**CITY OF MOOSE JAW**

**Office Consolidation**

# The Official Community Plan for the City of Moose Jaw

Bylaw No. 5345

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Including amendments to June 26, 2023

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**This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:**

**(a) the original bylaw and of all bylaws amending it; and**

**(b) the fact of passage of the original and all amending bylaws.**

| AMENDMENTS | DATE PASSED | FORCE/EFFECT |
|---|---|---|
| Bylaw No. 5487 | July 14, 2014 | October 19, 2015 |
| Bylaw No. 5583(1) | July 22, 2019 | September 26, 2019 |
| Bylaw No. 5601 (1) | January 27, 2020 | March 4, 2020 |
| Bylaw No. 5646 | July 12, 2021 | September 13, 2021 |
| Bylaw No. 5653 | August 9, 2021 | September 28, 2021 |
| Bylaw No. 5655 | December 6, 2021 | March 7, 2022 |
| Bylaw No. 5693 | June 26, 2023 | December 1, 2023 |

# THE OFFICIAL COMMUNITY PLAN FOR

# THE CITY OF MOOSE JAW

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# 1.0 INTRODUCTION

## 1.1 SHORT TITLE

The Official Community Plan for the City of Moose Jaw may be cited as "The Plan" or "OCP".

## 1.2 PURPOSE OF THE PLAN

The Plan has been established in accordance with the provisions of *The Planning and Development Act, 2007*, as amended. The Plan provides the policy framework to define, direct and evaluate development in the City of Moose Jaw, ensuring that development takes place in an orderly manner, balancing the environmental, social, physical and economic needs of the community.

## 1.3 SCOPE OF THE PLAN

This Plan is intended to guide the growth and development of the City of Moose Jaw to a population of approximately 40,000.

## 1.4 INTERPRETATION AND EFFECT OF THE PLAN, DEFINITIONS

a) For the purpose of this Plan, words used in the present tense include the future, words used in the singular number include the plural, and words used in the plural include the singular number. The words **shall** or **will** identify a mandatory action or decision, as the case may be. The words **should** or **may** identify a voluntary action or decision, as the case may be. Whether actions or decisions are mandatory or voluntary, the Council may include prerequisites or conditions which must be fulfilled before that action or decision may be taken. The words **used** and **occupied** shall include the words **intended** or **arranged** or **designed** to be used or occupied.

b) As outlined in Section 40 of *The Planning and Development Act, 2007* (the Act), when this Plan and any amendment thereto takes effect, it shall be binding on the City and all other persons, associations or other organizations whatsoever and no development shall be carried out that is contrary to the Plan. Section 40 (2) of the Act also states "The adoption of a Official Community Plan does not commit the municipality, any person, association or organization or any department or agency of the government of Saskatchewan to undertake any of the projects outlined or proposed in that plan".

c) Council will rely on this Plan as the primary basis for making land use decisions within and near the City. The Goals, Objectives, Policies and the suggested actions to implement them are prudent, reasonable and coherent. Those Items, and the OCP Maps described in Section 20 recognize the current land use constraints and opportunities facing the City.

d) In making major land use decisions, Council must also consider whether the correct financial, environmental or social conditions exist to implement such decisions at that point in time. Council may decide that it is premature to implement a certain Policy or Objective. This Plan should also be given a comprehensive review every few years to ensure that it remains current, effective and responsive to emerging issues and developments.

e) For the purpose of this Plan, the definitions and interpretations given in this Section shall govern. Definitions and interpretation of other words or terms used in the Plan may be found in the City's Zoning Bylaw.

**Act** shall mean *The Planning and Development Act, 2007.*

**Commercial Development Hierarchy** shall consist of the following:

Neighbourhood Commercial: These sites are intended to serve the daily convenience needs of local residents within their neighbourhood or an adjacent one;

Mixed Use Neighbourhood: These locations are intended to provide a limited range of commercial and institutional uses in new neighbourhoods for the convenience of residents of that neighbourhood;

High Density: The intent of these sites is to accommodate commercial, office and cultural uses while promoting high-density residential development; and

Vehicle Oriented-Commercial (major shopping centres): These locations provide major shopping centre services to meet the needs of numerous neighbourhoods on a city-wide basis. An example includes the Commercial area along Thatcher Drive East.

**Contract Zoning** shall mean the authorized process described in the Act.

**Direct Control District** shall mean the authorized process described in the Act.

**dBA** the abbreviation dBA (as used in Section 9.2.7b) is explained as follows: The unit of measurement is the decibel (dB). A particular sound signal may be comprised of several different frequencies to which the human ear may respond in various ways. In order that noise measurements may relate more closely to loudness as judged by the average person, sound level meters are equipped with weighting networks which make use of information related to the frequency response characteristics of the human ear. Some sound level meters have the capability of reading on A, B, C and D weighting scales, and decibel values are correspondingly indicated as dB(A), dB(B), dB(C) or dB(D), according to the weighting network used. However, the dB(A) and dB(C) are the most common, but dB(A) is widely used since it has been found to have good utility in determining annoyance reactions to a wide variety of noises occurring in communities.

# 2.0 GOALS

The goals of the Moose Jaw Official Community Plan are:

**2.1** To direct development and growth in Moose Jaw in a manner that:

a) ensures efficient use of land and municipal infrastructure (EFFICIENCY);

b) maintains a positive relationship with environmental values and resource capabilities (SUSTAINABILITY);

c) enhances economic diversity and security (DIVERSITY AND SECURITY); and

d) provides for equity in land use decisions and a fair distribution of community services (EQUITY).

**2.2** To enhance Moose Jaw's identity as a place to visit, to locate or expand a business, to work and to live (IDENTITY).

**2.3** To recognize that, in working towards the above goals, it will be important for the City of Moose Jaw to:

a) encourage and facilitate public participation in the planning process;
and

b) work in cooperation and coordination with other groups, agencies, institutions and governments, both within and beyond the City.

# 3.0 LAND USE DESIGNATIONS AND POLICIES

## 3.1 FUTURE LAND USE CONCEPT MAP

Land use classes and zoning districts set out in the Zoning Bylaw shall conform with the general patterns and designations shown on the Future Land Use Concept Map contained in and forming part of this Plan.

## 3.2 LAND USE DESIGNATIONS

The general land use designations used in the Plan and incorporated on the Future Land Use Concept Map are listed as follows:

a) Residential

- i) Large Lot, Low Density
- ii) Low Density
- iii) Small Lot, Low Density
- iv) Medium Density
- v) High Density
- vi) Core Mixed
- vii) Acreage Residential
- viii) Mobile Home
- ix) City Fringe

b) Commercial

- i) Neighbourhood
- ii) Mixed Use Neighbourhood
- iii) High Density
- iv) Vehicle-Oriented (major shopping centres)

c) Industrial

- i) Light Industrial
- ii) Heavy Industrial
- iii) Mixed Use Business Park
- iv) Environmental Low Service

d) Community Service and Institutional

e) River Valley Conservation

f) Parks

g) Railroad

h) Urban Holding Area

i) Flood Way (includes f1 and f2 flood fringe districts)

j) Contract Zoning

k) Direct Control Districts

l) Overlay Districts (includes s1 and s2 Slump and Heritage)

# 4.0 RESIDENTIAL LAND USE AND HOUSING

## 4.1 OBJECTIVES

a) To develop new residential areas that offer a quality living environment, meeting the needs of a variety of household types and incomes, in an efficient and environmentally responsible manner.

b) To encourage infill residential development within already built-up areas that:

i) helps to meet the housing needs of a diverse population; and

ii) makes efficient use of municipal and community infrastructure.

c) To ensure that dwellings, accessory buildings and lots are constructed and maintained to acceptable standards.

d) To facilitate economic development and foster entrepreneurship through home based businesses that are clearly secondary to the residential use of the property and compatible with the surrounding residential environment.

## 4.2 POLICIES

### 4.2.1 Neighbourhood Designation and Design

a) Neighbourhoods shall be the most important level of residential cluster in the City and shall be used as the primary building block in the planning of new suburban areas and the maintenance (or possibly renewal) of existing mature subdivisions. Neighbourhoods will generally occupy 40 ha (100 acres) and contain a population of up to approximately 2000 people and shall be large enough to service and develop (or redevelop) efficiently and economically.

b) There are now cases where an existing or proposed Neighbourhood meet the general 40 ha area "threshold" of Subsection (a) above, but cannot yet be economically serviced with both water and sewer services from the City, due to their smaller population. In such situations, the Zoning Bylaw may establish new Zoning Districts to allow limited City services for larger parcels. Current examples of such Districts are the existing R5 Residential Acreage Residential District and the proposed R7 City Fringe Residential District for

land which has been recently annexed to the City.

To support the smaller population on the larger parcels required in those Districts, Council may at their discretion, provide only limited services to such proposed Neighbourhoods provided that the:

i) proposed or existing Neighbourhood is within City boundaries; and

ii) the servicing costs can either be reasonably borne by the City, or cost-shared between the City, the developer and/or the current residents as the case may be.

c) Other suburban Neighbourhoods may be allowed to have a greater mix of housing types and densities as outlined in conformity with the following Policies for proposed new residential Neighbourhoods.

i) A Concept Plan (as defined by Section 44 of the Act) shall be required for each new proposed residential Neighbourhood (or portion thereof) which either: exceeds 15 hectares in total;
or which has more than 20% of the gross Neighbourhood area proposed for Group, Multiple Unit or Townhouse Dwellings (as defined by the Zoning Bylaw).

ii) Proposed Concept Plans shall first be reviewed in respect to their conformity to the Goals, Objectives and Policies of this OCP, including the Constraints Maps and the Future Land Use Map.

iii) Concept Plan information requirements shall include, but are not limited to the following specific items: solar orientation of lots for energy conservation; pedestrian access to schools, parks, public transit, or minor neighbourhood commercial uses; preservation / enhancement of natural features, such as drainage patterns; proposed needs and efficiencies for municipal servicing, etc. Such applications must also contain all the information required by the Zoning Bylaw and shall be processed as outlined in that Bylaw.

iv) Following receipt of the required report from the Development Officer regarding a proposed Concept Plan, Council shall consider the suitability of that proposal for

adoption as an amendment to the Future Land Use Map of this Official Community Plan.

*(Bylaw No. 5601, 2020)*

d) Council may also use the foregoing "Policies for new residential Neighbourhoods" to designate one or more existing Neighbourhoods of the City as a Special Study Area in order to prepare and adopt a comprehensive, detailed land use, servicing or renewal study. Council shall then consider if the study should be adopted as an amendment to the text and be shown on the Future Land Use Map of this Plan.

*(Bylaw No. 5601, 2020)*

e) Subject to financial or administrative constraints that may exist from time to time, City Administration may also require that proponents of new, large-scale industrial or commercial developments must submit a Concept Plan and servicing study to Council for consideration. The Goals of this Plan, and the Commercial or Industrial Objectives (as the case may be) will also apply in such cases.

