

RESORT VILLAGE OF MISTUSINNE

OFFICIAL COMMUNITY PLAN

DRAFT

Prepared for:

THE RESORT VILLAGE OF MISTUSINNE

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The Resort Village of Mistusinne

Official Community Plan

Bylaw No. _____

A Bylaw of the Resort Village of Mistusinne to adopt the Official Community Plan.

The Council of the Resort Village of Mistusinne in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 29 and 32 of *The Planning and Development Act, 2007* the Council of the Resort Village of Mistusinne hereby adopts the Official Community Plan, identified as Schedule "A" to this bylaw.
- (2) The Mayor and Village Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
- (3) This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the _____ day of _____ , _____

Read a Second Time the _____ day of _____ , _____

Read a Third Time the _____ day of _____ , _____

Adoption of this Bylaw this _____ day of _____ , _____

(Mayor)

SEAL

(Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council

On the _____ day of _____, of the year _____

THE RESORT VILLAGE OF MISTUSINNE

OFFICIAL COMMUNITY PLAN

Being Schedule “A” to Bylaw No. _____
of the Resort Village of Mistusinne

(Mayor)

SEAL

(Administrator)

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1 INTRODUCTION

1.1 AUTHORITY

In accordance with Sections 29 and 32 of *The Planning and Development Act, 2007 (The Act)*, the Council of the Resort Village of Mistusinne has prepared and adopted this Official Community Plan to provide the Resort Village with goals, objectives and policies relating to approximately twenty five (25) years of future growth and development within the community.

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

- (1) sustainable current and future land use and development in the municipality;
- (2) current and future economic development;
- (3) the general provision of public work;
- (4) the management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
- (5) the management of environmentally sensitive lands;
- (6) source water protection; and,
- (7) the means of implementing the Official Community Plan.

The Province of Saskatchewan adopted the Statements of Provincial Interest Regulations effective 29 March 2012 applicable to community planning and development under Section 7 of *The Act*. Section 8 of *The Act* provides that every Official Community Plan and Zoning Bylaw must be consistent with the Statements of Provincial Interest Regulations.

In general the Statements of Provincial Interest Regulations address:

- 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 Lands and Water Bodies
- Source Water Protection
- Transportation
- Community Health and Well Being
- Economic Development

1.2 SCOPE AND PURPOSE

The policies in this Official Community Plan address the need for future land use planning in the Resort Village of Mistusinne as well as other matters related to its physical, social and economic development. The policies are intended to provide the Resort Village of Mistusinne with direction and guidelines for establishing bylaws, programs and decision making on future land use and development proposals in the Village.

This Plan is intended to guide the growth and development of the Resort Village of Mistusinne approximately for the next 25 years.

All development within the incorporated area of the Resort Village of Mistusinne shall conform to the objectives and policies contained in this Official Community Plan.

1.3 FLOOD AND SLUMP HAZARD LIABILITY DISCLAIMER

The OCP and Zoning Bylaw provide a reasonable degree of identifying land requiring either flood protection or land which may be subject to slumping. These areas are identified based on historical, engineering and scientific data and assumptions. Council assumes that land which is not identified may still be affected by flooding due to man-made and natural causes (e.g. excessive precipitation, ice ridges). Council also assumes that certain areas not identified as slump-prone may be unstable due to man-made and natural causes (e.g. excessive precipitation, improper excavation). Reliance on this bylaw or the Zoning Bylaw shall not create a liability for, or cause an action against, Council, the Development Officer or any other municipal employee, as a result of any flood or slump damages.

2 VISION AND GOALS

2.1 VISION

The vision for the Resort Village of Mistusinne is intended to guide future growth and development for the next twenty-five years and was created by community members, stakeholders and business owners through community engagement processes.

“The future of Mistusinne must be built on its past development as a single-dwelling recreational community with a rural atmosphere in a park like setting and with an attractive lakeside environment. In many ways, our Village is an integral part of the surrounding communities.

Future Ratepayers will continue to view the Resort Village of Mistusinne, with the sandy beaches and clear water of lake Diefenbaker as its primary attractions, as a recreational and residential community of single dwellings for its ratepayer citizens.

