration of historic buildings;
3. Avoid, minimize or mitigate adverse development impacts to culture and heritage resources; and
4. Encourage the development, use and promotion of heritage and culture resources, where appropriate.



Photo credit: Greg Huszar Photography, Tourism Saskatchewan

## Context

- Saskatchewan's diverse culture and heritage resources enrich the lives of the province's people.
- Heritage, both tangible and intangible, is a valued and dynamic legacy that creates an understanding of our past, is used to build communities in the present and informs our choices for the future.
- Our cultural heritage, which we hold in trust in the present, is a gift to future generations.
- Heritage resources cannot be replaced once they are lost.

## Benefits of Good Planning and Policies

- Planning for culture and heritage resources can help shape a community's sense of pride, place and identity, enhance quality of life, and contribute to the social, cultural, economic and environmental sustainability of our communities.

## Implementation Guidance

### 1. Provide for the protection and conservation of culture and heritage resources.

#### What does the municipality need to know?

- Using sound conservation practices in planning and development activities ensures that culture and heritage resources will be conserved in the long-term.
- Cultural heritage can include intangible items such as traditions, rituals and languages.
- The *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines) are a nationally recognized benchmark for sound conservation practice and a recommended decision-making tool for planners and regulators of heritage resources.
- Sound planning decisions require knowledge of what culture and heritage resources exist in the municipality and an understanding of their importance.
  - Use surveys, historical research and the knowledge of community residents to create an inventory and map of local culture and heritage resources.
  - Evaluate local culture and heritage resources to determine their significance and to assess their sensitivity to impacts from development.
- *The Heritage Property Act* gives municipalities powers to protect heritage resources, including the authority to designate locally significant historic places as Municipal Heritage Property.
- The Act allows municipalities to use zoning and development standards to protect and conserve heritage resources.

#### Council may wish to consider:

- Appointing a Municipal Heritage Advisory Committee pursuant to section 10 of *The Heritage Property Act* to provide expertise and advice to council on heritage-related matters;
- Developing an official municipal heritage policy; and
- Using the Standards and Guidelines for heritage-related decision-making.

**Planning *documents* should:**

- Contain policy that acknowledges the benefits of culture and heritage, and commits the municipality to supporting the protection and conservation of local culture and heritage resources;
- Contain policy for the creation of an inventory of the municipality's culture and heritage resources;
- Provide policy and guidelines for designating historic places as municipal heritage property;
- Contain policies consistent with the Standards and Guidelines for heritage-related decision-making;
- Contain policy and guidelines for the use of zoning tools to protect and conserve culture and heritage resources, such as demolition control districts, architectural controls or direct control development agreements;
- Consider the use of dedicated lands (environmental reserve and municipal reserve) to protect culture and heritage features; and
- Contain policy that allows the municipality to appropriately protect and manage municipally owned culture and heritage resources.

**Planning *decisions* should:**

- Use sound conservation practices in planning, regulatory and development activities to ensure that the heritage value and physical integrity of heritage resources will be conserved in the long term;
- Be informed by an understanding that culture and heritage resources are community assets, and that the municipality has a responsibility for their stewardship; and
- Respect community values regarding culture and heritage resources that may be affected by development.

**2. Encourage opportunities for the reuse, rehabilitation, preservation or restoration of historic buildings.**

**What does the municipality need to know?**

- The preservation, rehabilitation and re-use of historic buildings conserves a community's cultural heritage, stimulates economic activity and reduces environmental impacts.
- Reusing historic buildings can help a municipality achieve objectives in areas such as housing, business and tourism development, neighbourhood revitalization, environmental protection and brownfield redevelopment.
- Having a comprehensive inventory of local historic buildings makes it easier to identify opportunities for historic building re-use.
- Municipal incentive programs can be used to encourage private investment in the re-use, rehabilitation, preservation or restoration of historic buildings.

**Planning *documents* should:**

- Contain policy that emphasizes the re-use of heritage buildings as a development priority;
- Contain policy and guidelines for flexible tools that facilitate the re-use of historic buildings, such as contract zoning, exceptions to development standards and discretionary use approvals;

- Consider a minimal intervention principle that promotes the use of historic buildings for new uses that complement the buildings' historic character, requiring fewer changes to the building; and
- Contain policy and guidelines for any heritage incentive programs that the municipality might implement.

**Planning *decisions* should:**

- Where appropriate, approve discretionary uses and relax development standards (e.g. parking requirements) in order to facilitate the re-use of historic buildings;
- Expedite approval times for developments that involve restoration, rehabilitation or re-use of historic buildings;
- Use criteria for approvals that are consistent, predictable and easily understood by developers; and
- Be based on a principle of minimal intervention. For example, approve changes of use for historic buildings only when the new use is compatible with the buildings' historic character and requires limited changes to the building.

**3. Avoid, minimize or mitigate adverse development impacts to culture and heritage resources.**

**What does the municipality need to know?**

- Most culture and heritage resources are irreplaceable – once they have been lost, they are gone forever.
- Many heritage resources (i.e. municipally and provincially designated heritage properties, and archaeological and paleontological sites) are legally protected.
  - Developments that could affect these resources require prior review and approval from the appropriate regulatory authority.
- An inventory of local culture and heritage resources is an important tool for identifying potential conflicts between culture and heritage resources and new development.

**The Ministry of Parks, Culture and Sport, Heritage Conservation Branch:**

- Provides guidelines for conducting archaeological heritage resource impact assessments (sometimes referred to as "HRIAs");
- Provides information on the provincial archaeological permit policy; and
- Provides tools and assistance for identifying archaeological heritage sensitive lands in a municipality.

**Planning *documents* should:**

- Contain policy stating that land use decisions will be sensitive to heritage conservation goals and objectives;
- Provide for heritage review of proposed developments;
- Contain policy and guidelines for the use of zoning controls to ensure compatible development within and adjacent to heritage sensitive areas; and
- Consider the use of dedicated lands (environmental reserve and municipal reserve) to protect culture and heritage resources.

**Planning *decisions* should:**

- Limit land use or development approvals that negatively affect the preservation, public use or integrity of culture and heritage resources;
- Consider the context and character of planned land uses with respect to adjacent heritage resources;
- Encourage the use of zoning controls to establish buffers, setbacks, design guidelines and regulation of density and height for development adjacent to or within proximity of culture and heritage resources; and
- Consider integration of culture and heritage resources into proposed development or as a focal point of the development.

**4. Encourage the development, use, and promotion of culture and heritage resources, where appropriate.**

**What does the municipality need to know?**

- Location of existing culture and heritage resources within the municipality.
- Conservation and responsible use of culture and heritage resources can include a range of activities beyond resource identification and protection. This includes developing and using the resources, promoting and marketing them, and public education to create awareness of the benefits of culture and heritage.
- The development and use of culture and heritage resources can enhance community character and quality of life. It can also support business growth, tourism development, neighbourhood revitalization, housing, environmental and diversity goals.
- In addition to archaeological sites and historic buildings, culture and heritage resources include such things as cultural facilities, organizations and events, community traditions and customs, arts and artisans, crafts and craftspeople, traditional knowledge and skills, or other items residents may identify as important to the community's way of life.

**Council may wish to consider:**

- Creating comprehensive municipal cultural and heritage management plans that identify and map local culture and heritage resources and inform other municipal planning documents and decisions;
- Providing incentives to encourage the development and use of culture and heritage resources; and
- Promoting and marketing local culture and heritage resources on the municipal website and/or social media.

**Planning *documents* should:**

- Identify opportunities and provide policy for using culture and heritage resources to achieve the municipality's development goals;
- Contain policy for supporting community events and organizations. For example, by making municipal facilities available for social and cultural activities; and
- Contain policy for supporting and promoting culture-based businesses where opportunities exist.

**Planning *decisions* should:**

- Be informed by community dialogue and consideration of residents’ priorities for local culture and heritage resources;
- Consider how use and promotion of culture and heritage resources might impact the resources; and
- Support inclusion and diversity by acknowledging the culture and heritage of all groups in the municipality.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation
<i>The Conservation Easements Act</i>
<i>The Conservation Easements Amendment Act, 2010</i>
<i>The Heritage Property Act</i>
<i>The Planning and Development Act, 2007</i>
Provincial Policy
<i>Pride of Saskatchewan – A Policy Where Culture, Community and Commerce Meet</i>
Federal Acts, Regulation and Policy
<i>Historic Sites and Monuments Act</i>
<i>Standards and Guidelines for the Conservation of Historic Places in Canada</i>

### Relevant Publications and Documents

Title	Author
<ul style="list-style-type: none"> <li>• Archaeological Permit Policy</li> <li>• Conserving Your Historic Places: A Guide for Communities</li> <li>• Creating Community Heritage Programs: A Guide for Municipalities</li> <li>• Developing Your Heritage Inventory: A Guide for Communities</li> <li>• Municipal Heritage Property Designation</li> </ul>	Ministry of Parks, Culture and Sport

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
<ul style="list-style-type: none"> <li>• Archaeological and Paleontological Heritage, including Heritage Resource Impact Assessment and Mitigation</li> <li>• Heritage Conservation, Re-use, Rehabilitation, Preservation and Restoration of Historic Buildings</li> <li>• Municipal and Provincial Heritage Property Designation</li> </ul>	Ministry of Parks, Culture and Sport, Heritage Conservation Branch	Phone: 306-787-2817 Fax: 306-787-0069

## 6.5 Inter-municipal Cooperation

### Statement of Interest

The province has an interest in promoting inter-municipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local and regional development.

To assist in meeting the province's inter-municipal cooperation interests, planning documents and decisions shall, insofar as is practical:

1. Establish inter-municipal processes for managing land in areas of common interest;
2. Identify opportunities for strategic, flexible and innovative partnerships; and
3. Encourage regional opportunities to develop, upgrade or fund public works, public facilities, dedicated lands and recreational facilities, transportation infrastructure, service delivery and housing.



Photo credit: Pixabay

## Context

- Municipalities manage local services, facilities, safety and infrastructure for communities and regions.
- Neighbouring municipalities are experiencing similar opportunities and challenges. Councils need to talk and share ways of addressing community service and infrastructure challenges.
- Cooperating with neighbouring communities can help address many challenges, including infrastructure demands, access to professional services, and pressures with growth and decline.
- Maintaining existing infrastructure and services at current levels is becoming increasingly challenging for many Saskatchewan municipalities. Regional planning allows municipalities to spend limited resources more efficiently while tackling challenges together.
- Hundreds of Saskatchewan communities engage in regional partnerships to address issues involving:
  - Land use planning;
  - Waste management;
  - Economic development;
  - Emergency and protective services, including mutual aid agreements; and
  - Recreation.

## Benefits of Good Planning and Policies

- Inter-municipal cooperation allows municipalities to tackle issues of mutual concern that cross jurisdictional boundaries.
- Shared infrastructure and service delivery can enhance the sustainability of municipalities and make communities a better place to live.

## Implementation Guidance

### 1. Establish inter-municipal processes for managing land in areas of common interest.

#### What does the municipality need to know?

- The neighbouring municipalities that could be affected by municipal or regional development plans and decisions.
- Neighbouring municipalities experiencing similar opportunities and challenges and options for addressing those together.
- Contact information for neighbouring municipalities.
- Location and extent of regional natural features, including water bodies and landscapes;
- Land uses and activities adjacent to municipal boundaries.
- Regional economic development activities, such as minerals, oil and gas or agriculture.

**Benefits of joint planning:**

Challenges	Opportunities
Economic development	Build a strong region to secure investment, growth and prosperity by building on opportunities, services and assets of the municipality and neighbouring areas.
Fiscal pressures	Lowering the per-unit cost of services can enhance service delivery and fiscal sustainability. Through shared service arrangements municipalities can achieve higher level service delivery of public works, municipal services and professional resources.  Proactively plan for growth by combining services, where appropriate, to deal with public works and servicing requirements related to population, demographic and economic change.
Changing demographics	Increase quality of life through the pooling of solutions and resources to meet the needs of residents, encourage the transfer of innovative ideas and expand service choices.
Municipal bylaw consistency and efficiency	Reproduction of services between neighbouring communities can be reduced which can improve consistency in decision-making and reduce waste.  Consistent land use policies can reduce complexity and risk for developers and lead to increased investment in the region.
Municipal capacity	Knowledge sharing between members of council, administrators and professional staff.

**Planning *documents* should:**

- Identify, via a map and/or statements and policies, all neighbouring municipalities;
- Include inter-municipal planning policies;
- Provide for inter-municipal agreements;
- Establish a referral process for land use and development proposals in proximity to a municipal boundary; and
- Identify anticipated growth areas determined in consultation with neighbouring municipalities.

**Planning *decisions* should:**

- Be respectful of existing inter-municipal agreements;
- Consider existing and planned land uses in adjacent municipalities; and
- Consider infrastructure and servicing requirements to meet current and future needs for both municipalities and the larger region.

**2. Identify opportunities for strategic, flexible and innovative partnerships.**

**What does the municipality need to know?**

- The Government of Saskatchewan encourages regional planning as an effective means for municipalities to address economic growth opportunities and challenges.
- Who potential partners are and what can be accomplished together.

- Types of partnership arrangements:
  - Project-based arrangements are usually one-time arrangements, such as development of a new water treatment plant;
  - Service agreements are ongoing arrangements, such as fire and other shared services;
  - Planning arrangements are ongoing arrangements where two or more municipalities jointly develop strategies for the region; and
  - Information sharing arrangements are typically ongoing arrangements and involve working groups and committees.
- Arrangements can be formal or informal:
  - Informal arrangements have no legal force and do not confer any responsibility to the parties. Inter-municipal working groups are often an informal arrangement; and
  - Formal arrangements have written consent of council and involve legal agreements, which allow municipalities to enter into a more stable arrangement. District Planning Commissions, District Planning Authorities and Regional Planning Authorities are examples of formal arrangements.
- District Planning Commissions:
  - Play an advisory role by reviewing and advising municipal councils on planning, subdivision and development matters;
  - Provide a forum for members to discuss areas of common interest;
  - Must prepare a district plan in consultation with a registered professional planner; and
  - Hold joint public hearings on planning, subdivision and development matters.
- District Planning Authorities:
  - Are corporate bodies that can allow member municipalities to further coordinate the joint delivery of services and/or infrastructure;
  - Councils may delegate any of their community and land use planning decision making authority under the Act to the District Planning Authority;
  - Must prepare a district plan in consultation with a registered professional planner; and
  - Hold joint public hearings on planning, subdivision and development matters.
- Regional Planning Authorities:
  - Have similar powers and abilities as District Planning Authorities; and
  - May be created on request of member municipalities or Order from the Minister of Government Relations.

**Planning *documents* should:**

- Identify potential partners a municipality could work with;
- Identify how the municipality could work with potential partners and the specific goals these partnerships could achieve;
- Reflect a willingness to form partnerships;
- Reflect when and how existing inter-municipal agreements should be updated;
- Establish dispute resolution mechanisms, developed in cooperation with adjacent municipalities, to address any potential inter-municipal planning disputes; and
- Include future goals and objectives of both the municipality and the broader region.

**Planning *decisions* should:**

- Consider whether or not a development relates to any existing regional arrangement;
- Consider if a development has any potential regional implications;

- Be collaborative on projects with partners; and
- Be consistent with joint agreements, regional service commissions and any other joint cooperative arrangement.

### Targeted Sector Support Initiative

The Targeted Sector Support (TSS) Initiative is a portion of the Municipal Revenue Sharing used to encourage inter-community collaboration, help build capacity and promote good governance in all Saskatchewan municipalities. Funds are used on inter-community projects that strengthen municipalities' capacity under one of the following funding streams:

- Dispute resolution and relationship building;
- Capacity building;
- Regional co-operation; and
- Municipal transition.

For more information on TSS, municipalities should contact the Ministry of Government Relations, Advisory Services and Municipal Relations branch at [info@targetedsector.ca](mailto:info@targetedsector.ca).

### 3. Encourage regional opportunities to develop, upgrade or fund public works, public facilities, dedicated lands and recreational facilities, transportation infrastructure, service delivery and housing.

#### What does the municipality need to know?

- Information on the services and infrastructure in the region. This could include:
  - Who owns what, including its location and condition;
  - What is being shared between municipalities;
  - Funding arrangements of existing services and infrastructure; and
  - A financial plan to manage existing and planned services and infrastructure.
- Service level expectations of residents.
- What services their residents use, where they are located, and what it costs to provide them.
- How potential partners, identified in statement 6.5.2 within this chapter, could be involved to achieve regional goals.

#### Councils may wish to:

- Cooperate with neighbouring communities to develop a regional asset management plan;
  - See statement 6.8.4 within the Public Works chapter for more information on asset management plans.
- Engage in regular dialogue with existing and potential partners; and
- Cooperate on tax sharing and cost sharing agreements for the services and infrastructure their residents use.

**Planning *documents* should:**

- Identify past and current regional development initiatives and projects;
- Reflect current and future economic, population and demographic trends for the municipality and region;
- Outline future infrastructure and service needs of the region;
- Identify potential regional growth areas and direct development of new or upgraded public works to these locations; and
- Prioritize regional options for the development, upgrading and funding of infrastructure and services.

**Planning *decisions* should:**

- Demonstrate the municipality’s commitment to using regional opportunities to develop, upgrade, and fund infrastructure and services;
- Follow the asset management plan in effect for the municipality or region according to project priority; and
- Ensure new development pays for itself over the long-term.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation
<i>The Cities Act</i>
<i>The Municipalities Act</i>
<i>The Municipalities Regulations</i>
<i>The Municipal Board Act</i>
<i>The Municipal Expropriations Act</i>
<i>The Northern Municipalities Act, 2010</i>
<i>The Northern Municipalities Regulations</i>
<i>The Planning and Development Act, 2007</i>

**Relevant Publications and Documents**

Title	Author
<ul style="list-style-type: none"><li>• District and Inter-Municipal Planning</li><li>• Evaluating Your Local Partnership Initiative</li><li>• Municipal Government Sustainability Self-Assessment Tool</li><li>• Planning District Agreement template</li></ul>	Ministry of Government Relations
Variety of documents, templates and best practices are available on the Municipal Capacity Development Program website under “municipal resources”	Municipal Capacity Development Program

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Asset Management District Planning Commissions, District Planning Authorities, Regional Planning Authorities Inter-municipal Dispute Resolution Preparation of and Amendments to Joint Plans	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>
Targeted Sector Support Initiative	Ministry of Government Relations, Advisory Services and Municipal Relations Branch	Phone: 306-787-2680 Fax: 306-798-2568 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>
Planning in Saskatchewan and Saskatchewan Planner Resources	Saskatchewan Professional Planners Institute	Website: <a href="http://sppi.ca">http://sppi.ca</a> Email: <a href="mailto:info@sppi.ca">info@sppi.ca</a>
Planning in Canada and Planning Resources	Canadian Institute of Planners	Website: <a href="http://cip-icu.ca/">http://cip-icu.ca/</a>
Municipal Boundary Committee and the Planning Appeals Committee	Saskatchewan Municipal Board	Phone: 306-787-6221 Email: <a href="mailto:info@smb.gov.sk.ca">info@smb.gov.sk.ca</a>

## 6.6 Mineral Resource Exploration and Development

### Statement of Interest

The province has an interest in maintaining and encouraging the exploration and development of mineral resources.

To assist in meeting the province's mineral resources interests, planning documents and decisions shall, insofar as is practical:

1. Include mineral resource exploration and development as a permitted land use in each rural municipality;
2. Allow access to mineral resources;
3. Consider the compatibility of new development with existing and planned mineral resource development;
4. Consider access, setbacks from development, servicing of facilities and rehabilitation in the municipal approval process; and
5. Ensure that municipal permit requirements do not duplicate or conflict with provincial regulatory requirements.



Photo credit: Government of Saskatchewan

## Context

- Mineral resource development often has a long-term surface land use impact.
- Mineral resource development is bound to the location of the resource.
- The majority of resource development occurs in rural municipalities, which is supported by appropriate access and safe municipal infrastructure.
- Significant mineral resource developments are subject to environmental impact assessments and environmental protection permits. Together, these processes help address environmental issues and land use conflicts.
- Surface rights and mineral rights are not always owned by the same entity, and diverse Crown/freehold ownership is likely.
- Municipalities have the right and responsibility to plan aspects of surface facilities related to mineral resource development.

## Benefits of Good Planning and Policies

- The development of natural resources, including mineral resources, is one of the largest goods producing sectors of the provincial economy and a key contributor to Saskatchewan's economy.

## Implementation Guidance

### 1. Include mineral resource exploration and development as a permitted land use in each rural municipality.

#### What does the municipality need to know?

- Location and extent of known mineral resources.
- Location and extent of existing mineral extraction and development.
- To allow for mineral resource exploration and development, the rural municipality will consult with the provincial government and may create a mineral resource exploration and development zone within its zoning bylaw.
- Mineral resource development should require a development permit, as this requirement enables the municipality to address local concerns like access, land use compatibility, setbacks, servicing and rehabilitation.
  - Contact the Ministry of Energy and Resources and the Ministry of Government Relations with questions about setback distances and site rehabilitation.
- Mineral resource exploration and development includes all activities necessary to prepare the resource for shipping, which may include primary processing.
- Mineral resource processing in excess of that necessary to ship the resource may be included as a discretionary use with defined criteria in the rural municipality's zoning bylaw.
- Critical mineral resource areas of uranium, potash and diamond can be clearly defined by the province, and should be considered, where applicable, when preparing local and regional planning bylaws.

#### Council may wish to consider:

- Approaching major resource companies to discuss future plans and needs.
- Cooperating with regional neighbours on infrastructure and servicing needs when development projects affect a broader region.

- Creating a natural resources zoning district within its zoning bylaw to accommodate mineral resource exploration and development, as well as other natural resources.
- Consulting the regulator to gain information on how the project will meet requirements.

**Planning *documents* should:**

- Include mineral resource exploration and development as a permitted land use;
  - Municipalities may wish to establish a zone where mineral resource exploration and development are encouraged.
- Include ancillary land uses that are necessary for extraction of the resource, such as stockpiling or transportation preparation, as permitted land uses;
- Include ancillary land uses that are not directly related to the extraction of the resource, such as refining or worker housing, as discretionary uses; and
- To minimize mineral resource development impacts to the municipality and surrounding land uses, bylaws should outline permit requirements for mineral resource development.

**Planning *decisions* should:**

- Allow for mineral resource exploration and development, while addressing impacts to municipal infrastructure and servicing.

**2. Allow access to mineral resources.**

**What does the municipality need to know?**

- Location of mineral resource exploration and development relative to existing roads and other municipal infrastructure.

**Planning *documents* should:**

- Require new or upgraded infrastructure to service mineral resource developments that meet both the engineering and safety standards of the municipality as well as the needs of the developer.

**Planning *decisions* should:**

- Ensure appropriate costs for the construction of new or upgraded infrastructure servicing mineral resource development is collected from the developer and shared if the road is for multi-purpose use.

**3. Consider the compatibility of new development with existing and planned mineral resource development.**

**What does the municipality need to know?**

- Tolerant or acceptable levels of environmental disturbances and impacts to the community.
- Benefits and potential impacts of a mineral resource development proposal.
- Location, number and extent of facilities associated with mineral resource exploration, development and processing both locally and regionally.

- Any potential safety concerns as a result of locating in proximity to mineral resource development (e.g. oil wells with a concentration of hydrogen sulfide, also known as H<sub>2</sub>S or “sour gas”).
- Options for how to mitigate issues such as noise, light, odour, dust, smoke and traffic. The issues and the appropriate measures to mitigate them will both vary depending on the specific project.
- Location of a mineral resource development proposal relative to:
  - Watercourses, water bodies and wetlands;
  - Urban municipalities, rural settlements, provincially designated lands and environmentally sensitive lands and features; and
  - Neighbouring land uses.

**The Ministry of Energy and Resources:**

- Addresses potential issues, such as minor subsidence, through monitoring, reporting and consultation.
- Is involved in multiple ways through the process including establishing standards, licensing, permits and leasing.

**The Ministry of Environment:**

- Is involved in the permitting of above-ground facilities related to mineral resource development.

**The Water Security Agency:**

- Is involved in the permitting of water licensing and matters pertaining to water quality.

**Planning *documents* should:**

- Zone areas appropriate for mineral resource development; and
- Discourage new development that will conflict with existing mineral resource development and known expansion areas.

**Planning *decisions* should:**

- Utilize development standards or conditions on development permits, when appropriate, to help avoid, minimize or mitigate potential land use conflicts between uses or to ensure safety;
  - Examples include buffers, screens, setbacks, luminance controls, or defined operating hours.
  - Decision on any option (e.g. buffer, vegetative screens, or regulation of hours of operation) should be a collaborative process between the municipality and the applicant.
- Balance the interest of residents and developers against the goals and objectives of the municipality;
- Ensure roadways within the hauling route are developed sufficiently to accommodate increased use and vehicle weight. A municipality has several options to ensure roadways can accommodate the needs of a development. These include:
  - Servicing agreements entered into at the time of subdivision;
  - Development levy agreements entered into in concurrence with the issuance of a development permit; and

- Note: this option is only available if the municipality has adopted a Development Levy Bylaw pursuant to the Act. Municipalities are encouraged to utilize servicing agreements which, provided subdivision is occurring, has no such restrictions.
  - Road maintenance agreements (this process is outlined by *The Municipalities Act* and current road maintenance agreement rates are available on [saskatchewan.ca](http://saskatchewan.ca)).
- Encourage solutions that address concerns of residents and developers; and
- Address stormwater management.