*(Bylaw No. 5601, 2020)*

### 4.2.2 Housing Supply, Types and Densities

a) The City should maintain a minimum of 2 years to a maximum of 5 years supply of serviced residential land.

b) Where possible in each neighbourhood, future residential subdivision and development will be required to provide a similar mix of housing types and styles which:

i) either reflects the City's current population profile; or

ii) satisfies other specific Objectives and Policies of this Plan including, but not limited to, attracting young families to ensure a renewed workforce and suitable educational and employment opportunities in the City.

c) Higher density housing will generally be allowed in each residential neighbourhood at locations which will not conflict with lower housing densities or non-residential uses. This higher density housing may be appropriate near major arterial roads, or as part of mixed-use commercial/residential areas. The Zoning Bylaw may contain the specific definitions, densities, and separation distances

between each cluster of this type of density and development standards under which higher density housing can be approved.

d) Medium density housing will be allowed in all residential neighbourhoods only at locations where they will not conflict with lower housing densities. The Zoning Bylaw may contain the specific definitions, densities, and separation distances between each cluster of this type of density and development standards under which medium density housing can be approved. Such densities, separation distances and standards may apply to both new suburban Neighbourhoods and to the types of large parcel, limited – service Neighbourhoods referred to in Section 4.2.1.

e) Supportive housing will be allowed in all residential neighbourhoods. The Zoning Bylaw may contain the specific definitions, densities or guidelines for such housing on an area or City-wide basis, and separation distances and development standards under which supportive housing can be approved.

f) Conversion of existing residential or non-residential buildings to condominiums will be allowed at Council's discretion. All such conversions shall conform to the National Building Code. Proposed conversions of existing rental dwelling units to condominiums may be phased to ensure that the vacancy rate for rental accommodation does not cause undue hardship to existing or prospective tenants in the City.

### 4.2.3 Residential Infill Development

a) The City shall encourage infill housing in neighbourhoods which are close to the downtown and in other areas of mature subdivisions for which a Study has been prepared as noted in Policy 4.2.1 (b) above.

b) In each area being considered for redevelopment in an existing neighbourhood containing mature subdivisions, the density and character of the surrounding mature subdivisions shall be the primary considerations in determining the type of infill development, which may be allowed in a particular location. In addition to the above criteria, all infill development shall also be designed with regard to items such as solar orientation of lots for energy conservation, pedestrian access to schools, parks, public transit or minor neighbourhood uses, preservation / enhancement of natural features such as drainage patterns, efficiency of municipal servicing, etc.

c) Infill housing must consider the needs of households from the full range of social and economic characteristics and make efficient use of municipal and community infrastructure.

d) Council may adopt incentive programs to encourage residential infill and redevelopment in selected areas of the City.

### 4.2.4 Building and Property Maintenance Standards

a) The City's first priority with respect to all buildings, but especially for existing residences, is to promote and, where necessary, require the maintenance of safe, energy-efficient and acceptable quality buildings. This will include both buildings and property in both private and public sectors.

b) The City may consider grants, loans or educational and advisory services as ways of supporting such standards as landscaping guidelines or regulations, demolition control, enforcement of property and building standards, or maintenance programs.

c) The City will encourage the conservation and renewal of housing stock by promoting and, where appropriate, participating in federal or provincial programs that are available for residential owners.

### 4.2.5 Home Occupations

a) Home occupations shall be allowed in all residential Zoning Districts provided they are clearly secondary to the residential use of the dwelling.

b) The specific types of permitted or discretionary home occupations may be defined in the Zoning Bylaw, but all such uses shall only be allowed if they remain compatible with the surrounding residences and do not detract from the amenity of the surrounding residential area.

c) The Zoning Bylaw shall contain development standards for home occupations including, but not limited to, standards for storage, sales, number of permitted on and off-site employees, parking, accessory building use, lot coverage, noise, odour, vibration, electrical interference and hours of operation.

# 5.0 COMMERCIAL LAND USE

## 5.1 OBJECTIVES

a) To provide for and encourage the appropriate expansion of retail, service and other commercial land uses and development required to meet the diverse needs of the shopping and business community of the City and its trading area.

b) To ensure that the Downtown continues as the primary business, office, retail, cultural and administrative centre of the City and the region.

c) To ensure that the day-to-day shopping needs of the community, and the needs of tourists and the travelling public are met at appropriate locations throughout the City.

## 5.2 POLICIES

### 5.2.1 Supply, Type and Compatibility of Commercial Land and Uses

a) Commercial land will be grouped into three basic categories based on the type of existing or expected use, the level of services required, and the potential effect of each category on other surrounding and proposed land uses. The Commercial categories are *Neighbourhood*, *High Density, and Vehicle-Oriented*. Where any of these categories is likely to conflict with surrounding uses, the other Plan Objectives and Policies and the standards and regulations of the Zoning Bylaw shall be used to either segregate such uses, or minimize the conflict using other tools, such as Contract Zoning, to control the specific uses and negotiate operational conditions.

b) The South Central Enterprise Region and the Chamber of Commerce will be encouraged to provide information necessary to update the estimate of the commercial land needs. The City shall use all pertinent information and best efforts to ensure that an adequate supply of all categories of appropriately serviced commercial land is available for commercial expansion.

c) To the extent possible, the City will encourage infill of existing commercial areas in preference to creation and servicing of new commercial areas.

d) The Zoning Bylaw shall contain development standards for *Neighbourhood*, *Mixed Use Commercial, High Density, and Vehicle-Oriented* sites including, but not limited to, building setbacks, parking and loading facilities, signage, landscaping, intensity of development and other relevant standards intended to minimize land use conflicts and enhance the environment of the area.

e) As outlined in Section 4.2.1 e), proponents of new, large-scale commercial developments may be required to submit a Concept Plan and servicing study to Council for consideration prior to a decision being made on the proposal. The Goals of this Plan, the Commercial Objectives and other applicable Policies of this OCP, including the Constraints Maps and the Future Land Use Map will also apply in such cases.

*(Bylaw No. 5601, 2020)*

### 5.2.2 Location of Commercial Development and Use of Commercial Lands

a) The City has evaluated and will continue to monitor proposals for commercial development (whether proposals for Neighbourhood Commercial, Mixed Use Commercial, High Density or Vehicle-Oriented Commercial) in terms of their impact on the City as a whole and on their immediate surroundings, with regard to:

i) capacity of the street system and public transit system to accommodate any increases in vehicle traffic and ridership;

ii) capacity of existing sewer and water systems to service the proposed development;

iii) integration with abutting and nearby uses;

iv) the long term viability of retail and commercial activity in the Downtown; and

v) all other relevant Objectives and Policies in this Plan.

b) No specific Neighbourhood Commercial Land Use Classification is shown on the Future Land Use Concept Map that is attached to and forms part of this Plan. Neighbourhood Commercial sites shall be provided, as necessary, to serve the daily needs of the residents in the neighbourhood.

c) Neighbourhood Commercial sites shall be located along collector or arterial roadways. Care shall be taken to choose sites, which will minimize land use conflicts with nearby residential properties but, at the same time, provide convenient access to neighbourhood patrons.

d) In general, Vehicle-Oriented Commercial areas shall be approved only in such numbers and locations as to discourage the extension of continuous strip development along arterial streets.

e) Vehicle-Oriented Commercial areas shall be located in areas where the municipal road and/or provincial highway system is capable of providing efficient and convenient access and egress for relatively large volumes of vehicle traffic and where sites are of sufficient size to provide adequate off-street parking for customer vehicles.

### 5.2.3 The Downtown

a) The City supports and maintains the concept of promoting the Downtown as the primary business, office, retail, cultural and administrative centre of the City and the region. The long-term viability of retail and commercial activity in the Downtown will be a primary factor in the evaluation of major retail and commercial development proposals throughout the City.

b) In order to facilitate appropriate evaluation of retail and commercial development proposals, the City shall continue to monitor commercial land use in the Downtown and throughout the City.

c) The City may continue to upgrade and revitalize the Downtown through such initiatives as streetscape improvement, encouragement and support of renovation and redevelopment of older structures as appropriate, and development of a major civic / cultural focus in the Downtown.

### 5.2.4 Downtown Housing

a) Whenever possible, the City shall encourage and support a greater residential population within and near the Downtown through a variety of means, including flexible development regulations, consideration of rezoning applications, the provision of residential amenities and the ongoing upgrading of municipal infrastructure.

b) The City supports the conversion of commercial and industrial buildings within and near the Downtown to residential use, where issues related to land use conflicts, potential environmental contamination, parking, National Building Code requirements and fire safety can be resolved. The Zoning Bylaw shall facilitate the location of required parking for converted buildings on nearby sites.

c) The City shall encourage the assembly of land for public and private housing projects in the Downtown.

d) The Zoning Bylaw may provide bonus provisions and flexible development standards for the conversion of designated heritage buildings into residential units.

### 5.2.5 Downtown Parking

a) The City shall encourage, where feasible, alternative parking arrangements with business owners, land owners and developers to finance and build community-owned or shared parking facilities in the Downtown.

b) The Zoning Bylaw may contain appropriate standards regarding the provision, development and screening of parking in the Downtown.

### 5.2.6 Downtown Pedestrian Environment

a) In the Downtown, a pedestrian-oriented environment should be developed which is efficient, aesthetically pleasing and promotes public safety.

b) The Zoning Bylaw may contain provisions for buildings to include corner setbacks at major intersections to reduce wind tunnel effects, to open vistas and to enlarge pedestrian circulation and amenity spaces.

c) Where possible, the Downtown should be linked to all new and existing residential Neighbourhoods by a series of bike paths on linear parks or on dedicated or shared lanes on roads, by following the provisions of Section 9.2.3.

### 5.2.7 Downtown Heritage Resources

a) Heritage Properties in the Downtown area (and elsewhere in the City) have been studied in both 1985 and 2000. A list of registered Heritage Properties (Provincial and Municipal) has also been compiled. Both studies recommended that a Heritage Conservation District be created under the procedure contained in *The Heritage Property Act.* The process to create such districts has become too expensive and time-consuming. The above Act requires that legal notices must be placed on the titles to all affected land but the charges for doing this in the new Land Titles System have increased substantially. For these reasons, Council will not use procedures of the Heritage Property Act in assessing the potential impacts of development on heritage properties.

b) As an interim measure to protect such heritage properties in the Downtown, a heritage overlay district will be established in the Zoning Bylaw, to safeguard Heritage Properties and implement other Heritage Policies as contained in Sections 12.2.2 and 18.2 of this Plan. Council will also consider creating Policies for Architectural Control using the current provisions of the Act. Council will rely on the advice of the City's existing Municipal Heritage Committee in developing such Policies.

c) Applicants for development or re-development proposals on Designated* Heritage Properties in the Heritage Overlay District will be required by Council and Administration to obtain advice from a qualified professional architect to asses the impact of new development on that site. At Council's discretion, development on any site which directly adjoins an identified heritage property may also be assessed in the same manner.

d) The cost of obtaining the opinion of a qualified professional architect shall be borne by the applicant, as set out in the above policy for development in these areas.

* For the purposes of this OCP and the Zoning Bylaw, the term "Designated Heritage Properties" shall only refer to those which have been recognized as such under the procedure outlined in Parts III or IV of *The Heritage Property Act.*

# 6.0 INDUSTRIAL LAND USE

## 6.1 OBJECTIVES

a) To facilitate and promote a variety of appropriate industrial land uses by providing an adequate supply of industrial land, in locations and with services that are consistent with market requirements.

b) To ensure that industrial development and activity is consistent with maintaining a high quality urban environment, supportive of the goals of this Plan.

c) To minimize land use conflicts related to industrial development and activity.

