



Town of Pense

Official Community Plan

Bylaw 1/2013

Consolidated 2023

(Bylaw 01/2023)

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Introduction and Background

Purpose

This Official Community Plan is adopted by The Town of Pense, in accordance with *The Planning and Development Act, 2007, (the Act)* to provide a framework of goals, objectives and policies to guide the management and use of land, along with its future development, within the Town limits. This Plan is designed to assist decision makers and the community in securing the future and current goals of Pense while ensuring that development takes place in an orderly manner, balancing the environmental, social, physical, and economic needs of the community.

Authority and Mandate

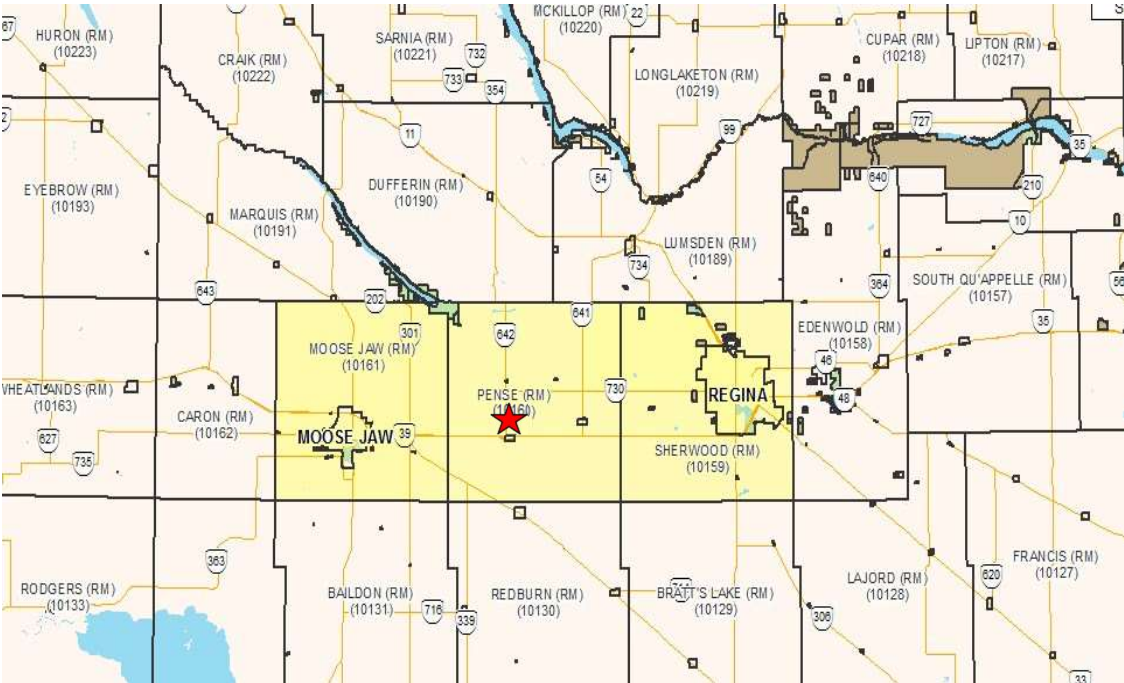
Section 32, of the Act, states that an Official Community Plan must incorporate applicable provincial land use policies and statements of provincial interest, with respect to:

- sustainable current and future land use and development in the Municipality;
- current and future economic development;
- the general provision of public works;
- the management of lands that are subject to natural hazards, including flooding, slumping and slope instability;
- the management of environmentally sensitive lands;
- source water protection; and
- the means of implementing the Official Community Plan.

An Official Community Plan also considers:

- statements of policy regarding sustainable current and future land use and development in the Municipality;
- policies regarding the coordination of municipal programs relating to development;
- policies regarding the use of dedicated lands;
- concept plans, pursuant to the Act;
- a map or series of maps that denote current or future land use or policy areas;
- any other statements of policy relating to the physical, environmental, economic, social or cultural development of the Municipality that Council considers advisable; and
- policies that address the coordination of land use and development, future growth patterns and public works with adjacent Municipalities.

