

RURAL MUNICIPALITY OF PROGRESS No. 351

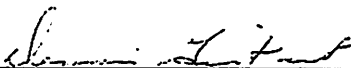
BYLAW No. 03/2013

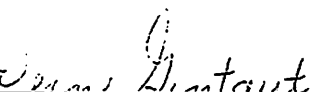
A BYLAW TO PROVIDE FOR ENTERING INTO THE NORTH WEST RESOURCE  
CORRIDOR DISTRICT PLANNING AGREEMENT

The Council of the Rural Municipality of Progress No. 351 in the Province of Saskatchewan  
enacts as follows:

1. The Rural Municipality of Progress No. 351 is hereby authorized to enter into an Agreement identified as Schedule "A" attached to and forming a part of this bylaw for the purpose of establishing a Planning District to advise the parties to the agreement and guide development in the specified area.
2. The Reeve and Administrator of the Rural Municipality of Progress No. 351 are hereby authorized to sign and execute the attached Agreement identified as Schedule "A".

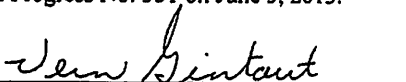


  
Reeve

  
Administrator

Read a First Time on June 5<sup>th</sup> 2013.  
Read a Second Time on June 5<sup>th</sup> 2013.  
Read a Third Time on June 5<sup>th</sup> 2013.

Certified a true copy of Bylaw No. 13/2013  
adopted by the Council of the Rural Municipality  
of Progress No. 351 on June 5, 2013.

  
Administrator.



RURAL MUNICIPALITY OF PROGRESS No. 351

BYLAW No. 03/2013

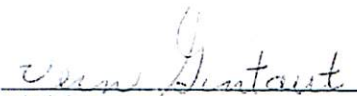
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\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
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of Progress No. 351 on June 5, 2013.

  
\_\_\_\_\_  
Administrator.





**MINISTER'S ORDER  
TO ESTABLISH  
THE NORTH WEST RESOURCE CORRIDOR PLANNING DISTRICT**

Pursuant to section 99 of *The Planning and Development Act, 2007*, I hereby order the establishment of the North West Resource Corridor Planning District as described below.

In accordance with their respective bylaws to authorize the execution of an Agreement for the North West Resource Corridor Planning District, the following municipalities are affiliated with the planning district:

**Affiliated Municipalities**

The Rural Municipality of Mariposa No. 350	(Bylaw No. 4-2013)
The Rural Municipality of Progress No. 351	(Bylaw No. 03/2013)
The Rural Municipality of Redford No. 379	(Bylaw No. 2/2013)
The Rural Municipality of Tramping Lake No. 380	(Bylaw No. 1/2013)
The Town of Macklin	(Bylaw No. 04/13)
The Town of Luseland	(Bylaw No. 2013-05)
The Town of Kerrobert	(Bylaw No. 989-13)
The Village of Denzil	(Bylaw No. 7, 2013)
The Village of Landis	(Bylaw No. 14-02)

**Area Description**

The North West Resource Corridor Planning District shall consist of the lands within the corporate limits of the affiliated municipalities listed above, as these limits may be altered from time to time.

**Appointment of the District Planning Commission**

The affiliated municipalities, pursuant to subclause 97(1) of *The Planning and Development Act, 2007*, have agreed to the "North West Resource Corridor Planning District" consisting of one member appointed annually by each participating municipality. Three additional members at large may be appointed at the commission's discretion.



Arrangements

The matters referred to in subsection 97(2) of the aforementioned Act are set out in sections 1 - 4, 7, 8, 12, 16, 19, and 34 - 37 of the Agreement attached hereto.

Dated at the City of Regina, in the Province of Saskatchewan, the 7<sup>th</sup> day of August, 2014.

A handwritten signature in black ink, appearing to read "Keith Comstock". The signature is stylized with a large, looping flourish at the end.

Keith Comstock, Assistant Deputy Minister for and on behalf of the Minister of Government Relations

**North West Resource Corridor Planning District**

**District Planning Agreement**

**SCHEDULE "A"**

## **The Establishment of the North West Resource Corridor Planning District**

This Agreement made as of the 27<sup>th</sup> day of January 2014.

Membership of the Planning District includes the following affiliated municipalities:

**Town of Kerrobert; Town of Luseland; Town of Macklin; Village of Landis; Village of Denzil; Rural Municipality of Mariposa No. 350; Rural Municipality of Progress No. 351; Rural Municipality of Reford No. 379 and Rural Municipality of Tramping Lake No. 380.**

The municipalities named above are entering into an agreement pursuant to the provisions of *The Planning and Development Act, 2007* (PDA) to establish a Planning District to advise the parties and guide development in the areas shown on the map attached as "Attachment 1", showing the Town of Kerrobert; Town of Luseland; Town of Macklin; Village of Landis; Village of Denzil and the Rural Municipalities of Mariposa No. 350; Rural Municipality of Progress No. 351; Rural Municipality Reford No. 379; and the Rural Municipality of Tramping Lake No. 380.