## 6.2 POLICIES

### 6.2.1 Supply, Type and Compatibility of Industrial Land and Uses

a) Industrial land will be grouped into four basic Categories based on the type of existing or expected use, the level of services required, and the potential effect of each category on other surrounding and proposed land uses. The Industrial Categories are *Heavy, Light, Mixed-use Business Park and Environmental-Low Service* areas. Where any of these categories are likely to conflict with surrounding uses, the other Plan Objectives and Policies and the standards and regulations of the Zoning Bylaw shall be used to either segregate such uses, or minimize the conflict using other tools such as Contract Zoning to control the specific uses and negotiate operational conditions, installing berms, physical and legal buffers, etc.

b) The South Central Enterprise Region and the Chamber of Commerce will be encouraged to work with the City on a regular basis to provide information necessary to update the estimate of the industrial land needs. Using this forecast, the City shall ensure that an adequate supply of all categories of appropriately serviced industrial land is
available for industrial expansion.

c) Appropriate commercial or mixed commercial/industrial uses will be allowed in any of the four industrial Categories under the following provisions:

i) the commercial use will primarily serve the industrial area; or

ii) the commercial use is accessory to the primary warehousing manufacturing or other industrial use; or

iii) the commercial use is compatible with the intent of the specific industrial area, and is a smaller scale, which will not directly compete with other retail areas in Moose Jaw.

d) The Zoning Bylaw shall contain development standards for Heavy, Light, Mixed-use Business Park and Environmental-Low Service Industrial sites, including but not limited to, building setbacks, parking and loading facilities, signage, landscaping, intensity of development and other relevant standards intended to minimize land use conflicts and enhance the environment of the area.

e) As outlined in Section 4.2.1 e), proponents of new, large-scale industrial developments may be required to submit a Concept Plan and servicing study to Council for consideration prior to a decision being made on the proposal. The Goals of this Plan, the Industrial Objectives and other applicable Policies of this OCP, including the Constraints Maps and the Future Land Use Map will also apply in such cases.

*(Bylaw No. 5601, 2020)*

### 6.2.2 Location of Industrial Uses

a) The City will encourage and, if possible, facilitate the development of new industrial proposals to locate in the industrial area, which is the most suitable for its use, transportation and servicing needs. To encourage or facilitate these industries, the City may use any of the economic, land use or servicing provisions of *The Cities Act* or *The Planning and Development Act, 2007*.

b) Heavy Industrial uses include industries that generally require full municipal services. These types of uses may cause land use conflicts and therefore must be sited accordingly. In order to resolve certain land use conflicts over the long term, some existing heavy industrial land could be redesignated to light industrial use. As a result, some non-conforming uses would be created.

c) The Light Industrial classification is intended for industrial activities which also depend on full services but either do not create serious

land use conflicts, or can have potential conflicts mitigated by using specific regulations or development standards in the implementing Zoning District.

d) Mixed-use Business Park is intended for offices, research organizations and associated light industries (e.g. those which are based on new technologies, or which are of a similar low-intensity nature).

e) Environmental-Low Service areas will include those which do not require full City services and which have a bulk storage or trans-modal shipping function, or those which handle environmentally-sensitive or dangerous goods.

d) Industrial land use classifications may remain in some older industrial areas to accommodate historic land use patterns. To minimize land use conflicts between existing industrial areas and nearby residential areas, the redesignation of industrial areas in existing environmentally-sensitive locations to a more appropriate land use classification shall be encouraged as opportunities present themselves.

e) The Zoning Bylaw may establish one or more special Industrial Districts and create specific regulations or development standards to deal with land uses in the district in recognition of their economic contribution to the City, but also their effect on adjacent residential uses. Currently, the Railway District is the only example of a special Industrial District.

### 6.2.3 Servicing of Industrial Uses

a) Within the financial limits of the City, the City will attempt to make services available to new industrial uses at the same level as similar existing uses within the duration of the budget of the Capital Works Plan. Where the required services are not possible to supply or provide within a prescribed timeframe, the City may use the legislative provisions referred to in Policy 6.2.2 (a) above to negotiate the timing and cost of the services.

# 7.0. COMMUNITY SERVICE / INSTITUTIONAL LAND USE

## 7.1 OBJECTIVES

a) To provide opportunities for schools, places of worship, hospitals and other institutional uses which serve the educational, recreational, cultural, health and spiritual needs of the community, ensuring that they are appropriately located with respect to size, function and transportation requirements.

b) To ensure appropriate public consultation processes for the re-use of closed public institutional sites and buildings.

c) To strengthen communications and the working relationships between the City of Moose Jaw, the Boards of Education, the Regional Health Authority, SIAST and other public and private organizations delivering community services.

## 7.2 POLICIES

### 7.2.1 Location of Institutional Uses

a) Institutional uses, which serve the needs of a neighbourhood population, and are compatible with a residential environment, may be situated within residential neighbourhoods.

b) Institutional uses that serve the needs of more than a neighbourhood population, or are of a size and scale that is not compatible with a residential environment, shall be encouraged to locate in or near the Downtown or other areas with adequate access to roadways and public transit, and where there is no significant negative impact on surrounding land uses. The Zoning Bylaw shall contain provisions to permit large-scale institutional uses in residential areas only at the discretion of Council.

### 7.2.2 School and Community Facility Sites

a) All neighbourhood land use or redevelopment Studies (refer to Policies 4.2.1 (b) and 4.2.1 (c)) should make provision for such elementary school sites as may be required by the appropriate Boards of Education. Council shall not consider proposals for neighbourhood development or redevelopment until the reports of the appropriate Boards have been received and considered. The Zoning Bylaw shall list elementary schools as permitted uses in the Community Service and Institutional District, while new high schools shall only be allowed in such areas at the discretion of Council.

*(Bylaw No. 5601, 2020)*

b) All elementary school sites should be located as close as possible to the centre of the areas they will ultimately serve, should not be located on arterial streets and, wherever possible, should be located at street intersections.

c) Secondary schools or high schools should be located centrally within the area they are to serve. They should, wherever possible, be located on arterial streets, be located to facilitate public transit and roadway access to the facility during school and non-school functions, and to minimize negative impacts on surrounding land uses.

d) School sites shall, wherever possible, be located adjacent to Municipal Reserves or other public open spaces. The use of the school and park facilities as the recreational centre for the neighbourhood or other area being served shall be promoted.

e) Sites for schools and other institutional uses shall be suitable for such purposes in terms of topography, utilities, transit service, access and site frontage. School sites shall include adequate on-site pick-up and drop-off zones for students.

f) Post-secondary educational facilities, including commercial and technical schools, generally serve the City as a whole and the surrounding region. Accordingly, such facilities are encouraged to locate in the Downtown or other areas that offer good access to transportation routes and public transit, and minimize land use conflicts.

### 7.2.3 Reuse of Schools and School Sites

a) School buildings and sites can be focal points for many residential neighbourhoods. They are a community resource with more than one lifespan. In order to promote the stability and character of residential neighbourhoods, the City shall encourage the adaptive reuse of school buildings and sites for institutional, recreational, residential, educational, cultural or other community-oriented use, subject to the provisions of the existing zoning district, after appropriate consultation with relevant community groups and local residents.

b) Where it is clear that the existing school sites and/or buildings have no adaptive reuse potential under the provisions of the current zoning district, Council may consider the redevelopment of the site and/or building subject to Contract Zoning (Section 19.1.2).

### 7.2.4 Shared Community Facilities

a) In order to promote the community use of available school and other community facilities in meeting the educational, cultural, social, health and leisure needs of the general population, the City shall encourage the sharing of facilities and services with local Boards of Education, the Regional Health Authority, SIAST and other public and private organizations delivering community services. Before approving such shared facilities and services, the City will consult with the potential partners in the proposed project and the affected neighbourhood residents.

# 8.0 URBAN HOLDING AREAS

## 8.1 OBJECTIVE

a) To identify areas in the City where the future use of land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

## 8.2 POLICIES

a) Urban Holding Areas may include all undeveloped land in Moose Jaw which adjoins the City boundary, regardless of whether it is readily capable of being provided with a full range of utilities or whether a concept plan has been approved for the general area.

b) Agricultural uses and related rural activities may be permitted in Urban Holding Areas. Such areas may only be used for urban purposes upon amendment to this Plan and the provision of necessary utilities and services.

i) Urban Holding Areas shall be designated as an Urban Holding Area in the Zoning Bylaw. The Zoning Bylaw shall also contain development standards appropriate to the intent of this Section.

# 9.0 TRANSPORTATION

## 9.1 OBJECTIVES

a) To protect and facilitate the various functions of the provincial highway and municipal road systems in the City, in order to enhance and maintain safe and efficient traffic movement.

b) To encourage alternative forms of transportation in Moose Jaw, including walking, cycling and public transit.

c) To ensure that adequate parking facilities are provided throughout the City.

d) To consult, and work in cooperation, with the railways whose facilities are located in the City, to ensure their continued economic viability while minimizing conflict with other land uses in Moose Jaw.

e) To ensure that the level of noise and vibration exposure to residential areas from roadways and rail lines is within acceptable limits throughout the City.

## 9.2 POLICIES

a) The costs of municipal transportation infrastructure and the transportation costs for individuals and businesses shall be considered in all land use and development decisions.

b) Medium and high density developments, including large retail facilities are encouraged to concentrate in areas well served by the road system and by public transit, including the Downtown and along major arterial roads.

c) Infill development, for residential, commercial or other employment generating uses, is encouraged as a means to reduce the need for new transportation infrastructure and to support alternative forms of transportation.

d) Neighbourhood planning and design shall be oriented to serve the needs of pedestrians, cyclists and transit riders, as well as private vehicles.

e) Any transportation, public transit or parking studies required by this Plan to assess the impact of an application for amendments to the Official Community Plan or Zoning Bylaw, discretionary use or subdivision application shall be undertaken by the applicant or the owner, to the satisfaction of the City.

f) The City shall determine the timing, location and design of major transportation infrastructure through appropriate neighbourhood or other land use and transportation studies.

### 9.2.1 Street System

a) Streets shall continue to be classified as arterial, collector and local streets, based on the function the streets serve and the type and amount of service they should provide.

b) Arterial streets shall be designed to bypass neighbourhoods and not to sever them.

c) The Downtown and other major employment and commercial areas shall be adequately served by roadways, pedestrian routes and public transit.

### 9.2.2 Public Transit

a) Through the neighbourhood land use or redevelopment Studies (refer to Policy 4.2.1 (b)), as well as commercial and industrial subdivision and development review processes, public transit ridership shall be encouraged by:

i) providing neighbourhood designs, densities and forms of development that will support public transit;

ii) locating developments which generate high transit use on sites that have convenient access to existing or proposed transit service; and

iii) providing facilities and amenities that will encourage increased transit ridership, including: benches, shelters and convenient pedestrian access to transit stops.

b) The public transit service shall emphasize provision of a high level of service to the Downtown from all parts of the City

### 9.2.3 Cycling

a) The City supports and encourages the establishment of a safe, convenient and pleasant system of cycling paths and routes in order to accommodate recreational cyclists as well as those who travel to and from work or school by bicycle.

b) The City should provide separate cycling paths in park areas and along the boulevards of arterial and collector streets where it is safe and economically and physically feasible.

c) Where separate paths are not feasible along arterial and collector streets, and where cycling facilities are desirable, separate bicycle lanes may be designated on existing streets. Such lanes may be unprotected (that is separated from motor traffic by street markings) or protected (i.e. separated from motor traffic by a physical obstruction or barrier).

d) The City will promote design initiatives for safe and convenient cycling, including: convenient and well-designed routes; traffic calming features; road / pathway maintenance; appropriate lighting; security features; parking facilities; landscaping; and physical separation from motor vehicles on busy routes.

### 9.2.4 Pedestrians

a) Pedestrian needs shall be addressed and satisfied in the design of new neighbourhoods and subdivisions. In general, provisions shall include adequate sidewalks and walkways, pathways in parks, lighting and convenient transit stops.

b) The City will utilize traffic calming measures, where appropriate in pedestrian-oriented areas, to encourage pedestrian activity and mitigate the negative effects of automobile traffic on safe, pleasant and convenient pedestrian movement.

c) The City shall encourage barrier-free access for the disabled in all new developments, infill projects and street and sidewalk construction.

d) The safe crossing of major roadways by pedestrians shall be provided through the use of traffic control devices, crosswalks, pedestrian signage, pedestrian corridors, pedestrian signals and pedestrian grade separations.