Map 1: Location Map of Pense, Saskatchewan



Map 2: Satellite Image of Pense, Saskatchewan



Vision, Goals and Values

A Vision for Pense

The Town of Pense will grow to be the most vibrant small town along the Moose Jaw – Regina Industrial Corridor. Pense is a community that is inclusive of all citizens who are seeking a balance of urban and rural values. Residents and businesses in Pense benefit from a well-organized and integrated community which offers a close-knit, family-friendly lifestyle.



Growth

Goals for the Future of Pense

- ✔ To ensure development makes efficient use of land and municipal infrastructure.
- ✔ To promote development that creates a safe, livable, and strong community.
- ✔ To encourage high quality development that responds to varied need through desirable densities and service provision.
- ✔ To provide designated areas that can accommodate future commercial and industrial growth.
- ✔ To ensure that growth in Pense occurs in an orderly fashion with recreational amenities and facilities.
- ✔ To work in cooperation with other Municipalities with continued involvement in the Moose Jaw–Regina Corridor Planning Initiative.

Community of Pense Values

Respect

Community

Sustainability

The Town will achieve this vision by:

- Growing to a mid-sized town population;
- Increasing our student enrolment beyond 100 students in our Kindergarten to Grade Eight elementary school to ensure ongoing operations;
- Offering a diverse, affordable, fun, healthy and active community that supports population retention;
- Expanding recreational activities and pursuing recreational opportunities that meet the needs of all residents with a focus on youth;
- Facilitating affordable housing options and amenities for individuals, families, and seniors;
- Fostering and endorsing progressive growth in both residential, commercial, and industrial development; and
- Setting and enforcing minimum appearance standards to ensure the community has a clean and attractive visual appearance.

Land Use Designations

Future Land Uses

The future land use section designates land use patterns for the Town and specific policy areas. The Future Land Use Map (Appendix "A") reflects the pattern of existing land use that originated with subdivision and development and designates future land use, complemented by specific policies. The designation of land uses reflects the Town's perspective on community development and provides a framework for decision-making. Any development within these areas will be subject to specific zoning controls and site review. The designations and the objective of each are as follows:

Residential - reflects existing areas of residential development, land subdivided for residential development and land intended for future residential growth.

Commercial - reflects future areas of commercial development.

Industrial - reflects existing and future areas of industrial development.

Community Service - reflects existing major institutional uses, recreational uses, and public works. This use may occur in any area where it is compatible with adjacent uses. This designation is typically reserved for key Town facilities.

Future Urban Development - applies to land that may not be responsibly or feasibly developed without substantial infrastructure expansion or the prior development of other lands. Existing uses will be provided for; however, no additional development is permitted that may jeopardize the future development of the land for urban uses. Generally, land will be removed from this designation after completion of appropriate infrastructure and approval by Council.

Future Land Use Map: The “Future Land Use Map” in Appendix “A” illustrates general land use designation which have been determined by a number of factors including existing patterns of land use, projected land needs, engineering reports, resource areas, natural attributes, and man-made features.

Reference Maps: the series of reference maps attached in Appendix “B” provide supplementary information. These maps may be updated periodically by [Bylaw Amendment \(Bylaw 01/2023\)](#). All Reference Maps are approximate and are subject to change. Reference maps are conceptual only and should not be used to make site specific decisions.

General Land Use Policies

General Policies

The Town will strive through this Official Community Plan (OCP) to provide policies related to land use, transportation, servicing and other aspects of planning that are consistent throughout the Town.

The growth of Pense will be encouraged through residential and non-residential development that provides the basic services to the community and the surrounding population.

Pense shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public facilities. This OCP will designate an adequate inventory of suitable lands to attract a broad range of residential, business enterprise, recreation, institutional and industrial development to meet anticipated long-term need.

When reviewing applications for development, consideration shall be given to the proposal's conformity with this OCP. A proposal shall be denied when it is detrimental to the health, safety or general welfare of persons residing or working in the area or is incompatible with existing or proposed land uses in the vicinity.

Major deviations to the OCP design and policies shall require an amendment. The "Future Land Use Map" (Appendix "A") shows the general designation of land use.