**4. Consider access, setbacks from development, servicing of facilities and rehabilitation in the municipal approval process.**

**What does the municipality need to know?**

- Mineral resource development should require a development permit, as this requirement enables the municipality to address local concerns like access, land use compatibility, setbacks, servicing and rehabilitation.

**Planning documents should:**

- Outline permit requirements for mineral resource development to reduce impacts to surrounding land uses and to minimize infrastructure and servicing impacts.

**Planning decisions should:**

- Outline criteria required for consideration of mineral resource development permits, which may include:
  - Construction of, or upgrades to, municipal infrastructure to provide:
    - Appropriate access and egress; and
    - Water, sewage or drainage works;
  - Onsite fire suppression infrastructure;
  - Visual screening or landscaping of the site;
  - A copy of the proposed reclamation or rehabilitation plan;
  - Lighting restrictions; and
  - Signage, fencing or other safety measures.

**5. Ensure that municipal permit requirements do not duplicate or conflict with provincial regulatory requirements.**

**The Ministry of Energy and Resources:**

- Is responsible for disposition of metallic and industrial mineral claims on Crown lands.
- Manages its mineral resources through the administration of royalty and tax systems, and collecting and maintaining production and sales information.
- Ensures environmental matters related to subsurface operations are addressed through licensing permits.
- Maintains a geosciences database detailing mineral resource exploration and development.

**The Ministry of Environment:**

- Provides compliance and mitigation measures aimed at protecting the environment.
- Is responsible for regulatory requirements related to the environment.

**Planning *documents* should:**

- Recognize the province’s responsibility to approve and manage mineral resource development; and
- Avoid putting restrictions on land where mineral resources have been found and rights to mineral exploration and development activities have been issued.

**Planning *decisions* should:**

- Address land use conflicts with new development, infrastructure and servicing requirements and any other issues not considered by provincial regulatory requirements.

**References**

**Relevant Acts, Regulation and Policy**

<b>Provincial Acts and Regulation</b>
<i>The Crown Minerals Act</i>
<i>The Environmental Management and Protection Act, 2010</i>
<i>The Environmental Management and Protection (General) Regulations</i>
<i>The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations</i>
<i>The Land Surveys Act, 2000</i>
<i>The Land Surveys Regulations</i>
<i>The Mineral Resources Act, 1985</i>
<i>The Mineral Industry Environmental Protection Regulations, 1996</i>
<i>The Oil and Gas Conservation Act</i>
<i>The Oil and Gas Conservation Regulations, 2012</i>
<i>The Pipelines Act, 1998</i>
<i>The Pipelines Regulations, 2000</i>
<i>The Planning and Development Act, 2007</i>
<i>The Provincial Lands Act, 2016</i>
<i>The Provincial Lands Regulations</i>
<i>The Public Health Act, 1994</i>
<i>The Seismic Exploration Regulations, 1999</i>
<b>Provincial Policy</b>
<i>Petroleum and Gas Surface Lease Policy</i>
<i>Seismic Activity on Agricultural Crown Lands Policy</i>
<b>Federal Acts, Regulation and Policy</b>
<i>Impact Assessment Act</i>

<i>Canadian Energy Regulator Act</i>
<i>Canadian Navigable Waters Act</i>
<i>Fisheries Act</i>

### Relevant Publications and Documents

Title	Author
Mineral Exploration Guidelines for Saskatchewan	Ministry of Environment
Reclamation and Approvals Guidelines	Ministry of Environment
Restoration of Saskatchewan's Agricultural Crown Rangelands	Ministry of Agriculture
Residential Development and Oil Wells	Ministry of Government Relations, Community Planning Branch

### Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Maps & Data on the Geology & Development Potential of Saskatchewan Resources	Ministry of Energy and Resources, Saskatchewan Geological Survey	Phone: 1-855-219-9373 Email: <a href="mailto:er.servicedesk@gov.sk.ca">er.servicedesk@gov.sk.ca</a>
Obtaining the Rights to Explore for & Develop Mineral Deposits	Ministry of Energy and Resources, Lands and Mineral Tenure Branch	Phone: 1-855-219-9373 Email: <a href="mailto:er.servicedesk@gov.sk.ca">er.servicedesk@gov.sk.ca</a>
Provincial Development Approvals for Subsurface Activities Related to Mineral Exploration and Development	Ministry of Energy and Resources, Service Desk	Phone: 1-855-219-9373 Email: <a href="mailto:er.servicedesk@gov.sk.ca">er.servicedesk@gov.sk.ca</a>
Environmental Assessments	Ministry of Environment, Inquiry Centre	Phone: 1-800-567-4224 Email: <a href="mailto:centre.inquiry@gov.sk.ca">centre.inquiry@gov.sk.ca</a>

## 6.7 Public Safety

### Statement of Interest

The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.

To assist in meeting the province's public safety interests, planning documents and decisions shall, insofar as is practical:

1. Identify potential hazard lands and address their management.
2. Limit development on hazard lands to minimize the risk to public or private infrastructure.
3. Prohibit the development of new buildings in the floodway of the 1:200-year flood elevation of any watercourse or water body.
4. Consider opportunities to redevelop existing properties in the floodway of the 1:200-year flood elevation by flood-proofing to an elevation of 0.5 metres above the 1:200-year flood elevation.
5. Require flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:200-year flood elevation of any watercourse or water body in the flood fringe.
6. Incorporate available flood mapping into land use planning documents, including zoning bylaws and decisions.
7. Locate subdivisions, transportation infrastructure and public works to avoid, minimize or mitigate threats to the community from wildfire or other emergencies.
8. Consider community and regional fire protection measures, including escape routes and provision of emergency services, adjacent to forests or areas at risk of wildfire.
9. Consider strategies that would avoid, minimize, or mitigate potential impacts a changing climate may have on the community.



Photo credit: Government of Saskatchewan

## Context

- The safety of people and property is of primary importance to the province.
- Municipalities are responsible for planning for and maintaining safe, viable communities.
- Saskatchewan regularly experiences flooding, drought, and wildfires. A changing climate may increase the frequency and severity of these hazard events and may vary by community.
- The province and municipalities must balance community safety with reasonable risk, liability and cost to the public, municipality and province.
- The *Saskatchewan Flood and Natural Hazard Risk Assessment Report* provides an understanding of flood and natural hazard risks in the province. The document produced by the Saskatchewan Research Council can be used as a tool to help communities plan long-term disaster mitigation measures.
- Municipalities are in a unique position to increase the resiliency of the province to climate change impacts by considering strategic public safety measures.

### **Prairie Resilience: A Made in Saskatchewan Climate Change Strategy**

In 2017, Saskatchewan released its overarching climate change strategy, *Prairie Resilience*. This strategy outlines commitments across five areas to make Saskatchewan more resilient to the climatic, economic and policy impacts of climate change. There are five key areas within the strategy:

1. Natural Systems
2. Economic Sustainability
3. Physical Infrastructure
4. Community Preparedness
5. Human Well-Being

## Benefits of Good Planning and Policies

- Prevention and mitigation of risk is significantly less costly than a reactive response in the event of a disaster. Effective land use planning can reduce or eliminate impacts on the community from hazardous lands and natural disasters.

### Hazard Lands/ areas include

- Natural hazards: land prone to flooding, erosion, landslides, subsidence, slumping, slope instability, or wildfire.
- Human induced hazards: railways, pipelines, firearm ranges, dangerous road routes, and hazardous storage sites.

## Implementation Guidance

### Hazard Land Identification and Emergency Management

#### Statement 6.7.1:

“Identify potential hazard lands and address their management.”

#### Statement 6.7.8:

“Consider community and regional fire protection measures, including escape routes and provision of emergency services, adjacent to forests or areas at risk of wildfire.”

#### What does the municipality need to know?

- There may be synergy in considering statements 6.7.1 and 6.7.8 together.
- **Current:** Location and extent of natural hazard areas and human-induced hazards in or near the municipality.
- **Past:** Historical occurrence, location and intensity of hazard events, such as flooding and wildfires. This information can be gathered by contacting the Water Security Agency for flood records and recorded flood marks, the Saskatchewan Public Safety Agency for wildfire history, including aerial photos, oral histories, and photographs.
- **Future:** The potential for flooding, wildfires or sloping/slumping. This information is usually obtained by referring to up-to-date flood maps and reports, wildfire risk assessments, reviewing past studies, or if the information is dated, retaining professional services to update this information.
- **Emergency management:**
  - Municipalities are required to have an Emergency Plan (*The Emergency Planning Act, 1989*). This plan gives council the responsibility for the direction and control of a municipal emergency response to protect the property, health, safety and welfare of the public.

#### Council may wish to consider:

- Developing an all-hazard emergency preplan for various types of risk
  - A preplan is the collection and storage of critical site data and characteristics about target hazard sites for emergency responders.
- Requesting a FireSmart assessment or wildfire risk assessment
  - FireSmart principles and practices outline fire protection measures and emergency responses for communities in or near forested areas or areas at risk for wildfire.
- Collecting fees to upgrade services related to fire protection

- Though the Act does not explicitly allow fees to be collected for fire, items such as water mains and hydrants can be included within servicing agreements and development levy agreements.
- Working with the Saskatchewan Public Safety Agency (SPSA) to better prepare communities to respond to disasters, reduce damage to property and critical infrastructure and improve the overall public safety of the community. SPSA can arrange or provide courses for municipal staff, including:
  - Emergency operations centre
  - Wildland fire suppression for rural municipal firefighters
  - Incident command system training
  - Updated community hazard risk vulnerability assessment

### **Saskatchewan Public Safety Agency**

Saskatchewan Public Safety Agency (SPSA) is a Treasury Board Crown Agency responsible for:

- Provincial emergency management, fire safety and wildfire management
- Managing Saskatchewan's 911 emergency dispatching services.

SPSA's vision is to enhance, support and integrate public safety in Saskatchewan. The agency's mission is to safeguard and protect the people, property and resources of the province through partnerships, coordinated planning, education, prevention, mitigation, response and recovery.

#### **Planning documents must:**

- Identify areas prone to natural hazards and vulnerable to human-induced hazards.

#### **Planning documents and decisions should:**

- Be consistent with the municipality's emergency plan and reference any plan and other risk documents in the municipality's planning bylaws.
- Adopt and apply appropriate development standards and mitigation measures to minimize risks to people, property and the environment.
- Consider designing adequate escape routes for all landowners in or near hazard land areas.
- Consider emergency response times when determining where residential and institutional development should be located and recommend the expansion or upgrading of emergency services where target emergency response times cannot be met.
- Review access points for emergency services
- Include more than one access and egress point to multi-parcel subdivisions.

## Developing on or Near Hazard Lands

### Statement 6.7.2:

“Limit development on hazard lands to minimize the risk to public or private infrastructure.”

### Statement 6.7.7:

“Locate subdivisions, transportation infrastructure and public works to minimize, mitigate or avoid threats to the community from wildfire or other emergencies.”

#### What does the municipality need to know?

- There may be synergy in considering statements 6.7.2 and 6.7.7 together.
- The location and extent of the areas within the municipality that are prone to natural hazards and vulnerable to human-induced threats.
- Natural hazard lands (e.g. land at risk of wildfire, flooding or slumping) may expand onto non-hazard land. Land or developments next to or near hazard lands should be resilient to future expansion of hazard lands.
- Development on hazard lands can significantly impact the design, cost and liability for subdivision, transportation, public works and the ability to provide safe and efficient services.
  - See interest area 6.8 – Public Works for more information on planning for public works facilities.
- A municipality can use the regulations to require a study or analysis to be completed by the developer to help determine suitability of development and any necessary development standards.
- Legislated setbacks for certain uses and developments.
  - For example, *The Hazardous Substances and Waste Dangerous Goods Regulations* contain restrictions for where certain materials can be stored and located.
- Municipalities are responsible for administering and enforcing the construction codes implemented by *The Construction Codes Act*. A municipality may augment construction codes through its building bylaw where it determines that a higher standard is warranted (e.g. a higher fire protection measure or more extensive floodproofing).

#### Planning documents and decisions should:

- Identify appropriate areas for new development away from hazard lands.
  - For example, this is usually done through a municipality’s future land use map in its official community plan.

- Identify the risks and benefits of proposed development adjacent to or near hazard lands. Some risks can be addressed by applying appropriate development permit conditions or mitigation measures. However, some risks may require design changes or refusal from council.
  - Development where risks cannot be adequately addressed should be directed to locate elsewhere in the municipality or region.
- Adopt and apply appropriate development standards and mitigation measures to minimize risks to people, property and the environment.
- Consult public utility service providers regarding potential mitigation measures related to public utilities and public works.
- Dedicate all land proposed for subdivision in the floodway of a 1:200-year flood as an environmental reserve.
- Consider dedicating all or a portion of land proposed for subdivision in the flood fringe of a 1:200-year flood as an environmental reserve.
  - Municipalities that have been designated as approving authorities by the Act are responsible for approving subdivisions within their jurisdictions. For all other municipalities, subdivision approval is a responsibility of the Ministry of Government Relations.
  - See statement 6.2.3 within the Biodiversity and Natural Ecosystems chapter for an overview of environmental reserve.
  - More detailed information about environmental reserves can be found within the Act, *The Dedicated Lands Regulations, 2009* and [The Dedicated Lands Handbook](#).
- Identify alternative uses for land too hazardous to develop, such as path systems or open space.
- For subdivisions located within forested areas, adjacent to forested areas or for areas at risk of wildfire, encourage the use of FireSmart principles during the subdivision process, including requiring landscaping plans that integrate FireSmart principles.

## Flood Hazard Planning

### Statement 6.7.3:

“Prohibit the development of new buildings and additions to buildings in the floodway of the 1:200-year flood elevation of any watercourse or water body.”

### Statement 6.7.4:

“Consider opportunities to redevelop existing properties in the floodway of the 1:200-year flood elevation by flood-proofing to an elevation of 0.5 metres above the 1:200-year flood elevation.”

### Statement 6.7.5:

“Require flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:200-year flood elevation of any watercourse or water body in the flood fringe.”

### Statement 6.7.6:

“Incorporate available flood mapping into land use planning documents, including zoning bylaws, and decisions.”

#### What does the municipality need to know?

- There is synergy in applying statements 6.7.3, 6.7.4, and 6.7.5 together.
- Enforcing development regulations on flood prone lands is significantly less costly than disaster response and reduces municipal liability.
  - If a municipality is considering issuing a permit on potentially hazardous lands, it should seek legal advice regarding any potential liabilities in the event of a disaster causing property damage.
- Saskatchewan utilizes the 1:200-year flood standard to define the floodplain, floodway and flood fringe of watercourses and water bodies and for regulating development.

The 1:200-year flood standard in a given location is an estimated elevation that can change over time as updated hydrology becomes available due to new analysis or a recent flood event.

Definitions for floodplain, floodway and flood fringe.

- See Section 7 – Glossary for the definitions of flood fringe, floodplain, flood proofed and floodway.
- The table below demonstrates how a flood fringe and the floodway differ.
- See Figure 1: Developing in the Floodplain for additional clarity.

	Less than 1m depth	Greater than 1m depth
Less than 1m/s velocity	Flood fringe	Floodway
Greater than 1m/s velocity	Floodway	Floodway

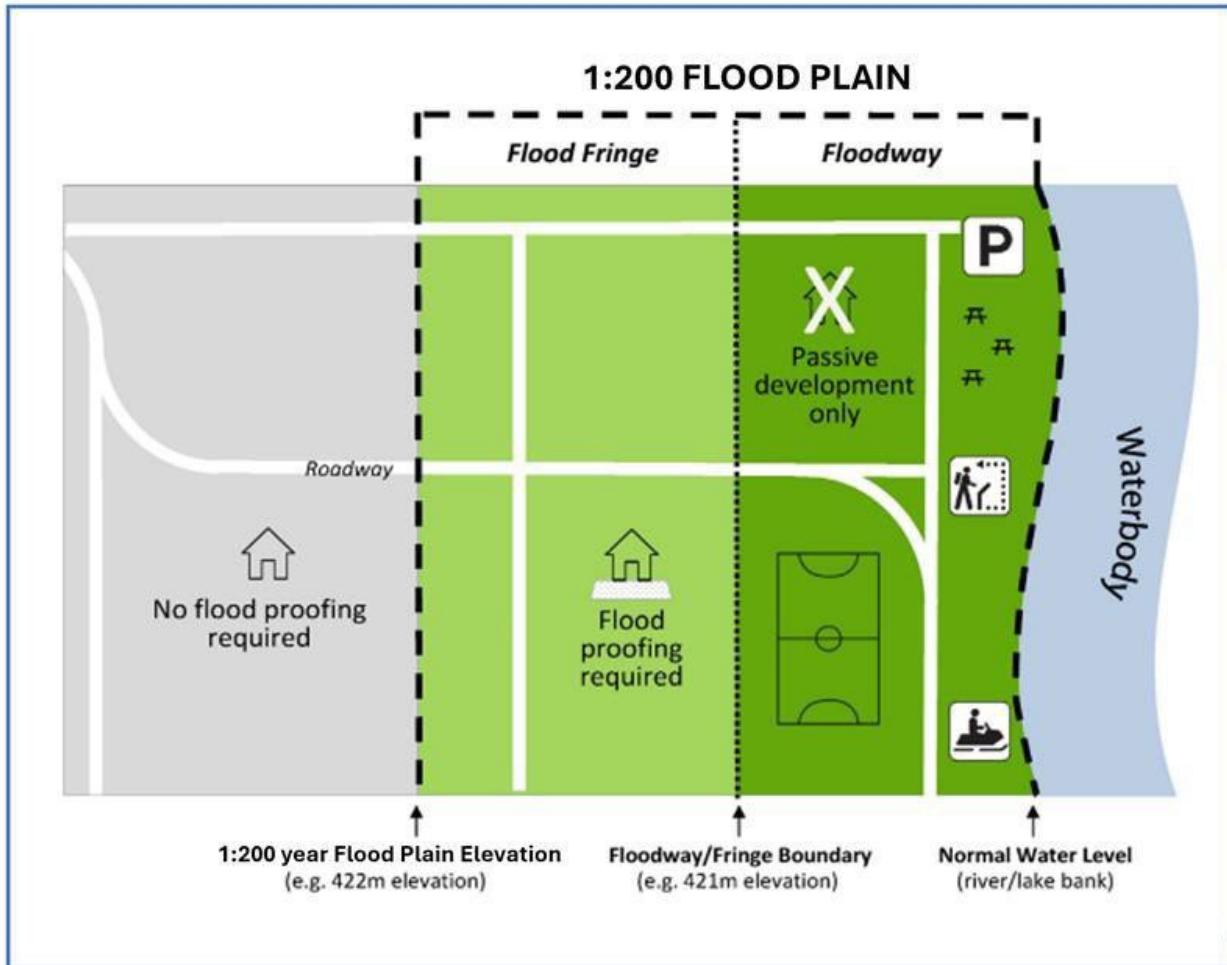
- Floodplain mapping is an important analytical tool that enables communities to better prepare for potential floods. The number of flood-prone communities with access to up-to-date floodplain mapping will increase in the coming years, as a result of funding for floodplain mapping provided through the National Disaster Mitigation Program.
- Flood mitigation strategies happen at the watershed, community and property scales.
- The Water Security Agency is an important partner in the subdivision and municipal development permit process by providing advice on expected flood levels. Since any development in the floodplain has an increased risk of flooding, the Water Security Agency can assist municipalities in understanding this risk to help them make informed choices about development opportunities.
- Referencing proper vertical datum in maps and land surveys is critical to having accurate outputs. In addition to the Water Security Agency, land surveyors can also be an important partner in the subdivision process.
- Development in the floodway:
  - New development on existing parcels of land wholly within the floodway of the floodplain should be restricted to temporary and passive uses only (e.g., recreation and open spaces, crop land, parking lots, and golf courses). Redevelopment of existing parcels may be considered if authorized in a municipality’s official community plan and zoning bylaw and subject to flood-proofing to 0.5m above the 1:200-year flood elevation.
- Development in the flood fringe:
  - Buildings within the flood fringe must be adequately flood-proofed and have a minimum building elevation of 0.5m above the 1:200-year flood elevation. This 0.5m “freeboard” reduces some risk associated with variations in flood models.
    - No habitable space is permitted to be located below the minimum building elevation.
    - See Figure 2: Minimum Building Elevation.
- Floodproofing of buildings is not explicitly addressed in the National Building Code. However, both industry best practices and the Canadian Standards Association (CSA) have information on this.
  - For example, there are standards for the design of new residential areas (CSA W204) and guidelines for existing residential buildings (CSA Z800).

- Planning for responsible development in the floodplain can be complex and may require several iterations between the municipality, the Water Security Agency and the developer. Early engagement with all parties can help ensure common understanding and a smoother review process.
- A municipality can use the regulations to require a hydrology or hydrogeological analysis to be completed by the developer to help determine suitability of development.
- Awareness and education of community members are important in achieving buy-in and compliance. Therefore, a municipality should have some understanding of the knowledge and awareness of local residents and businesses. For example:
  - What percentage of people know if their house or business is located within the municipality's flood hazard area?
  - Are people aware of restrictions on developing in flood hazard areas?

**Council must balance:**

- The benefits to the community of a proposed development or expansion of existing development against risks to human safety, public and private property, increased upstream flooding and increased downstream flooding. In some instances, development can proceed with conditions. In other situations, development cannot proceed in a specified location.

Figure 1: Developing in the Floodplain



If development is permitted in the *flood fringe* portion of the *floodplain*, it must follow certain conditions: development must be flood-proofed and follow additional requirements in this handbook and a municipality’s zoning and building bylaw.

New permanent buildings are not permitted in the *floodway* portion of the floodplain. Existing, seasonal, and passive uses are allowed (e.g. parks, ski trails, access to water bodies).

## What does 1:200 mean and why does Saskatchewan apply that standard?

A 1:200-year flood means that something has an average recurrence interval of 200 years. A 1:200-year flood has a 1 in 200, or 0.5 per cent, chance of being equaled or exceeded in any given year. This does not mean that an area will flood only once every 200 years. Multiple 1:200 floods can happen during a 200-year time span. In fact, certain locations in Saskatchewan have had multiple 1:200-year floods occur within a five-year period.

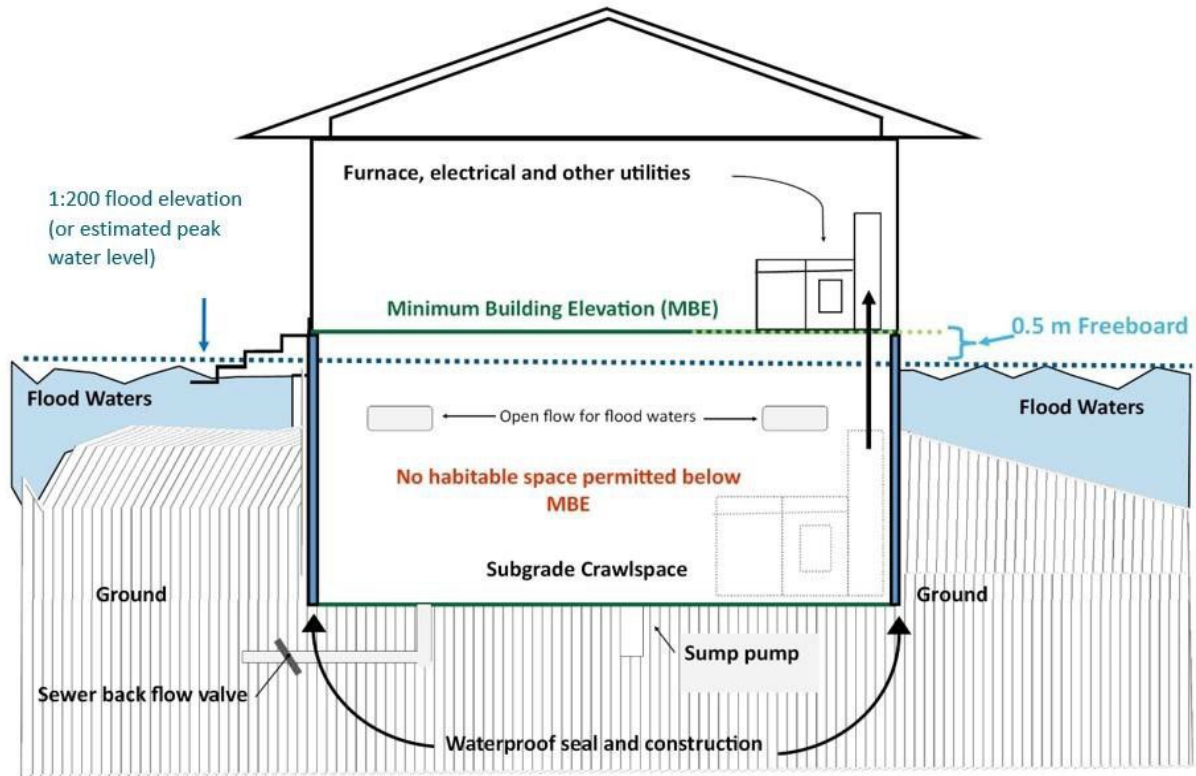
A flood standard is applied to development to protect the health and safety of people and property. A lower standard would allow for more development closer to watercourses and water bodies but would also increase the risk of flooding to people, municipalities and the province. The table below shows the cumulative risk for flooding at various risk levels over a single year, 50 years and 100 years:

Flood event	Probability of flood event occurring in any one year	Probability of flood event at or greater than the flood level at least once in 50 years	Probability of flood event at or greater than the flood level at least once in 100 years
1:2	50%	100%	100%
1:10	10%	99.5%	100%
1:50	2%	63.6%	86.7%
1:100	1%	39.5%	63.4%
1:200	0.5%	22.2%	39.4%

## Saskatchewan Water Security Agency

The Saskatchewan Water Security Agency (WSA) is a Treasury Board Crown corporation that brings together the majority of government's core water management responsibilities in one organization. WSA manages the province's water supply, protects water quality, ensures safe drinking water and treatment of wastewater, owns and manages 72 dams and related water supply channels, reduces flood and drought damage, protects aquatic habitats and provides information about water.