Afforested and grass covered open spaces, among clusters of quality private dwellings, linked by pathways to play areas, to the golf course, to the beaches and the shoreline will continue to offer nature-based outdoor recreation opportunities summer and winter.”

2.1 GOALS

2.1.1 Environmental

- (1) To conserve the aquatic and terrestrial ecological resources within the Resort Village.
- (2) To conserve heritage resources within the Resort Village.
- (3) To manage the natural resources within the Resort Village in a manner that is economically, socially, and environmentally responsible.
- (4) To provide ongoing opportunities for residents to enjoy and appreciate the water, land, wildlife and heritage resources of the Village.

2.1.2 Social

- (1) To obtain and sustain support and assistance from village residents in realizing the goals and objectives of this plan.
- (2) To support and complement the *Statements of Provincial Interest Regulations* in the realization of the goals and objectives of this plan.
- (3) To engage with neighbouring communities to identify and mitigate planning, municipal servicing and growth issues of concern to the Resort Village.

2.1.3 Economic

- (1) To limit physical development to the minimum levels essential for public service needs within the constraints of municipal financial capabilities, resource conservation and compliance with the requirements of senior levels of government.
- (2) To insulate the Resort Village from demands for residential and industrial development in the Rural Municipality of Maple Bush and broader region.
- (3) To restrict the establishment of private commercial enterprises within the Municipality.

3 OBJECTIVES & POLICIES

3.1 RESIDENTIAL

3.1.1 Background

- There are currently 247 total private dwellings in the Resort Village. The 2016 census reported that 85% of residents are seasonal while 15% of residents live in the Village year-round.
- Increasing public demand for recreational property in southern Saskatchewan has caused the value of both vacant lots and existing residences in the Resort Village to increase substantially in recent years; this trend is expected to continue.
- There is opportunity for the Resort Village to expand its land base as it is situated on the moderately flat grasslands of the Eyebrow Plain Ecoregion and is surrounded by agricultural land.
- Replacement of ageing residences and development on vacant lots is anticipated to continue and accelerate in coming years.
- The Resort Village wishes to maintain the existing residential character of the community, which is limited to single detached dwellings.
- The Resort Village periodically conducts surveys to gather information that aids the community in making decisions about residential land use, transportation infrastructure, and community events.
- The Resort Village does not support the subdivision of existing residential lots within the community, in order to maintain the historic character of the area.
- Building maintenance and upkeep is important to the Resort Village, in order to preserve a visually appealing community.
- The *Statements of Provincial Interest Regulations* provides the following statement concerning residential development, which is addressed in the objectives and policies that follow:
 - *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 wellbeing of communities.*

3.1.2 Residential Objectives and Policies

Objective 3.1.2.1: Residential

To establish effective municipal control over future residential development in the Resort Village.

- Policy (a)** The Zoning Bylaw will regulate the distances to buildings or structures from the property line, the minimum space to be allowed between buildings, the maximum height of buildings and structures and the maximum coverage of a site by buildings or structures.
- Policy (b)** Residential building construction shall be regulated by the Municipality's Building Bylaw.
- Policy (c)** The Zoning Bylaw will require the submission of a site grading plan for development of residential sites in the Resort Village to ensure that there is adequate drainage from a site and that neighbouring properties and municipal infrastructure will not be adversely affected by potential runoff from the development.

- Policy (d)** All newly constructed buildings and any alteration, repair, renovation, demolition, relocation, removal or change of use or occupancy shall be undertaken according to *The Uniform Building and Accessibility Standards Act of the Statutes of Saskatchewan*.
- Policy (e)** Residential uses shall be properly buffered from incompatible uses, railways, and major roadways.

Objective 3.1.2.2: Infill Development

To ensure future residential development is carried out in a manner that preserves the historic character of the resort village and in alignment with the ecological, social and economic values of community residents.

- Policy (a)** The Zoning Bylaw shall contain a residential district that will facilitate the continued development of single detached dwellings, and eliminate the ability for existing residential sites to be further subdivided.

Objective 3.1.2.3: Aesthetics

To ensure the residential buildings and sites are constructed and maintained to acceptable standards.

- Policy (a)** The Resort Village will ensure residential buildings and sites are constructed and maintained to acceptable standards through the use of the Resort Village's Nuisance Bylaw No. 05-05.