Cumulative effects, land fragmentation, best management practices, innovative procedures, development phasing, route modification, alternative construction techniques and impacts on municipal servicing shall be considered when reviewing all developments and their compliance with area Concept Plans.

Development and new subdivisions shall be encouraged to locate where servicing and infrastructure are in place or planned to support the intensity and type of development. Development shall minimize the potential impact to drainage, landscape or other natural conditions and shall be required to mitigate on and off- site impacts.

Rezoning proposals for development will be considered based upon the following criteria:

- a) impact on surface and groundwater;
- b) provision of greenspace and trails;



- c) cost effective relative to the provision of services;
- d) provisions for public safety;
- e) sewage disposal impacts and pollution potential;
- f) integration with natural surroundings and adjacent land uses; and
- g) other criteria, which support a sustainable community.

Planned development will help to increase land values, not be wasteful of the land resource, minimize public expenditure in services provision, recognize significant features and reduce access connections to provincial roads and highway to minimize disruption to traffic flows.

Appropriate development standards for the various uses relating to landscaping, signage, parking, building setbacks and other relevant standards shall be administered through the Zoning Bylaw.



Safety and Health Policies

Public safety and health requirements shall guide all development. The Town shall ensure that emergency and responsiveness plans are current and reflect changes in land use or activities. These Plans shall be readily available and communicated to the public.

Activities that generate litter, unacceptable noise, air emissions, dust, liquid and solid hazardous wastes or that store regulated quantities of hazardous materials shall be strictly regulated and, if permitted, shall be located well away from residential uses and other natural or developed features or areas where residents may be impacted by pollution.

Environmental and Sustainable Policies

Vacant properties and open space areas outside maintained parks shall be kept free of litter and debris, abandoned vehicles, derelict structures, polluted soil, groundwater and other pollution and nuisances.

Future development shall integrate into the natural surroundings and should complement the surrounding community design, landscape and vegetation. Existing drainage runs, trees and vegetation shall be retained where possible and incorporated into site planning. A variety of native trees and vegetation shall be encouraged to minimize maintenance and water use.

Sustainable building design criteria such as the use of alternative building methods, recycled building products, renewable energy sources, solar orientation, innovative wastewater and water reduction strategies shall be promoted. Building materials and

construction methods that conserve energy and reduce long-term operating costs shall be encouraged.

Development and subdivision plans that offer design features such as alternative energy sources, innovation in health or environmental responsibility shall be encouraged where they are consistent with OCP policies. Facilities and activities that encourage or enhance energy efficiency, waste reduction, re-use or recycling of wastes shall be accommodated.

The Town shall provide information to potential developers regarding existing or evolving environmental initiatives and programs to ensure conformity with current environmental standards.

Development of new buildings and additions to buildings will be prohibited in the floodway of the 1:500-year flood elevation of any watercourse or water body. Development of new buildings and additions to buildings in the flood fringe will be required to flood proof to an elevation of 0.5 meters above the 1:500-year flood elevation of any watercourse or water body, as amended by the provincial agency responsible. In addition, all development must be setback 150 metres, as per current and amended regulations from waterways, streams, reservoirs, and other areas that provide source water to ensure water quality and safety. In addition, any further amplification in revised “Statements of Provincial Interest Regulations” will be applied. *(Bylaw 01/2023)*

Heritage and Culture Policies *(Bylaw 01/2023)*

- To identify and conserve the best elements of the Town’s cultural and heritage attributes.
- To prioritize projects which promote local interest in the Town’s heritage resources and history.
- To encourage partnerships among community to promote cultural assets.
- To encourage opportunities for the reuse or rehabilitation of historic buildings.

The Town, as per Statements of Provincial Interests, will cooperate with community stakeholders to identify and assess the significance of historic, cultural sites and special areas within the community. Heritage buildings, sites or resources will be protected and promoted in consultation with the Saskatchewan Heritage Conservation Branch and other agencies. Existing heritage resources should be protected from incompatible or potentially incompatible land uses, which may negatively impact their integrity or operation. Research and the collection of historical information of heritage and cultural sites shall be encouraged.