### 9.2.5 Parking

a) In general, developments shall provide adequate off-street parking. The Zoning Bylaw shall contain appropriate parking standards for all forms of development.

b) The Zoning Bylaw shall contain standards addressing the design of parking areas, including but not limited to, aspects of visibility, lighting, landscaping and screening, maximum frontage along streets, dimensions of parking spaces and aisles, parking for disabled persons, drainage and storm water storage, pedestrian and vehicle circulation, personal safety, the location and grading of parking ramps, and other factors that may be required.

c) Required parking spaces shall normally be placed on the same site as the proposed development. Where, however, there is a clear public interest, the Zoning Bylaw may facilitate required parking on nearby sites.

d) The Zoning Bylaw shall contain appropriate standards for on-site loading facilities for developments that regularly receive and/or dispatch goods. The location of loading facilities shall minimize the effects of noise and fumes on adjacent uses and shall not interfere with pedestrian movement or customer / employee parking.

### 9.2.6 Railways

a) In conjunction with the Railway companies, the City shall endeavour to ensure that railway lands are utilized in a manner consistent with the intent of this Plan.

b) The City shall work with the Railway companies to reach agreements with respect to the abandonment and re-use of redundant or mutually undesirable rail lines. Land released through such agreements shall be subject to the provisions of this Plan.

c) The City shall seek to concentrate freight dependent industries and companies in areas with easy access to rail and highway transport (as appropriate) in order to achieve the efficient movement of goods with the least impact on residential neighbourhoods.

### 9.2.7 Noise and Vibration

a) Noise and vibration levels near roadways and rail lines shall be a factor in the evaluation of new proposals throughout the development review process. Noise and vibration assessments may be required in order to prescribe attenuation measures for new developments in proximity to existing or proposed roadways and rail lines, as well as to determine the viability of foundations structures.

b) In reviewing proposals for new residential development adjacent to existing or proposed transportation corridors, City Administration should ensure that exterior noise levels should not normally exceed a level of 65 dBA *. The City Administration may also refer to the "City of Moose Jaw Noise Bylaw" and this Subsection to ensure that new residential Neighbourhoods do not encroach on land affected by traffic, railway and other noise – producing uses which normally exceed a level of 65 dBA, without the provision of adequate noise attenuation methods or structures.

c) All costs associated with preparing the noise and vibration assessment and implementing the approved attenuation measures shall be borne by the affected developers.

d) Where appropriate, the City may consider the installation of noise attenuation measures for existing residential areas located near transportation routes when noise levels exceed accepted standards.

* see Section 1.4

# 10.0 PUBLIC UTILITIES

## 10.1 OBJECTIVES

a) To ensure that public utilities and utility easements are provided throughout the City in a coordinated, responsible and efficient manner.

b) To ensure that the costs of public utilities associated with land development are distributed appropriately among utility agencies, consumers and the development industry.

c) To protect the City's current and future water supply, solid waste management and sewage disposal options.

## 10.2 POLICIES

### 10.2.1 Supply and Installation

a) The City shall ensure that all capital works installed by the City or a private developer under an agreement with the City comply with professional engineering standards.

b) Where economically feasible and environmentally acceptable, all municipal and private capital works shall be planned for joint-use corridors provided that such corridors are compatible with adjacent land uses.

c) All City services and facilities will include the principles of environmental sustainability and low risk / high public safety in their design, installation and operation.

### 10.2.2 Cost-sharing

a) The City shall encourage and, where necessary, require the service providers of private or other non-municipal utilities to share the cost of providing and maintaining joint use corridors on City-owned land.

b) To ensure that new developments pay for the necessary on and off-site services, the City shall, where authorized by Part VIII of *The Planning and Development Act, 2007*:

i) negotiate a Servicing Agreement for all new subdivisions requiring City services;

ii) establish a Development Levy for all new developments requiring a rezoning which increases the demand on City services; and

iii) require that all new developments on Municipal Reserves, other Dedicated Lands or City-owned land shall contribute to the maintenance of such land as part of the fee for any new Development Permit, which may be required.

### 10.2.3 Protection of Current and Future Options for Infrastructure

a) The City's existing sewage lagoons, landfill, water supply sources and lines, road network and other infrastructure will be protected from encroachment by land uses which may threaten public safety, reduce the efficient supply of the service or force it to relocate prematurely. To protect the services, the City may establish a range of separation distances, development standards or conditions in the Zoning Bylaw, to be applied to prevent this type of land use conflict.

b) In order to develop and maintain an efficient and sustainable regional settlement pattern, the extension, distribution, or sale of services beyond the boundaries of the City shall be undertaken only under the following circumstances:

i) no less than the full capital and operating costs of the services being provided are recovered;

ii) the City may require that the recipient of the service shall ensure that any benefiting development conforms to a rational long term land use and development strategy, that is economically, environmentally and socially sustainable; and

iii) that the nature or volume of the service being provided will not place limitations on the provision of services within the City of Moose Jaw, now or in the future.

c) Specific agreements may be entered into between the City and the affected Municipality or other parties in order to clarify the intent and implementation of service extensions. Such agreements may include traditional agreement items such as urban-rural cost sharing for capital works and tax loss compensation for an RM due to annexation, as well as more innovative items such as property tax-

sharing where urban services may be extended to rural areas without an annexation.

### 10.2.4 Alternative Energy Sources

a) The City supports the principle of new developments which will use alternative energy sources including, but not limited to wind turbines (singly or in groups), arrays of solar collectors/panels or district heating etc.. These new sources may be allowed pursuant to the Policies of Sections 17.2.4b)v and 18.2.

# 11.0 NATURAL ENVIRONMENT / CONSERVATION

## 11.1 OBJECTIVES

a) To identify and protect important ecosystems, key wildlife habitats and other natural areas, as part of the land development process.

b) To conserve the biodiversity of both plant and animal life for the enjoyment of present and future generations.

c) The City shall encourage and support the continued development of the Wakamow Valley as an important element in future parks, recreation and conservation policy implementation.

d) To ensure the protection and sustainability of the "urban forest" in Moose Jaw through new planting and the protection and maintenance of existing trees throughout the City.

e) To consult, and work in cooperation, with appropriate Federal and Provincial agencies (e.g. Fisheries and Oceans Canada, PFRA, Saskatchewan Watershed Authority) and other municipalities to assess (and, as appropriate, to mitigate) the impact of increased rural and urban drainage on the Moose Jaw River and Spring Creek Valleys.

d) To ensure the protection and sustainability of the "urban forest" in Moose Jaw through new planting and the protection and maintenance of existing trees throughout the City.

e) To consult, and work in cooperation, with appropriate Federal and Provincial agencies (e.g. Fisheries and Oceans Canada, PFRA, Saskatchewan Watershed Authority) and other municipalities to assess (and, as appropriate, to mitigate) the impact of increased rural and urban drainage on the Moose Jaw River and Spring Creek Valleys.

## 11.2 POLICIES

### 11.2.1 Identifying and Protecting Important Ecosystems and Wildlife Habitats

a) The City will consult the Saskatchewan Conservation Data Centre and other appropriate sources to identify and protect Important Ecosystems and Wildlife Habitats before allowing a

change of use, subdivision or a new development on any previously undeveloped land.

b) Before land use changes are approved which may alter the habitat of any rare or endangered species, the City will consult agencies including Nature Saskatchewan, which operates the Burrowing Owl program and Saskatchewan Environment which administers legislation regarding endangered species.

c) The City will cooperate with the local School Boards, the Wakamow Valley Authority and non-profit conservation or wildlife groups to protect important ecosystems and wildlife habitats by sharing information, developing educational materials and applying for grants or other program assistance for such projects from agencies outside the Moose Jaw area.

d) Where sensitive natural areas which represent important ecosystems or wildlife habitats have been identified through the processes listed in this subsection, the City shall protect the areas by using holding Zones, Conservation Zoning Districts or special Overlay Zoning Districts, Conservation Agreements (which may include registering an interest on the title to the affected land), and may also use any of the other provisions of *The Cities Act* and *The Planning and Development Act, 2007.*

### 11.2.2 Protecting and Enhancing the Wakamow Valley and Associated Watercourses

a) Where appropriate, the City shall cooperate with the Saskatchewan Watershed Authority and appropriate federal agencies (e.g. Canada Fisheries and Oceans) to protect and enhance the Wakamow Valley area and other watercourses within Moose Jaw.

b) The City has a long-standing practice of referring proposals in or adjoining the Wakamow Valley to the Authority for review and comment. No proposals for development or redevelopment in, or immediately adjoining the Wakamow Valley area shall be considered by Council until the Authority has been provided the opportunity to provide comments. All land now owned by the Authority shall be included in the River Valley Conservation Area District.

*(Bylaw No. 5601, 2020)*

c) The City will work with the Wakamow Valley Authority, the R.M. of Moose Jaw No. 161 and, where appropriate, community groups, First Nations and other Aboriginal groups to prepare an Open Space Management Plan for the vacant City lands formerly occupied by the Wild Animal Park. To recognize and protect the unique nature of the land and wildlife in the former Wild Animal Park, the City passed Bylaw No. 5113 on August 28, 2000. That Bylaw and a Conservation Easement Agreement dated May 2, 2001, (as amended by an agreement dated February 13, 2007 with the Wakamow Valley Authority) have been registered as an Interest against the title to that land. The details of the two Agreements are meant to prohibit certain uses and restrict many others, even certain agricultural activities. Because of these additional constraints to development for the site, the subject land will be designated in a "h" holding District as described in Section 19.1.4 of this Plan. When the Management Plan referred to above is completed, it shall be considered by Council for adoption as an amendment to this Plan.

*(Bylaw No. 5601, 2020)*

### 11.2.3 Urban Forest and Landscaping Standards

a) The City will consider the preparation of a coordinated plan for the protection and maintenance of existing trees on public land throughout the City. Without limiting the scope of the plan, it should include landscaping standards and preferred mix of species for new planting, a means of monitoring the age and condition of the urban forest, and proposals to encourage landowners to add to and care for the trees on their private property.

b) The Zoning Bylaw will be a major tool in the protection and enhancement of the urban tree stock, by including both incentives (e.g. bonusing standards for developers who voluntarily conserve existing trees or plant new trees in a new development or subdivision) and regulations (e.g. setting tree planting and other landscaping standards around new subdivisions, such as requiring shrubs or other ground cover for erosion control, coniferous trees to the north and west for winter wind protection, and deciduous trees to the south and east for summer shade etc.). When developed, the landscaping standards will be attached as an Appendix to the Zoning Bylaw and may be either in the form of voluntary Guidelines or mandatory Regulations.

c) The Provincial Regulations passed under *The Education Act, 1995* require all School Boards to provide specific open spaces

surrounding both Elementary and High Schools for the students' benefit. Like the system of Dedicated Lands and other Public Parks owned by the City of Moose Jaw, these school grounds offer more opportunities to improve the Urban Forest. The City will consider working with the local School Boards and other agencies to develop an educational, advisory and if appropriate, an incentive program aimed at expanding and improving urban forestry in Moose Jaw.

### 11.2.3 Assessing and Managing Rural and Urban Drainage

a) To better predict and manage increases in peak volumes and overall increases in urban and rural runoff, the City will work with neighbouring Conservation and Development Associations, the Saskatchewan Watershed Authority, the PFRA and Canada Fisheries and Oceans to ensure that increased drainage volumes will not damage downstream uses or threaten public safety.