3.2 COMMERCIAL, INDUSTRIAL & ECONOMIC DEVELOPMENT

3.2.1 Background

- Resort Village residents agree that private economic development and related commercial and industrial activities including sales outlets, workshops, and home-based businesses are not consistent with the historic character of the Resort Village or the social and economic values of community residents.
- There are no private commercial businesses located in the Resort Village.
- Neighbouring municipalities (notably the Village of Elbow) provide ample, and growing commercial services and development opportunities in close proximity to the Resort Village.
- There are no known mineral resources within the municipality; existing residential developments make future mineral resource extraction impractical.

3.2.3 Commercial Objectives and Policies

Objective 3.2.3.1: Commercial and Industrial

To prohibit commercial and industrial development in the Resort Village of Mistusinne.

- Policy (a)** The Zoning Bylaw shall not provide for commercial or industrial development.

3.3 TRANSPORTATION, INFRASTRUCTURE AND COMMUNITY SERVICES

3.3.1 Background

- The Resort Village operates on a year-round basis but sees a significant decline in residents over the winter months.
- Water in the village is supplied by individual private wells. In order to meet national water safety standards, the Resort Village should explore options in regard to providing potable water to property owners.
- The Resort Village does not own or operate a sewage lagoon. Property owners within the municipality use holding tanks and sewage is trucked out by private septic service companies. All sewage pump outs are hauled to a nearby private lagoon.
- The Resort Village has various capital assets including buildings, equipment, as well as a number of recreational facilities.
- The Resort Village periodically conducts surveys to gather information that aids the community in making decisions about residential land use, transportation infrastructure, and community events.
- Resort Village residents recognize that Capital Assets will wear out and need to be replaced over time.
- The Municipality is directed by an elected Council of five, an Administrator, Clerk and employs seasonal staff.
- The Resort Village of Mistusinne relies on neighbouring municipalities to provide ratepayers access to commercial services.
- The *Statements of Provincial Interest Regulations* provides the following statement concerning public works, transportation and flooding, which are addressed in the objectives and policies that follow:
 - *The province has an interest in safe, healthy, reliable and cost effective public works to facilitate economic growth and community development.*
 - *The province has an interest in safe, cost effective transportation systems that meet existing and future needs for economic growth, community development and diversification.*
 - *The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.*

3.3.2 Transportation and Infrastructure Objectives and Policies

Objective 3.3.2.1: Water

To protect ground water and other water resources from contamination to ensure a safe supply of drinking water and to maintain the highest possible level of overall water quality in the municipality.

Policy (a) Development shall not deplete or pollute groundwater in the municipality.

Policy (b) Council shall be committed to the protection of ground and surface water, public health, property, and the environment through the use of water management programs that:

- (i) maintain healthy ecosystems; and
- (ii) ensure the provision of safe and reliable drinking water.

Objective 3.3.2.2: Emergency Services

To provide essential emergency services to the Resort Village residents.

- Policy (a)** The Resort Village will continue to provide for essential emergency services to residents through shared services agreements with neighbouring municipalities.

Objective 3.3.2.3: Solid Waste

To provide solid waste collection services to the residents.

Objective 3.3.2.4: Liquid Waste

To work with regional neighbours, who have sewage treatment capacity, in order for property owners of the Resort Village of Mistusinne to be able to dispose of liquid waste.

- Policy (a)** The Resort Village will continue a working relationship with local sewage treatment facilities in dealing with liquid waste disposal for the residents of the Resort Village of Mistusinne.

- Policy (b)** The Resort Village will continue to explore innovative solutions to reduce the cost of liquid waste disposal.

Objective 3.3.2.5: Railways

To ensure railways and rail activity continues to provide vital services to the community while mitigating any negative impacts resulting from ongoing railway operations.

- Policy (a)** The Resort Village will provide for efficient and effective land use and transportation planning, including consultation with railway companies, in order to reduce the potential for land use conflicts and provide appropriate protection for rail infrastructure.

- Policy (b)** Land use conflicts may be minimized in areas adjacent to railway lines and rail yards through the application of the Federation of Canadian Municipalities and the Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations, 2013*.