First Nations, Treaty Land Entitlements and Urban Reserve Policy *(Bylaw 01/2023)*

The Town shall strive to improve relationships between First Nation parties to ensure a collaborative working body can be created, as outlined in the Statements of Provincial Interest and supporting protocol. An invitation will remain open for First Nation Bands to participate in any planning processes. Collaboration and integration of First Nation and Métis heritage and culture will be supported. This may be pursued through sharing of stories, art, gatherings, events, and joint initiatives. Where land within the Municipality

has been purchased by a First nations band and it is pursuing reserve status through either the Treaty Land Entitlement process (TLEFA) or the Specific Claims process, to encourage compatible development, Council will offer to meet with Band Council of the First Nation proposing the reserve to discuss and if possible, negotiate shared services, compatible bylaws and other matters of mutual interest. Lands selected by a First Nation in an urban municipality are governed by *The Treaty Land Entitlement Act*, which requires an agreement between the First Nation and the affected municipality regarding tax loss compensation, municipal service provision, and any payments in lieu to the municipality, bylaw application and enforcement and an appropriate dispute resolution mechanism for solving matters of mutual concern.

Residential

Objectives

- To develop new residential areas that offer a quality living environment,
- To meet the needs of a variety of household types and incomes, in an efficient and environmentally responsible manner.
- To encourage infill residential
- development that maximizes the use of existing infrastructure and services.
- To ensure that dwellings, accessory buildings and lots are constructed and maintained to acceptable standards.
- To encourage home based businesses in the Community.



Policies

A variety of housing styles, types of ownership and choice of lot sizes shall be encouraged to provide greater housing alternatives in Pense. This Plan will guide the development of residential and compatible land uses to accommodate a variety of housing forms.

In planning new residential areas or rezoning portions of land for residential use, Council will have regard to:

- a) compatibility of adjacent land uses;
- b) the ability of the Town to provide cost effective municipal services;
- c) the impact on financial and capital planning by the Town;
- d) avoidance of environmentally sensitive and/or hazardous areas;
- e) zoning, subdivision design, street layout and site planning;
- f) the ability for service provision (i.e., fire and snow removal);
- g) the use of natural topography and drainage patterns to minimize the cost and risks associated with storm drainage;
- h) provision of dedicated lands pursuant to The Planning and Development Act, 2007;
- i) and
- j) Integrating with existing development in a manner that facilitates linkage to the community.

New residential areas shall be developed and integrated with existing development in a manner that facilitates linkage to the community, efficient servicing and adheres to appropriate development standards to ensure an equitable quality of life for all residents.

The Town encourages multi-unit dwellings to enhance land use efficiency and provide more affordable housing options. Multi-unit residential sites shall be designed to be compatible with land uses in the surrounding area and will be encouraged to locate on sites that are considered to be compatible with adjacent development, having regard to suitable street and vehicular access.

Residential development shall occur where appropriate levels of infrastructure, municipal services and public facilities are available or where they can be economically provided to support current and projected needs.

The Town may acquire and subdivide land for residential purposes where there is a need to expedite land for future expansion. Rezoning from another land use district to a Residential District will be considered where servicing can be economically and safely supplied to a standard equal to the remainder of Town.

The Town shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The Town shall establish development standards for residential density development which minimize the cost of housing and facilitate compact form, promoting densities for new housing which efficiently use land.



Residential development proposals should be guided by concept plans. Concept plans should indicate:

- a) future major roads;
- b) drainage systems and improvements required to meet non-agricultural drainage requirements;
- c) major open space (including unique physical) areas;
- d) environmentally significant areas;
- e) areas requiring protection through buffering or other means;
- f) major hazards such as flooding, areas of high-water table and slope lands; and
- g) staging of development and future development of or expansion into adjacent land.

Residential acreage development shall be responsible for their respective on-site servicing and development costs if it is cost-prohibitive for the Town to extend services. The Town may offer water line hook-ups where economically feasible.

The Town will encourage infill residential development within already built-up areas that:

- a) helps to meet the housing needs of a diverse population; and
- b) makes efficient use of municipal and community infrastructure.

New residential developments and sub-divisions will be based upon appropriate planning and engineering studies to ensure proper land use design for engineering infrastructure and economical/functional service delivery (e.g., cul-de-sac widths).