**Figure 2: Minimum Building Elevation**



Placement of off-site fill should be limited to that required for flood-proofing, or flood risk management, in order to minimize displacement.

**For municipalities without floodplain mapping for all or any part of their jurisdiction, municipalities:**

- Must continue to identify potential flood lands in planning documents as per statement 6.7.1 within this chapter
- Must continue to apply statements 6.7.3, 6.7.4, and 6.7.5 for development in the floodway and flood fringe
- Should pursue available funding opportunities to delineate the floodplain, floodway and flood fringe within the municipality
- Should refer any development or building permit proposals within flood-prone areas to the Water Security Agency for comment.

**For municipalities with floodplain mapping, municipalities must:**

- Use this information when drafting planning documents and making planning decisions
- Amend their zoning bylaw to include floodplain maps and use this information when making planning decisions
- **Floodway:**
  - Prohibit new buildings in the floodway in order to allow flood waters to flow freely.
  - Consider redevelopment of existing properties. It is a municipal decision whether to allow redevelopment of existing structures within the floodway. Municipalities may wish to undertake a risk analysis along with a review of existing and future infrastructure requirements. Should redevelopment be permitted, it shall be flood-proofed 0.5 metres above the 1:200 flood elevation.
  - Restrict development in the floodway to existing, seasonal, temporary and passive uses only, such as recreation and open spaces, crop land, parking lots and golf courses.
    - Note: permanent buildings that may be associated with any of the above uses that were not already established are not permitted.
- **Flood fringe:**
  - Unless identified below, only permit development in the flood fringe that is adequately flood-proofed and has a minimum building elevation of 0.5m above the 1:200-year flood elevation. This 0.5m “freeboard” minimizes the risk associated with flood model variations.
    - No habitable space is permitted to be located below the minimum building elevation.
  - Prohibit the following uses in the flood fringe:
    - Residential institutions, such as hospitals, senior citizen homes, homes for special care and similar facilities, where flooding could pose a significant threat to the safety of residents if evacuation became necessary.
    - Agricultural operations where flooding could pose a significant threat to the safety of animals or risk the contamination of water courses if evacuation became necessary.
    - Any use associated with the warehousing or the production of hazardous materials.

### Common Flood-Related Terms

The following are terms not defined in the regulations but whose usage is common and may be of value to municipalities and planners.

“**Freeboard**” typically refers to a vertical distance added to a calculated flood level to accommodate uncertainties and potential for waves, surges and other natural phenomena.

“**Minimum building elevation**” is the minimum level at which development of buildings and additions to buildings may occur and is determined by adding the freeboard to the 1:200 flood elevation.

“**Habitable/living space**” typically means space in a building that is used for living, sleeping, eating, cooking and includes basement recreation and living rooms, bathrooms, closets, halls, storage and utility spaces. Crawlspace and similar areas are not considered habitable space.

## Wet vs. Dry Flood-Proofing

Statement 6.7.4 of the regulations states that a municipality may consider opportunities to redevelop existing properties in the floodway of a 1:200-year flood elevation by flood proofing to an elevation 0.5 metres above the 1:200-year flood elevation.

Statement 6.7.5 of the regulations states that new buildings and additions to buildings in the flood fringe must be flood-proofed to an elevation of 0.5 metres above the 1:200-year flood elevation of any watercourse or water body.

Should a municipality wish to allow development in the floodway or flood fringe, there are two types of flood-proofing available to meet statements 6.7.4 and 6.7.5: dry flood-proofing and wet flood-proofing.

**Dry flood-proofing** involves raising the elevation of the ground around the building so flood waters are diverted around it. This is the method of flood proofing recommended by the Ministry of Government Relations for several reasons:

- Reduced risk to people and property
- In the event of a flood, landowners will not have to actively undertake emergency activities such as sandbagging and/or evacuation
- Reduced emergency measure activities a municipality must undertake should flooding occur
- No long-term enforcement needed
- Potential for reduced municipal liability

**Wet flood-proofing** can be accomplished by:

- Structurally raising the building (e.g. stilts) so that water flows underneath
- Constructing the building with materials that will not be harmed by water and orienting the building so that water flows freely through the structure

Though wet flood-proofing may be suitable in unique circumstances, it should be used with caution. Considerations about wet flood-proofing include:

- All construction and finishing materials that may be under water must be resistant to flood damage.
- There can be no habitable/living space below the minimum building elevation.
- The longer the period of water inundation, the greater risk of damage to the structural integrity of a building.
- Access in the event of an emergency must still be maintained.
- In allowing a wet flood-proofing option, the municipality is committed to a defined level of inspection to ensure ongoing compliance (e.g. no habitable/living space below the minimum building elevation).
- Seek legal advice – failure to adequately enforce a flood standard could create potential liability for the municipality in the event of a flood.

## Planning for Climate Change

### Statement 6.7.9:

“Consider strategies that would avoid, minimize, or mitigate potential impacts a changing climate may have on the community.”

#### What does the municipality need to know?

- **Saskatchewan’s climate change strategy:** Saskatchewan’s climate change strategy, *Prairie Resilience*, outlines commitments and actions across five key areas to make Saskatchewan and its municipalities more resilient to the climatic, economic and policy impacts of climate change.
- **Scale and community variation:** Climate change impacts will vary by community. Therefore, municipalities should understand how shifts in climate patterns may affect them so they can become more resilient.
- **Municipal responsibility:** Municipalities are responsible for many services within their jurisdictions that could be affected by climate change, such as roads, water and sewer utilities, and land use planning. For example, land use intensification over time results in a decrease in permeable landscaping, leading to higher volumes and rates of surface water runoff.
- **Floodplain mapping:** It is an important analytical tool that enables communities to better prepare for floods. Please see statements 6.7.1 and 6.7.6 within this chapter for more information.
- **Public works:** Climate change can have impacts on public works. Additional information about this can be found in statement 6.8.7 within the Public Works chapter.
- **Legislative tools, standards and guidelines:**
  - Flood-proofing is not explicitly addressed in the building code. However, there are CSA standards for the design of new residential areas (CSA W204) and guidelines for existing residential buildings (CSA Z800).
  - There are building standards and acceptable industry practices that address the impacts of climate change on buildings and municipal infrastructure.

Resilience is the ability to cope with, adapt to and recover from stress and change.

#### Council should consider:

- **Strategic planning and risk management.** This may include long-term, strategic decisions to manage risk, such as:
  - Completing a community and vulnerability risk assessment to identify community-specific climate risks. *The Saskatchewan Flood and Natural Hazard Risk Assessment Report* provides a risk matrix example for municipalities.
  - Developing a strategic climate change plan that addresses how climate change impacts will be incorporated across the municipality including flood management and drainage, infrastructure, ecosystems and natural areas, agriculture and food security, and human health and safety.

- Integrate the natural assets of the municipality into the municipality's asset management plan. Taking advantage of a municipality's natural assets can lower costs and reduce risk by creating climate-resilient infrastructure.
- Updating flood hazard maps so development decisions can be based on the best data available, and to reduce risk and liability for the municipality.
- **Partnerships:** Climate change impacts are felt across different scales and climate change projects may require resources that are beyond that of a single municipality alone. Examples of partnerships to coordinate actions and share resources include a neighbouring community(s), a regional watershed association, a climate adaptation group, or a university or local college.
  - See statements 6.3.3 within the First Nations and Métis Engagement chapter and 6.5.3 within the Inter-municipal Cooperation chapter for more information on how municipalities can cooperate with neighbouring communities.
- **Linkages:** Community resilience also includes linking strategic plans and policies to other municipal, regional, provincial, federal and other agency plans.
- **Grant opportunities:** There is a wide variety of grants available that can help municipalities plan for climate change impacts:
  - For example, grants could help municipalities finance strategic organizational plans, upgrade under-capacity drainage infrastructure, or hire a climate change coordinator.
- **Innovation:** Municipalities will be impacted by climate change differently. This variation increases the pool of innovative examples of addressing climate change impacts. Talk with your neighbours about different ways to take advantage of natural infrastructure, new approaches to increasing climate change awareness and action in the community, or budgeting for small pilot projects.
- **Community involvement and education:** Involve the community in the planning phase to increase education, buy-in and action.
- **FireSmart:** Continue to implement the FireSmart program to help residents safeguard their homes and communities by providing tools and information to reduce wildfire risks.

**Planning documents and decisions should:**

- Be guided by climate data and information
- Identify how the climate is expected to change and the types of impacts that climate change could have on municipal services
  - These climate considerations should be integrated across infrastructure plans, wildfire, and flood risk assessments and the municipality's official community plan and zoning bylaw.
- Incorporate green infrastructure policies where appropriate.
  - For example, landscape and design standards that incorporate existing natural topographic features such as natural drainage patterns and wetlands.
- Plan for the maintenance, restoration or enhancement of natural assets in the municipality, such as wetlands, grasslands, riparian areas and forests.
- Enhance policies for drought, fire, floods and other climate change impacts through the municipality's emergency plan.

It is easier and more cost-effective to create sustainable and resilient communities with thoughtful planning than it is to rehabilitate degraded natural systems, build protective infrastructure for vulnerable communities, or attempt to relocate residents or businesses in high-risk areas.

## References

### Relevant Acts, Regulation and Policy

<b>Provincial Acts and Regulation</b>
<i>The Cities Act</i>
<i>The Construction Codes Act</i>
<i>The Dedicated Lands Regulations, 2009</i>
<i>The Emergency Planning Act, 1989</i>
<i>The Environmental Management and Protection Act, 2010</i>
<i>The Fire Safety Act</i>
<i>The Hazardous Substances and Waste Dangerous Goods Regulations</i>
<i>The Highways and Transportation Act, 1997</i>
<i>The Local Improvements Act, 1993</i>
<i>The Municipalities Act</i>
<i>The Municipalities Regulations</i>
<i>The Northern Municipalities Act, 2010</i>
<i>The Northern Municipalities Regulations</i>
<i>The Oil and Gas Conservation Act</i>
<i>The Oil and Gas Conservation Amendment Act, 2011</i>
<i>The Oil and Gas Conservation Regulations, 2012</i>
<i>The Pipelines Act, 1998</i>
<i>The Pipelines Regulations, 2000</i>
<i>The Planning and Development Act, 2007</i>
<i>The Power Corporation Act</i>
<i>The Power Corporation Regulations</i>
<i>The Public Health Act, 1994</i>
<i>The Railway Act</i>
<i>The Saskatchewan Telecommunications Act</i>
<i>The Saskatchewan Telecommunications Fees Regulations</i>
<i>The Saskatchewan Water Corporation Act</i>
<i>The SaskEnergy Act</i>
<i>The SaskEnergy Regulations</i>
<i>The Uniform Building and Accessibility Standards Act</i>
<i>The Uniform Building and Accessibility Standards Regulations</i>
<i>The Health Hazard Regulations</i>
<i>The Wildfire Act</i>
<b>Provincial Policy</b>
<i>FireSmart</i>

### Federal Acts, Regulation and Policy

<i>Canadian Environmental Protection Act, 1999</i>
<i>Environmental Emergencies Regulations, 2019</i>
<i>Firearms Act</i>
<i>National Building Code of Canada</i>
<i>National Fire Code of Canada</i>
<i>Shooting Clubs and Shooting Ranges Regulations</i>

### Relevant Publications and Documents

Title	Author
Building Bylaw Handbook	Ministry of Correction, Public Safety and Policing
Guide to Managing Community Wildfire Risk	Ministry of Environment
Emergency Management and Fire Safety Courses	Saskatchewan Public Safety Agency
FireSmart Resources and Guides	
Land Use Planning and Flood Management	Ministry of Government Relations
Municipal Government Sustainability Self-Assessment Tool	
The Dedicated Lands Handbook	
Saskatchewan Flood and Natural Hazard Risk Assessment	Saskatchewan Research Council
Recommended Set Back and Utility Corridor Requirements	SaskEnergy Incorporated and TransGas Limited
Prairie Resilience: A Made-in-Saskatchewan Climate Change Strategy	Government of Saskatchewan
Climate Data	Government of Canada
Adapting to Climate Change: Introduction for Canadian Municipalities	Natural Resources Canada
Selecting Appropriate Mitigation Measures for Floodprone Structures	Federal Emergency Management Agency (United States)

### Non-government Publications, Resources and Tools

Title	Author	Comment
FireSmart: Protecting your Community from Wildfire	Partners in Protection	Manual that provides best practices and FireSmart principles for municipalities and planners.
Guidelines for New Development in Proximity to Railway Operations	Federation of Canadian Municipalities and the Railway Association of Canada	Detailed guidelines and best practices for municipalities.
Municipal Climate Action Hub	Federation of Canadian Municipalities	A community of practice for climate change adaptation initiatives, including grant opportunities

Guide for local government staff on climate adaptation	Federation of Canadian Municipalities	To help support climate conversations in the municipalities
Flood resilient design of new residential communities (CSA W204)	Canadian Standards Association	Guidance and best practices for municipalities and land owners for safer development in flood risk areas
Guideline on Basement Flood Protection and Risk Reduction (CSA Z800)		
Guide and Workbook for Municipal Climate Action	International Council for Local Environmental Initiatives Canada	A framework to help municipalities create climate change adaptation plans
Climate Resilience Express Action Kit	All One Sky Foundation	Guidance documents designed to develop climate resilience action plans for communities.
Policy on Climate Change Planning	Canadian Institute of Planners	Policy paper for planners, municipalities and other partners.
CIP Model Standard of Practice for Climate Change Planning	Canadian Institute of Planners	Guidebook that provides a flexible framework for municipalities and planners to address climate change.
Climate Change Adaptation Planning (Rural Handbook)	Canadian Institute of Planners	A guidebook for climate change adaptation planning for small communities

### Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Building Standards	Ministry of Government Relations, Building and Technical Standards Branch	Phone: 306-787-4113 Email: <a href="mailto:btstandards@gov.sk.ca">btstandards@gov.sk.ca</a>
Emergency Management, Fire Safety (including FireSmart), Wildfire Management, and 911 Emergency Dispatching	Saskatchewan Public Safety Agency	Phone: 1-800-667-9660 Fax: 306-787-1694
Emergency Management for Spills, HAZMAT, Environmental Emergencies	Ministry of Environment, Environmental Protection Division	Phone: 306-933-7940 Fax: 306-933-8442 Email: <a href="mailto:centre.inquiry@gov.sk.ca">centre.inquiry@gov.sk.ca</a>
Hazard Lands Identification and Management		
<i>Prairie Resilience</i> and the Government's Climate Change Strategy	Ministry of Environment, Climate Change and Adaptation Division	Phone: 306-787-9034 Email: <a href="mailto:delaney.boyd@gov.sk.ca">delaney.boyd@gov.sk.ca</a>

Floodplain Mapping (Not broadly available, select communities only)	Water Security Agency	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Estimated peak water level (EPWL)		
Flood Risk	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>
Public Works Corridors, Easements and Planning	TransGas Limited, Manager Pipeline Engineering	Phone: 306-777-9503 Fax: 306-522-1355 Email: <a href="mailto:publicaware@transgas.com">publicaware@transgas.com</a>
	SaskEnergy Incorporated, Manager Distribution Engineering	Phone: 306-777-9992 Fax: 306-721-9220

## 6.8 Public Works

### Statement of Interest

The province has an interest in safe, healthy, reliable and cost-effective public works to facilitate economic growth, community development, and resilience to extreme weather events.

To assist in meeting the province's public works interests, planning documents and decisions shall, insofar as is practical:

1. Encourage the identification of future corridors, easements and land for public works during the official community plan and/or concept plan stage;
2. Ensure that necessary corridors, easements and land for public works is dedicated during the subdivision and development processes;
3. Locate new public works in areas of compatible land use and ensure new land use is compatible with existing and planned public works;
4. Address the management of local and regional public works assets;
5. Consider the cumulative effects of development on local and regional public works capacity;
6. Consider opportunities for the incorporation of regional energy production and public works; and
7. Consider the impacts of climate change and extreme weather events when planning and locating public works.



Photo credit: Pixabay

## Context

- The sustainability and future success of our communities is directly related to their effective management of core public works services.
- Municipalities face significant challenges related to their infrastructure. These challenges include age, increased cost, and funding.
- Unplanned or uncoordinated development increases the cost of assets and maintenance.
- All levels of government have made significant investments in our public works systems.
- Standards for the quality and safety of public works are continually increasing.
- Many people have expectations for a high level of service provided by provincial, Crown, local and franchise utilities or service providers.
- The availability of local or regional public works and services highly influences the potential for growth in a community and its local economy.
- With a changing climate, Saskatchewan is expected to experience more extreme weather events including an increase in the severity and frequency of droughts and floods, and more intense forest fires.
- Climate change is expected to have an impact on existing and future public works infrastructure. Municipalities are in a unique position to help increase the resilience of their local and regional community through the planning of public works assets.

## Benefits of Good Planning and Policies

- Public works projects can be multi-million dollar investments. Effective planning for and around these projects benefits municipalities, public and private operators, developers, and the general public.
- Separating incompatible land uses can lead to improved safety, effective operation of public works facilities, and reduced nuisances.
- Planning for and managing public works assets can lead to stable, uninterrupted service, predictability for investors, and reduced long-term costs.
- Planning public works with climate change adaptation strategies in mind can reduce the overall economic impact of climate change on these projects.

## Implementation Guidance

- 1. Encourage the identification of future corridors, easements and land for public works during the official community plan and/or concept plan stage.**

### What does the municipality need to know?

- Location of known public works facilities. This information can come from many sources including utility companies, pipeline operators, railway companies, and municipalities themselves.
  - Utility companies, pipeline operators and railway companies may only provide general information to municipalities at the time planning documents and decisions are being prepared and reviewed by council.
  - Infrastructure security and proprietary information may be cited as reasons for not disclosing data for existing or future public works.

- Municipalities are encouraged to use available information when preparing planning documents and reviewing planning decisions.
- Planning for public works projects can impact public and private operators of the facilities, land owners, municipalities, and people who rely on the services.
- The more information a municipality has and makes available through its planning documents, the more the municipality, operators, developers and people will benefit long-term.
- Identifying future utility corridors prior to development maximizes the efficient use of land and should be encouraged where possible.

### What is a Utility Corridor?

A utility corridor is a portion of land containing water, sewer, gas, heat and other utility works.

#### Planning documents *should*:

- Identify existing public works locations or outline a process for requesting this data from appropriate sources (e.g. facility operators);
- Identify future public works locations and infrastructure needs through asset management planning; and
- Consider how existing and future public works infrastructure may affect the suitability of adjacent new development.

#### Planning decisions *should*:

- Utilize available public works information to make informed decisions;
- Consider the impacts public works may have on a development's suitability; and
- Include consultation with utility stakeholders (e.g. utility companies) prior to undertaking development.

## 2. Ensure that necessary corridors, easements and land for public works are dedicated during the subdivision and development processes.

#### What does the municipality need to know?

- Under the Act, "public work" means:
  - (a) Systems for the production, distribution or transmission of electricity;
  - (b) Systems for the distribution, storage or transmission of natural gas or oil;
  - (c) Facilities for the storage, transmission, treatment, distribution or supply of water;
  - (d) Facilities for the collection, treatment, movement or disposal of sanitary sewage;
  - (e) Telephone, cable television or light distribution or transmission lines; or
  - (f) Facilities for the collection, storage, movement and disposal of storm drainage.
- Location and extent of potential future growth areas within the municipality. Such areas may be identified through an official community plan or concept plan.
- Location and extent of new or upgraded public works necessary to service these future growth areas.
- Council can discuss and create a plan for public works requirements with the developer and public utilities during subdivision and development processes.

- The Act allows for municipal utility parcels to be dedicated at the time of subdivision. These parcels, designated as MU on a plan of proposed subdivision, allow land that will contain a public work or public utility to be provided to the municipality at no cost.
- Land dedicated as municipal utility does not count toward municipal reserve requirements for proposed subdivisions.
- Asset management and financial plans should be updated regularly to reflect approved subdivisions and significant development projects.

**Planning *documents* should:**

- Encourage dedication of municipal utility parcels and corridors during subdivision and development processes;
- Prioritize public works renewal projects through asset management strategies;
- Prioritize new public works projects; and
- Include concept plans, where appropriate, for public works owned by public utilities.

**Planning *decisions* should:**

- Consider the capital costs for drainage, sewer, water, recreation, roads and other municipal public works and municipal infrastructure related to a proposal. This should include upgrades, connections to existing services and any land required to contain the works.
  - Council may consider utilizing servicing agreements, development levy agreements and/or direct control development agreements.
- Consider public utility recommendations with respect to corridors and reciprocal buffers.

**3. Locate new public works in areas of compatible land use and ensure new land use is compatible with existing and planned public works.**

**What does the municipality need to know?**

- Issues important to the community.
- Potential impacts of a public works proposal.
- How to mitigate issues, such as noise, light, odour, dust and smoke.
- Required or suggested setbacks or other mitigation measures defined by the public works service provider.
- Location of a public works development proposal relative to:
  - Significant watercourses, water bodies and wetlands;
  - Urban municipalities, rural settlements, provincially designated lands and environmentally sensitive lands and features; and
  - Neighbouring land uses.
- Some public works projects may require permitting from provincial regulatory bodies (e.g. Water Security Agency, Ministry of Environment).
- Government regulators will work with municipalities when responding to requests for minor public works additions.
- National and provincial guidelines and standards for public works will continue to evolve based on emerging scientific information.
- See statement 6.10.1 within the Residential Development chapter for additional information on the compatibility of residential development with other land uses, including sewage treatment and landfills.

- See statement 6.13.1 within the Source Water Protection chapter for additional information on preventing development from compromising water quality.

### **Are Roads Considered “Public Works”?**

Roads are not considered public works under the Act.

However, roads remain an integral part of a community’s infrastructure network. Municipalities can benefit from considering roads and highways at the same time as they consider public works assets in their community or region. Also, it is not uncommon for utility corridors to be planned as part of the road construction process and vice-versa.

#### **Planning *documents* should:**

- Zone areas appropriate for public works development;
- Protect the future use of lands that have been identified for municipal public works in order to preserve suitable lands in a usable state;
- Identify appropriate reciprocal buffers between public works and surrounding land uses;
- Consider the off-site effects of some public works in locating new development and consider appropriate mitigation measures; and
- Consider negative consequences of locating public works corridors or facilities in proximity to residential uses.

#### **Planning *decisions* should:**

- Balance the interest of residents and public works service providers with the goals and objectives of the municipality;
- Encourage solutions that address concerns of residents and public works service providers; and
- Consider appropriate land use buffers when siting solid waste landfills and wastewater lagoons to minimize the negative effects of noise, odour, sight and potential leaching.

#### **4. Address the management of local and regional public works assets.**

##### **What does the municipality need to know?**

- Planning for future public works allows a community to be prepared for government infrastructure programs, particularly inter-municipal projects.
- Asset management plans provide municipalities answers to important questions related to their infrastructure, such as:
  - What do you own or are responsible for?
  - What is it worth?
  - What is its condition and capacity?
  - What does it need?
  - When does it need it?
  - How much is it going to cost to maintain, replace, upgrade or increase service?
- Local governments should develop an asset management plan and corresponding financial plan for the municipality, and reflect strategies and policies from these plans in their planning documents and decision-making.

- Logical progression of development can reduce public works costs for installation and ongoing maintenance, as well as reduce duplication.
- How to utilize tools (e.g. servicing agreements) to capture the capital costs of infrastructure associated with development.
- Availability of provincial and federal funding programs.

**Councils may wish to:**

- Cooperate with neighbouring communities to develop a regional asset management plan.
  - See statements 6.3.3 within the First Nations and Métis Engagement chapter and 6.5.3 within the Inter-municipal Cooperation chapter for more information on how municipalities can cooperate with neighbouring communities.
- Cooperate with neighbouring communities on tax and cost-sharing agreements for services and infrastructure their residents use.
- Prepare a cost benefit analysis and/or infrastructure plan in conjunction with adoption of a new or amendment to an existing official community plan.
  - See section 30.2 and subsection 39(3) of the Act for more information.

**Planning *documents* should:**

- Identify current and forecast future economic, population and demographic trends for the municipality;
- Align policies with any asset management plan in effect for the municipality or region;
- Assess the municipality's public works capacity to project growth allowable before expansion of public works is required;
- Prioritize public works renewal projects;
- Prioritize new public works projects;
- Reflect public utility consultation and feedback;
- Reflect relevant strategies, risk assessments and future demands data derived from existing municipal asset management plans;
- Contain policy supporting the use of servicing agreements or development levies; and
- Address the following items, as appropriate:
  - Water supply and capacity;
    - For example, municipal wells or inter-municipal agreements for potable water.
  - Sewage disposal;
    - For example, lagoons, lift stations and pump out systems.
  - Storm drainage;
    - Approval from the Water Security Agency may be necessary if natural drainage is to be altered.
  - Solid waste collection and disposal;
  - Transportation;
    - For example, all season road access, connectivity, capacity and alternative transportation infrastructure.
  - Capacity, timing and location requirements for gas, power, telephone, cable and other service utilities;
  - Capacity and expansion requirements and timing for schools and other educational services;

- Provision for and location of community or recreation services such as libraries, swimming pools, rinks, arenas, sports fields, parks and pathways; and
- Capacity and range of protective services including fire, police and other emergency services.