# 12.0 CULTURAL HERITAGE

## 12.1 OBJECTIVES

a) To identify and protect important archaeological sites and ensure appropriate mitigation of impacts to archaeological resources that may occur as part of the land development process.

b) To identify, conserve and interpret the built heritage of Moose Jaw in a planned, selective and economically feasible manner for the benefit of present and future generations of Moose Jaw residents and visitors.

c) To consult, and work in cooperation, with the Moose Jaw Art Gallery and Museum, Western Development Museum, appropriate City Committees and other groups to preserve and enhance the City's historical / tourism sector.

## 12.2 POLICIES

a) The City's role in conserving and interpreting heritage includes:

i) identifying and researching potential heritage properties;

ii) recognizing property of heritage merit;

iii) providing support to owners to conserve properties of heritage merit;

iv) implementing a heritage review process for City-owned property;

v) establishing an inventory of archaeological and paleontological sites in the City;

vi) interpreting and, where appropriate, conserving the history of municipal government in Moose Jaw; and

vii) conserving and interpreting artifacts relating to the history of municipal government in Moose Jaw.

b) To fulfil the above role, the City will:

i) use the current inventory of Heritage properties and consult with the City's Municipal Heritage Advisory Committee and owners of those properties to develop a heritage strategy which prioritizes the significance and potential of all such buildings to expand and strengthen the City's character and history; and

ii) use appropriate provisions of *The Planning and Development Act, 2007, The Cities Act,* and *The Heritage Property Act* to protect and where possible, enhance the value of historical, archaeological and paleontological resources in the City.

### 12.2.1 Archaeological / Palaeontological Resources

a) The City shall maintain a current inventory of documented archaeological and palaeontological sites within the corporate limits of the City.

b) As part of the overall development review process, the City will require that all requirements of the provincial government agency responsible for the review of the impact on the heritage resources of proposed developments (pursuant to *The Heritage Property Act*) be fulfilled.

### 12.2.2 Heritage Buildings

a) Through the Municipal Heritage Advisory Committee, the City shall develop a Civic Heritage Policy, to more clearly outline the basis for identifying and in appropriate cases, designating buildings of civic heritage significance. This Policy should include the opportunity for designation of Municipal Heritage Property pursuant to *The Heritage Property Act*) and identify programs and incentives that may be appropriate for the recognition, conservation and viable use of the identified buildings.

*(Bylaw No. 5601, 2020)*

b) As outlined in Section 5.2.7, the creation of a heritage overlay district in the Zoning Bylaw will be used to assess development proposals affecting those heritage properties which are now listed in the Downtown area. Other potential policies and actions outlined in Sections 12.2.2 and 18.2 of this Plan will also be considered for future use by the City. Where it is considered desirable to preserve the physical character of a portion or portions of the City, Council may develop Objectives and Policies for

Architectural Control as an amendment to this Plan, and designate the area as an Architectural Control District in the Zoning Bylaw, using the symbol **AC** in conjunction with any Zoning District designation.

c) In general, Architectural Control Districts shall be applied only in areas where there is a clear public interest and where it is considered economically feasible to establish and fund a design review process, consistent with the terms and conditions of Section 76 of *The Planning and Development Act,2007*.

d) The design review process for Architectural Control Districts shall be specifically outlined in the Zoning Bylaw, including the requirements for a complete application, the review of the proposal for conformance with area design guidelines, and the procedure for approving Development Permits, including the imposition of terms and conditions that may be attached to such approval.

e) Council may appoint a Design Review Committee, as necessary, to assist with the design review process in an Architectural Control District.

d) Prior to designating any portion of the City as an Architectural Control District, Council shall authorize preparation of a Heritage Concept Plan, which would conform to the intent of Section 18.2 of this Plan, and would be adopted through amendment to this Plan in order to prescribe design guidelines for the area. As an interim measure, the publication entitled Standards and Guidelines for the Conservation of Historic Places in Canada* shall be used as informal guidelines for reviewing development proposals as outlined in this Section.

e) Council shall also use previous research documents prepared in draft form by City staff in 1985 (Heritage Conservation District – Discussion Paper) and 2001 (Plan Moose Jaw Heritage Analysis) as background material during the process for the Heritage Concept Plan.

*(Bylaw No. 5601, 2020)*

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# 13.0 PARKS, OPEN SPACE, COMMUNITY RECREATION

## 13.1 OBJECTIVES

a) To provide parks and recreation open space sufficient to meet the needs of Moose Jaw's residents, ensuring that these resources are distributed throughout the City in a fair and equitable manner.

b) To manage all forms of the open space system in a planned and environmentally sensitive manner.

c) To provide parks, open space and recreational program delivery at a level that aids in the attraction and retention of young families to and in the City.

## 13.2 POLICIES

a) The City shall ensure that a minimum ratio of 4 hectares of public open space per 1,000 people continues to be maintained. Public open spaces may include Municipal Reserves and such other publicly owned areas that are dedicated or assigned to fulfilling the needs of public recreation and enjoyment. Streets and lanes shall not be considered as public open space.

b) To the extent possible, the City shall attempt to ensure that public open spaces are distributed such that no residential property is located more than 400 metres from the closest public open space.

c) Parks and natural areas shall be linked in a continuous public open space system wherever possible.

d) Agreements to facilitate joint use of parks and open spaces by the City, the Boards of Education and other public agencies shall be encouraged.

e) Subject to budgetary and similar constraints, the City shall facilitate the acquisition of lands for new parks in existing neighbourhoods which have identified deficiencies in the ratio noted in subsection a), and shall maintain and upgrade existing parks on a systematic basis and in consultation with the affected neighbourhoods.

f) Subject to the public notice requirements of *The Cities Act,* a media release and notice shall notify the public of the City's intention to dispose of lands used for park purposes prior to authorizing the disposal of the land. This notice shall be published in a newspaper that circulates in the city once a week for two (2) consecutive weeks.

# 14.0 URBAN DEVELOPMENT CENTRES*

## 14.1 OBJECTIVES

a) To establish a fair and equitable framework for the potential establishment of an Urban Development Centre within the City of Moose Jaw (i.e. establishment of an Indian Reserve within the corporate limits of the City).

b) To maintain the financial integrity of the City, its tax base and its municipal services, in the event that a First Nation desires to establish an Urban Development Centre.

c) To ensure compatible and enforceable land use and development standards in any Urban Development Centre that may be established in Moose Jaw.

d) To ensure that there is no property or business tax or other similar advantage to individuals or businesses located on any Urban Development Centre that may be established in Moose Jaw, relative to other areas in the City.

## 14.2 POLICIES

a) When informed that a First Nation is proposing to acquire, or has purchased, land in Moose Jaw for the purpose of an Urban Development Centre (legally regarded as an Indian Reserve), the City shall inform the First Nation and the appropriate Departments of the Provincial and Federal Government that a Servicing and Land Use Agreement will be required with the Band Council of the First Nation before the City consents to the creation of the new Centre. The Agreement shall be negotiated in good faith by the City, and will be based on the Objectives noted above.

b) The Agreement will consist of any or all of the following matters:

i) Mutual Recognition Clauses, which acknowledge the individual legislative and jurisdictional authority of each party and the Treaty rights of the First Nation, including the right to Self-Government.

ii) Bylaw Compatibility Clauses, which recognize the right of each party to pass their own Bylaws, the extent to which the First Nations Bylaws should be compatible with City Bylaws (and vice versa), procedures to ensure continued Bylaw compatibility for each party to use as their Bylaws are prepared, discussed, adopted, enforced and changed.

iii) Tax Loss Compensation Clauses, which recognizes that after the new Centre has been created as an Indian Reserve, the First Nation will be exempt from paying City taxes, describes how the City will be compensated for loss of these taxes, recognizes the types of and costs for those City services which the First Nation plans for the new Centre and describes the responsibility for collection and the procedures and timing of payments.

iv) Dispute Resolution Clauses, which requires the parties will meet to resolve any disputes, describe the procedures for resolving disputes over the application, interpretation or administration of the Agreement.

v) Other Issues, including but not limited to, regular meetings of the Band and City Councils, procedures for sharing information between the Administrators of each party and between the Elected Councils of each party, incentives exemptions, rebates and abatements of servicing costs, access to property for maintenance, repairs etc.

* the term “Urban Development Centre” was mutually agreed to by the Federation of Saskatchewan Indian Nations and the government of Saskatchewan to establish Guidelines and Procedures for First Nations and Urban Municipalities to follow in the process to create Indian Reserves within the Corporate Limits of Urban Municipalities. At present there are no Urban Development Centres, (either existing or proposed in the City).

# 15.0 ECONOMIC DEVELOPMENT

## 15.1 OBJECTIVES

a) To ensure that the supply of land and level of servicing of such land supports initiatives and priorities set in Moose Jaw's economic development strategy.

b) To consult, and work in cooperation, with 15 Wing to ensure its continued economic vitality while minimizing conflict with other land uses in Moose Jaw.

c) To consult, and work in cooperation, with the South Central Enterprise Region, the Chamber of Commerce, surrounding municipalities and other groups to improve local and regional economic development prospects.

d) To develop and promote a positive employment environment in Moose Jaw which will retain and increase the numbers of young residents in the work force.

## 15.2 POLICIES

### 15.2.1 Linking Economic Strategy and City Growth

a) As outlined in the Policies regarding Moose Jaw's supply of commercial and industrial land (Refer to Sections 5.2.1 and 6.2.1 of this Plan), the City is prepared to work with both the Moose Jaw South Central Enterprise Region and the Chamber of Commerce. The City should work with the South Central Enterprise Region in an economic partnership to build on Moose Jaw's central role in the strength and diversity of the entire economic region. Similarly the City may also draw on the Chamber of Commerce for advice on business opportunities and issues within the City. Using the economic advice and statistical information from the two groups and other appropriate sources, the City shall ensure that an adequate supply of land is available for urban and regional developments.

### 15.2.2 Cooperation with 15 Wing Moose Jaw

a) The City will continue to foster a mutually-beneficial relationship with 15 Wing Moose Jaw and the NATO Flying Training in Canada (NFTC) to promote economic and tourism benefits to the City.

b) Issues such as aircraft Noise Exposure Forecasts (NEF), and the current excess of piped service capacity to the air base will be examined jointly by the City and 15 Wing to ensure:

i) that only appropriate land uses (primarily non-residential) will be allowed within high NEF areas near the base, as shown on Map 2 – Man-made Development Constraints, which forms part of this Plan;

ii) that Moose Jaw remain the home base of the Snowbirds and the NFTC; and

iii) that suitable on-base uses be considered to take advantage of the surplus in the capacity of piped services and/or that off-base development (consistent with the Objectives and Policies in this Plan) be considered to take advantage of such surplus capacity.

### 15.2.3 Creating a Positive Employment Environment

a) The City's current workforce demographics show that many employees will retire in the next 10 to 15 years and may not be replaced by younger people who are currently attending area schools. These retiring employees will need to be replaced through attracting migration from younger workers and families outside the Moose Jaw region. To facilitate such replacement, the City will work as necessary with agencies such as the South Central Enterprise Region and the Chamber of Commerce to develop a profile of possible new institutional, commercial, industrial employers, which would be interested in expanding in or relocating to Moose Jaw. Once finalized, the concept and details of the draft profile will be discussed with current and potential employers and educational institutions to test its validity.

# 16.0 SOCIAL DEVELOPMENT

## 16.1 OBJECTIVES

a) To support the social needs of Moose Jaw's residents through appropriate public consultation, a fair distribution of community services and ongoing consideration of social issues in land use policy and land use decisions.

b) To strengthen communication links regarding social and community issues between the City Administration and the various residential communities within the City.