Residential infill development within the Town centre, including more than one use (e.g., mixed use commercial and residential) shall be supported by the Town.

A limited number of live/work residential acreage developments shall be encouraged in the South East area of the Town, preferably on existing municipal roadways within the corporate limits of the

Town. These acreages are a lifestyle choice and offer an opportunity for small businesses to carry out their activities on-site.

Live/work residential acreages shall occur in an orderly and sustainable manner compatible with differing land uses and shall minimize agricultural land consumption and severance.

Home based businesses and occupations

may be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, are compatible with and do not change the character of the surrounding residential area and are not of a size, scale or use that would affect the viability of established commercial areas.

Home-based occupations and businesses are an important element in enhancing commercial enterprise and overall economic development in Pense. They will be accommodated wherever possible and will be regulated by the Zoning Bylaw.



Commercial

Objectives

- To provide for commercial development in the Town that meets the needs of the residents.
- To ensure compatibility with adjacent land uses.
- To support existing businesses and to encourage new commercial development to the community including home-based businesses.
- To promote the locational advantages of the Town for highway-related commercial development.

Policies

The Town supports existing businesses and welcomes new commercial development to the community by ensuring there is sufficient commercial land available for a variety of commercial development.

Local commercial enterprises that provide goods and services to Pense residents and the greater community will be encouraged.

The “Future Land Use Map” (Appendix “A”) identifies the potential location of future Commercial development areas.

A variety of lot sizes shall be provided to ensure the availability of land for a broad range of commercial activities. Commercial areas shall be provided with adequate infrastructure that can accommodate these developments in a timely, economical and environmentally sustainable manner.

Commercial activities shall include the development of structures, buildings and landscaped areas that are compatible with adjacent uses and ensure a high level of visual and aesthetic quality.



Mixed-Use residential/commercial infill in the Town Centre shall be carried out so as to avoid or minimize potential land use conflicts with adjacent commercial development.

Highway-Commercial uses, which primarily serve the traveling public, shall be encouraged to locate where there is access available from major roadways, provincial roads and/or provincial highways.

Commercial developments with extensive site requirements such as outdoor storage, display, or parking requirements will be encouraged to locate at appropriate locations outside of the central commercial area.

Commercial rezoning applications will be evaluated based on the:

- a) potential for increased vehicular traffic in the community;
- b) compatibility with neighbouring properties and potential for land use conflict;
- c) potential for nuisance related to noise, odours, dust or pollutants;
- d) appearance of the property resulting from business related use and structures; and
- e) size of the business related to the area and the number of personnel involved in the business.

Light Industrial

Objectives

- To attract a diverse range of industrial development.
- To ensure that industrial activity does not impact negatively on the attractive character of the community, the natural environment or groundwater resources.
- To reduce or eliminate land use conflicts between industry and other land uses.

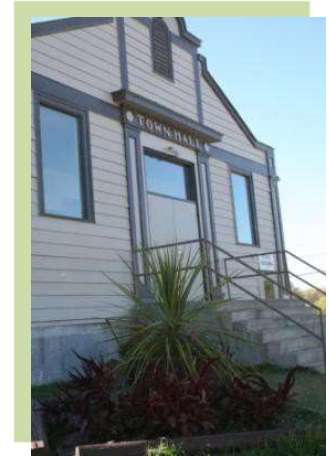
Policies

Industrial areas shall be easily and economically serviceable with municipal services or shall be limited to industries that do not require municipal services. Industrial development that is functional and compatible with surrounding land uses shall be encouraged.

Industrial areas shall permit a variety of industrial uses including, but not limited to, manufacturing, assembly and repair, warehousing, wholesale distribution and limited retailing. The Future Land Use Map (Appendix "A") indicates areas with potential for industrial development.

The designation of additional land for industrial use shall take into consideration the following criteria:

- a) The site shall have direct and approved access to a major public road system;



- b) The development will not generate additional traffic on residential streets; and
- c) The development shall not detract from the visual attractiveness of the area.

Industrial development shall be directed to lands readily accessible to existing transportation infrastructure to provide for efficient transportation and shipping activities. Industrial and associated commercial development shall be encouraged to cluster into nodes along established and future transportation interchanges.