**Planning *decisions* should:**

- Ensure the infrastructure needs and service expectations for new development can be financed and managed in existing budgets and asset management plans;
- Follow the asset management plan in effect for the municipality or region according to project priority; and
- Ensure new development pays for itself over the long-term.

**5. Consider the cumulative effects of development on local and regional public works capacity.**

**What does the municipality need to know?**

- Location of existing public works.
- Capacity of existing public works.
- The cost of system upgrades to support additional development.
- Economic, population and demographic trends for the municipality and region to understand future public works needs.
- Public works facilities and future growth areas should be in alignment
- How to utilize tools (e.g. servicing agreements) to capture the capital costs of infrastructure associated with development.
- See statement 6.10.2 within the Residential Development chapter for information on municipal infrastructure and planning of residential development.

**Council may wish to:**

- Invest in the development of an asset management plan for the municipality or region.

**Planning *documents* should:**

- Align policies with any asset management plan in effect for the municipality or region;
- Identify the design capacity for public works, where a lack of capacity may limit growth, such as water, sewer or major arterial road networks;
- Identify the use threshold or timeframe where public works with limited capacity will require expansion to meet growth demands;
- Identify benefits and obstacles to inter-municipal or regional public works infrastructure and capacity building; and
- Include, where practical, concept plans for public works owned by public utilities.
- Consider the operational requirements of public works such as operator certification and environmental considerations. These items can be expanded on in concept or neighbourhood plans.
- Encourage development to only locate in areas of the municipality or region where services and infrastructure can be efficiently provided.

**Planning *decisions* should:**

- Make public works capacity an important factor in decision-making;
- Follow the asset management plan in effect for the municipality or region according to project priority; and
- Ensure new development pays for itself over the long-term.

### **Funding for Municipalities**

Strategic investments in municipal infrastructure play a key role in supporting healthy, dynamic and sustainable communities. Municipalities have access to a number of funding programs to invest in their operations and infrastructure, including:

- Communities in Transition Funding
  - This provides funding assistance to rural municipalities that assume infrastructure liabilities when a village dissolves into a rural municipality.
- Federal Gas Tax Fund
  - The Federal Gas Tax Fund will provide an estimate approximately \$617M over 10 years to help build local municipalities.
- Grants-in-Lieu of Property Taxes
  - Provincial properties are exempt from paying property taxes to municipalities. Since 1998, the province provides grants to municipalities for certain provincial properties equal to what the property tax levy would have been.
- Investing in Canada Infrastructure Program
  - This program will provide nearly \$900M in federal funding for all types of Saskatchewan infrastructure projects until 2028.
- Municipal Revenue Sharing
  - The Government of Saskatchewan provides the equivalent of 0.75 of one full point of the provincial sales tax.
- Northern Capital Grants Program
  - This program provides northern communities with financial assistance to purchase municipal infrastructure and capital assets.
- Northern Water and Sewer Program
  - This program provides funding to northern Saskatchewan communities for new, expansion and upgrading of water and sewer systems.
- Transit Assistance for People with Disabilities Funding
  - Funding is available to support municipalities who offer paratransit services for people with disabilities.

For more information on these and other funding opportunities for municipalities, visit [saskatchewan.ca](http://saskatchewan.ca) or contact the Ministry of Government Relations, Municipal Infrastructure and Finance branch at 306-787-1262 or [infra@gov.sk.ca](mailto:infra@gov.sk.ca) or the Northern Municipal Services branch for information about northern funding programs at 1-800-663-1555.

## 6. Consider opportunities for the incorporation of regional energy production and public works.

### What does the municipality need to know?

- Regional energy production can reduce long-term costs to the municipality for public works.
- Regional energy production projects can foster inter-municipal relationships.
  - See statements 6.3.3 within the First Nations and Métis Engagement chapter and 6.5.3 within the Inter-municipal Cooperation chapter for more information on how municipalities can cooperate with neighbouring communities.

### Planning *documents* should:

- Consider the opportunities and approval criteria for regional and local energy production, such as solar energy or wind power generation;
- Support regional energy production projects, where feasible;
- Include appropriate zoning to accommodate regional energy production projects;
- Contain appropriate development standards and conditions that balance the benefits and risks to the community; and
- Consider the effects of climate change and the inherent benefits of producing local, clean energy.

### Planning *decisions* should:

- Support practical proposals in appropriate development areas; and
- Apply standards and conditions on development permits for regional energy production and public works, when appropriate, to help avoid, minimize or mitigate potential negative impacts from proposed development.

## 7. Consider the impacts of climate change and extreme weather events when planning and locating public works.

### What does the municipality need to know?

- Climate change and extreme weather events are felt across local, regional and international scales and can have devastating effects on a municipality's infrastructure.
- How previous extreme weather events have affected existing public works systems and if any mitigation was undertaken at the time.
- Different communities will have different challenges. Each municipality should understand its own potential vulnerabilities and consider these when planning for its public works.
  - There are many resources available to help municipalities consider climate change impacts in planning for public works (see end of chapter).
- Additional information about planning for climate change can be found within interest area 6.7 – Public Safety.
- *Prairie Resilience* offers examples of provincial actions that increase resilience to climate change in public works projects (within the "Physical Infrastructure" area of the document). This may be a valuable resource to municipalities considering ways to make their communities more resilient to climate change.

### Planning *documents* should:

- Be guided by climate data and information;
- Consider how climate change or extreme weather may impact infrastructure lifespan;
- Encourage the design of public works facilities with capacity to withstand high intensity weather events;
- Incorporate green infrastructure solutions where appropriate;
- Locate infrastructure and emergency facilities away from areas at risk of extreme weather events; and
- Restrict development in areas where supporting infrastructure may be vulnerable to impacts from climate change or extreme weather events.

**Planning *decisions* should:**

- Ensure public works capacity to handle forecasted peak demand; and
  - This could include full neighbourhood build-out and/or an increased frequency of extreme weather events.
- Consider innovative tools, strategies and mechanisms to build resilience to climate change in public works projects.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation
<i>The Cities Act</i>
<i>The Environmental Management and Protection Act, 2010</i>
<i>The Environmental Management and Protection (General) Regulations</i>
<i>The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations</i>
<i>The Hazardous Substances and Waste Dangerous Goods Regulations</i>
<i>The Health Hazard Regulations</i>
<i>The Highways and Transportation Act, 1997</i>
<i>The Local Improvements Act, 1993</i>
<i>The Municipalities Act</i>
<i>The Municipalities Regulations</i>
<i>The Northern Municipalities Act, 2010</i>
<i>The Northern Municipalities Regulations</i>
<i>The Oil and Gas Conservation Act</i>
<i>The Oil and Gas Conservation Regulations, 2012</i>
<i>The Pipelines Act, 1998</i>
<i>The Pipelines Regulations, 2000</i>
<i>The Planning and Development Act, 2007</i>
<i>The Power Corporation Act</i>
<i>The Power Corporation Regulations</i>
<i>The Plumbing Regulations</i>

<i>The Provincial Lands Act, 2016</i>
<i>The Provincial Lands Regulations</i>
<i>The Public Health Act, 1994</i>
<i>The Railway Act</i>
<i>The Saskatchewan Telecommunications Act</i>
<i>The Saskatchewan Telecommunications Fees Regulations</i>
<i>The Saskatchewan Water Corporation Act</i>
<i>The SaskEnergy Act</i>
<i>The SaskEnergy Regulations</i>
<i>The Subdivision Regulations, 2014</i>
<i>The Waterworks and Sewage Works Regulations</i>
<b>Provincial Policy</b>
<i>Easement Policy</i>
<b>Federal Acts, Regulation and Policy</b>
<i>Canada Transportation Act</i>
<i>National Energy Board Act</i>
<i>Railway Safety Act</i>

#### Relevant Publications and Documents

Title	Author
Prairie Resilience: A Made-in-Saskatchewan Climate Change Strategy	Government of Saskatchewan
Drinking Water Information Binder Water Allocation	Saskatchewan Water Security Agency
Municipal Government Sustainability Self-Assessment Tool	Ministry of Government Relations
Recommended Set Back and Utility Corridor Requirements	SaskEnergy Incorporated and TransGas Limited
Starting a Regional Waste Management System in Saskatchewan	Ministry of Environment

#### Non-government Publications, Resources and Tools

Resource and/or Tool	Author	Comment
Infrastructure Resilience Professional Program	Climate Risk Institute and Engineers Canada	Courses for engineers on climate change, risk management and infrastructure development.
<ul style="list-style-type: none"> <li>• Engineering Protocol</li> <li>• Fact Sheet</li> <li>• Training Workshops</li> <li>• Engineering Assessment Reports</li> </ul>	Public Infrastructure Engineering Vulnerability Committee (PIEVC)	Information to assess vulnerabilities of infrastructure to climate change impacts.

Policy on Climate Change Planning	Canadian Institute of Planners	Policy paper for planners, municipalities and other partners.
CIP Model Standard of Practice for Climate Change Planning	Canadian Institute of Planners	Guidebook that provides a flexible framework for municipalities and planners to address climate change.
Climate Change Adaptation Planning (Rural Handbook)	Canadian Institute of Planners	A guidebook for climate change adaptation planning for small communities.
Information on Asset Management	Asset Management Saskatchewan	Variety of resources and training opportunities to improve knowledge and capacity regarding asset management.
Municipal Asset Management Program	Federation of Canadian Municipalities	

### Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Management of Regional Public Works Assets	Ministry of Environment	Phone: 800-567-4224
	Ministry of Highways and Infrastructure, Regional Services Division	Phone: 306-787-4901
	SaskWater Corporation	Phone: 888-230-1111 Fax: 306-694-3207
Water and Wastewater Regulations	Water Security Agency	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Public Works Corridors, Easements and Planning	TransGas Limited, Manager Pipeline Engineering	Phone: 306-777-9503 Fax: 306-522-1355 Email: <a href="mailto:publicaware@transgas.com">publicaware@transgas.com</a>
	SaskEnergy Incorporated, Manager Distribution Engineering	Phone: 306-777-9992 Fax: 306-721-9220
Oil and Gas Pipeline Regulations	Ministry of Energy and Resources	Phone: 855-219-9373 Fax: 306-787-2478
<i>Prairie Resilience</i> and the Government's Climate Change Strategy	Ministry of Environment, Cumulative Impacts and Science Branch	Phone: 306-787-9034 Email: <a href="mailto:delaney.boyd@gov.sk.ca">delaney.boyd@gov.sk.ca</a>
Infrastructure Funding Programs	Ministry of Government Relations, Municipal Infrastructure and Finance Branch	Phone: 306-787-1262 Email: <a href="mailto:infra@gov.sk.ca">infra@gov.sk.ca</a>
Funding Programs for Northern Communities	Ministry of Government Relations, Northern Municipal Services Branch	Phone: 800-663-1555 Fax: 306-425-2401

## 6.9 Recreation and Tourism

### Statement of Interest

The province has an interest in supporting a high quality of life for Saskatchewan's citizens and visitors by providing and actively promoting recreation and tourism opportunities.

To assist in meeting the province's recreation and tourism interests, planning documents and decisions shall, insofar as is practical:

1. Consider the development of regional open space, leisure and tourism opportunities;
2. Identify local and regional landscapes that are suitable for open space, leisure and tourism opportunities;
3. Support access to unoccupied Crown lands and provincial forests for recreation, tourism, hunting and fishing;
4. Identify the future open space and recreation needs of the community and a broad strategy to meet those needs; and
5. Consider development impacts on existing or planned recreational and tourism areas.



Photo credit: Paul Austring, Tourism Saskatchewan

## Context

- There are close to 200 different areas of designated provincial park land in Saskatchewan, comprising approximately 1.2 million hectares. This includes provincial parks, historic sites, protected areas and provincial recreation sites.
- There are close to 100 locally-managed regional parks in Saskatchewan.
- Municipalities designate, manage and maintain municipal, public and environmental reserves in their jurisdictions as a service to their local and regional community.
- Sport and recreation events contribute to the economy of Saskatchewan communities.
- Tourism supports tens of thousands of jobs and is Saskatchewan's fourth largest export industry.

## Benefits of Good Planning and Policies

- Recreation and tourism opportunities are essential to the quality of life and the vitality of local and regional communities.
- Sport and recreation events contribute to both the economy of Saskatchewan communities and the social well-being of its residents.

## Implementation Guidance

### 1. Consider the development of regional open space, leisure and tourism opportunities.

#### What does the municipality need to know?

- Location of existing open space, leisure and tourism opportunities within the municipality and region.

#### Council may wish to consider:

- Discussing existing opportunities with regional neighbours, community groups, and residents to identify potential gaps;
- How regional recreational services could work in response to any identified service gap; and
- The development of open space, leisure and tourism opportunities for their region, including a cost sharing strategy between regional partners. This could reduce the cost for individual municipalities.

#### Planning *documents* should:

- Encourage inter-community partnerships which provide for regional open space, leisure and tourism opportunities.

#### Planning *decisions* should:

- Support regional scale opportunities as a method of reducing costs for individual municipalities and increasing the quality of services provided.

## 2. Identify local and regional landscapes that are suitable for open space, leisure and tourism opportunities.

### What does the municipality need to know?

- Location of areas or landscapes which have value as open space and/or provide for leisure and tourism.

### Council may wish to consider:

- Discussing the opportunity to connect recreation areas with regional partners.

### Planning *documents* should:

- Contain policies regarding the use of dedicated lands;
- Identify landscapes with the potential for local or regional recreation, leisure or tourism, natural landscapes, pathway systems and rest stops along river or lake systems;
- Outline appropriate development standards for open space, leisure and tourism opportunities; and
- Ensure recreational opportunities are safe, healthy and minimize unnecessary public cost.

### Planning *decisions* should:

- Ensure new development is in accordance with dedicated lands policies and requirements;
- Consider local and regional opportunities for recreation facilities to serve new developments; and
- Incorporate appropriate development standards for active and passive recreational sites and tourism venues to address issues such as access management, environmental sensitivity, ecosystem capacity, potential hazards and the preservation of cultural and heritage resources.

## 3. Support access to unoccupied Crown lands and provincial forests for recreation, tourism, hunting and fishing.

### What does the municipality need to know?

- The location and condition of developed access to Crown land.
- Closure of undeveloped road allowances, which provide access to Crown land resources, can impact access to these lands.
- Any changes to how Crown land is accessed should be discussed with neighbouring communities, including First Nation and/or Métis communities.
  - Additional information on engaging First Nation and Métis communities can be found in interest area 6.3 – First Nations and Métis Engagement.
- Statement 6.15.3 within the Community Health and Well-Being chapter provides additional information on access to natural environments and dedicated lands.

### Planning *documents* should:

- Allow public access to and use of Crown lands and provincial forests for appropriate recreational purposes.

### Planning *decisions* should:

- Consider any likely impacts to public recreation, tourism, hunting and fishing uses on Crown lands and provincial forests when reviewing development proposals on adjacent lands;
- Consider the impact, if any, on public recreation, tourism, hunting and fishing uses on Crown lands and provincial forests when contemplating access closure or removal; and
- Allow for public access, including barrier-free access where practical, to public recreation areas and provincial watercourses or water bodies.

**4. Identify the future open space and recreation needs of the community and a broad strategy to meet those needs.**

**What does the municipality need to know?**

- A community's recreation needs can be broad and may include parks, green space, sports facilities, or community buildings.
- Location of local and regional open space, leisure and recreation opportunities.
- Condition and operating costs of existing local and regional facilities.
- The economic, population and demographic trends for the municipality and region, and how those may impact future open space and recreation needs and the resources necessary to fund them.
  - Statement 6.5.3 within the Inter-municipal Cooperation chapter may provide some additional information on inter-municipal partnership opportunities.
- What open space and recreation services their residents use, where they are located, and what it costs to operate and maintain them.
- Dedicated lands (e.g. municipal reserve) can help a municipality meet its open space and recreation needs.
  - The Act requires most subdivisions to contribute a portion of the subdivision area as municipal reserve or contribute money-in-lieu of land to the municipality.
- A municipality is required to have a dedicated lands account by *The Dedicated Lands Regulations, 2009* and the Act.
  - This account holds money from the sale, lease, or sublease of dedicated lands as well as money received in lieu of dedication of land.
  - There are a limited number of potential uses for funds in this account. Detail can be found in *The Dedicated Lands Regulations, 2009* and the Act.

**Council may wish to consider:**

- This statement in tandem with statement 6.15.3 within the Community Health and Well-Being chapter.
- How new development fits with the community's open space and recreation needs;
- Developing a municipal reserve contribution policy or framework;
- Investing in the development of a recreation master plan for the municipality or region;
- Financing open space and recreation services with regional neighbours; and
- Developing or updating an asset management plan to account for future recreation service requirements and create a strategy to finance these future services.
  - See statement 6.8.4 within the Public Works chapter for more information on asset management plans.

**Planning documents should:**

- Provide for the inclusion of passive or eco-tourism opportunities, such as pathway systems for public use and access;
- Reflect current and future economic, population and demographic trends for the municipality and region;
- Align policies with any previously adopted recreation master plan;
- Include policies regarding the dedication of municipal reserve or collection of money-in-lieu of reserve funds during the subdivision process;
- Outline how dedicated lands are to be used and managed; and
- Provide direction as to how funds within the municipality's dedicated lands account will be utilized, including if it will be distributed inside or outside the municipality.

**Planning *decisions* should:**

- Be consistent with municipal goals and policies regarding open space and recreation; and
- Ensure developers dedicate a portion of the subdivision area as dedicated land or contribute money-in-lieu of land to provide open space and recreation opportunities for the community.

**5. Consider development impacts on existing or planned recreational and tourism areas.**

**What does the municipality need to know?**

- Construction methods and practices for projects adjacent to existing recreation and tourism areas (e.g. noise, light, odour, dust and sediment runoff during construction);
- Operational impacts from development (e.g. issue of on-going noise, light, odour and dust pollution); and
- Developments producing significant offsite impacts, such as noise, light, odour, dust and traffic may be incompatible with open space, recreational lands and tourism venues.

**Planning *documents* should:**

- Ensure that land uses adjacent to open space, recreational lands and tourism venues will not reduce or limit the enjoyment or use of these lands for recreation or tourism purposes;
- Protect, where necessary, recreational lands that have been identified by the province as being critical or threatened, containing endangered plants or animals, or having significant cultural or heritage resources or natural features; and
  - Additional information on the conservation of landscapes and ecosystems can be found in interest area 6.2 – Biodiversity and Natural Ecosystems.
  - Additional information on protecting cultural or heritage resources can be found in interest area 6.4 – Heritage and Culture.
- Encourage development that may impact the use and enjoyment of open space, recreational lands and tourism venues to locate elsewhere in the municipality or region.

**Planning *decisions* should:**

- Consider the initial and ongoing impacts from development on adjacent open space, recreational lands and tourism venues.
- Consider utilizing development standards or conditions on development permits to address potential negative impacts such as noise, light, odour, dust or traffic.
  - Examples include buffers, screens, setbacks, luminance controls, or defined operating hours/seasons.
- Address on-site and off-site stormwater retention and management for industrial, commercial and large-scale agricultural and residential applications to minimize the impact on adjacent open space, recreational lands and tourism venues.
  - Information on public works, including storm drainage, can be found within interest area 6.8 – Public Works.
  - Additional information on how to protect source water from risk of contamination from stormwater can be found in section 6.12.1 of the Shore Land and Water Bodies chapter.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation
<i>The Dedicated Lands Regulation, 2009</i>
<i>The Parks Act</i>
<i>The Parks Regulations, 1991</i>
<i>The Planning and Development Act, 2007</i>
<i>The Regional Parks Act, 2013</i>
<i>The Regional Parks Regulations, 2015</i>
<i>Wakamow Valley Authority Act</i>
<i>Meewasin Valley Authority Act</i>
<i>The Provincial Capital Commission Act</i>
<i>The Recreation Sites Regulations, 1991</i>
Federal Acts, Regulation and Policy
<i>Canada National Parks Act</i>

### Relevant Publications and Documents

Title	Author
Tourism Initiatives	Tourism Saskatchewan
Various topics related to Saskatchewan’s provincial and regional parks	Ministry of Parks, Culture and Sport, Parks Division
Various topics related to sport and recreation in Saskatchewan	Ministry of Parks, Culture and Sport
The Dedicated Lands Handbook	Ministry of Government Relations, Community Planning Branch

### Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Provincial and Regional Parks	Ministry of Parks, Culture and Sport, Parks Management Services Branch	Phone: 306-787-0745 Fax: 306-787-0069
Regional Parks	Saskatchewan Regional Parks Association	Phone: 306-975-0857
Sport and Recreation	Ministry of Parks, Culture and Sport, Stewardship Division, Sport, Culture and Recreation Branch	Phone: 306-787-5877 Fax: 306-787-3177
Tourism	Tourism Saskatchewan Communications	Phone: 306-787-9600 Fax: 306-787-6293
Dedicated Lands	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>

## 6.10 Residential Development

### Statement of Interest

The province has an interest in citizens having access to a range of housing options to meet their needs and promote independence, security, health and dignity for individuals, enhancing the economic and social well-being of communities.

To assist in meeting the province's residential development interests, planning documents and decisions shall, insofar as is practical:

1. Locate residential development to be compatible with other land uses;
2. Make best use of existing municipal infrastructure when planning residential development;
3. Identify existing and future residential needs of the community along the entire housing continuum; and
4. Allow for a range of housing options appropriate for development in the community.



Photo credit: Government of Saskatchewan

## Context

- Shelter is a basic human need. It is important for residential development and planning decisions to comply with *The Saskatchewan Human Rights Code*.
- Almost one quarter of the people in Saskatchewan report having a disability, a number that continues to grow.
- The needs of many communities will change as the demographics of their residents evolves;
- Ideally, all Saskatchewan people will have access to homes that meet their present and future needs.
- Access to appropriate housing is directly affected by supply and affordability.
- Residential land uses are infrastructure intensive.
- Residential land uses create long-term development patterns which must be planned strategically to ensure diversity and cost effectiveness.
- Private sector investment for residential development should be encouraged to continue meeting market demand for housing growth.

## Benefits of Good Planning and Policies

- Housing benefits everyone. A range of housing options in a community can help:
  - Improve the health, safety and well-being of people;
  - Municipalities respond to different ages and needs of residents; and
  - Make communities be inclusive and welcoming for everyone.

## Implementation Guidance

### 1. Locate residential development to be compatible with other land uses.

#### What does the municipality need to know?

- Many forms of development are compatible with residential development and can provide co-benefits when located in proximity.
- Residential development can preclude certain forms of development from locating in proximity to it.
  - See interest area 6.1 – Agriculture and Value-Added Agribusiness for more information on how to reduce conflicts between agricultural and residential uses.
- Expectations of the community for future residential development.
- Potential impacts of residential development proposals on affordability and infrastructure requirements.
- Real and perceived land use compatibility concerns from the community.
- Consistent planning policies and procedures throughout a region can benefit developers.
- New residential development should be consistent with the existing character of the neighbourhood or area of the municipality.
  - Concept plans, outlined in section 44 of the Act, are one way a municipality can achieve consistency for a defined geographic area.

### **The Water Security Agency:**

- Has established setbacks for the development of sewage treatment facilities from residential development.
  - *The Subdivision Regulations, 2014* state that new residential subdivisions must locate a minimum of 457 metres (1,500 feet) from sewage treatment facilities.
- Oversees water allocation licensing in Saskatchewan.
- Has requirements for water and sewage works developers should be aware of.

### **The Ministry of Environment:**

- Has established setbacks for the development of landfills from residential development.
  - *The Subdivision Regulations, 2014* state that new residential subdivisions must locate a minimum of 457 metres (1,500 feet) from landfills.
- Has requirements for landfills developers should be aware of.

### **Planning documents should:**

- Direct future residential development to suitable locations in the municipality.
  - Residential development that is incompatible with existing or planned areas for other land uses should be encouraged to locate elsewhere in the municipality.
  - Planning documents should contain policies that specify locations for both residential and other land uses.
- Allow for multiple residential zones.
  - Often, these are based on characteristics such as density, height, site coverage and property line setbacks.
- Ensure that bylaws allow for the inclusion of various types of housing, such as group care homes, social housing and halfway housing, where compatible.
  - See statements 6.10.4 within this chapter and 6.15.6 within the Community Health and Well-Being chapter for more information on providing opportunities for various housing options and facilities needed in the community and region.
- Identify non-residential land uses that are appropriate for mixed use development in predominantly residential areas.
- Introduce uses into existing residential areas that are well-matched with residential development.

### **Planning decisions should:**

- Discourage residential development in areas that are predominantly comprised of industrial, commercial or agricultural uses.
- Discourage residential development in areas where natural hazards or human threats present a concern for the safety of people or property.
  - See chapter 6.7 – Public Safety for more information about areas that are unsuitable for residential development due to hazards.
- Encourage a mix of appropriate land uses in areas to provide a range of commercial and residential options.
  - See statement 6.15.1 within the Community Health and Well-Being chapter for more information about designing complete communities.
- Preserve open space, farmland, natural beauty and important environmental areas.

- Encourage consultation with responsible agencies to ensure adequate buffer zones for sewage works and landfills are established and achieved.
- Ensure new residential development is compatible with existing and planned land uses.