Objective 3.3.2.6: Integrated Infrastructure Planning

To integrate planning, finance and engineering to effectively manage existing and new infrastructure in a sustainable, innovative and cost effective manner.

- Policy (a)** The Resort Village will continue to inform their decision making processes by preparing and coordinating strategic planning, financial planning, asset management planning and other similar initiatives.

- Policy (b)** The Resort Village shall undertake infrastructure and other studies, as necessary, to plan for changes or improvements to the Village's infrastructure systems to meet current engineering standards, accommodate development and improve operational efficiency.

- Policy (c)** The Village will ensure that development can be adequately serviced by infrastructure and utility systems and services by understanding the Village's infrastructure needs and the costs associated with those needs by using the most up to date information available.

Objective 3.3.2.7: Asset Management

To ensure a clear picture of the current state of the Resort Village's municipal infrastructure in order to manage it effectively over the long-term.

- Policy (a)** Continue to utilize and implement Asset Management Plans in order to sustainably provide an appropriate level of service to residents and visitors.
- Policy (b)** Ensure consistency between all long term planning documents going forward including this Official Community Plan, Asset Management Plans, Long Term Financial Plans, and others.
- Policy (c)** Ensure Asset Management Plans are kept up to date and used to support infrastructure investment decisions.
- Policy (d)** Use Asset Management Plans to support long term financial planning.

Objective 3.3.2.8: Mistusinne Transportation Network

To provide safe all-weather access into and within the Resort Village.

- Policy (a)** During the snow free period of the year, developed streets will be maintained in a condition that is safe for all-weather vehicle passage, resistant to erosion from runoff and in a manner that minimized dust nuisance during dry periods.
- Policy (b)** Developments shall be located and designed in a manner which ensures safe and efficient traffic operations.
- Policy (c)** Connectivity and traffic safety for pedestrians, cyclists and private vehicles shall be considered in all land use and development decisions and in the planning and design of street improvements and upgrades.
- Policy (d)** Opportunities should be provided for the development of pathways within the Resort Village by exploring and envisioning linkages and connections between green spaces, destination sites and residential areas.

Objective 3.3.2.9: Infrastructure Costs

To ensure that future development contributes to the cost of infrastructure services in a manner which does not create a burden for existing residents and which does not impede long term growth.

- Policy (a)** The Resort Village will not be responsible for costs associated with the provision of municipal services to new development, except for Village-owned developments. Where a private development requires municipal services, including drainage, the proponent will be responsible for all costs associated with providing such services.

Objective 3.3.2.10: Infrastructure Capacities and Stormwater Management

To optimize use of existing Resort Village's water, solid waste, and stormwater management infrastructure and capacities.

Policy (a) Ensure that development in Mistusinne can be adequately serviced by infrastructure and utility systems and services by understanding the Resort Village's infrastructure needs, and the costs associated with those needs, by using the most up-to-date information available to the Resort Village.

Objective 3.3.2.11: Community Services

To accommodate community service uses throughout the Resort Village of Mistusinne.

Policy (a) The Zoning Bylaw will contain a community service district to provide for a range of community services uses within the Resort Village of Mistusinne.

Objective 3.3.2.12: Community Involvement

To achieve development within that addresses community desires.

Policy (a) Periodic surveys may be conducted to determine how residents are using the area within the municipality. The most recent Survey Results will be made available to the public and can be found on the Resort Village of Mistusinne website.

3.4 RECREATION AND THE NATURAL ENVIRONMENT**3.4.1 Background**

- The Resort Village of Mistusinne is located on the banks of Lake Diefenbaker within the Goose Lake Plain landscape area. The landscape area is characterised by undulating plains with fair drainage. Most lands adjacent to the Resort Village are cultivated by means of summer fallow and center pivot irrigation.
- In the Village all public and recreational facilities in the Resort Village are owned and operated by the municipality.
- The Mistusinne Golf Course, located at the northwest end of the Resort Village, is operated by the municipality with land leased from the provincial government for the purpose of public recreation.
- According to the Ministry of Environment, under Saskatchewan's Representative Areas Network, the resort Village of Mistusinne is not located in close proximity to any protected land (such as wildlife habitat protection areas, wildlife refuges, bird sanctuaries, or conservation easements). Terrestrial wildlife habitat was also not identified during the Saskatchewan Terrestrial Wildlife Habitat Inventory completed by the Wildlife Branch of the Saskatchewan Government.
- Recreation and open space lands are for the primary enjoyment of Resort Village residents.
- Resort Village residents agree that areas of tree and shrub cover are valuable recreational and ecological resources and are important to the identity of the community.
- Resort Village residents agree that the density of residential development impacts upon natural features, recreational and ecological resources.
- Resort Village residents agree that the visually aesthetic qualities of the community are important for both their human enjoyment and value of their properties.