## 16.2 POLICIES

a) Public participation shall be encouraged as part of the land use planning and decision-making process. This Plan and the Zoning Bylaw shall include policies and procedures that will facilitate public involvement.

b) An equitable distribution of community services and facilities, including parks and recreation areas, school sites, supportive housing, access to public transportation and other services, shall be provided insofar as possible, through appropriate long range planning and the development review process in which public involvement is encouraged.

c) The City shall work cooperatively with other public, private and voluntary sector organizations in addressing the social aspects of land use planning.

d) The City shall encourage other parties involved in public housing to monitor the supply of, and demand for, housing, including the need for supportive and affordable forms of housing that are not being met by the private sector.

e) The City shall ensure that accessibility for the disabled is considered in the design of all new areas and facilities intended for public use.

f) The City shall promote community access to information and resources at City facilities and on the Internet, with respect to materials and appropriate agencies to address community support services.

g) The City shall encourage community-initiated projects or events designed to enhance neighbourhood livability and a sense of community.

h) The City shall encourage initiatives and programs where community service groups and residents can work together to pursue projects at both the neighbourhood and community level.

i) As resources permit, the City shall work with community groups through community development models, which encourage community involvement in building neighbourhood and community facilities.

# 17.0 CONSTRAINTS TO DEVELOPMENT

## 17.1 OBJECTIVES

a) To prevent injury and loss of life, and to minimize property damage related to flooding.

b) To prevent injury and loss of life, and to minimize property damage related to unstable slopes.

c) To limit the potential for inappropriate development to occur on contaminated sites as a result of new development proposals.

d) To assess the impact of various legal but conflicting uses (e.g. intensive livestock operations, certain industrial uses) on future City development and growth and find alternate sites or other remedies to reduce or eliminate land use conflicts related to these uses.

e) The constraints to development outlined in this Section shall be considered in the City's review of new proposals for subdivision, rezoning and discretionary uses.

## 17.2 POLICIES

### 17.2.1 Flood Hazard Areas

a) This Bylaw identifies areas of flood hazard as derived from the Canada – Saskatchewan Flood Damage Reduction Program – the FDRP - (see Map 1). The City will continue to use a two-zone (overlay district) concept (Floodway and Floodway Fringe) based on a 1 in 500 year flood frequency, in the Zoning Bylaw, to deal with controlling development in flood hazard areas in Moose Jaw. Depending on the velocity, depth and horizontal extent of flooding at a specific site in the Floodway Fringe, the Zoning regulations may allow fill to be added as one method of floodproofing a development. This method may only be used if, in the opinion of the Development Officer:

i) it does not negatively affect neighbouring uses due to the new proposed elevation; and

ii) the proposed fill can be safely stabilized and does not significantly reduce the channel capacity, in the opinion of a qualified professional engineer.

The Zoning regulations may also permit a second floodproofing method, which would require the favourable opinion of a qualified professional engineer, that the development will withstand the hydraulic pressure and velocity of the design flood.

b) The cost of obtaining the opinion of a qualified professional engineer shall be borne by the applicant, as set out in the above policy for development in these areas.

c) The cost of identifying any Floodway and Floodway Fringe areas not previously mapped under the FDRP, shall also be borne by the applicant.

### 17.2.2 Slump Hazard Areas

a) This Bylaw identifies areas of slump hazard as derived from the 2001 Golder & Associates Geotechnical Report (hereafter referred to as the Golder Report) commissioned by the City (see Map 1). For those areas which are known to be at High, Moderate or Low risk of slumping and earth movement, the Zoning regulations will provide for two Slump Hazard overlay districts (s1 and s2).

In these districts, developments may be allowed only if, in the opinion of the Development Officer, the added risk to the new use~~,~~ does not negatively affect neighbouring uses or the surrounding natural environment. ~~and can be safely managed~~ in the opinion of a qualified professional engineer. As well, when appropriate for the specific use and the site area, such reports shall also recommend conditions for on or off-site risk mitigation. The Development Officer may also require that the report include recommendations for monitoring the performance of such conditions as a means of protecting the proposed use, neighbouring uses and the surrounding natural environment.

a) The cost of obtaining the opinion of a qualified professional engineer shall be borne by the applicant, as set out in the above policy for development in these areas.

### 17.2.3 Development on or near Contaminated Sites

a) The City shall use Holding Zones around known contaminated sites to “freeze” new development until the contaminated site is remedied and deemed suitable for development.

b) The City may require an environmental site assessment in conjunction with applications for rezoning, discretionary use or subdivisions. The decision as to whether an environmental assessment is required shall be dependent on:

i) the proposed land use;

ii) the current and historical use of the subject property and surrounding lands; and

iii) information from any other sources that suggests the subject property may contain environmental contaminants.

c) Environmental site assessments shall be undertaken by qualified consultants and completed to current industry standards, as specified by the City. The cost of obtaining the opinion of a qualified consultant shall be borne by the applicant.

d) Appropriate remediation measures shall be carried out on any property containing environmental contaminants prior to development being commenced on the subject site.

### 17.2.4 Separation Distances: - Potentially Hazardous or Obnoxious Uses

a) Intensive Livestock Operations

The City acknowledges that there have been three Intensive Livestock Operations (ILOs) located inside City boundaries for many years. These ILOs are best suited for rural, non-residential areas where prevailing winds do not result in residents' complaints about flies or odour etc. Although relocation of ILOs to rural areas would be preferable, the City would only negotiate or facilitate their relocation on a voluntary basis.

The one existing Intensive Livestock Operation is at the following location:

| Feedlot Company | Civic Address | Legal Description |
|---|---|---|
| M & T Feedlot | 2750 River St. W. | Portion of Parcel B, Plan No. C.E. 2991 |

Those ILOs shall be classed as Prohibited Uses in the Zoning Bylaw, since they are not appropriate in or near the City. They will only be allowed to continue operations under the requirements of Sections 88 to 93 inclusive of the Act, as legal, non-conforming uses. Expansion or redevelopment of these existing ILOs will not be allowed even though such changes will also be subject to the approval of the Ministry of Agriculture.

To reduce the potential for land use conflict, otherwise suitable uses normally allowed by the Zoning Bylaw in the vicinity of these ILOs shall be restricted from developing within the separation distances shown in Table 17-1, and shall be subject to the following conditions:

i) To minimize conflict between the existing Intensive Livestock Operations and surrounding development, the following separation distances shall be adhered to unless altered by Council as a condition of a permitted or discretionary use permit where authorized by the Zoning Bylaw. Council may approve a lesser separation of up to 10% variance from the relevant separation shown in Table 17-1 where the applicant submits a copy of a signed agreement between the operator of the ILO and the owner of the proposed development agreeing to such lesser separation. Such agreements between an ILO operator and an owner of a proposed development must contain the provision that the parties to the agreement will attach the agreement as a Registered Interest to the titles of all affected land owned by both parties. Where such agreements are made, and Council considers the distance reduction to be appropriate, Council shall be a party to the agreement and may use Section 215 of *The Planning and Development Act, 2007* to caveat the agreement to the title of the affected lands; and

ii) Where the minimum separation distance would not be sufficient, but the potential land use conflict would be reduced to acceptable levels or eliminated, Council may require more separation between a proposed new development and an existing ILO than shown in Table 17-1. This would only apply where an unacceptable land use conflict would result between existing or future developments as shown on the Land Use Concept Map in this Plan. An example of this situation would be where, in Council's opinion, the higher intensity of proposed

development would increase the potential for land use conflict. In that case, a greater separation distance could be used to reduce the conflict to acceptable levels, or the new application could be refused.

iii) All residences existing as of the adoption date of this bylaw are exempt from separation distances required in Table 17-1. Any existing residences exempt from these separation distances, and which as damaged or destroyed by an occurrence such as wind, tornado or fire not intentionally started by the owner, may be rebuilt at the existing location, provided that any provincial approval that may be required has been obtained.

**TABLE 17-1: Policies for Minimum ILO Separation Distances***

| Development Type | Separation Distance |
|---|---|
| One Unit Dwelling, Tourist Accommodation or Campground Use | 1200m |
| Group or Multiple Unit Dwelling, Institutional, or Commercial | 1600m |

*Distances are measured between livestock facilities and building development.

*(Bylaw No. 5655, 2021)*
*(Bylaw No. 5653, 2021)*

b) Other Potentially Hazardous or Obnoxious Uses

To reduce the potential for land use conflict with the usual operation of some major municipal uses (e.g. odour from the City's landfill or sewage lagoons), private uses (e.g. public safety concerns near railways or oil and gas pipelines), the City will prevent the encroachment on such uses by using separation distances. The following separation distances shall also apply in situations where a new, Potentially Hazardous or Obnoxious Use is proposed on or adjoining land that is used or authorized for use as Residential.

Many of the Potentially Hazardous or Obnoxious Uses already exist in close proximity to residential uses. In recognition of this, the Zoning Bylaw may contain discretionary authority for Council to use in reducing or increasing the separation distances specified or referenced in the following Subsections i) to iv) inclusive, in order

to approve a Discretionary Use permit for a residential use proposed at an "infill location", which would otherwise contravene those separation distances. In using such authority, Council shall not increase the potential for land use conflict and shall not change the separation distances, which are specified or referenced below, by more than 20%.

i) **Setbacks from Sewage Plants and Lagoons**

An approving authority for subdivisions shall not approve an application for residential purposes if the land that is the subject of the application is situated within 600 metres of land that is used or authorized for use as a sewage treatment plant or a sewage lagoon. The City shall not rezone or permit development for residential purposes if the land that is the subject of the application is situated within 600 metres of land that is used or authorized for use as a sewage treatment plant or a sewage lagoon.

ii) **Setbacks from Municipal or Private Landfills**

An approving authority for subdivisions shall not approve an application for residential purposes if the land that is the subject of the application is situated within 457 metres of land that is used or authorized for use as a landfill for the disposal of garbage or refuse. The City shall not rezone or permit development for residential purposes if the land that is the subject of the application is situated within 457 metres of land that is used or authorized for use as a landfill for the disposal of garbage or refuse.

iii) **Setbacks from Major Transmission Pipelines and Powerlines**

An approving authority for subdivisions shall not approve an application for residential purposes if the land that is the subject of the application is situated within 30 metres of land that is used or authorized for use as a major transmission pipeline for oil, natural gas or any hazardous material, or for a major electrical power. This setback shall not apply to a pipeline or powerline if its purpose is for a distribution, service connection or collection line. The City shall not rezone or permit development for residential purposes if the land that is the subject of the application is situated within 30

metres of land that is used or authorized for use as a major transmission pipeline for oil, natural gas or any hazardous material, or for a major electrical powerlines. This setback shall not apply to a pipeline or powerline if its purpose is for a distribution, service connection or collection line.

iv) **Setbacks from Railways**

Both CNR and CPR have different Guidelines, which are suggested for use by Municipalities and landowners in creating separation distances between non-railway uses on private or public land and the rail lines. These Guidelines cover a wide range of factors, such as the type of proposed uses, the frequency of trains on the specific rail line, etc., and are too diverse to be listed in this Plan. As well, a study entitled Final Report – Proximity Guidelines and Best Practices* provides much practical information on dealing with land use concerns involving railways. The City shall use this information on a case-by-case basis to determine the appropriate separation distance or other means of mitigation between an existing or proposed rail line and adjoining land that is used or authorized for use as Residential.

v) **Setbacks from Other Potentially Hazardous or Obnoxious Uses**

Other proposed uses including, but not limited to airports, oil and natural gas wells or extraction facilities, major electrical stations etc. will also be required to be set back from residential areas or other uses where public safety would be threatened, in Council's opinion.