## **2. Make best use of existing municipal infrastructure when planning residential development.**

### **What does the municipality need to know?**

- Location of existing public works.
- Capacity of existing public works.
- The cost of system upgrades to support additional development.
- Development may have an impact on the provincial highway network (e.g. access points). Consultation with the Ministry of Highways may be required.
- How to utilize tools (e.g. servicing agreements) to capture the capital costs of infrastructure associated with development.
  - See chapter 6.8 – Public Works for more information about infrastructure.

### **Council may wish to consider:**

- Financing upgrades to public works as part of the planning process;
- How emergency services including fire protection will be provided to new residential development;
- Working with regional neighbours on how to finance infrastructure that may serve multiple communities;
- Coordinating development with neighbouring communities to maximize municipal infrastructure;
- Determining and incorporating the true cost of infrastructure for growth and development to encourage long-term fiscal sustainability; and
- Preparing a cost benefit analysis and/or infrastructure plan in conjunction with adoption of a new or amendment to an existing official community plan.
  - See section 30.2 and subsection 39(3) of the Act for more information.

### **Planning documents should:**

- Encourage an orderly progression of development in areas planned for residential growth.
- Include water, sewer and solid waste collection and disposal methods for new development.
- Provide opportunities for adaptive re-use of buildings for residential development.
- Consider setting and implementing minimum targets for residential intensification in existing neighbourhoods.
- Provide the opportunity for innovative and/or compact building design, where services are appropriate.
- Encourage accessible neighborhoods to minimize the dependence on vehicular transportation.
  - See statements 6.15.1 and 6.15.2 within the Community Health and Well-Being chapter for more information about designing healthy, complete and accessible communities that meet the needs of all people.

- Promote higher density development that makes multiple modes of transportation viable in the community, such as transit, cycling, barrier-free walkways and private vehicle use.
  - See statement 6.14.4 within the Transportation chapter for more information about alternative transportation methods.
  - See statement 6.15.4 within the Community Health and Well-Being chapter for more information about active transportation.

**Planning *decisions* should:**

- Consider the capacity and efficient use of public works when determining residential growth patterns and phasing of residential growth;
- Correlate public works planning and capacity with residential development and phasing policies; and
- Encourage new or infill residential development that increases residential density where public works capacity and facilities exist.

**3. Identify existing and future residential needs of the community along the entire housing continuum.**

**What does the municipality need to know?**

- Economic, population and demographic trends for the municipality and region to understand existing housing needs and forecast future housing needs.
- Responding to the residential needs of the community can sometimes be urgent.

**The Saskatchewan Housing Corporation:**

- Uses data from the Canadian Mortgage and Housing Corporation, Statistics Canada and their own Small Communities Rental Market Survey to understand existing housing needs and forecast future housing needs; and
- Uses the housing continuum below in the Housing Strategy for Saskatchewan:



**Council may wish to consider:**

- Maintaining an inventory of locations where the various needs identified in the housing continuum can locate to help improve predictability for these developments. This could involve:
  - Making the housing options in the continuum permitted uses; and
  - Maintaining a list of locations with sufficient servicing capacity for them.

**Planning *documents* should:**

- Identify appropriate residential growth areas to guide private investment;
- Allow for the development of various types of residential housing to meet the economic, social, and health needs of current and future residents;
- Coordinate housing policies with economic development and community revitalization strategies; and
- Support the development of a regional housing strategy with neighbouring communities.

**Planning *decisions* should:**

- Encourage the development of various types of residential housing reflective of anticipated economic, population and demographic trends; and
- Coordinate with other municipalities in the region to better assess need and entice private investment.
  - See statement 6.5.3 within the Inter-municipal Cooperation chapter for more information on how regional partners can work together on issues of common interest.
  - See interest area 6.16 – Economic Growth for more information on steps municipalities can take to facilitate development opportunities.

**4. Allow for a range of housing options appropriate for development in the community.**

**What does the municipality need to know?**

- The range of housing needs in a community is related to economic, population and demographic trends of the municipality and surrounding region.
- A diverse demographic within a neighbourhood can extend the lifecycle of the neighbourhood and support generations of families.
- A community with a diverse mix of housing options provides more options for people to seek appropriate housing. This helps make the community more inclusive.
  - For example, a range of housing options better allows people to age within the community.
- Some proposed housing developments can produce neighbourhood-level concerns that may need to be addressed through the planning process.

**Council may wish to consider:**

- Adopting policy on the importance of accessibility and inclusion and council's commitment to achieving it through planning.
- Finding ways to engage with any demographics who may be under-represented in the planning process. This can include but is not limited to seniors, people with disabilities, and those who are vulnerable or at-risk.

- For example, this could mean specifically seeking under-represented groups to participate in the development of housing policy.
- Developing an engagement strategy that can be used to proactively communicate the benefits and intent of new developments.
- Consider opportunities for partnership with the private, non-profit and other public sector organizations to expand housing stock.
- Consider opportunities for multi-unit housing development for infill and non-residential sites.

**Planning *documents* should:**

- Encourage various types of residential development in new and existing residential areas of the community, including higher density forms of residential development.
- Encourage mixed use and mixed income communities. This can diversify residential populations and create inclusive neighbourhoods. For example, this could include:
  - A mix of residential zoning districts within a concept plan or neighbourhood;
  - Supporting a variety of living options, including congregate and supportive housing; and
  - Accommodating emergency or transitional housing for at-risk groups.
- Encourage the development of energy and water efficient housing.
- Include a range of residential development options as permitted uses.
- Include clear development standards and criteria for residential development options that are discretionary uses.
- Allow for secondary suites within existing and new residential developments, where appropriate;
- Provide for higher density developments, as infill or new development.
- Address the housing needs of seniors, people with disabilities, and those who are vulnerable or at-risk.
  - For example, for people with disabilities, this could be done by encouraging barrier-free residential development and adopting accessible-friendly sidewalks, curb-cuts, street-crossings and parks.
  - For example, for seniors, this could mean building neighbourhoods with mixed uses, densities that support sufficient access to public transit or flexible standards within zoning districts that accommodate a variety of care options (e.g. laneway suite).
  - See statement 6.15.2 within the Community Health and Well-Being chapter for more information on accessible housing and accessible communities.
  - See statement 6.15.6 within the Community Health and Well-Being chapter for more information on providing opportunities for various types of housing and facilities.

**Planning *decisions* should:**

- Be consistent with goals and objectives of the municipality; and
- Be made after consideration of all community viewpoints.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation
<i>The Planning and Development Act, 2007</i>
<i>The Saskatchewan Housing Corporation Act</i>
<i>The Saskatchewan Housing Corporation Regulations</i>
<i>The Saskatchewan Human Rights Code</i>
<i>The Subdivision Regulations, 2014</i>
Provincial Policy
<i>A Strong Foundation – The Housing Strategy for Saskatchewan</i>
<i>The Saskatchewan Housing Action Plan 2019 – 2022</i>
Federal Acts, Regulation and Policy
<i>National Housing Act</i>
<i>2017 Saskatchewan National Housing Strategy</i>

### Relevant Publications and Documents

Title	Author
Range of data, reports and fact sheets including information on accessible and adaptable housing	Canada Mortgage and Housing Corporation
Homelessness Partnering Strategy	Human Resources and Skills Development Canada
Links to various housing publications	Ministry of Social Services
Housing Initiatives	Saskatchewan Housing Corporation
Building Standards and the Code	Saskatchewan Human Rights Commission
Community Profiles	Statistics Canada
Buffer Zones Criteria for Developments in Proximity to Sewage Treatment Facilities in Saskatchewan, EPB 415	Water Security Agency, Environmental and Municipal Management Services
Parallel Growth Policy: Assisting Infrastructure Growth in Saskatchewan EPB 417 (Drinking Water Information Binder)	
Drinking Water Information Binder	Water Security Agency
Water Allocation	

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Landfills, Transfer Stations, Industrial Facilities, Impacted Sites, Hazardous Substances and Waste Dangerous Goods	Ministry of Environment, Inquiry Centre	Phone: 1-800-567-4224 Email: <a href="mailto:centre.inquiry@gov.sk.ca">centre.inquiry@gov.sk.ca</a>
Accessible Buildings, Including Barrier-Free Design	Ministry of Government Relations, Building and Technical Standards Branch	Phone: 306-787-4113 Email: <a href="mailto:btstandards@gov.sk.ca">btstandards@gov.sk.ca</a>
Affordable Home Ownership Program (AHOP)	Saskatchewan Housing Corporation	Phone: 306-933-6291 Toll Free: 1-866-245-5758 Email: <a href="mailto:AHOP@gov.sk.ca">AHOP@gov.sk.ca</a>
Rental Construction Incentive (RCI)	Saskatchewan Housing Corporation	Phone: 306-933-6291 Toll Free: 1-866-245-5758 Email: <a href="mailto:RCI@gov.sk.ca">RCI@gov.sk.ca</a>
Encouraging Community Housing Options (ECHO) Program	Saskatchewan Housing Corporation	Phone: 306-787-4177 Toll Free: 1-800-667-7567 Email: <a href="mailto:ECHO@gov.sk.ca">ECHO@gov.sk.ca</a>
Secondary Suite Program	Saskatchewan Housing Corporation	Phone: 306-787-4177 Toll Free: 1-800-667-7567
Headstart on a Home	Westcap Management Limited, Crown Investments Corporation	Phone: 306-652-5557 Fax: 306-652-8186 Web: <a href="http://www.headstartonahome.ca">www.headstartonahome.ca</a>
Human Rights and Land Use Planning, Including Accessible Communities, Housing and <i>The Saskatchewan Human Rights Code</i> – Business Help Line	Saskatchewan Human Rights Commission	Phone: 306-933-5952 Toll Free: 1-800-667-9249 Fax: 306-933-7863 Email: <a href="mailto:shrc@gov.sk.ca">shrc@gov.sk.ca</a>
Accessibility Legislation	Ministry of Social Services, Disability Programs	Phone: 306-798-0660 Toll Free: 1-877-915-7468 TTY: 306-787-7283 Email: <a href="mailto:accessiblesk@gov.sk.ca">accessiblesk@gov.sk.ca</a>
Drainage	Water Security Agency	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Development in Proximity to Sewage Lagoons, Drinking Water Information	Water Security Agency, Environmental and Municipal Management Division	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Water Allocation	Water Security Agency, Water Programs and Services Division	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>

## 6.11 Sand and Gravel

### Statement of Interest

The province has an interest in ensuring sand and gravel resources are accessible for development.

To assist in meeting the province’s sand and gravel interests, planning documents and decisions shall, insofar as is practical:

1. Ensure that sand and gravel development is compatible with existing and planned land uses;
2. Ensure that sand and gravel development is operated with minimal disturbance to the environment and aquifers;
3. Require that future reclamation of the sand and gravel development be addressed during the development permit approval stage; and
4. Include sand and gravel development as a permitted or discretionary land use in each rural municipality.



Photo credit: Government of Saskatchewan

## Context

- Accessible sand and gravel is a valuable resource essential to the construction of infrastructure, public works, residential development and places of business.
- Gravel locations are also aquifer recharge areas.
- If not properly managed, the extraction of some sand and gravel resources can lead to negative effects on surface water, groundwater, drainage patterns, soil and slope stability, air quality, plant life, wildlife habitat and rare or endangered species.
- The appearance and standards of operation of sand and gravel developments is an important concern to surrounding residents and landowners.
- Surface rights and mineral rights are not always owned by the same entity, and diverse Crown/freehold ownership is likely.
- Sand and gravel is a surface material, not a mineral resource under *The Crown Minerals Act*. As a result, sand and gravel are the properties of the surface owner.
  - When a private person owns the surface, that person owns the sand and gravel.
  - When the Crown owns the surface, the sand and gravel rights are administered either by the Ministry of Environment or the Ministry of Agriculture.
- See section 7 – Glossary for the definition of sand and gravel.

## Benefits of Good Planning and Policies

- Proactive and effective planning for sand and gravel can help ensure access to this valuable resource, reduce future land use conflicts and ensure protection of the environment.

## Implementation Guidance

### 1. Ensure that sand and gravel development is compatible with existing and planned land uses.

#### What does the municipality need to know?

- Location of existing and potential sand and gravel sites to ensure compatibility with current and future development.
- Location of a sand and gravel development proposal relative to:
  - Significant watercourses, water bodies and wetlands;
  - Urban municipalities, rural settlements, provincially designated lands and environmentally sensitive lands and features; and
  - Neighbouring land uses.
- Potential impacts of sand and gravel developments.
- How long sites will remain in operation.
- Proposed hauling routes.
- Options for how to mitigate issues such as noise, light, odour, dust, smoke and traffic. Both the issues and the appropriate measures to mitigate them will vary depending on the specific project.
- Sand and gravel developments may create hazardous terrain conditions. Fencing of the extraction site should be considered in the context of the local area and surrounding land uses.
- If a sand and gravel development is proposed on Crown land, the Ministry of Environment or Ministry of Agriculture may require an exploration permit, small quantity permit or lease for the area to be accessed or developed.

**Planning *documents* should:**

- Include appropriate development standards for the establishment, operation and reclamation of lands used for sand and gravel development.
- Encourage mitigation of noise, light, odour, dust, smoke and traffic.
- Ensure roadways within the hauling route are developed sufficiently to accommodate increased use and vehicle weight. A municipality has several options to ensure roadways can accommodate the needs of a development. These include:
  - Servicing agreements entered into at the time of subdivision;
  - Development levy agreements entered into in concurrence with the issuance of a development permit; and
    - Note: this option is only available if the municipality has adopted a Development Levy Bylaw pursuant to the Act. Municipalities are encouraged to utilize servicing agreements which, provided subdivision is occurring, has no such restrictions; and
  - Road maintenance agreements (this process is outlined by *The Municipalities Act* and current road maintenance agreement rates are available on [saskatchewan.ca](http://saskatchewan.ca)).
- Regulate hours of operation.
- Consider screening of sand and gravel development from nearby residential uses and transportation routes through the use of landscaping, tree plantings or strategic placement of overburden and appropriate phasing of extraction.
- Require safety measures, such as fencing and signage.
- Require environmental protection measures for the release of contaminants, such as oil and other hydrocarbons.

**Planning *decisions* should:**

- Balance the interest of residents and developers against the goals and objectives of the municipality;
- Discourage new development that will conflict with existing sand and gravel development and known expansion areas;
- Identify reciprocal buffers between sand and gravel development and other, potentially incompatible uses, such as residential and institutional, as well as urban municipality boundaries;
- As conditions of development permit approval, address appropriate development standards for the establishment, operation and reclamation of lands used for sand and gravel development; and
- Highlight applicable environmental requirements to ensure compliance and protect valuable aquifer recharge areas.

**2. Ensure that sand and gravel development is operated with minimal disturbance to the environment and aquifers.**

**What does the municipality need to know?**

- Location of water sources, water bodies and drainage channels within the municipality and surrounding region.
- Location of known sand and gravel deposits.

- Potential impacts to surface water, groundwater, drainage patterns, soil and slope stability, erosion and sediment control, plant life, wildlife habitat, rare or endangered species and air quality.
- Erosion and sediment control measures being used to mitigate impacts from removing sand and gravel from the soil.
- Where a sand and gravel development is proposed within 90 metres of a watercourse or waterbody, the application should be referred to the Aquatic Habitat Protection unit of the Water Security Agency. An Aquatic Habitat Protection Permit may be required.
- Where a sand and gravel development is proposed within the Provincial Forest or the Northern Saskatchewan Administration District, the application should be referred to the Fish, Wildlife and Lands branch of the Ministry of Environment. A permit may be required.
- Potential threats to aquifers and/or waterbodies from sand and gravel operations, such as hydrocarbon spills.

**Planning *documents* should:**

- Address stormwater management.
  - Require the developer to provide a stormwater management plan, prepared by a qualified professional, with their development permit application.
- Where a sand and gravel development is proposed within the vicinity of a municipal water source, planning bylaws should require that an application be accompanied by appropriate hydrological studies and outline necessary mitigation measures.
- Establish a process for communicating with and involving affected parties that can be followed during the development permit process.
  - For example, this could include the Water Security Agency, the Ministry of Environment, neighbouring communities, and neighbouring land owners.

**Planning *decisions* should:**

- Consider the stormwater management plan to ensure neighbouring land uses will not be negatively impacted by the alteration of existing drainage patterns.
- Consider the results of a hydrological study which identifies potential impacts to any local aquifers to protect municipal water sources.
- Locate sand and gravel development 90 metres from watercourses or water bodies where run-off or erosion has the potential to compromise water quality or damage ecological resources.
  - In certain cases, this distance may be reduced. This is based on topography and is determined in consultation with the Aquatic Habitat Protection unit of the Water Security Agency.

**3. Require that future reclamation of the sand and gravel development be addressed during the development permit approval stage.**

**What does the municipality need to know?**

- Reclamation is necessary following the closure of a sand and gravel operation.
- The developer should be responsible for reclaiming sites to a state that is environmentally and ecologically viable and suitable for all other uses permitted under the municipality's zoning bylaw.
- The state of the reclaimed site should meet or exceed the state it was in prior to development occurring.
- A reclamation plan should be developed as part of the initial development permit application.

**Planning documents should:**

- Require an operation and reclamation plan addressing:
  - Clearing and disposal of vegetation;
  - Stripping and conservation of topsoil;
  - Placement of overburden material;
  - Phasing of extraction;
  - Phasing of remediation;
  - Storage of extracted materials;
  - Final grading of the pit face and other slopes to no steeper than 4:1;
    - Slopes should be rehabilitated to become part of the surrounding topography and local conditions; and
    - Slopes should be protected during and after construction to control slope instability and reduce erosion potential;
  - Reapplication of salvaged topsoil;
  - Revegetation, grading or other methods of stabilizing the reclaimed surface from erosion;
  - Stormwater management;
  - Drainage control;
  - Erosion and sediment control;
  - Access and/or haul roads;
  - Housekeeping and clean-up; and
  - Public safety.

**Planning decisions should:**

- Include the operation and reclamation plan as a condition of development permit approval;
- Include environmental protection and mitigation measures in the operation plan, reclamation plan and as a condition of development permit approval;
- Include a bond, letter of credit or other form of security ensuring the completion of a reclamation plan as a condition of development permit approval; and
- Include a bond, letter of credit or other form of security ensuring exercise of environmental responsibility and prudence as a condition of development permit approval.

**4. Include sand and gravel development as a permitted or discretionary land use in each rural municipality.**

**What does the municipality need to know?**

- Sand and gravel development may be a permitted or discretionary land use.
- Sand and gravel development should require a development permit, as this requirement enables the municipality to address local concerns like access, land use compatibility, setbacks, servicing and rehabilitation.
- Ancillary land uses that are necessary for extraction and processing of the resource should be recognized as permitted or discretionary land uses in at least one zoning district of a rural municipality.
- Ancillary land uses that are not directly related to the extraction and processing of the resource could be listed as a permitted or discretionary land use.

**Council may wish to consider:**

- Creating a natural resources zoning district within its zoning bylaw to accommodate sand and gravel development, as well as other natural resources.

**Planning *documents* should:**

- Recognize sand and gravel development as a permitted or discretionary land use in at least one zoning district of a rural municipality; and
- Outline permit requirements or development standards for sand and gravel development to minimize their impacts to the municipality and surrounding land uses.

**Planning *decisions* should:**

- Consider the negative land use compatibility implications of allowing sand and gravel development in the immediate vicinity of residential, commercial, recreational or institutional uses; and
- Evaluate development permit applications against defined development standards.

## References

### Relevant Acts, Regulation and Policy

Provincial Acts and Regulation	
<i>The Environmental Management and Protection Act, 2010</i>	
<i>The Fisheries Act (Saskatchewan), 1994</i>	
<i>The Fisheries Regulations</i>	
<i>The Land Surveys Act, 2000</i>	
<i>The Land Surveys Regulations</i>	
<i>The Natural Resources Act</i>	
<i>The Planning and Development Act, 2007</i>	
<i>The Provincial Lands Act, 2016</i>	
<i>The Provincial Lands (Agriculture) Regulations</i>	
<i>The Reclaimed Industrial Sites Act</i>	
<i>The Reclaimed Industrial Sites Regulations</i>	
<i>The Sand and Gravel Act</i>	
<i>The Weed Control Act</i>	
<i>The Weed Control Regulations</i>	
<i>The Wildlife Act, 1998</i>	
<i>The Wildlife Habitat Protection Act</i>	
<i>The Wildlife Regulations, 1981</i>	
Federal Acts, Regulation and Policy	
<i>Canada Wildlife Act</i>	
<i>Fisheries Act</i>	
<i>Migratory Birds Convention Act, 1994</i>	
<i>Species at Risk Act</i>	

### Relevant Publications and Documents

Title	Author
Rare Plant Survey Guidelines, Species at Risk and others	Saskatchewan Conservation Data Centre
Sand and Gravel Exploration, Extraction and Reclamation on Crown Resource Land Public Information Fact Sheet	Ministry of Environment
Sand and Gravel Information Sheet	Ministry of Energy and Resources
Sand and Gravel Development Policy – Agricultural Crown Lands	Ministry of Agriculture
Got Gravel? Aggregate Management Strategies for Rural Municipalities in Saskatchewan	SARM, CPP Environmental

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Sand and gravel development near a waterbody	Water Security Agency, Aquatic Habitat Protection	Email: <a href="mailto:ahpp@wsask.ca">ahpp@wsask.ca</a> Fax: 306-787-0780 Website: <a href="http://www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/">www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/</a>
Sand and gravel development on Crown land managed by the Ministry of Environment	Ministry of Environment, Lands Branch	Phone: 1-800-567-4224 Email: <a href="mailto:centre.inquiry@gov.sk.ca">centre.inquiry@gov.sk.ca</a>
Sand and gravel development on Crown land managed by the Ministry of Agriculture	Ministry of Agriculture, Lands Branch	Phone: 306-787-5322 Fax: 306-787-1315

## 6.12 Shore Land and Water Bodies

### Statement of Interest

The province has an interest in environmental stewardship, responsible development and public access to provincial water bodies and shore lands.

To assist in meeting the province's water bodies and shore lands interests, planning documents and decisions shall, insofar as is practical:

1. Consider the impacts of development on wetlands, water bodies and shore lands, and the associated aquatic life and habitat;
2. Avoid, minimize or mitigate potential development impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater;
3. Integrate provincial watershed management planning considerations into local and regional planning; and
4. Preserve and enhance public access to water bodies, shore lands and reservoirs for recreational use.



Photo credit: Chris Hendrickson Photography, Tourism Saskatchewan

## **Context**

- Shore lands are a public resource.
- The majority of Saskatchewan residents obtain their drinking water from surface water sources such as lakes, rivers and reservoirs. Protecting water bodies preserves and sustains drinking water supplies and minimizes the resources necessary to treat source water.
- Natural shorelines and riparian areas are richly diverse habitats and an integral part of a functioning ecosystem.
- Riparian areas are significant in ecology and environmental management because of their role in soil conservation, habitat biodiversity and their influence on aquatic ecosystems, including grasslands, woodlands and wetlands.
- Safeguarding the health of water systems is a priority that should be reflected in planning documents and decisions.

## **Benefits of Good Planning and Policies**

- Healthy shorelines and water bodies (including wetlands, rivers, streams and lakes) play a vital role in retaining, treating and filtering surface runoff before it can reach source water supplies.
- Natural shorelines and riparian areas along shorelines of water bodies, including wetlands, also provide:
  - Important habitat for wildlife;
  - Recreation opportunities for residents; and
  - Erosion control from ice and wave action.

## Implementation Guidance

### 1. Consider the impacts of development on associated water bodies and shore lands, aquatic life and habitat.

#### What does the municipality need to know?

- Current and future issues that may impact the protection and conservation of watercourses, water bodies, wetlands and shore lands.
- Protection and conservation of watercourses, water bodies, wetlands and shore lands should balance economic, environmental, social and cultural concerns in the municipality and region.
- Waterfront development should not adversely impact shoreline and riparian areas.
- Construction methods and practices for projects adjacent to watercourses, water bodies, wetlands and shore lands (e.g. noise, light, odour, dust and sediment runoff during construction).
- Operational impacts from a development (e.g. noise, light, odour, dust and sediment runoff).
- Location of existing storm water management structures and systems (e.g. ditches, reservoirs and piping).
- Storm water management related to a potential development, specifically velocity, channelization, and retention.
- Alterations of the bed, bank and boundary of a watercourse or water body may have implications on the stability of the shoreline.
- Within 457 metres (1,500 feet) of a watercourse or water body, sanitary sewer systems are required to be self-contained or piped systems to avoid excessive nutrient loading of watercourses and water bodies.
- Protected shorelines provide natural areas for both wildlife and residents to enjoy. This can be achieved through various best management practices (e.g. storm water management and shoreline buffering).

#### The Water Security Agency:

- Authorizes work in, or near, water.
  - An Aquatic Habitat Protection Permit is required for any work undertaken in, or near water, to ensure development does not adversely impact the shoreline and riparian areas. For example, drainage of wetlands and surface water works.
  - In the Northern Saskatchewan Administration District, the Ministry of Environment, Fish, Wildlife and Lands branch should be contacted for information on Aquatic Habitat Protection Permits.
- Should be consulted before development is undertaken in proximity to water.
  - Depending on the location and intensity of the project, approval from the Federal Government may also be required. Information on this potential requirement can be provided by the Water Security Agency.