- Resort Village residents agree that storage of trailers, vehicles and other materials not incidental to the use of a principle residence reduces the aesthetic qualities of the community.
- Policy is required to help ensure that new development and the condition of existing residences does not degrade the visual aesthetics of the Resort Village.
- The *Statements of Provincial Interest Regulations* provides the following statements concerning biodiversity, natural ecosystems, recreation and tourism, and shore lands and waterbodies which are addressed in the objectives and policies that follow:
 - *The province has an interest in conserving Saskatchewan's biodiversity, unique landscapes, and ecosystems for present and future generations.*
 - *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.*
 - *The province has an interest in environmental stewardship, responsible development and public access to provincial water bodies and shore lands.*

3.4.2 Amenities and Dedicated Lands Objectives and Policies

Objective 3.4.2.1: Scenic Views

To consider the impact of development on scenic vistas and on neighbouring properties within the Resort Village of Mistusinne.

Policy (a) When considering a proposed development, Council will be cognizant of possible sightline interference caused by the proposed development.

Policy (b) Applications for development may be required to demonstrate to Council how scenic vistas will be impacted.

Objective 3.4.2.2: Natural Areas and Ecosystems

To encourage the preservation and protection of undisturbed prairie, native tree and shrub cover and other significant areas of natural vegetation in the Resort Village.

Policy (a) Ensure that development is consistent with the protection of ecological resources in the Resort Village for both human enjoyment and for the maintenance of natural features and locations.

Policy (b) Natural and scenic areas of significant value, wherever possible, shall be placed in public ownership.

Policy (c) The integration of natural features, existing vegetation, habitat, and wetland areas in the development and maintenance of the Resort Village's parks, open space and walking systems shall be encouraged.

Objective 3.4.2.3: Shore Lands and Water Bodies

To ensure continued protection of and access to Diefenbaker Lake and its shore lands.

Policy (a) Work with provincial and federal agencies to protect the ecological integrity of Diefenbaker Lake. This resource will be protected and, where appropriate, integrated with recreational use and development.

- Policy (b)** Continue to work with the Water Security Agency and the Department of Fisheries and Oceans Canada in ensuring public access to the lake shore is maintained.
- Policy (c)** Restrict development of new structures on municipal reserves that front on to Diefenbaker Lake.

Objective 3.4.2.4: Recreation

To maximize ongoing recreational opportunities for residents to enjoy and appreciate the water, land, wildlife and heritage resources of the Resort Village.

- Policy (a)** The Resort Village will encourage participation by the community, public agencies, the RM of Maple Bush, and other stakeholders in the development of parks, green space, trail systems and other publicly accessible areas in the Resort Village of Mistusinne
- Policy (b)** The Resort Village may consider the maintenance and upkeep, or removal of walking and ATV access routes within the RV if desire is expressed by the community. The Resort Village may hold public consultation with rate payers prior to any action being undertaken.

3.5 BIOPHYSICAL CONSIDERATIONS & HAZARDS

3.5.1 Background

- Policy is required to minimize erosion impacts within the Resort Village.
- Lake Diefenbaker is a reservoir Lake formed by the construction of the Gardiner, and Qu'Appelle River Dams. The reservoir has a full water level of 556.8 metres and a probable max water level of 561.4 metres.
- The Resort Village is located in the South Saskatchewan River Watershed within the South Saskatchewan River Basin. In 2007, a Source Water Protection Plan was developed for the watershed.
- The *Statements of Provincial Interest Regulations* provides the following statement concerning public safety and source water protection, which are addressed in the objectives and policies that follow:
 - *The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.*
 - *The province has an interest in the protection of water sources that provide safe drinking water.*

3.5.2 Biophysical Considerations & Hazards Objectives and Policies

Objective 3.6.2.1: Hazardous and Sensitive Lands

To discourage inappropriate development in areas with potentially hazardous site conditions.