In cases where such uses already exist, the City shall decide whether they should be protected from encroachment by new residential areas or be treated as Legal, Non-Conforming Uses as defined by the Act. Where Provincial or National Guidelines or Regulations have established such setbacks, The City shall use these Guidelines to determine the appropriate separation distance. On a case-by-case basis, the City may also require a greater separation distance between such existing or proposed uses and adjoining land that is used or authorized for use as Residential.

* Prepared by earth Tech Canada Ltd. for The Railway Association of Canada and The Federation of Canadian Municipalities – Reprinted August 2007.

# 18.0 URBAN DESIGN

## 18.1 OBJECTIVE

a) To encourage a high standard of urban design throughout the City, promoting a physical and natural environment that is attractive, stimulating, sustainable, functional, safe and accessible.

## 18.2 POLICIES

a) Within its authority pursuant to *The Planning and Development Act, 2007*, the City shall review all neighbourhood land use, servicing or renewal Studies, proposed amendments to this Plan or the Zoning Bylaw, Discretionary Use Applications, Development Permit Applications and Subdivision Applications, having regard to the following urban design guidelines:

i) Developments shall incorporate, preserve and complement all significant natural features, shall respect the physical capacity of the land to accommodate development and shall preserve and enhance the urban forest as outlined in Section 11.2.3.

ii) Developments shall facilitate user comfort through appropriate location and design of outdoor furniture, walkways, open spaces, lighting and other related features.

iii) Open space shall be used to help shape the City, to provide for a variety of public activities, to separate incompatible land uses and to improve the overall quality of the urban environment.

iv) The character of the street environment shall be enhanced through the integrated design of sites, buildings, streets and streetscape improvements.

v) Wherever possible, views and vistas of the natural and built environment shall be preserved and enhanced.

vi) New public buildings, public spaces and the retrofitting of existing public buildings shall be designed to be accessible to all persons, in a sensitive and unobtrusive manner.

vii) Publicly accessible spaces shall be designed for increased safety, provide for improved surveillance at all times of the day, and include appropriate lighting.

viii) Landscape design shall be encouraged to achieve the following objectives:

- incorporate natural features;
- add visual interest;
- soften dominant building mass;
- provide definition to public walkways and open areas;
- provide a consistent visual image between adjacent properties along the streetscape;
- screen aesthetically poor areas;
- provide protection from excessive wind and sun;
- enhance the appearance of yard areas;
- minimize the visual impact of parking and service facilities from adjacent properties and streets;
- ensure the preservation of trees and other valuable natural elements;
- minimize conflicts between vehicles and pedestrians;
- ensure appropriate site drainage; and
- create and maintain safe urban environments.

ix) Developments shall also include design and environmental considerations as integral parts of their feasibility analysis, which will be required as part of each new proposal. These considerations shall include, but are not limited to, the following items:

- sustainability of the proposal (e.g. how will it reduce or minimize the effect on the natural environment – by reducing water use and decreasing excessive urban runoff from paved areas?);
- preservation of wildlife and native vegetation (e.g. by using the “no net loss” concept, where an equivalent resource or natural area is purchased or otherwise protected to replace similar sites, which are proposed to be removed during development); and;

- preservation of natural drainage and wetlands.

x) As noted in Sections 5.2.7 and 12.2.2, a heritage overlay district will be used as an interim measure and Architectural Control Policies and Regulations may also be created or Concept Plans required and added to this Plan and the Zoning Bylaw to further protect the heritage resources in the Downtown.

*(Bylaw No. 5601, 2020)*

# 19.0 IMPLEMENTATION

## 19.1 ZONING BYLAW

### 19.1.1 Basis and Intent of the Zoning Bylaw

a) The zoning controls and development standards to complement this plan shall be the Zoning Bylaw of the City of Moose Jaw. The Zoning Bylaw and amendments thereto, adopted in accordance with the provisions of this Plan, shall provide for the regulation and control of the major land use types, all sub-categories and transitional uses, in conformity with the general development patterns and the policies of this Plan.

b) When considering applications to amend the zoning regulations or requests for the rezoning of land, Council shall consider the suitability of the proposal having regard to:

i) the nature of the proposal and its conformance with all relevant sections of this Plan;

ii) the need to foster a rational pattern of relationships between all forms of land use and to protect all forms of land use from harmful encroachments by incompatible uses;

iii) 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;

iv) the adequacy of proposed landscaping and screening, and the preservation of the urban forest;

v) the capability of the existing roadway and public transit systems to service the proposed use, and the adequacy of the proposed supply of off-street parking;

vi) the capability of existing community infrastructure to service the proposal, including water and sewer services, parks, schools, and other utilities and community services; and

vii) the impact of the proposal on the continued viability of the local community and local community services.

### 19.1.2 Contract Zoning

a) Contract Zoning may be used by Council on a case-by-case basis to deal more effectively with the development of individual lots, blocks or other small areas with servicing, site or access limitations, unique features or opportunities which could not be accommodated by the current Zoning Bylaw.

b) Subject to the following Guidelines, the Council may rezone an area to a Contract Zone pursuant to *The Planning and Development Act, 2007* in order to allow a specific development which would benefit the City but which is not currently compatible with the current zoning uses or regulations affecting the subject area:

i) Council shall consider the nature and intensity of the surrounding uses to avoid or minimize land use conflict when investigating a rezoning proposal for a new Contract Zoning area.

ii) Prior to approving a rezoning for a new Contract Zone, Council shall consider whether any environmental, servicing, or public safety problems would result due to the intended uses anticipated in the Contract.

iii) Council shall also ensure that the land use in a proposed Contract Zone benefits the City and is consistent with the other policies of the Official Community Plan.

iv) Council shall outline criteria for the creation of all new Contract Zones in the General Purpose of the Contract Zone in the Zoning Bylaw. These criteria will be based on, but not limited to Council's consideration of the unique physical nature of the land which may be included in the Contract Zone, the possibility of developing a mix of compatible land uses in the area, and the potential for introducing new types or forms of development which may not be possible under the current Zoning Bylaw.

v) All proposals for a new Contract Zoning area shall be circulated to obtain the comments of any agency or group identified by Council as having a potential interest in the matter.

*(Bylaw No. 5601, 2020)*

### 19.1.3 Bonus Provisions

a) To facilitate a degree of flexibility for optimal site utilization as well as to encourage certain desirable elements not normally proposed in the development process, the Zoning Bylaw may provide for adjustments to specific development standards in exchange for commensurate facilities, services or matters as specifically set out in the Bylaw.

In this regard, the Zoning Bylaw may provide for adjustment to density limits, parking standards, building setbacks, or other similar standards, for the provision of additional landscaping, conservation of trees, the provision of supportive housing units, the conservation of important natural areas, the provision of enclosed parking, and the conservation of designated heritage properties.

### 19.1.4 Use of the Holding Symbol "h"

a) Council may use the Holding Symbol "h", in conjunction with any other use designation in the Zoning Bylaw, to specify the use to which lands shall be put at some time in the future, but which are now considered premature or inappropriate for immediate development.

b) Council shall specify the use to which lands or buildings may be put at any time that the holding symbol is removed by amendment to the Zoning Bylaw. Such circumstances may require the identification and further consideration of social, environmental or economic issues and opportunities prior to permitting the use and development of the specified lands.

c) In making a decision as to whether or not to remove the Holding Symbol "h" by amendment to the Zoning Bylaw and thereby permit the development of the land as specified in the Zoning Bylaw, Council shall consider the suitability of the land for such use and development having regard to:

i) the capacity of existing municipal services or the economic provision of new services to facilitate such use and development;

ii) the effects of such use and development upon the transportation and public transit systems;

iii) the need to minimize or remediate environmental impacts or conditions in relation to air, water, soil or noise pollution;

iv) the need to protect any significant natural or historical feature upon or adjacent to the land; and

v) any other matter that Council deems necessary.

d) Holding provisions may be applicable to all land use categories in the Plan, and may be applied to any zoning district and to a specific site within a zoning district.

e) Existing uses shall be permitted subject to the relevant sections of *The Planning and Development Act, 2007,* dealing with nonconformity.

**19.1.5 Direct Control Districts**

a) The purpose of this type of District is to deal more effectively with the development of larger areas with servicing, site or access limitations, unique features or opportunities, which could not be accommodated by the other existing provisions of the Zoning Bylaw.

b) Direct Control Districts (DCD) may be created to deal more effectively with the development of larger areas with servicing, site or access limitations, unique features or opportunities which could not be accommodated by the current Zoning Bylaw.

c) The following guidelines shall be used by Council in respect to establishing a Direct Control District in the Zoning Bylaw and in administering development on any land subsequently zoned as DCD:

i) Council shall consider the nature and intensity of the surrounding uses to avoid or minimize land use conflict when investigating rezoning proposals for a new DCD area.

ii) Prior to approving a rezoning for a DCD area, Council shall consider whether any environmental, servicing, or public safety problems would result due to the intended uses anticipated in the DCD.

iii) Council shall also ensure that the land use in a proposed DCD area benefits the City and is consistent with the other policies of the Official Community Plan.

iv) Council shall outline criteria for the creation of all new DCD areas in the General Purpose of the DCD Zone in the Zoning Bylaw. These criteria will be based on, but not limited to Council's consideration of the unique physical nature of the area, the possibility of developing a mix of compatible land uses in the area, and the potential for introducing new types or forms of development which may not be possible under the current Zoning Bylaw.

v) All proposals for rezoning an area to DCD shall be circulated for the comments of any agency or group identified by Council as having a potential interest in the matter.

*(Bylaw No. 5601, 2020)*

d) Council may require the applicant to enter into a development agreement as a condition of approval for development in a Direct Control District.

*(Bylaw No. 5693, 2023)*

## 19.2 SUBDIVISION

a) The Subdivision Regulations shall be in conformance with the principles of this Plan, and may contain any provisions necessary to implement the objectives and policies contained herein.

b) When an area is authorized for development, an area or neighbourhood concept plan shall be prepared, followed by a detailed subdivision design. No building or structure shall be erected or any land use established on a site, which is not in conformity with the concept plan and subdivision design for the area in which it is located. Subdivision designs and the reservation of lands for community facilities shall be related to: first, the neighbourhood and its needs; and secondly, any other development patterns in the surrounding area.

## 19.3 COORDINATION WITH OTHER JURISDICTIONS

The City of Moose Jaw will:

a) continue to consult with other jurisdictions in the Region in order to coordinate planning, development and operating strategies;

b) consider the sharing of taxes, services and facilities with other municipalities and jurisdictions, subject to Policy 10.2.3 (b) of this Plan;

c) continue to work cooperatively with the Wakamow Valley Authority;

d) continue on-going cooperation with the respective Boards of Education, the Regional Health Authority, S.I.A.S.T., the South Central Enterprise Region, the Chamber of Commerce and all other jurisdictions;

e) continue to follow the "Moose Jaw Regional Planning District Official Community Plan" when dealing with land use issues involving the Rural Municipalities of Moose Jaw No. 161, Caron No. 162, Baildon No. 131 and Hillsborough No. 132; and

f) continue to cooperate with the administration of the "15 Wing" Airbase regarding the effect of the Noise Exposure Forecast (NEF) area around that facility on development within City limits. The area affected by the NEF is shown on Map 2 – Other Development Constraints, which forms part of this Plan.

## 19.4 PUBLIC CONSULTATION IN THE PLANNING PROCESS

a) In addition to the requirements of *The Planning and Development Act, 2007*, special provisions for public participation may be initiated which are appropriate to the nature and scope of the planning matter being addressed.

b) Within the guidelines of the City's policy respecting freedom of information and the protection of privacy, all citizens shall have reasonable access to information regarding development applications, land use issues, and other related matters.