Highway-dependent industrial development shall be located at readily accessible existing transportation infrastructure. Industrial rezoning applications will be evaluated based on the:

- a) potential for increased vehicular traffic in the community;
- b) compatibility with neighbouring properties and potential for land use conflict;
- c) potential for nuisance related to noise, odours, dust or pollutants;
- d) appearance of the property resulting from business related use and structures;
- e) size of the business related to the area and the number of personnel involved in the business; and
- f) impact on municipal servicing.

Industrial development shall be adequately buffered between adjacent uses. Traffic to and from industrial areas shall avoid passing near schools or through residential areas.

Industrial development that is functional and compatible with surrounding land uses shall be encouraged. To achieve a positive image of industrial development a high standard of site and building design shall be required to guide site layout, architecture, buffering and landscaping.



Care shall be taken in the siting of industrial uses that normally create very significant land use conflicts with regard to noise, vibration, smoke, dust, odor or potential environmental contamination. Such uses shall be encouraged to find a location that maximizes separation from residential areas and shall be visually screened or otherwise buffered to protect adjacent land uses.

Community Services and Amenities

Objectives

- To coordinate and integrate community facilities where appropriate.
- To promote continued investment in community services that benefits the Town and district.
- To locate community services and amenities in areas easily accessed by residents.
- To provide parks and outdoor recreation spaces that meet the needs of the community.
- To work cooperatively with neighbouring Municipalities, community-based organizations and the private sector to deliver a wide range of community services and amenities.



Policies

Community Service lands include institutional, public services, recreational, health, cultural and educational uses. These amenities shall recognize and assess the impact future adjacent land uses may have on their activity.

Institutional uses and parks may be located in any land use designation in the Plan area, with each rezoning proposal evaluated based on individual merit and their compatibility with surrounding land uses.

Proposed Community service developments will be evaluated based on:

- a) location, site layout and proper vehicular access;
- b) compatibility with adjacent land uses; and
- c) provision of adequate municipal services.

The Town will work with the Prairie Valley School Division supporting:

- a) park space adjacent to the school;
- b) the joint use of school and community facilities as a means of providing cost efficient services to the public; and
- c) potential joint funding of community and recreational projects.

The Town will continue to maintain and improve park, playground and open space development for a variety of outdoor recreational activities including trails.

Natural areas, linkages and pathways shall be maintained, to the greatest extent possible, as an environmental resource.

Strategies will be developed for the conservation of water in maintaining parks and open space, including, but not limited to:

- a) hard landscaping, xeriscaping and controlled water techniques to reduce water consumption;
- b) indigenous vegetation and drought resistant trees; and
- c) dedication of land in natural low areas and drainage swales.

Private sector development and operation of parks and recreation facilities will be promoted. The designation of lands for parks and recreational purposes offers opportunity for private/public partnerships or shared ownership.



Municipal Reserve

Every subdivision servicing agreement will fulfill the requirements for dedicated lands regarding recreational and park space.

Where there is subdivision of land, any area that is determined to be hazard land will be designated as environmental reserve in accordance with *The Planning and Development Act, 2007*.

The following factors will be considered in making decisions on the provision of dedicated lands in the form of municipal reserve and environmental reserve:

- a) in new residential development, developers will meet the requirements for the dedication of municipal reserve areas for park space, **school expansion** and the designation of environmental reserve; (*Bylaw 01/2023*)
- b) where cash-in-lieu is taken, the money may be used to purchase municipal reserves, particularly where the land can also be used for storm water management or for expansion and development of public reserve and environmental reserve as needed in other areas. Cash-in-lieu funds will be placed in an account separate from other municipal funds; and
- c) in new developments, developers should consider that dedicated lands provide an extension to residential area parks and pedestrian connections to those parks and **access to school facilities**. (*Bylaw 01/2023*)

Municipal Utilities and Infrastructure

Objectives

- To provide for the orderly development of municipal and provincial utility infrastructure in conformance with local land use policies and environmental regulations
- To maintain an appropriate service level of all utilities in order to ensure that the quality of life for existing and future residents is not adversely affected.
- To minimize utility and infrastructure costs to the Town in areas which present special servicing problems.
- To provide an acceptable level of solid waste collection and disposal that is economical and environmentally safe.
- To support recycling programs, energy and water conservation initiatives and to reduce waste and to extend the service capacity of municipally owned infrastructure.
- To ensure that road design permits safe and convenient vehicle, pedestrian and bicycle circulation.

