

BYLAW NO. 2014-02

**THE RURAL MUNICIPALITY OF KELLROSS NO. 247
LEROSS, SASKATCHEWAN**

A BYLAW TO AMEND BYLAW NO. 2009-02 KNOWN AS THE ZONING BYLAW

THE COUNCIL OF THE RURAL MUNICIPALITY OF KELLROSS NO. 247, in the Province of Saskatchewan, ENACTS TO AMEND BYLAW NO. 2009-02 AS FOLLOWS:

1. Section 2.5 Application Review and Decision is amended by repealing subsection 2.5.3 Discretionary Uses and replacing it with the following:

2.5.3 Discretionary Uses

Applications for Discretionary Uses shall be made to the Development Officer. Application requirements are set out in Section 2.3 of this Bylaw.

The Development Officer shall advertise the discretionary use application at least seven days before the application is to be considered by council. The notice shall be provided to:

- The assessed owners of the property within 75 metres of the boundary with the applicant's land through a letter from the RM describing the proposed development; and
- Advertised in the local newspaper.

The Development Officer shall prepare a report for Councils review and consideration. Council shall make a decision, with or without conditions, on the Development Permit proposal based on the provisions of this Bylaw and from comments received from referrals. The decision shall be made by resolution and such permits shall be effective for one year from the date of its issuance unless indicated otherwise by Council.

The Development Officer shall notify the applicant of Councils decision. If the proposal is refused, the reason for the refusal shall be stated and the applicant shall be notified of their right to appeal.

A new permit is required where Council has previously approved a discretionary use, or a specific discretionary intensity of use, if the use or intensity changes.

2. Section 3.12 Natural Resource Development is repealed and replaced with the following:

3.12 Sand and Gravel

3.12.1 Sand and gravel resource development, shall meet provincial requirements and guidelines.

3.12.2 All development shall take into account environmental conditions and other site conditions. The applicant shall take into consideration the conservation of topsoil, trees, shrubbery, watercourses, and environmentally significant areas.

3.12.3 If the applicant is not the landowner, the applicant is required to obtain written consent from the landowner and provide the municipality with a copy of this consent.

3.12.4 Development Permit applications for sand and gravel resources shall be accompanied by:

- a) reclamation plans
- b) legal land description
- c) scope of the operation
- d) current use of the lands
- e) proposed access and hauling activities (route, hours of hauling, number of trucks, etc)

3.12.5 The hours of operation shall be to the satisfaction of Council.

3.12.6 The applicant shall be required to provide sufficient dust control measures on the haul route and at the extraction site.

3.12.7 The applicant shall be required to enter into a road haul maintenance and/or construction agreement with the municipality, to the satisfaction of Council.

3.12.8 The extraction site shall be reclaimed to achieve an appropriate and productive use after the site is no longer required for extraction purposes. Depending on the area, this normally consists of some combination of the following: smoothing and contouring slopes, replacing overburden and topsoil and re-vegetating.

3. The following is added immediately after Section 3.29 Wind Farming:

3.30 Natural Resource Development

3.30.1 All natural resource development shall meet provincial requirements and guidelines. The RM may not approve the development until all applicable information such as Environmental Impact Assessments have been completed.

3.30.2 All development shall take into account environmental conditions and other site conditions. The applicant shall take into consideration the conservation of topsoil, trees, shrubbery, watercourses, and environmentally significant areas.

3.30.3 If the applicant is not the landowner, the applicant is required to obtain written consent from the landowner and provide the municipality with a copy of this consent.

3.30.4 Development Permit applications shall be accompanied by:

- a) reclamation plans
- b) legal land description
- c) scope of the operation
- d) current use of the lands
- e) proposed access and hauling activities (route, hours of hauling, number of trucks, etc.)

3.30.5 The applicant shall be required to provide sufficient dust control measures on the haul route and at the developed site.

3.30.6 The applicant shall be required to enter into a road haul maintenance and/or construction agreement with the municipality, to the satisfaction of Council.

3.30.7 Where natural resources are being extracted, the site shall be reclaimed to achieve an appropriate and productive use after the site is no longer required for extraction purposes. Depending on the area, this normally consists of some combination of the following: smoothing and contouring slopes, replacing overburden and topsoil and re-vegetating.

3.30.8 All parking and loading areas shall be properly graded and drained and no parking and loading areas shall encroach on municipal roads.

3.30.9 All setbacks shall comply with Section 3.27 of this Zoning Bylaw. Council may require a greater setback distance where the proposed development may create damage to existing municipal roads.

4. Section 5.1 Permitted Uses is amended by adding the following immediately after “Tower”:

Natural Resource Development and accessory uses

5. Section 5.2 Discretionary Uses is amended by repealing “Natural Resource Development” and replacing it with the following:

Sand and Gravel Operations

6. The Table of Contents is amended as follows:

3.12 Natural Resource Development is repealed and replaced with
3.12 Sand and Gravel; and

Adding 3.30 Natural Resource Development.

7. Section 9 Definitions is amended by repealing the definition of “Natural Resource Development” and replacing it with the following:

Development for the removal, extraction and processing of raw materials.

8. This bylaw shall come into force and take effect when it has been approved by the Minister of Government Relations.

Reeve

(Seal)

Administrator

First Reading: _____

Second Reading: _____

Read a Third Time and adopted
This _____ day of _____, 20 ____.

Administrator