## 19.5 ALTERATION OF MUNICIPAL BOUNDARIES

a) Proposals by the City to alter municipal boundaries shall be reviewed in accordance with this Section and the other policies of this Plan.

b) To provide for orderly development in accordance with the policies contained in this Plan, Council may, from time to time, seek to alter the municipal boundaries of the City in a manner that will ensure that sufficient lands are available for development within the City limits. Sufficient lands are deemed to exist within the City if they should accommodate future development consistent with the policies in this Plan for a period of five to ten years.

c) This Plan also recognizes that the City and the RM of Moose Jaw No 161 have shared interests in the compatibility and servicing of different urban and rural Development Areas along their common boundary. New agricultural uses (excluding Intensive Livestock Operations) and related rural activities, including but not limited to, low density residential subdivisions will be permitted in future urban development areas.

Prior to developing such areas, the proposed uses must have been identified by each Council's approval of a Concept Plan (as defined by Section 44 of the Act) as an amendment to this Plan and the OCP of the Planning District. Such lands and uses may either then be annexed to the City and/or remain in the RM of Moose Jaw No. 161 to be used for purposes in conformity with the two OCPs and to allow the supply of the necessary utilities and services. Future Development Areas shall be designated as such on the affected Zoning Maps and the Zoning Bylaw text shall contain development standards appropriate to the intent of this section.

c) The City will support servicing or tax-sharing proposals with the RM of Moose Jaw No. 161 subject to the following criteria being satisfied:

- the proposal is intended to give the municipality making the proposal a reasonable supply of serviced residential, commercial, industrial or other land for a specified term (e.g. 10 years medium to 20 years long term), based on current or projected growth rates;

- the proposal supports the fiscal, environmental and social sustainability of each municipality;

- the proposal either conforms to the required Concept Plan as noted in Subsection 1 above, or presents an opportunity to each

municipality to supply the lands in question with a mix of urban and rural services applicable to unique developments or forms of development as defined by the Act; and

– better agricultural land should not to be annexed, unless no practical alternatives are available.

## 19.6 REVIEW / UPDATE OF THE PLAN

a) Plans and projections for future development shall be monitored on an ongoing basis.

b) Council shall review the Official Community Plan at regular intervals of not more than five years. Such review shall ensure that:

i) the Plan's objectives and policies remain valid in view of possible changes in terms of population, employment, development patterns, market trends and environmental conditions;

ii) the Plan's public consultation processes are adequate to provide an effective voice to the public and provide necessary information to the civic administration and Council in the decision-making process.

# 20.0 MAPS

## 20.1 DEVELOPMENT CONSTRAINTS

The Maps noted below shall be used by City Council and Administration to identify and avoid land use conflicts and also to promote urban growth on a sustainable basis, while continuing to protect the City's interests. Council and City Administration should use these maps when considering major land use changes, which require amending the Land Use Concept Map.

a) Natural Development Constraints – Map 1
a) Man-made Development Constraints - Map 2
b) Development Opportunities – Map 3

## 20.1 FUTURE LAND USE CONCEPT

The Future Land Use Concept Map shall be used by City Council and Administration to identify and allow positive new developments, while continuing to protect the City's interests. Proposals which do not conform to this Map or OCP Policies cannot be approved for development or subdivision (as the case may be), unless a favourable Concept Plan (as defined by Section 44 of the Act) is approved by Council as an amendment to this Plan.

## 21.0 ADOPTION

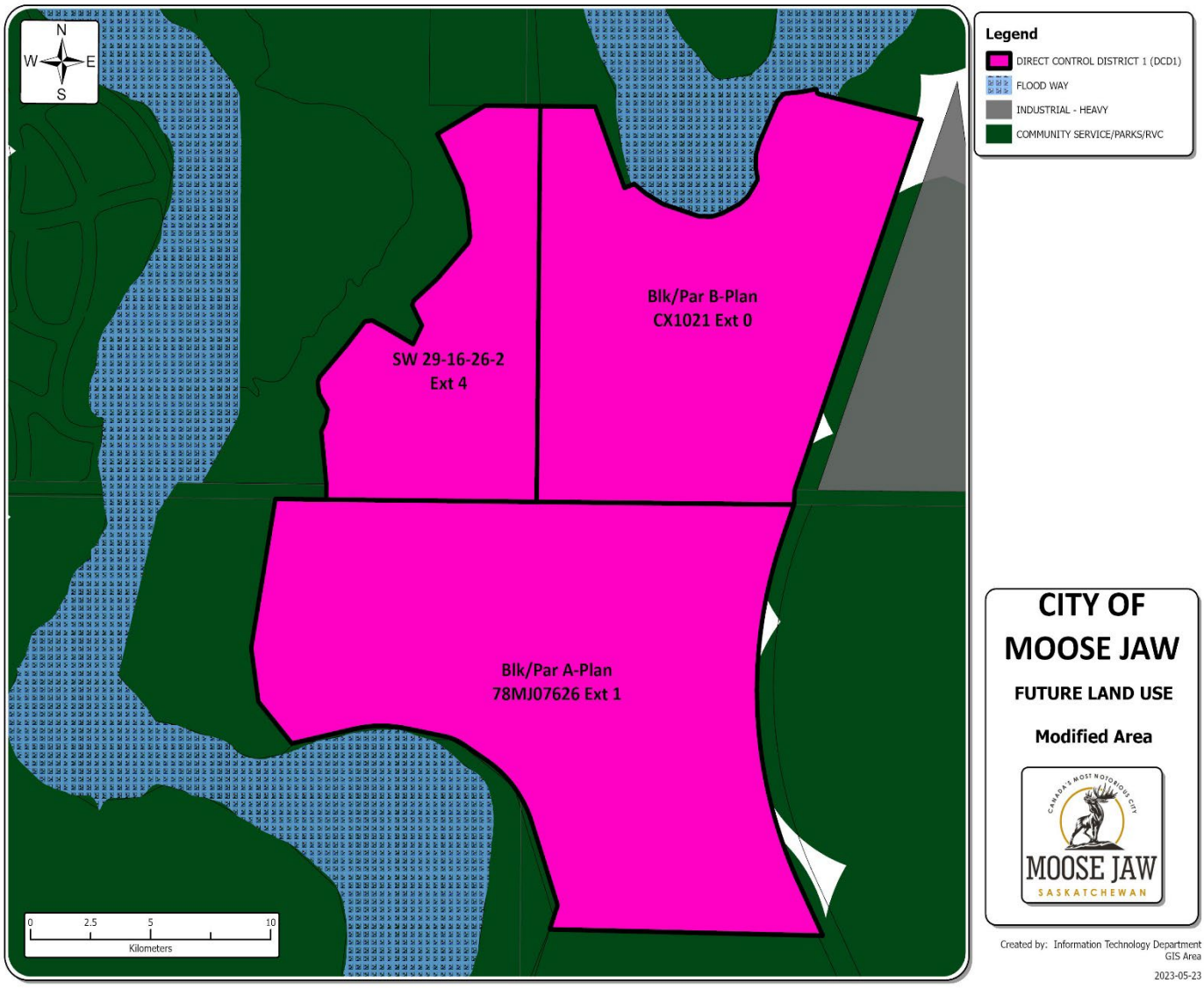
This OCP shall be adopted by Bylaw, pursuant to the "Act".

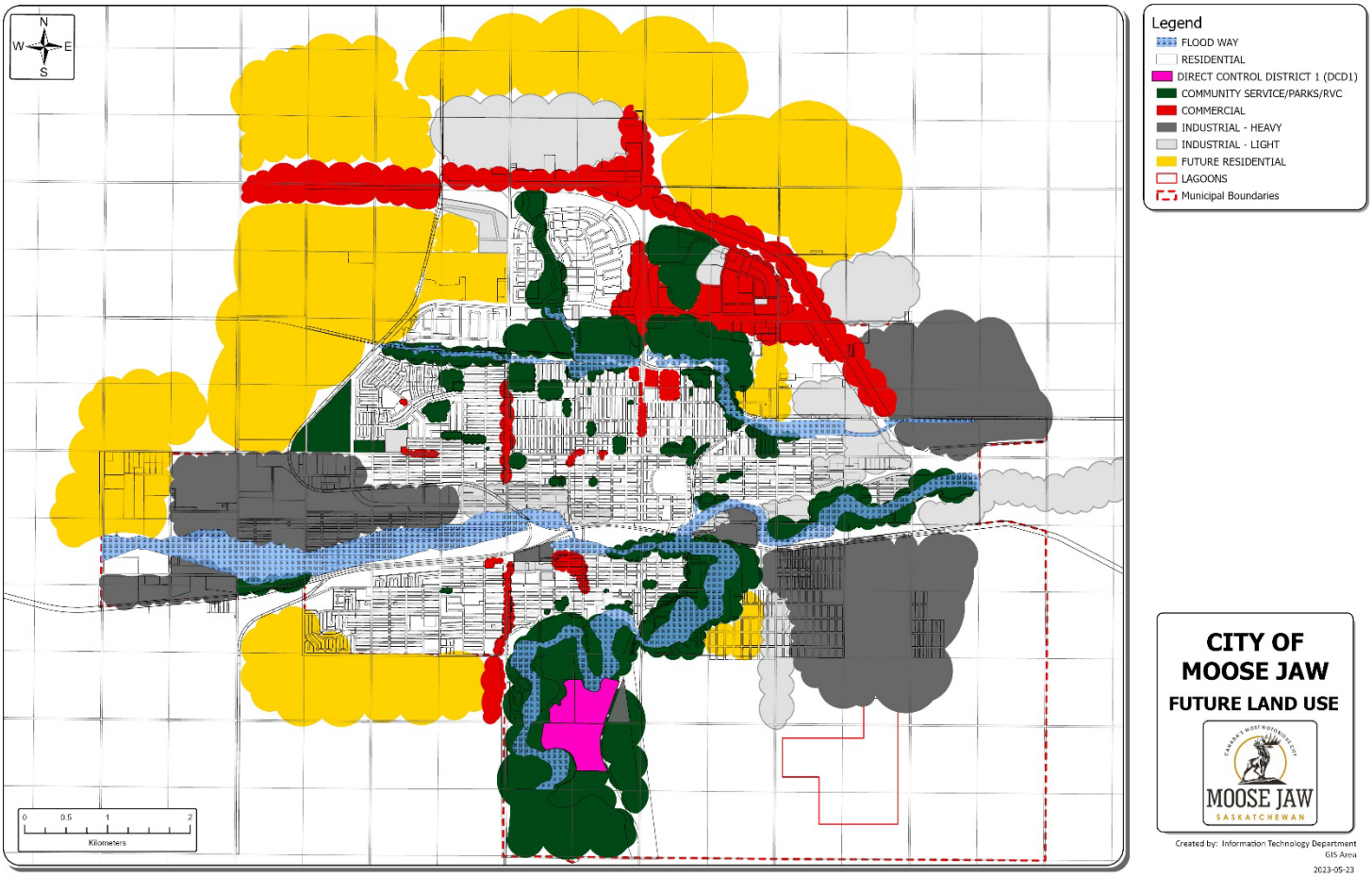
## 22.0 COMING INTO FORCE

This OCP shall take come into force and effect upon approval by the Minister of Municipal Affairs.

**Appendix A**
**Future Land Use Concept Map**
*As amended by Bylaw No. 5693*
*Effective date: December 1, 2023*

## Appendix A

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COMMERCIAL
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INDUSTRIAL - LIGHT
FUTURE RESIDENTIAL
LAGOONS
Municipal Boundaries
CITY OF MOOSE JAW
FUTURE LAND USE
MOOSE JAW
SASKATCHEWAN
Created by: Information Technology Department
GIS Area
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