Municipal Utility Policies

The use of existing municipal infrastructure should be optimized wherever feasible before consideration is given to developing new infrastructure and public service facilities.

Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs by integrating servicing and land use considerations at all stages of the planning process.

In accordance with *The Municipalities Act*, Council will prepare a Capital Works Plan that will be coordinated with policies of the Official Community Plan to ensure the effective and efficient control of development and public spending.



Planning for waste management services shall ensure that current systems are provided in a manner that are financially viable and compliant with all regulatory requirements and protect public health and the natural environment.

The Town will encourage development that effectively utilizes existing utility infrastructure and does not place an excessive burden on Town utility services.

The planning, phasing and development of water and sewer services will be based on:

- a) conformance with environmental regulations;
- b) the demand for services and the need for upgrading;
- c) the financial resources of the Town; and
- d) the logical extension of existing services.

All subdivision or development within new areas will require an analysis of existing municipal servicing capacity to evaluate the ability for the Town to adequately service new development proposals. The Town shall minimize utility and infrastructure costs to the Town in areas which present special servicing problems.

For the subdivision of private land, the proponent will generally be responsible for all costs associated with providing municipal utility services through a servicing agreement. New subdivisions will be required to enter into a subdivision servicing agreement and all roads and sidewalk construction must meet municipal requirements.

The Town shall ensure adequate storm drainage of all areas of the community by preserving natural holding areas or by other means as may be engineered and constructed. Storm ponds should be viewed an asset to the community and possible connection with trails, landscaping, etc.

Adequate surface water drainage will be required throughout the Town and on new development sites to avoid flooding. New developments shall be required to assess local water drainage patterns as part of initial concept designs and avoid developing in low-lying catchment areas and drainage courses.

The Town will work towards increasing public awareness of conservation, recycling and the reduction of waste through communication with community residents.

Firefighting requirements will be considered as a part of every rezoning application, subdivision review and servicing agreement firefighting requirements will be considered as a part of every rezoning application. *(Bylaw 1/2023)*

Transportation Policies

A network of pedestrian/bicycle trails within the community shall be identified. In new residential subdivisions, the provision and development of buffer and pathways will be encouraged to separate incompatible land uses and, if possible, to keep important natural and nature-like areas generally intact.

Developments will ensure safe access and egress from adjacent roadways without disrupting their transportation function by locating on service roads adjacent to highways, on municipal streets, roads or at existing intersections.

New roads will be planned and constructed with regard to land use and provision of suitable access. Property for

road rights-of-way will be acquired through dedication or an agreement for purchase at the time of development or redevelopment of property.



Railway and Highway Development *(Bylaw 01/2023)*

Consultation with the Railways/Highways shall be required when a potential development is proposed for a:

- a) development or redevelopment proposals in proximity to rail facilities/highways or for proposals for rail-serviced industrial parks.
- b) road and utility Infrastructure works which may affect a rail facility and highway system.
- c) transportation plans that incorporate freight transportation issues; and
- d) all new, expanded or modified rail facilities or commercial/industrial development.
- e) Should further residential development be proposed near existing rail lines development within or adjacent to the Town, the Town will recognize the provisions of the Statements of Provincial Interest, *Planning and Development Act, 2007, particularly as referenced by Clause 32(2)(k)*, and the “FCM” policy document on “Development Adjacent to Railway’s”, and all best management practices will be utilized, to ensure adequate setbacks between land uses are implemented. In addition, “The Land Use Planning, Rail Proximity and Public Safety Report” prepared for The Railway Association of Canada will be utilized in any review of rail line development. The Zoning Bylaw will be amended to be consistent with all current legislation should further development impacting both land uses occur. Currently the rail line is adjacent to light industrial and commercial uses and the Future Land use map does not include residential uses expanding or encroaching on the rail line.
- f) Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46 metres (150.92 feet) of the point of intersection of the centre line of both the railway and the street.
- g) As identified and suggested on the Guidelines for New Development in Proximity to Railway Operations, The Federation of Canadian Municipalities and Railway Association of Canada of May 2013; the standard recommended building setbacks for new residential development in proximity

to railway operations are as follows:

