



Town of Blaine Lake

<u>Policy Title</u>	<u>Policy #</u>	<u>Resolution</u>	<u>Resolution Date</u>	<u># of pages</u>	<u>Forms</u>
Subdivision/Development Procedures	PD-002	154/22	April 27, 2022	4	

Policy Objective:

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

Background:

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

Policy:

1. Subdivisions
 - a. All subdivision applications must be completed by a legal surveying company as hired by the developer/landowner;
 - b. All subdivisions must be sent to Community Planning prior to being considered by the Town. Community Planning refers subdivision applications to the Council for their comments and also notes the Municipal Reserve requirement (if applicable). **PLEASE NOTE THAT COMMUNITY PLANNING IS THE FINAL APPROVING AUTHORITY FOR SUBDIVISION APPLICATIONS AND OFFICIAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENTS**
 - c. The Chief Administrative Officer (CAO) shall review the subdivision application as follows:
 - i. Where it fits with the OCP and Zoning Bylaws.

PD-002

TOWN OF BLAINE LAKE

Policy Title: Subdivision/Development Policy

Date Issued: April 27, 2022

Res #154/22

Replaced – Res #



Mayor

1. If the subdivision complies with the OCP and Zoning Bylaw, then the CAO will bring the Subdivision application to the next Council meeting for ratification.
 2. If a change is required, Council will direct administration to prepare an amendment. The developer/landowner will be invoiced for any costs incurred in amending the bylaw(s). Every OCP and Zoning Bylaw amendment is subject to Community Planning approval.
 - a. Council will review the amendment and consider if the change in the OCP or Zoning Bylaw is desirable, subject to the bylaw amendment process outlined in *The Planning and Development Act, 2007*.
 - b. Fees for a bylaw amendment are set in Rates Policy
- ii. If a **Municipal Reserve dedication** is required by law, the following process shall be used to determine the way in which the requirement is met:
1. If Cash in lieu of dedication is recommended: Contact SAMA and obtain the assessed value of the required acres to be paid out to the Town.
 2. *The Planning and Development Act, 2007* requires residential subdivisions to provide 10% of the gross area to be subdivided for Municipal Reserve (notwithstanding a few exceptions contained within *The Act*);
 3. *The Planning and Development Act, 2007* requires non-residential subdivisions to provide 5% of the gross area to be subdivided for Municipal Reserve (notwithstanding a few exceptions contained within *The Act*); If the decision is to set aside the actual acres, then the Municipal Reserve land must be directly adjacent to a municipal road.
 4. If the Municipal Reserve requirement amounts to less than 5 acres, then Council shall request cash in lieu of dedication. If the Municipal Reserve Requirement amounts to 5 acres or more, Council has the discretion to require either cash in lieu of dedication or dedication of land.
- iii. If a **Servicing Agreement** is required:
1. CAO shall review the subdivision and consider whether the application is adjacent to a road or has access to water and sewer hookups;
 2. CAO shall have a Servicing Agreement drawn up where the property requires a road built or water and sewer hookups are required;
 - a. Engineer shall be contracted to complete a survey of the road and recommend the road structure to be built;
 - b. Engineer shall present an approximate cost for this road building;
 - c. Applicant shall pay for all costs to construct a road;
 - d. Applicant shall pay for all costs to bring in the water and sewer service;

- e. The Mayor and CAO shall be authorized to enter into a Servicing Agreement with the Applicant upon final approval of the Council;

2. Tie Code Removals

- a. Tie code removals are to be completed in a similar manner as to Subdivisions under Community Planning.
- b. Under the process of tie code removals, it is required that the Municipality complete a complimentary resolution in order to allow for a Tie Code to be removed.
- c. If the Municipality is concerned with legal and physical access for certain tie code removal subdivisions, therefore requires the following:
 - i. Any parcel created by tie code removal may have to have water and sewer service at the discretion of the Council;
 - ii. Any parcel created by tie code removal must have access to a road.
 - iii. Any new roads required to access a parcel created by tie code removal, must be built prior to the completion of the tie code removal
 - iv. A servicing agreement shall be required where a new road is to be constructed.
 - v. That the Municipality place an interest on the properties involved in the tie code removal indicating the requirement for access to be completed at the developer's/landowner expense upon completing the tie code removal.

3. Development Permits

- a. As a requirement of the Zoning Bylaw, a Development Permit is required for all buildings exceeding 100 square feet within the Municipality
- b. A fee for the Development Permit is set in accordance with Town Policy and Bylaws;
- c. Discretionary Use Permits may be reviewed by Council for approval at their regular council meeting. All Discretionary Use Applications must be submitted and be deemed complete by the CAO at least 14 days prior to the Council meeting.

4. Building Permits

- a. Fees for building permits are set in the Municipality Building Bylaw and Policy.
- b. Building Officials
 - i. Must be a member in good standing with the Building Association;
 - ii. Must have a liability insurance policy and present this prior to inspections;
 - iii. Must be a member of the Workers Compensation Board of Saskatchewan;
 - iv. Appointed by Council;
 - v. If an individual requests the use of a building official that is not appointed by Council, then an application in writing must be completed and the request brought forward to Council for approval.
- c. Compliance
 - i. Must comply with the Building Bylaw as set by the Council for the Municipality and approved by Building Standards;
 - ii. Must comply with the Official Community Plan and Zoning Bylaw for the Municipality.
- d. Procedure for a Building Permit
 - i. Apply for a Development Permit;

- ii. Upon receipt of the Development Permit Approval from the CAO – then apply for a building permit;
- iii. Work with the Building Official – fill out the Building Permit and return it to the Municipality office along with:
 - 1. Application for building permit;
 - 2. 1 copy of Engineered plans for the building;
 - 3. Plan Review from Building Inspector;
 - 4. Elevation Plans may be requested.
- e. Commercial Development
 - i. Commercial development shall be defined as development located in commercial subdivisions which relate to any one of the following conditions:
 - 1. Provide services directly to the public;
 - 2. Involve processing or manufacturing.
 - ii. There shall be a full assessment on the land;
 - iii. The Town shall not be responsible for utilities or services such as water and sewer, etc. on the parcel.