## Bank, Riparian Area and Crown Ownership

The term **bank** typically refers to the border of a watercourse or water body. The bank can be continuously or periodically covered by water. This is also often referred to as the **shoreline** and is a valued public resource. Section 32 of *The Land Surveys Regulations* defines the “bank” and “bed” for the purpose of establishing ownership of parcels of land.

Section 31 of *The Environmental Management and Protection Act, 2010* contains similar but not identical definitions of “bank” and “bed”. These are used primarily for regulation of development on riparian areas. For added context, both sets of definitions should be consulted.

With few exceptions, provincial legislation deems all surface watercourses and water bodies, including wetlands and underlying land, whether permanent or intermittent, to be Crown land up to the defined bank. A municipality with any questions regarding ownership of watercourses and water bodies within their jurisdiction may contact the Water Security Agency or the Ministry of Environment in the Northern Saskatchewan Administration District. In addition, a Saskatchewan Land Surveyor may also be able to provide direction. In the event of disputes, legal counsel is advised.

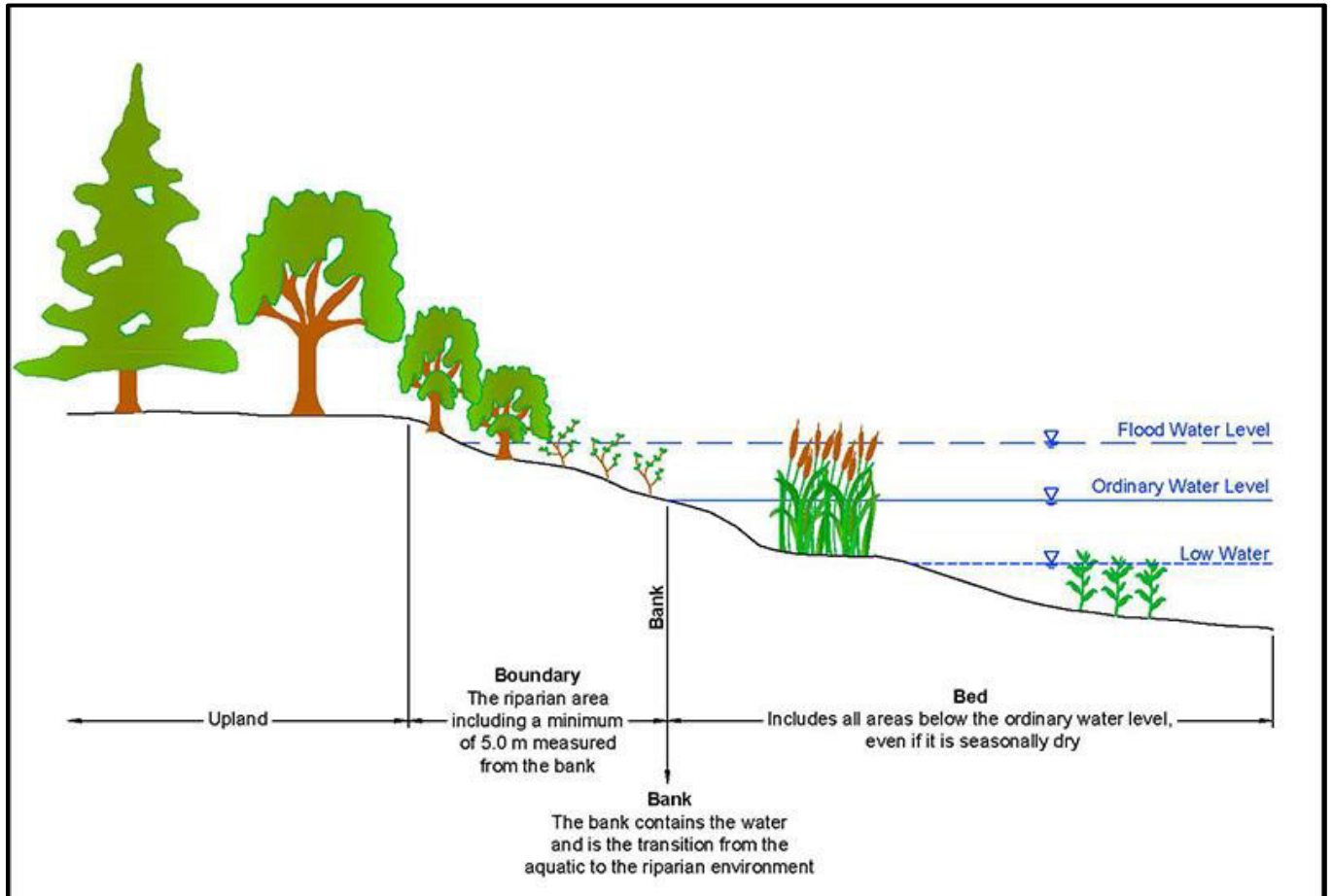
The **riparian area** (or boundary) typically refers to the zone above the bank where soil water saturation transitions. Here, the soil type and vegetation both change to drier soil and terrestrial plants which tolerate little to no water-saturated soils. Figure 3 on the next page provides an illustrated cross-section of what the bed, bank and riparian area can look like.

Municipalities have an important role in balancing the protection of banks and riparian areas (see chapter 6.2 – Biodiversity and Natural Ecosystems and statements 6.12.1 and 6.12.2 in the Shore Land and Water Bodies chapter) with allowing appropriate access to them (see statements 6.12.4 and 6.15.3 in the Shore Land and Water Bodies and Community Health and Well-Being chapters, respectively).

### Council may wish to consider:

- Discussing regional strategies for preserving watercourses, water bodies, wetlands and shore lands with neighbouring municipalities and communities, in addition to the Water Security Agency and Ministry of Environment;
- Developing a comprehensive water strategy for the municipality or region. This can assess past drought events, identify where floods are most likely to happen, how severe they might be, assesses regional water sources and evaluate water conservation options; and
- Incorporating stormwater management into capital and asset management plans.
  - See statement 6.8.4 within the Public Works chapter for more information on asset management plans.

**Figure 3: Bed, Bank and Riparian Area**



Source: Water Security Agency

**Planning documents should:**

- Identify locations of watercourses, water bodies and shore lands within the municipality.
- Ensure that land use development activities are compatible with the long-term sustainability of watercourses, water bodies, shore lands, aquatic life and habitat.
- Consider developments producing significant offsite impacts such as noise, light, odour, dust and traffic as potentially incompatible with watercourses, water bodies, shore lands and the wildlife that lives within them.
- Be consistent with any comprehensive water strategy adopted for the municipality or region.
- Consider information from available local and regional watershed management programs when developing policy related to watercourses, water bodies and shore lands.
- Require appropriate federal and provincial approvals be obtained prior to any alteration or development adjacent to water.
  - The Water Security Agency, Aquatic Habitat Protection unit should be consulted prior to any development occurring adjacent to water. This can include any construction activities including grading, backfilling and clearing.

- Evaluate hampered and damaged water bodies and identify plans for recovery, mitigation and/or adaptation.
- Provide protection, where necessary, to watercourses, water bodies and shore lands that have been identified by the province as being critical or threatened, containing endangered plants or animals or having significant cultural or heritage resources or natural features.

**Planning *decisions* should:**

- Ensure that land use development activities are compatible with the long-term sustainability of watercourses, water bodies, wetlands, shore lands, aquatic life and habitat.
- Consider mitigation options to reduce offsite impacts to watercourses, water bodies, wetlands and shore lands.
  - For example, this could be achieved by using environmental reserve, municipal buffers, screens, setbacks, luminance controls or defined operating hours or seasons;
- Avoid impacts to species at risk.
- Address on-site and off-site stormwater retention and management for industrial, commercial and large-scale agricultural and residential applications to minimize the impact on adjacent watercourses, water bodies, wetlands and shore lands.
  - Information on public works, including storm drainage, can be found within interest area 6.8 – Public Works.
- Minimize disturbance to natural vegetation adjacent to watercourses, water bodies, wetlands and shore lands.
- Apply setbacks, where necessary, to reduce impacts from flooding on adjacent development.
  - See Interest Area 6.7 – Public Safety for more information on how to address risk and impacts from flooding.

**2. Avoid, minimize or mitigate potential development impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater.**

**What does the municipality need to know?**

- Location of waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater.
- Location of critical or threatened habitat or environmentally sensitive areas in the municipality and surrounding region.
  - See interest area 6.2 – Biodiversity and Natural Ecosystems for additional information on protecting these lands.
- Construction methods and best management practices for projects adjacent to waterways, water bodies, wetlands and shore lands (e.g. noise, light, odour, dust and sediment runoff).
- Operational impacts from a development (e.g. noise, light, odour and runoff).
- Surface runoff can contain pollutants that negatively impact both wildlife habitat and water quality. Over time, this can reduce the efficacy of water treatment infrastructure and cause significant and costly upgrades.
- Municipal planning approval processes should complement provincial objectives and interests and comply with legislated requirements for the management of shore lands and water bodies as it relates to subdivision and development.

- The Water Security Agency, Aquatic Habitat Protection unit should be consulted prior to any development occurring adjacent to water. This can include any construction activities including grading, backfilling and clearing.
- A municipality can use the regulations to require a hydrology or hydrogeological analysis to be completed by the developer to help determine suitability of development.
- Interest area 6.13 – Source Water Protection provides additional information on how to prevent development from affecting water quality and quantity.

### **Hydrology vs Hydrogeology**

Hydrology and hydrogeological are two terms often used when discussing the suitability of a site with respect to water (e.g. undertaking a hydrologic or hydrogeological report or analysis). Though related, these terms have different meanings:

**“Hydrology”** means the study of water. In its broadest context, it can mean the science of the behaviour of water, including the atmosphere, water on the ground, and water underground. In planning, hydrology can sometimes exclusively mean water *on* or *above* ground.

**“Hydrogeology”** (or geohydrology or groundwater hydrology) refers to a specific branch of geology dealing with subsurface water including aquifers.

#### **Planning *documents* should:**

- Identify significant waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater.
- Contain policies that ensure negative impacts as a result of development are avoided, minimized or mitigated.
  - For example, one way this can be achieved is for municipalities to work together and develop a regional, systems-based approach for the planning and management of waterways, watersheds, water bodies, wetlands, shore lands, aquifers and ground water sources.
  - These policies should link to any local or regional water strategy in effect and any provincial watershed management strategy.
- Contain policy on drainage.
  - This policy should be linked to provincial programs and required approvals, which are necessary prior to undertaking development on the land.
- Include appropriate measures to avoid, minimize, or mitigate impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater. This may include:
  - Requiring sewage disposal to be provided by piped service or holding tanks in proximity to the high water mark;
  - Dedication of shore lands, riparian areas and flood hazard lands as environmental reserve, and manage those lands appropriately;
  - Natural vegetation landscaping requirements;
  - Restrictions on shoreline alterations or construction;
  - Setbacks for development from shore lands and wetlands; or
  - Managing stormwater drainage.

**Planning *decisions* should:**

- Consider requiring developers to submit a hydrology and/or hydrogeological report assessing the impacts potential development may have on waterways, watersheds and groundwater.
- Ensure development around provincial reservoirs is compatible with, and does not preclude, the full operating capacity of the reservoir.
- Fairly balance competing local, regional and provincial needs for use of water bodies, shore lands and reservoirs.
- Sustain existing, approved agricultural drainage networks and pathways.
- Apply standards and conditions to development permits to mitigate impacts of development on waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater through measures such as buffers, screens and setbacks.
- Address on-site and off-site stormwater retention and management for industrial, commercial and large-scale agricultural and residential applications.
  - Information on public works, including storm drainage, can be found within interest area 6.8 – Public Works.

**3. Integrate provincial watershed management planning considerations into local and regional planning.**

**What does the municipality need to know?**

- Watersheds do not follow political boundaries. This makes regional approaches to water management the most effective.
- Development impacts adjacent to watercourses or water bodies are cumulative.

**Council may wish to consider:**

- Contacting the Water Security Agency for information on activities occurring in the community; and
- Discussing how to address watershed management with regional neighbours.

**Planning *documents* should:**

- Align policies and objectives with any:
  - Provincial watershed management strategies; or
  - Local or regional water strategies.
- Recognize the role and authority of the province in watershed management planning; and
- Support the role of organizations, programs and planning initiatives contributing to watershed management planning.

**Planning *decisions* should:**

- Be consistent with:
  - Provincial watershed management planning documents; and
  - Local or regional water strategies.

#### 4. Preserve and enhance public access to water bodies, shore lands and reservoirs for recreational use.

##### What does the municipality need to know?

- Watercourses, water bodies, shore lands and reservoirs can provide recreation opportunities for local and regional residents.
- The location and condition of current access to watercourses, water bodies, shore lands and reservoirs within the community.
- A recreation master plan for the municipality or region can provide guidance on recreation, including use and funding of lands and facilities.
- Public access to watercourses, water bodies, shore lands and reservoirs can affect multiple jurisdictions and may take many forms.
  - For example, a trail along an undeveloped road allowance or via dedicated lands such as environmental reserve or municipal reserve.
  - Linear development along a lakeshore should include dedication of environmental reserve in addition to 10% of the land to provide public access for recreational use.
    - For example, if a development is occurring along a lakeshore, dedicated land should be provided to the municipality to maintain public access to the lake. Additional information on dedicated lands can be found in [The Dedicated Lands Handbook](#).
- Closing of undeveloped road allowances that provide public access to watercourses, water bodies, shore lands and reservoirs should be avoided, unless there is a considered purpose to the road closure.
- Any changes to how watercourses, water bodies, shore lands and reservoirs are accessed should be discussed with neighbouring communities, including First Nation and/or Métis communities.
  - Additional information on engaging First Nation and Métis communities can be found in interest area 6.3 – First Nations and Métis Engagement.
- Statement 6.15.3 within the Community Health and Well-Being chapter provides additional information on access to natural environments and dedicated lands.

##### Planning documents should:

- Align policies with any previously adopted recreation master plan.
- Allow for the public access to and use of watercourses, water bodies, shore lands and reservoirs for appropriate recreational purposes.
- Consider how dedicated lands may be used to meet this statement and, as applicable, encourage cooperation with neighbouring communities to develop, upgrade or fund dedicated lands and facilities on those lands.
  - For example, municipalities could work together to jointly fund necessary upgrades to a boat launch which may be located on dedicated lands.
  - See statements 6.3.3 within the First Nations and Métis Engagement chapter and 6.5.3 within the Inter-municipal Cooperation chapter for more information on how municipalities can cooperate with neighbouring communities.
- Identify shore lands as public areas and provide guidance for the dedication of these lands during subdivision approval.

**Planning *decisions* should:**

- Be consistent with municipal goals and policies regarding recreation;
- Consider potential impacts to public recreation, tourism and fishing uses around watercourses, water bodies, shore lands and reservoirs when reviewing development proposals on adjacent lands;
- Ensure lakeshore subdivisions provide public access to the water body and public open space;
- Provide barrier-free public access to watercourses, water bodies, shore lands and reservoirs, where feasible; and
- Avoid closing public access points, whenever possible.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation
<i>The Dedicated Lands Regulations, 2009</i>
<i>The Environmental Management and Protection Act, 2010</i>
<i>The Environmental Management and Protection (General) Regulations</i>
<i>The Land Surveys Regulations</i>
<i>The Municipalities Act</i>
<i>The Municipalities Regulations</i>
<i>The Northern Municipalities Act, 2010</i>
<i>The Northern Municipalities Regulations</i>
<i>The Planning and Development Act, 2007</i>
<i>The Private Sewage Works Regulations</i>
<i>The Provincial Lands Act</i>
<i>The Public Health Act, 1994</i>
<i>The Shoreland Pollution Control Regulations, 1976</i>
<i>The Water Security Agency Act</i>
<i>The Water Security Agency Regulations</i>
<i>The Waterworks and Sewage Works Regulations</i>

**Relevant Publications and Documents**

Title	Author
Lakeshore Development	Government Relations, Community Planning Branch
Dedicated Lands and Boat Launches	
The Dedicated Lands Handbook	
Overview of Watershed and Aquifer Planning process & Watershed and Aquifer Plans	Water Security Agency
Managing Saskatchewan Wetlands: A Landowner’s Guide	
Economics of Riparian Grazing Management	

Health of Riparian Areas in Southern Saskatchewan	
Protecting our Water a Watershed and Aquifer Planning model for Saskatchewan	
Managing Saskatchewan's Wetlands – A Landowner's Guide	Denis Huel, Saskatchewan Wetland Conservation Corporation
Streambank Stewardship – A Saskatchewan Riparian Project	
Managing your Native Prairie Parcels	Jim Moen
Riparian and Wetland Sites of the Saskatchewan Prairie Ecozone	William H. Thompson and Paul Hansen

### Contact Information

For More Information On	Contact	Contact Information
Canada's Wetlands	Ducks Unlimited Canada	Ducks.ca
Saskatchewan Conservation	Nature Conservancy Canada	Natureconservancy.ca
Dedicated Lands	Ministry of Government Relations, Community Planning Branch	Phone: 306-787-2725 or 306-933-6937 Fax: 306-798-0194 or 306-933-7720 Email: <a href="mailto:muninfo@gov.sk.ca">muninfo@gov.sk.ca</a>
Provincial Watershed Management Planning	Water Security Agency	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Aquatic Habitat Protection permits	Water Security Agency, Aquatic Habitat Protection	Email: <a href="mailto:ahpp@wsask.ca">ahpp@wsask.ca</a> Fax: 306-787-0780 Website: <a href="http://www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/">www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/</a>
Drainage	Water Security Agency, Regional Offices	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>

## 6.13 Source Water Protection

### Statement of Interest

The province has an interest in the protection of water sources that provide safe drinking water.

To assist in meeting the province's interests in source water protection, planning documents and decisions shall, insofar as is practical:

1. Ensure that water quality for human consumptive or hygienic use is not compromised by new development;
2. Consider the effects of development on water quantity; and
3. Confirm, before approval, that there is an established or proven supply of water capable of servicing the needs of a proposed development.



Photo credit: Pixabay

## Context

- A supply of safe drinking water is a basic human requirement.
- Development in source water areas may threaten drinking water quality and quantity.
- Development in one community may negatively affect source water areas and resources in another area or jurisdiction, that has no direct means of protecting its own water supply from the development.
- Development must be managed in a way that does not compromise local, regional or downstream inter-provincial water resources used for human consumptive or hygienic use.

## Benefits of Good Planning and Policies

- Protecting source water provides access to safe drinking water which is necessary for both public health and future potential development.

## Implementation Guidance

### 1. Ensure that water quality for human consumptive or hygienic use is not compromised by new development.

#### What does the municipality need to know?

- Location of known water sources, including municipal wells, aquifers and reservoirs.
- Potential development areas where water source contamination could occur.
- Mitigation options, which reduce threats to water quality.
- Responsibility to monitor and maintain municipal drinking water quality rests with the municipality or owner of communal or semi-public waterworks.
  - Though private domestic wells are the responsibility of the landowner, municipalities should ensure they are aware of this responsibility.
- A municipality can use the regulations to require a hydrology or hydrogeological analysis to be completed by the developer to help determine suitability of development with respect to water quality or quantity.
- All development within 457 metres (1,500 feet) of the high water mark of a watercourse or water body must have an individual holding tank or be hooked up to a communal system.
- Growth may put environmental or capacity strain on existing sewage treatment options. Municipalities must consider how future growth and sewage treatment will occur to ensure source water is not impacted.

#### Planning *documents* should:

- Address stormwater management where surface runoff or infiltration of contaminants into source water supply is possible.
- Establish municipal land use policy to avoid, minimize or mitigate erosion, sedimentation, loss of wetlands, runoff and vegetation removal. This is especially important for development that has the potential to contaminate water sources, wetlands, infiltration areas, watercourses and water bodies.

- A first step for municipalities would be to identify both high-risk areas and land uses, such as intensive agricultural activities and industrial operations, which could potentially lead to contamination.
- Development where negative impacts cannot be sufficiently avoided, minimized or mitigated should be encouraged to locate elsewhere in the municipality or region away from high-risk areas.
- Contain policy related to asset management, and the collection of development-generated fees to ensure infrastructure related to safe drinking water can be funded in the future and facilitate growth.
  - Policy should locate and define potable and non-potable source waters in the area, and prescribe measures to protect those sources.
  - Policy statements should be supported through implementation of zoning regulations and/or municipal bylaws (e.g. sewage control bylaw or source water protection bylaw).
  - See statement 6.8.4 within the Public Works chapter for more information on asset management plans.

**Planning *decisions* should:**

- Include appropriate mitigation measures as conditions of approval for new development that has the potential to contaminate water sources, wetlands, infiltration areas, watercourses and water bodies.
- Consider requiring developers to submit a hydrology and/or hydrogeological report assessing the impacts potential development may have on water quality or quantity.
- Require stormwater management plans for land uses where run-off or spilled contaminants may be hazardous to water supplies.
- Avoid high risk land uses in areas where source water supplies may be especially vulnerable.
  - For example, avoid establishing a landfill over a shallow aquifer where coarse or sandy soils/substrates are present because these soils facilitate surface water penetration into groundwater sources.

**2. Consider the effects of development on water quantity.**

**What does the municipality need to know?**

- Which types of land uses (e.g. commercial and industrial operations) require significant quantities of water to operate.
- How future growth plans of the community may impact availability of water quantity.
- Regional economic development activities which may increase community water demands.
- The vulnerability of the municipality's water supply in response to factors such as climate change and contamination.

**Council may wish to:**

- Consider developing a water conservation plan for the municipality or region.
- Discuss regional development plans, capital plans and current and future water needs with neighbouring communities.
- Discuss and engage partners such as the Water Security Agency and other applicable federal or provincial regulatory agencies.

**Planning *documents* should:**

- Be consistent with any water conservation plan, asset management plan, or capital plan adopted for the municipality or region.
- Reflect any potential future challenges resulting from either supply shortages or increased demand from growth.
- Contain policies or utilize conditions or standards that encourage water conservation. For example:
  - Encourage the capture and reuse of precipitation;
  - Minimize impervious surfaces to increase groundwater infiltration;
  - Adopting water-efficient landscaping standards;
  - Encourage high-efficiency plumbing fixtures.

**Planning *decisions* should:**

- Consider local and regional supply and demand of water resources, and apply conditions to conserve water where appropriate.
- Regulate development that negatively impacts water supply for existing users.

**3. Confirm, before development approval, that there is an established or proven supply of water capable of servicing the needs of a proposed development.**

**What does the municipality need to know?**

- The location of:
  - Piped municipal services;
  - Municipal wells;
  - Inter-municipal water services;
  - Private water resource companies;
  - Reservoirs;
  - Aquifers and surface water sources suitable to serve a proposed development; and
  - Private groundwater resources.
- Existing water allocations and current water use should both be considered during development review to manage impacts to existing users and plans for new or upgraded infrastructure.
- Recommendations from any existing asset management plan.
- Consider treatment and management options for additional wastewater created from new development.
- Infrastructure must support drinking water and wastewater capacity for present and future development.

**Planning *documents* should:**

- Identify potential local and regional drinking water supplies;
- Consider available water supply in community growth projections, asset management plans and phasing of growth; and
- Require an adequate source of water be determined for any proposed development prior to approval.

**Planning *decisions* should:**

- Require a written confirmation of the water source location and the capacity or ability to treat that water to an appropriate standard; and
- Require a written confirmation of the quantity to sustain the proposed development if the proposed development relies on private water sources such as private wells or water hauled in from an off-site source.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation
<i>The Environmental Management and Protection Act, 2010</i>
<i>The Environmental Management and Protection (General) Regulations</i>
<i>The Environmental Management and Protection (Saskatchewan Environmental Code Adoption) Regulations</i>
<i>The Municipalities Act</i>
<i>The Municipalities Regulations</i>
<i>The Northern Municipalities Act, 2010</i>
<i>The Northern Municipalities Regulations</i>
<i>The Planning and Development Act, 2007</i>
<i>The Private Sewage Works Regulations</i>
<i>The Shoreland Pollution Control Regulations, 1976</i>
<i>The Water Security Agency Act</i>
<i>The Water Security Agency Regulations</i>
<i>The Waterworks and Sewage Works Regulations</i>
Provincial Policy
Municipal Drinking Water Quality Monitoring Guidelines
Saskatchewan’s Safe Drinking Water Strategy

**Relevant Publications and Documents**

Title	Author
Drinking Water and Wastewater Management	Water Security Agency
Liquid Domestic Sewage Disposal EPB 349 (Drinking Water Information Binder)	
Surface Water Quality Objectives EPB 356 (Drinking Water Information Binder)	
Wellhead Protection EPB 299 (Drinking Water Information Binder)	

**Contact Information**

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Water Conservation	Water Security Agency	Phone: 306-694-3900 Email: <a href="mailto:comm@wsask.ca">comm@wsask.ca</a>
Water Quality		
Water Quantity / Supply		

## 6.14 Transportation

### Statement of Interest

The province has an interest in safe, cost-effective, transportation systems that meet existing and future needs for economic growth, community development and diversification.

To assist in meeting the province's transportation interests, planning documents and decisions shall, insofar as is practical:

1. Consider both human and environmental interests when planning, constructing, maintaining, decommissioning and reclaiming road systems and other transportation corridors;
2. Ensure that development is compatible with existing and planned transportation infrastructure, including rail lines, rail yards, airports, barge docks, ferry landings and provincial highways;
3. Consider setbacks, noise, and vibration when contemplating development in proximity to existing or proposed railway operations.
4. Ensure the current and future runway expansion plans, aviation and navigation needs of the Saskatoon and Regina International Airports are not compromised by development in proximity to these airports;
5. Be consistent with provincial transportation plans; and
6. Encourage opportunities for efficient and cost-effective alternative transportation methods.