### **AREA OF DESCRIPTION (enclose map)**

1. The area of the said Planning District shall comprise of all those lands situated within the said Rural Municipalities and Urban Municipalities which are outlined in bold dashed lines on the plan hereto attached and identified as Attachment "1" to this Agreement, such plan being hereby declared to form part of this Agreement.

### **ESTABLISHMENT OF COMMISSION**

2. A District Planning Commission, designated as "The North West Resource Corridor District Planning Commission" is hereby recognized under the provision of *Section 97(b) of The Planning and Development Act, 2007*, such Commission to consist of nine (9) members to be annually appointed in the following manner:
  - 2.1 One member shall be appointed annually by each of the following respective Councils of the Rural Municipalities of Mariposa No. 350, Progress No. 351, Reford No. 379 and Tramping Lake No. 380;
  - 2.2 One member shall be appointed annually by each of the following respective Councils of the Urban Municipalities of Kerrobert, Luseland, Macklin, Landis and Denzil.

### **INVITED TO PARTICIPATE**

3. Three (3) members at large may be invited to participate and appointed by the Commission of the Rural Municipalities, Towns and Villages who have an interest pertaining to community planning in the District on matters such as environmental, economic, social or cultural sustainability.

### **FILLING VACANCIES**

4. Where vacancies arise in respect of Council appointees, otherwise than by reason of the expiry of the designated term of office of the appointee, the concerned municipality shall appoint someone to complete the unexpired term.

## POWERS AND DUTIES OF THE PLANNING COMMISSION

As per Section 100 and 104 of *The Planning and Development Act, 2007*, the duties and powers of the said Commission shall be to:

- 5.1 Make rules of procedure that are not contrary to law or inconsistent with *The Planning and Development Act, 2007* or its regulations for the conduct of its business, the governing of its proceeding, the calling of meetings and the requirements for quorum;
  - 5.2 Establish and permit procedures for the affiliated municipalities to permit the holding of joint public hearings for the adoption, amendment or repeal of a District Plan, an Official Community Plan or Zoning Bylaw;
  - 5.3 Appoint any consultants or employees that may be necessary for the exercise of any of its powers or the performance of any of its duties and fix their remunerations;
  - 5.4 Appoint advisory committees, consisting of one or more of the members of the District Planning Commission or any other person and fix their remunerations;
  - 5.5 With the consent of an affiliated municipality, utilize the services of any officer or employee of that municipality;
  - 5.6 Hold joint public meetings and publish information for the purpose of obtaining the participation and co-operation of the residents of the Planning District and any adjacent area in determining the solution to problems or matters affecting the development of any part of the Planning District;
  - 5.7 Shall suggest to any Council ways and means of financing works to be carried out by public authorities over a specified period;
  - 5.8 At the request of a member municipality, an investigation/study of proposed subdivisions or developments within and adjacent to the Planning District may be undertaken by the Commission. Reports and concurrent recommendations on behalf of these studies are to be submitted to the appropriate Council.
    - 5.8.1 Any fees to undertake the investigation/study shall be paid by the municipality requesting the investigation/study.
  - 5.9 To set consistent meeting times for the Commission to meet for each calendar year including month(s), day of week and time.
    - 5.9.1 The Commission may also call meetings on an as needed basis.
  - 5.10 Prepare and submit to the affiliated municipalities an operating budget for the next ensuing fiscal year.
6. As per Section 101 of *The Planning and Development Act, 2007*, **no member of the District Planning Commission or a District Planning Authority may hear or vote on any decision that relates to a matter with respect to which the member has a pecuniary interest.**

7. The municipalities agree that:

- 7.1 The Councils of the **Urban and Rural Municipalities** shall have the power to remunerate their appointees to the Commission and that the amount of remuneration and expenses, if any, will be fixed and provided by the respective Councils;
- 7.2 Any jointly appointed members of the Commission shall be paid by the Planning District and remuneration and expenses, if any, **will be fixed by the Commission during the first meeting of the calendar year.**

- 7.3 Any members of an advisory committee established by the Commission, that are not municipal appointees to the Commission, shall be paid by the Planning District and remuneration and expenses, if any, will be fixed by the Commission; and,
- 7.4 Any consultants or employees of the Planning District will be paid by the Planning District and remuneration and expenses, if any, will be fixed by the Commission.

The District Planning Commission shall **annually** appoint a chairperson and a deputy chairperson for the Commission, from among the appointed representatives, **during the first meeting of the calendar year**. In the absence of the Chairperson, the Deputy Chairperson shall act on behalf of the Chairperson.