- Policy (a)** Development will be directed to areas believed to be capable of supporting such development.
- Policy (b)** Ensure that subdivision of land or the development of structures on hazard land does not occur or, if applicable, occurs in accordance with specified mitigation measures. The cost of any required hazard report to identify the risk of proceeding with a proposed development on potentially hazardous land or recommending specified measures to

mitigate the risk of development of hazardous land will be the responsibility of the proponent of the proposed development.

- Policy (c)** Require that applicants for proposed development on land that is identified as being potentially hazardous submit a report prepared by a qualified professional engineer that assesses the risk associated with the development and identifies any necessary mitigation measures.
- Policy (d)** Require that applicants for proposed development on land that Council is of the opinion will potentially affect adjacent and nearby properties, submit a report prepared by a qualified professional engineer that assesses the risk associated with the development and identifies any necessary mitigation measures.
- Policy (e)** The Zoning Bylaw will contain standards for development on or near hazard lands.
- Policy (f)** Environmentally sensitive areas shall be used for public open space.

Objective 3.5.2.2: Flooding

To protect development against the risks of flooding.

- Policy (a)** Ensure the most recent information on potential flood hazard areas within the Municipality, as it relates to applications for development permits, is used.
- Policy (b)** The Resort Village will work with the Water Security Agency, as necessary, on potential flood protection issues in the municipality.
- Policy (c)** As per the Statements of Provincial Interest, insofar as is practical, the development of new buildings and additions to buildings in the floodway in the 1:500 year flood elevation of any watercourse or waterbody shall be prohibited.
- Policy (d)** As per the Statements of Provincial Interest, insofar as is practical, development of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourse or waterbody in the flood fringe shall be flood-proofed.
- Policy (e)** Any site proposed for development that involves excavation or filling must be graded and levelled at the owner's expense to provide adequate surface drainage, which will not adversely affect adjacent properties.
- Policy (f)** In so far as practical, lands below an elevation of 561.4 metres above sea level shall be zoned for parks and recreation and restricted development, in the Zoning Bylaw. The 1:500 year flood elevation is generally illustrated on Map 1 – Future Land Use Concept.

Objective 3.5.2.3: Water Resources

To protect ground and surface water resources from contamination.

- Policy (a)** Ensure that development does not deplete or reduce the quality of water resources in the broader region.

- Policy (b)** Ensure that development protects and sustains important waterbodies, waterways, wetlands, groundwater and riparian systems in the Resort Village and broader region by employing site-specific planning programs, either alone or in cooperation with other agencies, organizations or governments. This may include limiting, restricting, delaying or prohibiting development in proposed development areas until site-specific planning has been completed or until the Resort Village is satisfied that specific development projects will sustain these areas.
- Policy (c)** Work with the Saskatchewan Water Security Agency in implementing the South Saskatchewan River Source Water Protection Plan 2007.

Objective 3.5.2.4: Erosion

To manage and minimize the effects of erosion within the Resort Village.

- Policy (a)** All excavations or fillings shall be re-vegetated with a suitable ground cover as may be necessary to prevent erosion.

3.6 INTERMUNICIPAL & INTERJURISDICTIONAL COOPERATION

3.6.1 Background

- The Resort Village of Mistusinne is on the east shore of lake Diefenbaker, eight Kilometres southeast of the Village of Elbow on Highway No.19, within the RM of Maple Bush No. 224
- In areas adjacent to the Resort Village, it is important to ensure that developments do not cause adverse effects upon existing land uses or servicing requirements.
- The Resort Village leases crown land located in the RM of Maple Bush. Leased crown lands are used for recreation. Existing developments on the land include; a boat launch, maintenance area, golf course, and an area identified as potential future growth.
- The *Statements of Provincial Interest Regulations* provides the following statement concerning intermunicipal cooperation, which is addressed in the objectives and policies that follow:
 - *The province has an interest in promoting intermunicipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local development.*

3.6.2 Intermunicipal & Interjurisdictional Cooperation Objectives and Policies

Objective 3.6.2.1: Government Cooperation

To pursue opportunities with the federal and provincial governments to enhance services and to provide innovative opportunities for the Resort Village of Mistusinne and the region.