Photo credit: Government of Saskatchewan

## Context

- Saskatchewan has more provincial highways per capita than any other province. This includes rural public highways, provincial roads, rural municipal roads and undeveloped road right-of-ways.
- Transportation infrastructure in Saskatchewan includes rail lines, rail yards, airports, barge docks, ferry landings, provincial highways, municipal roads, sidewalks and paths.
- There are 13 shortline railways in Saskatchewan which link to national rail lines and are used to move products such as grain, oil and wood.
- The Saskatoon and Regina International Airports are the province's two largest airports and serve as important transportation connections that benefit people and the province's economy.
- The province and local governments are responsible for managing the connectivity of our neighbourhoods, communities and regions through various methods of transportation.
- Our wide spaces and resource based economy requires safe, cost effective and reliable local, regional and provincial infrastructure to move people, products and resources.

## Benefits of Good Planning and Policies

- Safe and efficient movement of people and goods provides both economic and health benefits to residents.

## Implementation Guidance

1. **Consider both human and environmental interests when planning, constructing, maintaining, decommissioning and reclaiming road systems and other transportation corridors.**

### What does the municipality need to know?

- Children, youth, seniors and people with disabilities have a diverse range of transportation needs.
- Multiple lot subdivisions should be designed with more than one point of access and egress.
- Construction methods and practices for road system and transportation corridor projects adjacent to significant lands, features or residential development (i.e. noise, light, odour and dust pollution and sediment runoff during construction).
- On-going impacts to significant lands, features or residential development once construction of the transportation corridor is complete.
- Reclaimed transportation corridors should be brought to a state suitable for a different use permitted under the municipality's zoning bylaw by the developer of the transportation corridor.
- Transportation facilities may have different operational parameters that are dependent on their differing functions (e.g. freeways versus local access roads).
- Development will cause increased traffic flows, which will have an impact on the provincial highway system. Impacts and appropriate mitigation measures can be identified by preparing a Traffic Impact Analysis and must be considered as a part of the development strategy.
- Development in one municipality may affect the traffic flows in neighbouring municipalities. Councils are encouraged to work together to share information when contemplating significant development projects.

**The Ministry of Highways:**

- Requires, as a fundamental principle of the public highway system, that each parcel should have access to the highway system.
- Controls access to the provincial highway system.
  - Land owners are not entitled to direct access to or from a provincial highway. Access is often provided via service roads, which limits direct access to the highway system and improves safety.
- Requires access to the highway system meet established standards.
- Regulates roadside development within the prescribed distance of a provincial highway.

**Council may wish to:**

- Invest in the development of a transportation master plan for the municipality or region.

**Planning *documents* should:**

- Align policies with any previously adopted transportation master plan.
- Require that local roads, transportation corridors and subdivision designs are safe for vehicles, pedestrians and other common forms of traffic.
- Reflect any regional plans and priorities developed with neighbouring communities.
- Consider the diverse range of transportation needs of children, youth, seniors and people with disabilities in the community.
  - For example, public transportation, parking, and sidewalk standards can each affect residents' abilities to maneuver throughout the community.
  - See statement 6.15.2 within the Community Health and Well-Being chapter for more information on accessible communities.
- Retain public access to publically owned lands, where it exists.
- Outline appropriate development standards to minimize impacts to surrounding lands, features and residential development that are significant.
- Have policies for the operation, decommissioning and reclamation of transportation systems which address, as appropriate:
  - Clearing and disposing of vegetation;
  - Construction of a berm or other barrier, if necessary, on either side of the corridor;
  - Seasonal maintenance plan;
  - Phasing of system upgrades and expansion; and
  - Revegetation, grading or other methods of stabilizing the reclaimed surface from erosion.

**Planning *decisions* should:**

- Consider the impact of developing a new road on the municipality's maintenance expenses, natural environment and neighbouring land uses while protecting the overall function of the roadway;
- Consider connectivity and integration to other provincial transportation networks and modes of transportation;
- Utilize mitigation measures, such as buffers, screens and setbacks, to minimize impacts of road system and other transportation corridor development on surrounding lands, features and residential development that are significant;

- Consider the impacts upon existing and future businesses; and
- Consider on-site and off-site stormwater retention and management for major road system or other transportation corridor projects.

**2. Ensure that development is compatible with existing and planned transportation infrastructure, including rail lines, rail yards, airports, barge docks, ferry landings and provincial highways.**

**What does the municipality need to know?**

- Issues important to the community and transportation infrastructure operators.
- Potential impacts of planning proposals on transportation infrastructure.
- How to mitigate issues, such as noise, light, odour and dust.
- Airports and aerodromes provide economic development opportunities for the community.
- Airport runway expansion plans.
- Real and perceived land use compatibility concerns from the community and transportation infrastructure operators.
- Allow for the cooperative management and maintenance of provincial highway infrastructure.

**The Ministry of Highways:**

- Does not publish a current listing of transportation studies and associated plans. Interested parties should contact the Director of Traffic Engineering and Development for their respective region for information.

**Planning *documents* should:**

- Identify the location, purpose and expected future alignment of key transportation corridors and facilities in the municipality, based on available information;
- Outline how local road systems will provide adequate access to designated access points on the provincial highway network;
- Have a road hierarchy map identifying provincial and municipal transportation assets, their linkages and long term extensions/expansions;
- Be consistent with any asset management plan for the municipality or region regarding planned transportation infrastructure; and
- Include recommended setbacks from rail lines, rail yards, airports, barge docks, ferry landings and provincial highways.

**Planning *decisions* should:**

- Obtain a permit from the Ministry of Highways for all development within 90 metres of the property line (or right of way edge) of a provincial highway.
- Refer to the *Roadside Management Manual* for development guidelines and standards.
- Minimize impacts from transportation corridors and facilities to surrounding land uses by establishing:
  - Appropriate separation distances;
  - Sound barriers;
  - Safety berms;
  - Screening and fencing; or
  - Other mitigation measures relating to noise, air pollution and safety.

- Limit encroachment into recommended setbacks from transportation infrastructure providers to reduce the likelihood of land use compatibility issues.
  - As one example, the Noise Exposure Forecast (NEF) can provide guidance to municipalities as when determining suitability of development in proximity to certain uses.

### How Does Noise Exposure Forecast Relate to Land Use?

The NEF system provides a summation of noise from all aircraft types operating at an aerodrome based on actual or forecast aircraft movements by runways and the time of day the events occur. The Noise Exposure Projection (NEP) is similar to the NEF system but projects aircraft movements more than 10 years into the future.

Together, NEF and NEP are intended to provide a method of estimating noise annoyance and complaint levels in proximity to aerodromes. These tools are not designed to communicate exact noise levels, but rather to encourage compatible land use planning in the vicinity of aerodromes.

Source: Land Use in the Vicinity of Aerodromes, Transport Canada

### 3. Consider setbacks, noise, and vibration when contemplating development in proximity to existing or proposed railway operations.

#### What does the municipality need to know?

- Proximity to railway operations can pose both safety and nuisance challenges for new development.
- Options to mitigate issues such as noise and vibration.
- Real and perceived land use compatibility concerns from the community and railway operators.

#### Planning *documents* should:

- Contain policies and provisions regarding development in proximity to existing or proposed railway operations.
  - These are specified in clauses 32(2)(k) and 49(j.1) of the Act, respectively.
- Identify the potential locations and traffic volumes of future railway developments.
- Identify potential future changes in traffic volume to existing railway operations, based on available information.
- Include recommended setbacks from rail lines and rail yards.

#### Planning *decisions* should:

- Involve the municipality, the applicant and railway safety experts.
- Use development standards or conditions to mitigate or minimize impacts from proximity to railway operations.
  - For example, this could include establishing:
    - Appropriate separation distances;

- Sound barriers;
  - Safety berms;
  - Screening and fencing; or
  - Other mitigation measures relating to noise, air pollution and safety.
- Consider the recommendations in the municipality's emergency plan.
  - Additional information about emergency management, including emergency preparedness, can be found in interest area 6.7 – Public Safety.
- Encourage development where risk cannot be sufficiently avoided, minimized or mitigated to locate elsewhere in the municipality.
- Limit encroachment into recommended setbacks from railway operations to reduce the likelihood of land use compatibility issues.

**4. Ensure the current and future runway expansion plans, aviation and navigation needs of the Saskatoon and Regina International Airports are not compromised by development in proximity to these airports.**

**What does the municipality need to know?**

- The province's two largest airports serve as important transportation connections that benefit people and the province's economy.
- Protecting the ability of Saskatoon and Regina international Airports to expand will benefit people, businesses, the economy and the province.
- Federal zoning regulations related to airports must be complied with.
- Development around other airports must still ensure compatibility with existing and planned airport infrastructure via existing statement 6.14.2 within this chapter.
- Areas around airports are likely to be exposed to high levels of noise. Development in in these areas should be compatible with high noise levels.
- The use of the noise exposure forecast (NEF) for limiting development in proximity to the airport is only one item a municipality should consider.
- Development in proximity to airports, including that which complies with NEF standards, can cumulatively affect the operation of airports.

**Planning documents should:**

- Identify current and future runway expansion plans for the Saskatoon and Regina International Airports;
- Prohibit development which may interfere with the expansion of runways and operation of the airports, including glide slopes;
- Ensure compatibility of surrounding land uses and developments to the Saskatoon and Regina International airports;
- Discourage development from locating in proximity to airports. This includes development that complies with NEF levels if it has the potential to compromise current or future needs of an airport.
- Establish a process for communicating with and involving all affected parties that can be followed during the development permit process;
- Outline appropriate development standards to minimize impacts to surrounding lands, features and residential development that are significant; and
- Include recommended setbacks from airport developments.

**Planning *decisions* should:**

- Be consistent with the current and future runway expansion plans with the Saskatoon and Regina International airports;
- Incorporate recommendations and guidance from the respective airport authorities into the development permit decision process;
- Be consistent with federal zoning regulations;
- Encourage development that is not consistent with the current or future needs of the respective airport to locate elsewhere in the municipality; and
- Limit encroachment into recommended setbacks from the current and future airport infrastructure to reduce the likelihood of land use compatibility issues.

**5. Be consistent with provincial transportation plans.**

**What does the municipality need to know?**

- The province plays an important role in improving Saskatchewan's transportation network.

**The Ministry of Highways:**

- Contact your local Ministry of Highways regional office to discuss topics including:
  - Access requirements;
  - Development offset from provincial highways;
  - Requirements for sight triangles and sight distances;
  - Dimensions of new parcels that consider provincial highway setbacks; and
  - Setback for tall structures (e.g. communication towers and signs) from provincial highways.

**Planning *documents* should:**

- Recognize the role and authority of the province in transportation planning;
- Be consistent with any provincial transportation plans adopted and publicly available for their region or specific provincial assets. This includes road hierarchy maps;
- Encourage the development of safe, efficient and economical transportation options and infrastructure for the movement of primary and value-added products; and
- Support the role of organizations, programs and planning initiatives contributing to transportation planning.

**Planning *decisions* should:**

- Align with provincial transportation planning documents; and
- Support area and regional transportation planning between municipalities and the province to meet expanding regional service needs, support emerging development and movement of goods and resources.

## 6. Encourage opportunities for efficient and cost-effective alternative transportation methods.

### What does the municipality need to know?

- Children, youth, seniors and people with disabilities have a diverse range of transportation needs.
- Different transportation methods currently popular in the community.
- The built form of the municipality affects the efficiency and cost-effectiveness of all transportation methods.
- There are health and environmental benefits associated with increased rates of active transportation.

### WHAT IS ALTERNATIVE TRANSPORTATION?

**Alternative transportation** is a term that refers to any form of commuting other than a single occupancy vehicle. It can include walking, cycling, or public transit.

**Active transportation** methods are a subset of alternative transportation methods. Statement 6.15.4 within the Community Health and Well-Being chapter contains additional information on active transportation and physical activity.

### Council may wish to:

- Invest in the development of a transportation master plan for the municipality or region and to consider how alternative transportation methods will be provided; and
- Gauge the community's interest in pursuing additional alternative transportation methods.

### Planning documents should:

- Align policies with any previously adopted transportation master plan.
- Encourage a variety of transportation methods.
- Consider mixed-use areas, compact design, pedestrian connectivity and, where established, transit supportive development in large urban centres.
  - See statement 6.15.1 within the Community Health and Well-Being chapter for more information on healthy neighbourhood design.
- Consider the diverse range of transportation needs of children, youth, seniors and people with disabilities in the community.
  - For example, public transportation, parking, and sidewalk standards can each affect residents' abilities to maneuver throughout the community.
  - See statement 6.15.2 within the Community Health and Well-Being chapter for more information on accessible communities.
- Support pedestrian connectivity through planning functional open space, supporting public transit, designing streets supporting various forms of transport and creating safe, efficient linkages for pedestrian walkways.
  - See statement 6.15.4 within the Community Health and Well-Being chapter for more information on active transportation.
- Create or update an asset management plan to account for existing and proposed alternative transportation infrastructure and associated services.

- See statement 6.8.4 within the Public Works chapter for more information on asset management plans.

**Planning *decisions* should:**

- Review subdivision proposals for their connectivity with existing adjacent development and their potential connectivity to future adjacent development; and
- Consider how a development aligns with active-transportation goals established by the municipality.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation
<i>The Controlled Access Highways Regulations</i>
<i>The Highways and Transportation Act Regulations</i>
<i>The Highways and Transportation Act, 1997</i>
<i>The Planning and Development Act, 2007</i>
<i>The Railway Act</i>
Provincial Policy
Roadside Management Manual (RSMM) Part 1
Federal Acts, Regulation and Policy
<i>Aeronautics Act</i>
<i>Canadian Aviation Regulations (CARs)</i>
<i>Grade Crossings Standards</i>
<i>Grade Crossings Regulations</i>
<i>Railway Safety Act</i>
<i>Regina Airport Zoning Regulations</i>
<i>Saskatoon Airport Zoning Regulations</i>

**Relevant Publications and Documents**

Title	Author
Major Policy and Planning Initiatives	Ministry of Highways
Transportation for Growth	
Engineering Manuals	
Five Year Capital Plan	
Transportation Maps of Saskatchewan	
Traffic Safety Articles	Saskatchewan Government Insurance
Land Use in the Vicinity of Aerodromes	Transport Canada
Grade Crossings Handbook	Transport Canada
Guidelines for New Development in Proximity to Railway Operations	Railway Association of Canada and Federation of Canadian Municipalities.

**Contact Information**

For More Information On	Ministry, Agency or Crown Corporation or Organization	Contact Information
Planning, Constructing, Maintaining, Decommissioning and/or Reclaiming Road Systems and Other Transportation Corridors	Ministry of Highways, Policy, Planning and Regulation Division, Network Planning and Investment	Phone: 306-230-6661 Fax: 306-933-7090 Email: <a href="mailto:MHI.CustomerService@gov.sk.ca">MHI.CustomerService@gov.sk.ca</a>
	Ministry of Highways, Operation and Maintain Division, Southern Operations, Traffic Engineering and Development	Phone: 306-787-1700 Email: <a href="mailto:MHI.CustomerService@gov.sk.ca">MHI.CustomerService@gov.sk.ca</a>
	Ministry of Highways, Operation and Maintain Division, Central Operations, Traffic Engineering and Development	Phone: 306-933-8003 Fax: 306-933-5188 Email: <a href="mailto:MHI.CustomerService@gov.sk.ca">MHI.CustomerService@gov.sk.ca</a>
	Ministry of Highways, Operation and Maintain Division, Northern Operations, Traffic Engineering and Development	Phone: 306-953-3516 Fax: 306-953-3533 Email: <a href="mailto:MHI.CustomerService@gov.sk.ca">MHI.CustomerService@gov.sk.ca</a>
Airport Zoning Plans	Information Services Corporation	Phone: 866-275-4721 Email: <a href="mailto:ask@isc.ca">ask@isc.ca</a>
Development within the area of the Regina Airport Zoning Regulations	Regina Airport Authority	Phone: 306-761-7555 Email: <a href="mailto:DevelopmentReviews@yqr.ca">DevelopmentReviews@yqr.ca</a>
Development within the area of the Saskatoon Airport Zoning Regulations	Saskatoon Airport Authority	Phone: 306-975-8900 Email: <a href="mailto:info@skyxe.ca">info@skyxe.ca</a>

## 6.15 Community Health and Well-Being

### Statement of Interest

The province has an interest in supporting the development of communities that enhance the physical and mental health and well-being of Saskatchewan people.

To assist in meeting the province's interest in healthy communities, planning documents and decisions shall, insofar as is practical:

1. Encourage healthy neighbourhood design including complete, compact and connected communities;
2. Encourage the development of accessible communities that meet the needs of all people;
3. Encourage access to natural environments and dedicated lands;
4. Encourage active transportation and physical activity for people of all ages and abilities;
5. Encourage the availability and accessibility of food that contributes to health and well-being;
6. Support the development of facilities, including group homes, custody facilities, senior care homes and child care facilities, that are necessary to meet the well-being of all Saskatchewan residents.



Photo credit: Government of Saskatchewan

## Context

- The way communities are designed and developed has a direct impact on the health and well-being of those who live, work, visit, learn, connect and play within them.
- Saskatchewan's diversity provides for health and wellness opportunities that are unique within each community.
- A healthy community is one in which multiple sectors and partners, including First Nation and Métis partners, cooperate to improve the conditions that support equitable opportunities for health and well-being for all. Engagement of population health expertise could help determine how a plan or decision will impact the health of the population.
- To help achieve the interests within this statement, municipalities may benefit from working with their First Nation and Métis partners to build on their unique shared history, culture and natural landscapes.
- Consultation and cooperation are key components of all planning documents and decisions, but are especially important for this interest area. This interest area has the potential to affect a diverse range of stakeholders and rights holders, some of whom may be under-represented through traditional consultation and engagement methods. Municipalities are encouraged to actively engage the community to infuse local knowledge and history when developing policies and making planning decisions.

## Benefits of Good Planning and Policies

- Healthy communities offer enhanced social, mental, physical and spiritual wellness to residents and visitors. In addition, healthy communities are:
  - Characterized by a healthy population which is economically secure and has equitable access to community services; and
  - Safe, sustainable and resilient.

## Implementation Guidance

### 1. Encourage healthy neighbourhood design including complete, compact and connected communities.

#### What does the municipality need to know?

- Healthy neighbourhood design is associated with increased safety and well-being, decreased stress and positive effects on health. Complete neighbourhoods are more convenient, socially engaging, and encourage physical activity.
- Most mixed-use neighbourhoods are complete, compact and connected, fostering active transportation and social connectedness.
- Neighbourhood design should consider the unique needs and overall health, safety and well-being assets and gaps in the community identified by community members with lived experiences.
  - Examples of assets are: youth programming and mental, physical and spiritual support resources and services.
  - Examples of gaps are: lack of affordable housing, access to nutritious foods, concerns about crime rates and supports for those with substance misuse and dependence.

- The municipality should identify opportunities and plan for improvements to overall community health and safety through community design, including the healthy and safe movement of people and connectivity within existing and future developments.
- Neighbourhood design should consider how to support and improve safe, nutritious food accessibility and security for residents, including community food production.
  - See statement 6.15.5 within this chapter for more information on the connection between food and health and well-being.
- Certain substances (e.g. alcohol) can negatively affect the health and well-being of community residents.

### **Planning for Controlled Substances**

Municipalities are responsible for ensuring the health, safety and well-being of its residents and have considerable autonomy to achieve this.

One strategy that some municipalities have chosen to enact is the management of access to controlled substances (e.g. alcohol and cannabis).

The *Cannabis Guide for Municipalities* provides an overview of the options available to a municipality should it choose to manage access and availability of a controlled substance. Examples, which can be adapted to other controlled substances, include business licensing and zoning tools such as definitions, permitted/discretionary/ prohibited uses, and setbacks.

#### **Council may wish to:**

- Engage residents on the availability of controlled substances in the community.
  - For example, municipalities can regulate access to alcohol and cannabis through zoning standards and business licensing.

#### **Planning documents and decisions should:**

- Access relevant data to better understand community needs and make informed decisions.
- Encourage a diverse housing mix at both the community and neighbourhood level.
  - See statement 6.10.4 within the Residential Development chapter for more information on how a municipality can allow for a range of housing options in a community.
- Encourage a diverse mix of land uses to allow people to live, work, visit, learn, connect, and play.
  - For example, a municipality could utilize zoning that permits a range of uses and services.
- Identify and promote opportunities for intensification and redevelopment, such as infill projects.
- Utilize a street layout and design that considers the safety of all users of the roadway and promotes connectivity within the broader community.
  - For example, items a municipality can consider include connectivity of streets, crosswalk, sidewalk and streetscape standards, block length, and parking availability/restrictions.
  - See statement 6.14.6 within the Residential Development chapter for more information about alternative transportation methods.

- See statements 6.15.2 and 6.15.4 within this chapter for more information about developing accessible communities and active transportation, respectively.
- Be consistent with the community’s priorities for controlled substances.

## 2. Encourage the development of accessible communities that meet the needs of all people.

### What does the municipality need to know?

- Accessible communities are more inclusive communities.
- Accessible neighbourhoods for all ages and abilities ensures movement and connectedness.
- Accessibility challenges and barriers in the community and potential solutions.
- Good planning processes, such as engaging community members with lived experiences and using relevant data and information, is critical for making key planning decisions.
- [The Saskatchewan Disability Strategy](#) can help a municipality understand accessibility challenges and barriers that a portion of the population faces and find opportunities for local improvement.

### What is a Barrier?

A barrier is anything that limits a person with a disability from fully taking part in society because of that disability. Some of these may exist outside the realm of “planning documents and decisions” but are still relevant for a municipality to consider as part of the land use planning process. Items a municipality can consider may be broad or specific and may include parking lot standards, curb cuts in sidewalks, pedestrian crossings, social inclusion, outdoor public spaces (e.g. playgrounds), and snow removal policies.

### Accessible and Adaptable Housing

Accessible and adaptable housing enables people of all ages and abilities to stay in their community as long as possible. There are many tools that can help achieve this goal, including:

- Incorporating universal design for new housing units;
- Allowing secondary suites;
- Encouraging accessible housing by design;
- Applying aging in place strategies; and
- Applying universal design and adaptable housing models.

Source: Canada Mortgage and Housing Corporation

**Planning *documents* and *decisions* should:**

- Encourage development of accessible housing and promote development of it in areas close to shopping, transportation, and other services;
- Encourage planning policies that work toward eliminating or mitigating various types of barriers;
- Promote inclusion of community members with diverse physical, mental, cognitive, cultural and financial needs in areas such as housing, transportation, and neighbourhood design;
- Consider input from community groups and individual's representative of persons with disabilities to better understand potential issues/barriers during planning and implementation of a project, plan, or policy; and
- Make informed decisions based on input received from the community.

**3. Encourage access to natural environments and dedicated lands.**

**What does the municipality need to know?**

- Natural areas such as parks, trails, walkways and greenspaces can help improve the overall health, safety and well-being of the community. Even brief interactions with nature, such as a short walk on a tree-lined path or viewing a small green space, improve well-being.
- Access to natural environments can have positive effects on an individual's physical and mental health such as:
  - Reduction in stress levels, chronic disease, depression and anxiety.
  - Improved concentration and cognitive functioning.
  - Increased social well-being and physical activity.
- When paths, parks, green spaces and trails are accessible, people have safe and affordable options to be active.
- Cultural history and local knowledge can enhance active and passive recreation and leisure opportunities.
- Access to natural environments and dedicated lands is an issue that can span jurisdictional boundaries.
- Natural environments and dedicated lands can be an important component of how a municipality provides recreation opportunities to residents and visitors.
- A municipality is required to have a dedicated lands account by *The Dedicated Lands Regulations, 2009* and the Act.
- The municipality's dedicated lands account can provide funds for the purchase and development of dedicated lands for public use including investment in infrastructure upgrades/replacement.

## What are Dedicated Lands?

Under the Act, dedicated lands are lands that are provided, without compensation, at the time of subdivision by the developer for public use and enjoyment. Municipalities may also dedicate existing lands or purchase lands for dedication as necessary. Different types of dedicated lands include:

- Municipal reserve;
- Environmental reserve;
- Public reserve;
- Buffer strips; and
- Walkways.

Common uses of dedicated lands include parks, open spaces, playgrounds, beaches, shorelines, natural areas, trails, walkways, sports fields, schools and recreational facilities. Dedicated lands are subject to standards that protect the interests of municipalities, developers, and the public.

### Council may wish to:

- Consider Indigenous land use (which may be of historical/cultural significance) in natural environments to ensure decisions are well-informed and inclusive.
  - See statement 6.3.2 for more information on considering Indigenous interests in planning and statement 6.3.3 for more information on providing opportunities to engage and partner with First Nation and Métis communities on areas of common interest. Both of these statements are located within the First Nations and Métis Engagement chapter.
- Consider this statement in tandem with statement 6.9.4 within the Recreation and Tourism chapter.
- Discuss natural environments and dedicated lands with regional neighbours to identify common issues and potential opportunities, such as how residents within the region could best utilize natural areas and park spaces.
- Examine gaps to natural lands and green spaces and consider policy development regarding neighbourhood green space requirements.
- Invest in the development of a recreation master plan for the municipality or region.