9. The Commission may hire or appoint a Secretary to *administer* and *manage* the business of the Planning District under the direction of the Planning Commission.

10. The Secretary position may be:

- 10.1 Responsible for ensuring administration of the Commission and managing meetings, hearings, agendas, financial reporting, accounting, advertising, keeping of minutes, issuance of decisions and other business;
- 10.2 Responsible for hiring and management of other Planning District personnel, under the direction of the Commission;
- 10.3 Compensated for the finances of the Commission; and,
- 10.4 Appointed/hired by the Commission which will set out, in writing, any:
- 10.4.1 Remuneration and related increases;
  - 10.4.2 Benefits;
  - 10.4.3 Length and parameters of employment, if by contract; and
  - 10.4.4 Additional responsibilities of the position.

11. Any policy plans and Zoning Bylaws having effect within the Planning District shall be administered by the **Development Officer** appointed by the Planning Commission for the **benefit/purpose of the Planning District**.

12. Funds required to meet the expenses of the Planning District and the Planning Commission, as approved by the Councils of the **affiliated Municipalities** and shall be contributed by each of the Urban and Rural Municipalities on assessment and per-capita basis.

12.1 Office space and facilities used by the Commission shall be approved by the Councils of the affiliated Municipalities and shall be contributed by each of the Urban and Rural Municipalities on assessment and per-capita basis.

13. In addition to referrals regarding planning and zoning within the area of the Planning District:

13.1 At the discretion of Council, the municipalities shall refer discretionary use developments within the North West Resource Corridor Planning District to the Commission for comment.

13.2 All discretionary uses and subdivision proposals that are not consistent with the District's Future Land Use Map or the Future Land Use Map of a member municipality and are adjacent to a municipal boundary will



come to the District Planning Commission for information.

## **DISTRICT PLAN AND ZONING BYLAW**

14. The affiliated municipalities shall adopt a District Plan for the Planning District in accordance with *The Planning and Development Act, 2007*. Any amendments made to the District Plan shall follow section 32 of the Act.

15. Pursuant to section 103 of the Act and concurrent adoption of a District Plan pursuant to subsection 102 (3) of the Act, each affiliated municipality will pass, in accordance with the Act, a Zoning Bylaw consistent with the District Plan.

## **AMENDMENTS TO AN AFFILIATED MUNICIPALITY'S PLAN AND DISTRICT PLAN**

16. For the purposes of this agreement, the Urban Municipalities of Kerrobert, Luseland and Macklin have individual Official Community Plans as per Section 32 of *The Planning and Development Act, 2007*. The North West Resource Corridor District Plan acts as the Official Community Plan for the Rural Municipalities listed above and for the Villages of Landis and Denzil as per Section 102 (14) of *The Planning and Development Act, 2007*.

16.1 The amendment process for Official Community Plans and the District Plan is provided in the following sections of this Agreement.

## **OFFICIAL COMMUNITY PLAN AMENDMENT**

17. The Urban Municipalities' Official Community Plan retains their autonomous decision-making with regards to land use planning in their municipality. Any amendments made to the Official Community Plan may be forwarded to the Planning Commission for information purposes.

18.1. Any amendments made to the Official Community Plan are required to be consistent with the overarching District Plan. Proposed amendments to the Official Community Plan shall be forwarded to the Planning Commission for information purposes;

18.2. Proposed amendments which suggest a major deviation contrary to the intent and provisions of the District Plan shall be forwarded to the Planning Commission for their recommendation when the proposed amendment is either located adjacent to or may affect another affiliated municipality in the Planning District.

## **DISTRICT PLAN AMENDMENT**

### **DISTRICT PLAN AMENDMENT PROPOSED BY ONE AFFILIATED MUNICIPALITY**

19. If an amendment is proposed to the District Plan which affects land within one affiliated municipality, the affiliated municipality may request the Commission to prepare the proposed amendment and make a recommendation respecting the proposed amendment.

20. On receipt of the amendment and recommendation mentioned in Section 19 of this Agreement, the affiliated municipality will adopt the proposed amendment by Bylaw.

21. Sections 102 (17) to (19) of *The Planning and Development Act, 2007* apply regarding Ministerial approval of the District Plan amendment.

22. The affiliated municipality proposing the amendment shall be responsible for all costs associated with the notification, advertising and holding the Public Hearing.

23. When the amendment is approved, the District Plan shall be updated and the amendment will be recorded by Bylaw number in the District Plan Amendment Schedule.

#### **DISTRICT PLAN AMENDMENT PROPOSAL BY ALL AFFILIATED MUNICIPALITIES**

24. As per Section 102 of The Planning and Development Act, 2007, the affiliated municipalities may amend the District Plan for the Planning District.

25. An affiliated municipality or all affiliated municipalities shall notify the Commission when a proposal or interest is made to amend the District Plan that will apply to the Planning District.