- Policy (a)** The Resort Village of Mistusinne will pursue opportunities to take advantage of federal and provincial programs which will benefit Mistusinne and the region.

Objective 3.6.2.2: Regional Cooperation

To maintain ongoing engagement with neighbouring communities to identify and mitigate planning, municipal servicing, and growth issues of concern to the Resort Village of Mistusinne.

- Policy (a)** The Resort Village will pursue agreements and cooperation with neighbouring municipalities, planning commissions, First Nations, and other stakeholders that will address joint planning, future growth, and joint delivery of services, based on common interests of the region as a whole.
- Policy (b)** The Resort Village will participate in inter-municipal and regional planning processes to develop or upgrade public works, public facilities, and transportation infrastructure or public service delivery.
- Policy (c)** The Resort Village will consult, as required, with the RM of Maple Bush to identify and mitigate planning, municipal servicing and growth issues of potential mutual concern.
- Policy (d)** In the interests of strengthening regional planning Council will consider participation in joint planning studies and initiatives, ideally with support of senior government funding.
- Policy (e)** The Resort Village of Mistusinne shall continue to work with the Rural Municipality of Maple Bush to address and resolve issues and concerns of mutual interest.

3.7 CULTURAL AND HERITAGE RESOURCES

3.7.1 Background

- The Department of Natural Resources originally surveyed the Mistusinne Townsite in 1967, creating 250 individual lots. The Department leased and sold the cottage lots until 1980 when the townsite became a Resort Village under the Urban Municipalities act.
- There are no designated Municipal Heritage Properties located within the Resort Village of Mistusinne. Municipal Heritage Properties are afforded protection under *The Saskatchewan Heritage Property Act*.
- Development within Mistusinne should be consistent with the protection of natural and heritage resources in order to recognize the limitations and opportunities these resources offer, to protect people and property, to achieve natural resource protection, to avoid excessive development and maintenance costs, and to minimize environmental disruption and pollution.
- The *Statements of Provincial Interest Regulations* provides the following statement concerning heritage and culture, which is addressed in the objectives and policies that follow:
 - *The province has an interest in ensuring Saskatchewan's cultural and heritage resources are protected, conserved and responsibly used.*

3.7.2 Heritage Resources Objectives and Policies

Objective 3.7.2.1: Heritage Protection

To protect the heritage resources within the Resort Village, and where such protection cannot be achieved, to implement appropriate mitigation measures.

- Policy (a)** Support the designation of provincial heritage and municipal heritage buildings and sites within the Resort Village.
- Policy (b)** The Resort Village's land use and development decisions will be sensitive to the conservation and protection of culture and heritage resources.

- Policy (c)** The Resort Village shall consider the use of dedicated lands, such as environmental and municipal reserve, to protect and conserve culture and heritage features, where possible.
- Policy (d)** Insofar as practical, the Resort Village shall use the provisions set out in the Standards and Guidelines for the conservation of Historic Places to guide protection and conservation efforts of heritage places.

4 IMPLEMENTATION

4.1 ZONING BYLAW

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

4.1.1 Purpose

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

4.1.2 Content and Objectives

The Zoning Bylaw will implement the land use policies contained in this Official Community Plan by prescribing and establishing zoning districts for residential uses, community service and institutional uses, and other municipal uses. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, off-street parking, landscaping, and so forth.

4.1.3 Amending the Zoning Bylaw

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

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

4.1.4 Zoning by Agreement

- (1) Where an application is made to Council to rezone land to permit the carrying out of a specified proposal, Council may, for the purpose of accommodating the request, enter into an Agreement with the Applicant pursuant to Section 69 of *The Act*.
- (2) Contract Zoning permits a municipality to manage the use of a site and layout of a specific proposed development that requires rezoning. Council may use a Contract Zone to rezone a site to allow a proposed development, but may also restrict uses normally allowed in the zoning district through a contract.
- (3) Section 4.1.3 of this Official Community Plan shall apply in the review of applications for rezoning by agreement.