### Planning documents should:

- Align policies with any previously adopted recreation master plan.
- Encourage the development of and access to green spaces such as parks, trails, natural areas, and dedicated lands.
- Consider including places for individuals to comfortably sit and talk for social connection and opportunities for traditional connections and use of the land.
- Identify dedicated lands within the community (i.e. environmental, municipal or public reserve, buffer strips, and walkways).
  - In addition to identifying existing dedicated lands, planning documents can also provide guidance on potential locations for future dedicated lands.

- Encourage cooperation with neighbouring communities to develop, upgrade or fund dedicated lands and facilities on those lands.
  - See statements 6.3.3 within the First Nations and Métis Engagement chapter and 6.5.3 within the Inter-municipal Cooperation chapter for more information on how municipalities can cooperate with neighbouring communities.
- Identify opportunities for improved access to dedicated lands for all ages and abilities to use and enjoy.
- Consider utilizing landscape standards to enhance access to green space.
- Support the location of school sites, playgrounds, and recreation/sport fields on municipal reserve.
- Develop policies regarding dedicated land. These policies can address when a municipality should:
  - Require land to meet the dedicated land requirement during subdivision and when it should accept money in lieu;
  - Establish standards for the development of parks and open space; and
  - Address how the dedicated land may be used by the community.

### What is Active Transportation?

**Active transportation** is a general term that refers to any form of human-powered movement or travel. Modes can include walking, running, biking, skateboarding, wheeling and skiing.

Active transportation methods are a subset of **alternative transportation** methods. Statement 6.14.6 within the Transportation chapter contains additional information on alternative transportation.

Source: Health Canada

#### Planning *decisions* should:

- Be consistent with municipal goals and policies regarding natural environments and dedicated lands;
- Preserve natural environments and promote access to those lands, where appropriate, for all ages, abilities, and cultural groups; and
- Ensure developers dedicate a portion of the subdivision area as dedicated land or contribute money-in-lieu of land to provide opportunities for access to natural environments and dedicated lands for the community.

#### 4. Encourage active transportation and physical activity for people of all ages and abilities.

##### What does the municipality need to know?

- Active transportation benefits people's health, society, the transportation network, the environment, and the economy.

- Location and extent of all formal and informal active transportation networks, including paths/routes for walking, cycling, wheeling, skateboarding, skiing and canoeing. Active transportation is sometimes complemented by public transit systems in urban contexts.
- Documented needs (e.g. health and demographic data) and priorities of the residents in the community. This information can help inform how people would like to pursue an active and healthy lifestyle.
- Potential partners in the community such as active living and sports clubs, organizations or industry.
- Complete, compact and connected neighbourhoods provide more reason and opportunity for people to utilize active transportation.
  - See statement 6.15.1 within this chapter for more information on complete, compact and connected communities.

**Planning *documents* should:**

- Align policies with any previously-adopted studies or plans, such as transportation master plans or active transportation plans;
- Identify stakeholders and rights holders in the community and region that could have an interest in physical activity and active transportation;
- Identify and map all assets and gaps including greenspaces, parks, trails, water access points, sidewalks, bicycle lanes and secured stands, and pathway lighting; and
- Consider how development can contribute to opportunities for active transportation and physical activity for people.

**Planning *decisions* should:**

- Design and develop streets and pathways that consider the needs of all ages and abilities and all modes of travel.
  - For example, walking, cycling or wheeling.
- Address safety concerns of residents that may be hinder active transportation and physical activity.
  - For example, pathway lighting can encourage use throughout the day.
  - For example, clearly defined and safe spaces for different modes of transportation (e.g. walkers, wheelers and cyclists).
- Consider aesthetics when creating barriers from traffic to encourage active forms of transportation (e.g. using trees and planters).
- Encourage neighbourhoods and communities with a diverse mix of land uses and a connected street network.

**5. Encourage the availability and accessibility of food that contributes to health and well-being.**

**What does the municipality need to know?**

- Location of food resources in the municipality and region.
- Barriers and risks to sustainable nutritious food availability and accessibility.
- Availability and accessibility of food can be affected by planning documents and decisions. For example, where food can be produced and where food retail and service outlets can be located. Policies can be strengthened to provide increased access to healthy food and to decrease access to less healthy food options within communities.

- For example, convenience and fast food retail outlets near schools may increase access to, and promotion of, unhealthy food and beverages for children and youth.
- Who potential partners and resources are in the community.
  - For example, health organizations, schools, local and regional food advocacy organizations, local dietitians, public health inspectors, experts in the community (chefs, gardeners, landscapers, First Nation knowledge keepers) food security networks, community groups, food producers, businesses, neighbouring municipalities, the provincial and federal governments and First Nation and Métis communities.

## Food Security

Food security exists when people have reliable access to safe, affordable, nutritious and culturally appropriate food to meet their dietary needs and food preferences for an active and healthy life. A healthy food system supports community health by maintaining equitable access to affordable, safe and culturally appropriate foods.

Source: United Nations' Committee on World Food Security

### **Council may wish to:**

- Consider developing potential partnerships to discuss how the availability and accessibility of nutritious and non-nutritious food and beverages in the community contribute (or not) to health and well-being;
- Develop municipal policies to increase the availability and promotion of healthy food and beverages options; and
- Engage residents on the availability and accessibility of food in the community and how it impacts health.

### **Planning *documents and decisions* should:**

- Identify existing or future assets, spaces and lands within the community that support food programming or infrastructure.
  - For example, this could include growing environments (e.g. greenhouses, modified shipping containers), storage areas, community kitchens, farmers' markets and rooftop or community gardens or orchards.
- Consider the availability and accessibility of food when designing neighbourhoods.
  - For example, establish neighbourhoods with population densities to make grocery stores economically viable in a community.
  - For example, ensure grocery stores, food programs, emergency food banks and other food sources are easily accessible by a variety of transportation methods including public and active transit.
  - See statement 6.15.1 within this chapter for more information on healthy neighbourhood design.
- Include community-based food security measures and preparedness in partnership with community organizations.

- For example, as part of emergency preparedness, communities should have access to nutritious food and timely updates to local water advisories to ensure the drinking water source is safe.
- Create food policies to set priorities and guide decisions.
- Encourage the preservation of prime agricultural land for producing food.
  - Additional information on agricultural land can be found within interest area 6.1 – Agriculture and Value-Added Agribusiness.
- Permit land uses for seasonal or permanent community farmer’s markets, gardens, forestry farms and modified growing environments (e.g. greenhouses, modified shipping containers) in the municipality.
- Support the development and growth of local agriculture and food production, processing and distribution for local consumption.
- Be consistent with the community’s priorities for a healthy food system.

**6. Support the development of facilities, including group homes, custody facilities, senior care homes and child care facilities, that are necessary to meet the well-being of all Saskatchewan residents.**

**What does the municipality need to know?**

- A wide range of facilities are necessary to serve the needs of Saskatchewan residents.
- Supporting residents that are facing challenges to living independently and seeking out local solutions is an important role of the municipality.
- Facilities which provide strong social supports may reduce time and resources spent elsewhere (e.g. policing, justice or health care systems).
- Providing opportunity for residents that need assistance to stay in the community can have benefits such as keeping families together and increasing the sense of community for all residents.
- The diverse needs of residents within the municipality and region. This can be obtained through publicly available data, stakeholder engagement, local non-profit organizations, engagement with neighbouring communities and ministries and agencies.
- Some proposed facilities can produce neighbourhood-level concerns that may need to be addressed through the planning process.
- See statement 6.10.4 within the Residential Development chapter for information on accommodating various housing options in a community.

**Council may wish to consider:**

- Adopting policy on the importance of meeting the diverse needs of the community and region and council’s commitment to achieving this through planning.
- Finding ways to engage with community members representing demographics who may be under-represented in the planning process. This can include but is not limited to seniors, people with disabilities, and those who are vulnerable or at-risk.
  - For example, this could mean specifically targeting under-represented groups to participate in the development of policy for facilities or when a development is under consideration by the municipality.
- Developing an engagement strategy that can be used to proactively communicate the benefits and intent of new facilities.

**Planning *documents* should:**

- Have policies that promote inclusivity.
- Align policies with local and regional facility needs.
- Address the needs of seniors, people with disabilities, and those who are vulnerable or at-risk.
- Adopt supportive policies and provisions for facilities.
  - This could include proactively determining, prior to specific proposals being submitted, criteria and development standards to mitigate any potential negative impacts or perceived negative impacts.
- Allow facilities in both new and existing neighbourhoods.
- Support cooperating with project proponents to proactively identify needs and suitable locations for facilities.

**Planning *decisions* should:**

- Be consistent with the goals and objectives of the municipality; and
- Be made after consideration of all community viewpoints.

**References**

**Relevant Acts, Regulation and Policy**

<b>Provincial Acts and Regulation</b>
<i>The Accessibility Act</i>
<i>The Construction Codes Act (this Act will repeal and replace <i>The Uniform Building and Accessibility Standards Act</i> on January 1, 2022)</i>
<i>The Food Safety Regulations</i>
<i>The Health Hazard Regulations</i>
<i>The Public Health Act, 1994</i>
<i>The Tobacco and Vapour Products Control Act</i>
<i>The Tobacco and Vapour Products Control Regulations</i>
<i>The Uniform Building and Accessibility Standards Act</i>
<i>The Uniform Building and Accessibility Standards Regulations</i>
<i>The Saskatchewan Human Rights Code</i>
<b>Federal Acts, Regulations and Policy</b>
<i>Canada Consumer Product Safety Act</i>
<i>Canada's Food Guide</i>
<i>Cannabis Act</i>
<i>Food and Drugs Act</i>
<i>Non-Smoker's Health Act</i>
<i>Safe Food for Canadians Act</i>
<i>Safe Food for Canadians Regulations</i>
<i>Tobacco and Vaping Products Act</i>

## Relevant Publications and Documents

Title	Author
Healthy Built Environment Linkages Toolkit	BC Centre for Disease Control
Supporting Health Equity Through the Built Environment	
Range of data, reports and fact sheets including information on accessible and adaptable housing	Canada Mortgage and Housing Corporation
Health Equity Impact Assessment Tool	Canadian Public Health Association
National Housing Strategy	Government of Canada
A Common Vision for Increasing Physical Activity and Reducing Sedentary Living In Canada: Let's Get Moving	
Saskatchewan Disability Strategy	Government of Saskatchewan
Mobilizing Knowledge on Active Transportation	Health Canada
Planning Healthy Communities Fact Sheet Series	Health Canada and the Coalitions Linking Action and Science for Prevention (CLASP) Initiative
National Active Transportation Strategy	Infrastructure Canada
Cannabis Guide for Municipalities	Ministry of Government Relations
Building Standards Guide: Barrier Free Design	
The Cost of Healthy Eating in Saskatchewan	Ministry of Health
Healthy Foods for my Recreation Setting – A Step-by-Step Guide	Public Health Nutritionists of Saskatchewan Working Group

## Contact Information

For More Information On	Contact Ministry, Agency or Crown Corporation	Contact Information
Accessible Buildings, Including Barrier-Free Design	Ministry of Government Relations, Building and Technical Standards Branch	Phone: 306-787-4113 Email: <a href="mailto:btstandards@gov.sk.ca">btstandards@gov.sk.ca</a>
Community Health and Well-being and Land Use Planning	Saskatchewan Health Authority, Population Health	Phone: 306-655-3648 Email: <a href="mailto:populationhealth@saskhealthauthority.ca">populationhealth@saskhealthauthority.ca</a>
Human Rights and Land Use Planning, Including Accessible Communities, Housing and <i>The Saskatchewan Human Rights Code</i> – Business Help Line	Saskatchewan Human Rights Commission	Phone: 306-933-5952 Toll Free: 800-667-9249 Fax: 306-933-7863 Email: <a href="mailto:shrc@gov.sk.ca">shrc@gov.sk.ca</a>
Accessibility Legislation	Ministry of Social Services, Disability Programs	Phone: 306-798-0660 Toll Free: 877-915-7468 TTY: 306-787-7283 Email: <a href="mailto:accesiblesk@gov.sk.ca">accesiblesk@gov.sk.ca</a>

## 6.16 Economic Growth

### Statement of Interest

The province has an interest in a strong provincial economy that helps improve the quality of life for all Saskatchewan people.

To assist in meeting the province's economic interests, planning documents and decisions shall, insofar as is practical:

1. Consider the benefits of economic development opportunities;
2. Provide transparent and timely processes for development applications; and
3. Consider streamlining and modernizing regulatory requirements to facilitate growth and development.



Photo credit: Pixabay

## Context

- Economic growth raises incomes and living standards and increases the money available to all levels of government for delivering programs and services.
- [Saskatchewan's Growth Plan](#), the province's roadmap towards 100,000 more jobs and 1.4 million people by 2030, describes the purpose of growth as intending to build a better quality of life for Saskatchewan people, including stronger communities.
- Development policies and zoning bylaws can have a significant impact on where companies choose to make the investments that create jobs and economic growth.
- Regulations can be both effective and efficient. Regulatory modernization does not aim to lower standards for protecting workers, communities and the environment. Businesses are looking for predictable outcomes from regulatory processes and consistent application of standards.
- Delays in permitting may cause a business to miss a critical window of opportunity and allow a competitor to gain the advantage. Delays may also mean a business will decide to invest in other jurisdictions over locations in Saskatchewan.

## Benefits of Good Planning and Policies

- A strong economy helps improve the quality of life for all Saskatchewan people and makes the achievement of several other interest areas easier.
- Transparent planning processes and modern regulatory requirements make communities more attractive for investment opportunities.

## Implementation Guidance

### 1. Consider the benefits of economic development opportunities.

#### What does the municipality need to know?

- Land use planning can help support economic development opportunities.
- When considering present and future economic development opportunities, municipalities should consider several factors as part of their decision-making:
  - Value of the proposed investment;
  - Expected short term (e.g. construction) and long term employment and average salaries expected from the opportunity;
  - Local supplier opportunities created by the opportunity; and
  - Additional increased spending in the community from the new investment and enhanced incomes.
- To ensure balance, municipalities should also be aware of any potential negative factors associated with the opportunity (e.g. servicing costs and land use compatibility).
- Land and infrastructure requirements needed to enable economic development (e.g. transportation, utilities, etc.). This will allow a municipality to properly evaluate economic development opportunities when they arise.
- The regulations should be considered in their entirety. If a particular development has multiple interest areas at odds, a municipality can request more information from the applicant to aid in their decision.

### **The Ministry of Trade and Export Development:**

- Advances economic growth to generate wealth and opportunity in Saskatchewan.
- Facilitates a coordinated cross-government approach to attract investment and grow export markets. This includes providing concierge-style service to investors.
- Fosters and supports a competitive business environment, facilitates trade and strengthens Saskatchewan's international relations. This includes providing advice to ensure programs aimed to attract new investors align with the province's trade obligations.
- Works to reduce government red tape for businesses as part of its mandate to support a competitive business environment; and
- Develops and delivers tax incentives and support mechanisms for business to advance economic growth and investment.

### **Planning *documents* should:**

- Describe the municipality's vision and goals for economic development.
- Designate areas for economic development as appropriate.
- Encourage economic development opportunities insofar as is practical.
- Seek innovative solutions to balance competing land use interests to encourage economic development.
- Identify infrastructure needs for economic development.
- Establish clear criteria within planning bylaws as to what factors council will consider applications against. This provides direction and transparency to both council and project proponents.
  - Include consideration of potential long-term economic benefits of a project if it were approved.
- Support diversity of economic activity.

### **Planning *decisions* should:**

- Consider short and long-term economic benefits of opportunities; and
- Align with the municipality's vision and goals.

## **2. Provide transparent and timely processes for development applications.**

### **What does the municipality need to know?**

- Transparency in development applications allows applicants to understand the application requirements and know the status of their application and how a decision is being made.
- Timely and transparent municipal decisions, approved or otherwise, provides applicants the clarity needed to make investment decisions.
- Establishing clear criteria for decision-making on development applications helps investors make decisions about where to invest.
- Investors often have provincial, federal and municipal regulations to meet. Transparency in process and timelines helps investors to more efficiently navigate these regulatory requirements.

**Council may wish to:**

- Adopt policy statements within their planning documents that ensure applications are considered/processed within a set time frame. An example would be to set a service standard.
- Hire, individually or regionally, an economic development officer to help navigate planning or economic development professionals. This can help ensure procedural transparency, adhere to legislation and guide complex development proposals through the land use planning process.
- Review how they process discretionary use applications. The Act outlines that discretionary use applications must have criteria that council uses when deciding whether or not to approve an application. By adding detail to their discretionary use criteria, a municipality can provide greater direction to both the elected council and any potential developers looking to invest in the community.

**Planning *documents* should:**

- Contain clear criteria for council and administration to follow when evaluating both permitted and discretionary use applications;
- Establish a clear decision process; and
- Identify timelines required by council and the circumstances that would necessitate an extension to these timelines (e.g. incomplete application or complexity of proposal requiring additional items to be resolved).

**Planning *decisions* should:**

- Adhere to policy statements, service standards or other reasonable time limits;
- Be transparent and based on clear criteria;
- Apply standards fairly and consistently;
- Clearly communicate objections, concerns and reasons behind decisions; and
- Notify applicants of their right to appeal when they are entitled to one.

**3. Consider streamlining and modernizing regulatory requirements to facilitate growth and development.****What does the municipality need to know?**

- Red tape and regulatory barriers are consistently identified by business as an impediment to investment.
- Regulatory requirements serve an important purpose in protecting people's health and safety, and the environment. It is important they remain current, relevant, and navigable for business and industry investment.
- Unclear or unnecessary regulatory requirements add time and cost for business, and reduces their ability to grow and innovate.
- Adopting consistent regulatory requirements between jurisdictions can make it easier for the affected municipalities to apply their regulations and easier for businesses to operate within the region.

**The Ministry of Trade and Export Development, Regulatory Modernization Unit:**

- Is responsible for reducing red tape within the provincial government; and
- Can share best practices to help prevent red tape and unnecessary regulatory barriers.

**Planning *documents* should:**

- Be regularly reviewed, assessed, and updated to ensure they are current, relevant, and navigable for businesses;
- Outline methods to cooperate with neighbouring communities to reconcile regulatory requirements and procedures, where appropriate (for example, to mitigate similar risks). This could be achieved via complementary development standards or servicing agreement templates;
- Ensure regulatory requirements are transparent, accessible and easy to understand;
- Consider methods that would allow flexibility for an applicant to meet the intended outcome of the regulation (e.g. results-based regulation) where appropriate and practical; and
- Minimize duplicative or unclear regulatory requirements.

**Planning *decisions* should:**

- Be based on current and relevant regulations;
- Be timely and based on a process that is efficient, fair, and transparent (as outlined in 6.16.2, above); and
- Apply the lightest regulatory footprint necessary to achieve planning and policy objectives.

**References**

**Relevant Acts, Regulation and Policy**

Provincial Acts and Regulation	
<i>The Economic and Co-operative Development Act</i>	
<i>The Planning and Development Act, 2007</i>	
<i>The Regulatory Modernization and Accountability Act</i>	
Provincial Policy	
<i>Saskatchewan's Growth Plan: The Next Decade of Growth, 2020-2030</i>	
<i>New West Partnership Trade Agreement</i>	
<i>Canadian Free Trade Agreement</i>	

**Relevant Publications and Documents**

Title	Author
Expectations for Saskatchewan Regulators	Government of Saskatchewan
Annual Regulatory Modernization Progress Report	Ministry of Trade and Export Development

**Contact Information**

<b>For More Information On</b>	<b>Contact Ministry, Agency or Crown Corporation</b>	<b>Contact Information</b>
Regulatory Modernization	Ministry of Trade and Export Development, Regulatory Modernization Unit	Phone: 306-787-8865
Saskatchewan's Trade Commitments	Ministry of Trade and Export Development, Trade Policy Unit	Phone: 306-798-6098
Growth Incentives	Ministry of Trade and Export Development, Financial Programs Unit	Phone: 306-798-1277

## 7. Glossary

The glossary clarifies the meaning of some terms used in the regulations that are not defined in the Act. Definitions were developed by the Ministry of Government Relations with assistance from other provincial ministries, agencies and Crown corporations.

**“Act”** means *The Planning and Development Act, 2007*.

**“agricultural operation”** means an agricultural operation as defined within *The Agricultural Operations Act*.

- Note: for ease of reference, the definition for “agricultural operation” in *The Agricultural Operations Act* is:

“agricultural operation” means an agricultural operation:

(i) that is carried out on a farm, in the expectation of gain or reward, including:

- (A) Cultivating land;
- (B) Producing agricultural crops, including hay and forage;
- (C) Producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- (D) Raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- (E) Carrying on an intensive livestock operation;
- (F) Producing eggs, milk, honey and other animal products;
- (G) Operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- (H) Conducting any process necessary to prepare a farm product for distribution from the farm gate;
- (I) Storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- (J) Any other prescribed agricultural activity or process; or

(ii) That is prescribed as an agricultural operation for the purposes of [*The Agricultural Operations Act*];

**“compatible”** means, with respect to land use, that land uses are able to exist near to each other without conflict or are consistent and capable of being used in combination with each other.

**“cultural resources”** means any item a community identifies as important for supporting and expressing its shared values, identity and way of life, and can include community events, community organizations, museums, galleries, libraries, rituals, languages, customs, stories, local arts and crafts, publishing, music, and film.

**“ecosystem”** means an interdependent system containing all living organisms, the physical and chemical factors of their environment and the processes that link them.

**“engagement”** means an action or process that provides an opportunity for a person or organization, outside of any legal constitutional obligation, to inform, learn from, involve and cooperate with individuals and organizations that are interested in, and may be affected by, potential actions or decisions.

- Note: the above definition differentiates engagement from the legal Duty to Consult process.

**“environmentally sensitive lands and areas”** means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following:

- A ravine, coulee, swamp, natural drainage course or creek bed;
- Wildlife habitat, environmentally sensitive or significant natural or heritage areas;
- Flood-prone or potentially unstable land; or
- Land abutting lakes streams or rivers for pollution prevention, bank preservation or development protection from flooding.

**“flood fringe”** means the portion of the floodplain inundated by the 1:200-year flood that is not floodway.

**“floodplain”** means the area inundated by water from a watercourse or water body during a 1:200-year flood and is made up of the floodway and the flood fringe.

**“flood proofed”** means a measure, or combination of structural and nonstructural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

**“floodway”** means the portion of the floodplain adjoining the channel where the waters in the 1:200-year flood are projected to:

- (a) Meet or exceed a depth of one metre; or
- (b) Meet or exceed a velocity of one metre per second.

**“hazard land”** means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

**“heritage resources”** means:

- (a) Archaeological and paleontological objects; and
- (b) Any property or site that is of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value. Heritage resources includes built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

**“housing continuum”** means the range of types of housing in a community and includes shelters, supportive or transitional housing, cooperative housing, rental properties and various other properties regardless of ownership or market characteristics.

**“human-induced threats”** means hazardous or toxic spills, utility failures, structural collapse, train derailments and other human-induced events harmful to public safety.

**“intensive livestock operation”** means an intensive livestock operation as defined in *The Agricultural Operations Act*.

- Note: for ease of reference, the definition for “intensive livestock operation” in *The Agricultural Operations Act* is:

“intensive livestock operation” means the confining of any of the following animals, where the space per animal unit is less than 370 square metres:

- (i) Poultry;
- (ii) Hogs;
- (iii) Sheep;
- (iv) Goats;
- (v) Cattle;
- (vi) Horses;
- (vii) Any other prescribed animals;

**“mineral exploration and development”** means any development necessary to fulfil the rights to:

- (a) Search, dig, bore and drill for oil and gas, oil sands or oil shale, as the case may be, within the subject lands;
- (b) Win, get, recover, extract, procure, carry away, dispose of and sell the oil and gas, oil sands or oil sands products or oil shale or oil shale products, as the case may be, found within the subject lands; and
- (c) Explore for, mine, work, recover, procure, carry away and dispose of any minerals within the subject lands.

**“mineral resources”** means mineral resources as defined in *The Mineral Resources Act, 1985*.

- Note: for ease of reference, the definition for “mineral resources” in *The Mineral Resources Act, 1985* is:

“mineral resource” means any mineral deposit that may be found on, in or under any lands in Saskatchewan, including without limitation any reservoir of oil, gas, or oil and gas and any ore body containing any mineral;

**“planning document”** means any official community plan, a plan prepared for a planning district pursuant to section 102 of the Act, a zoning bylaw, a subdivision bylaw and any appendices forming part of the plan or bylaw.

**“planning decisions”** means any decision of a municipal council, development officer, district planning commission, district planning authority, regional planning authority, development appeals board, district development appeals board, the Saskatchewan Municipal Board or the Minister of Government Relations made pursuant to an authority under the Act.

**“provincially designated lands”** means lands designated or identified by the province or its agencies as parklands, ecological reserves or wildlife habitat lands, including critical habitat of species at risk.

**“provincial forests”** means Crown resource lands as defined in *The Forest Resources Management Act*.

- Note: for ease of reference, the definition for “provincial forests” in *The Forest Resources Management Act* is:

“provincial forest” means any Crown resource land designated by the Lieutenant Governor in Council pursuant to section 12 [of *The Forest Resources Management Act*];

**“responsible development”** means the management of human relationships with the natural environment so that economic, social and cultural needs are met and ecological processes and natural diversity are maintained.

**“sand and gravel”** means sand and gravel products, excluding ceramic clays and granular silica, found on the surface of land and obtainable by either or both of the following methods:

- (a) Stripping off the surface;
- (b) Excavating.

**“sustainable”** means meeting present needs without compromising the ability of future generations to meet their needs.