26. The Commission shall prepare the proposed amendment and make recommendations respecting the proposed amendment.

27. On receipt of the amendment and recommendation mention in Section 26 of this Agreement, the affiliated municipalities will adopt the proposed amendment by Bylaw.

28. If a Council of an affiliated municipality fails to adopt an amendment to the District Plan, Section 37 of this Agreement shall apply:

28.1. The matter must be determined through the dispute resolution mechanism; and,

28.2. The District Plan, as may be amended in accordance with the dispute resolution mechanism, applies to the Planning District.

29. The Commission may hold a joint Public Hearing for the Bylaws adopting the proposed amendment in which the Commission may use funds outlined in Section 12 of this Agreement for Ministerial approval.

30. The affiliated municipalities will submit to the Minister a certified copy of the Bylaw adopting the amendment and a certified copy of the recommendation mentioned in Section 26 of this Agreement for Ministerial approval.

31. The Bylaw that amends the District Plan for the Planning District is effective on the date of the Ministerial approval.

#### **DISTRICT PLANNING AGREEMENT AMENDMENT PROCESS**

2. With regards to amending this agreement:

32.1. The agreement will only be reviewed and amended upon:

32.1.1. Application from the Council of one of the municipalities to the agreements;

32.1.2. Adoption of a new District Plan for the Planning District;

32.1.3. Inclusion of a new municipality into the Planning District; or

- 32.1.4. The termination of affiliation of a party to this agreement.
- 32.2. Amendments will be prepared and submitted to each Council by the sitting Commission for the Planning District;
- 32.3. Amendments will not be submitted for Ministerial approval until each affiliated Municipality has signed the new agreement; and,
- 32.4. Amendments will not take effect until an order has been issued by the Minister of Government Relations.

#### **ADDITION TO THE PLANNING DISTRICT**

- 33. Upon a new municipality wishing to join the District Planning Commission, the Commission may consider applying to the Minister for approval of the addition.
  - 33.1. Upon a municipality added to the affiliated municipalities, the Commission shall review and prepare any needed changes to:
    - 33.1.1. The District Planning Agreement; and,
    - 33.1.2. The District Plan.
  - 33.2. The added municipality shall take the necessary steps and costs to adopt the District Plan and District Planning Commission Agreement as amended;
  - 33.3. Any amendments made to the mentioned documents shall be adopted by the affiliated Municipalities; and,
  - 33.4. The added municipality or member organization must contribute an amount set by the Councils of the affiliated municipalities.

#### **TERMINATION OF AFFILIATION OF MUNICIPALITY**

- 34. If a municipality terminates when the Commission is comprised of three (3) or more, the municipality must:
  - 34.1. Provide 60 days written notice to the Commission, stating the reasons for withdrawal from the Planning District;
  - 34.2. Seek majority vote of the Commission members to withdraw from the Planning District; or
  - 34.3. Follow the dispute resolution mechanisms provided under Section 37 of this agreement.
- 35. If a municipality terminates when the Commission is comprised of two (2) affiliated municipalities, the municipalities must:
  - 35.1. Provide 60 days written notice to the Commission, stating the reasons for withdrawal from the Planning District;
  - 35.2. Seek unanimous approval of the Commission members to withdraw from the Planning District; or
  - 35.3. Follow the dispute resolution mechanisms provided under Section 37 of this agreement.
- 36. Should a municipality terminate its affiliation with the Planning District or should the Planning District be dissolved all assets and liabilities of the Planning District will be distributed in proportion with the cost sharing formula outlined in Section 12 of this agreement.



Mayor/Reeve

Administrator

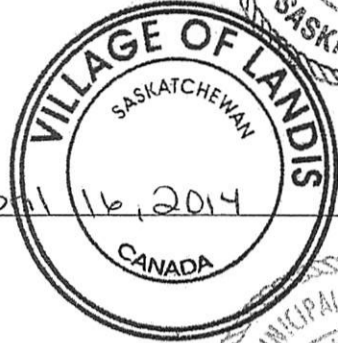
Date

Seal

*Murray K. Hill* *Kathy Reaney* *March 19/14*  
Village of Denzil



*Dave* *Dore Grewer* *April 16, 2014*  
Village of Landis



*Bill* *Larry Boen* *March 31/2014*  
Rural Municipality of Mariposa No. 350



*Shannon Blair Fout* *Wendy Bentall* *March 5/2014*  
Rural Municipality of Progress No. 351



*Gerald Gulinsky* *Steve* *April 10, 2014*  
Rural Municipality of Reford No. 379



*Peter Vella*  
Rural Municipality of Tramping Lake No. 380

*Stacy Plummer*



**APPROVED  
REGINA, SASK.  
AUG - 7 2014**  
*[Signature]*  
Assistant Deputy Minister  
Ministry of Government Relations