- (4) Council may enter into an agreement with the applicant setting out a description of the proposal and reasonable terms and conditions with respect to:
 - (a) the uses of the land and buildings and the forms of development;
 - (b) the site layout and external design, including parking areas, landscaping and entry- and exit-ways;
 - (c) any other development standards considered necessary to implement the proposal, provided that the development standards shall be no less stringent than those set out in the requested underlying zoning district.
- (5) Council may limit the use of the land and buildings to one or more of the uses permitted in the requested zoning district.
- (6) Council may consider rezoning by agreement to accommodate development or subdivision proposals when:
 - (a) limiting the uses within a zoning district will avoid land use conflict;
 - (b) it is necessary to ensure that appropriate services and infrastructure are provided.

4.2 OTHER IMPLEMENTATION TOOLS

4.2.1 Subdivision Application Review

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

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

4.2.2 Dedicated Lands

- (1) When reviewing any application for subdivision, Council may indicate to the approving authority, its desire to have *unstable or flood-prone areas* set aside as environmental reserve and/or municipal reserve, as a condition of subdivision approval, pursuant to Section 185 of *The Act*.

- (2) Pursuant to The Act, Council may elect to request that an approving authority require the owner of land that is the subject of a proposed subdivision to provide money in place of all or a portion of land that would otherwise be required to be dedicated as municipal reserve.

4.2.3 Building Bylaw

- (1) The Resort Village does not currently have a building bylaw, however, Council will continue working to develop a bylaw in accordance with provincial and federal construction, repair, and maintenance standards.

4.2.4 Development Levies and Servicing Fees

- (1) In accordance with Section 169 of *The Act*, the Council may establish, by separate bylaw, development levies for the purpose of recovering all or a part of the capital cost of providing, altering, expanding or upgrading services and facilities associated with a proposed development within an existing subdivided area. Such bylaw must be based on studies to establish the cost of municipal servicing and recreational needs and on a consideration of future land use and development and the anticipated phasing of associated public works.
- (2) In accordance with Section 172 of *The Act*, Council may require a servicing agreement with the proponent of a subdivision development. In order to provide overall direction and guidance in the negotiation of individual agreements with developers, Council may establish, by resolution, a schedule of development specifications and servicing fees. Such servicing specifications will provide a consistent set of development standards for provision of services and works by developers within a proposed subdivision development. Subdivision servicing fees contribute in whole or in part towards the capital costs of services within or outside the subdivision that directly or indirectly serve the proposed subdivision. The schedule of fees will be based on the identification of overall services and public works that the municipality anticipates will be needed as a result of new subdivision development for a specified term. The negotiation of service fees for individual developments will be based on a calculation of the servicing needs being created by that individual development as a part of the municipalities overall servicing needs.

4.3 OTHER

4.3.1 Updating the Official Community Plan

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

4.3.2 Further Studies

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

4.3.3 Community Engagement

In addition to the requirements of *The Act*, provisions for public participation may be initiated which are appropriate to the nature and scope of the planning matter being addressed. Examples of initiatives for which the community engagement process applies includes land use issues, social issues, safety issues, recreation issues and utility services.

For any situation where the community engagement process applies, the Resort Village will consider the following principles:

- Municipal government decisions must be made in a context that is sensitive and responsive to public concerns and values.
- The community engagement process must demonstrate openness, honesty and transparency of purpose, as well as the communication of the results.
- The process must be respectful of decision making protocols.
- The process must demonstrate a commitment to being time-sensitive and cost-effective.

4.3.4 Cooperation and Inter-Jurisdictional Consideration

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

4.3.5 Programs

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

4.3.6 Provincial Land Use Policies and Interests

This bylaw shall be administered and implemented in conformity with applicable provincial land use policies and interests, statutes and regulations and in cooperation with provincial agencies. Where a reference is made in this Plan to a provincial statute or regulation and that statute or regulation is amended or repealed and substituted with a replacement statute or regulation, the reference herein to the statute or regulation shall be taken to mean the amended or replacement statute or regulation.

4.3.7 Binding

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

4.3.8 Definitions

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

5 FUTURE LAND USE CONCEPT

Map 1 – Future Land Use Concept