- a) Freight Rail Yard: 300 metres
- b) Principal Main Line: 30 metres
- c) Secondary Main Line: 30 metres
- d) Principal Branch Line: 15 metres
- e) Secondary Branch Line: 15 metres
- f) Spur Line: 15 metres

The Town shall consult with the railways regarding proposed land development and/or infrastructure projects which may have impacts on existing drainage patterns. Similarly, the railways should consult with the Town where facility expansions or changes may impact drainage patterns to adjacent uses.

Inter-Municipal Cooperation

Objectives

- To continue participating in the Moose Jaw-Regina Industrial Corridor District Planning Initiative.
- To consult and work with adjacent Municipalities on regional land use matters and development proposals.
- To consult with the neighbouring Rural Municipality of Pense on land use matters and development proposals located along the fringe areas of the Town in order to minimize potential land use conflict.

Policies

The Town will continue to work in partnership with other jurisdictions and other agencies as a means of providing and sharing services effectively and efficiently.

The Town of Pense will continue to be involved in a number of inter-municipal initiatives that focus on a cooperative approach to providing cost efficient and effective services (fire protection, recreation, health care, emergency services and economic development).

Inter-municipal cooperation and private or public sector initiatives that focus on a cooperative approach to providing and sharing Community services to optimize use and cost-efficiency shall be encouraged.

Inter-municipal agreements shall be pursued to ensure that local and regional growth issues are addressed proactively. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within a Municipality or which cross Municipal boundaries, including:

- a) managing and/or promoting growth and development;
- b) managing natural heritage, water, agricultural, mineral, tourism, cultural, heritage and archaeological resources;
- c) infrastructure, public service facilities and waste management systems;
- d) ecosystem, shoreline and watershed related issues;
- e) natural and human-made hazards; and
- f) population, housing and employment projections, based on regional market areas.

Joint Management Areas

The Town will consult with the Rural Municipality of Pense, No. 160 on land use planning matters with the intent to support the orderly development of neighbouring lands.

The Town shall ensure that development and land use patterns which are adjacent or in proximity to the Town of Pense that may have negative effects on future urban design and/or densities that may hinder the Town's expansion will be discouraged or mitigated.

The Town will consult with the Rural Municipality on the use of land in future development priority areas identified by the Town. An agreement between the Town and RM to manage development within these identified growth areas should be explored in order to prevent the need for early annexation of these lands by the Town.

Referrals from the Rural Municipality respecting development proposals on nearby rural municipal lands will be evaluated based on the following guidelines:

- a) the potential for land use conflict and compatibility with adjacent municipal development or planned development;
- b) the impact on future land use; and
- c) the effect on municipal services and inter-municipal agreements for services to the rural area.

Development of country residential lands adjacent to the Town's boundaries will be examined on a case-by-case basis. Country Residential developments within 1600 meters (1 mile) may require the preparation of a concept plan to illustrate how the proposed development will integrate with the existing Town of Pense.

The Town may undertake to alter its boundaries to ensure that they are able to retain a 5-year supply of land or for the purposes of accommodating specific development proposals where Town services are required.

Revenue Sharing

Revenue sharing shall be explored where there are significant opportunities to promote and enhance development and growth within the region by working together in a cooperative manner when any "regional type" business or development is considering this region that will provide benefit to a number of individual Municipalities. All tax-sharing arrangements will be negotiated on fair and equitable basis with respect to: recovery of capital investment, land use development standards and negotiating compatible servicing agreements.

Implementation

The following instruments will be used to implement the Official Community Plan.

Zoning Bylaw

In conjunction with the Official Community Plan, the Zoning Bylaw will control the use of land. The Zoning Bylaw will establish and prescribe uses for zoning districts and regulations which incorporate flexible zoning techniques.

Zoning Designations

The definitions contained in the Town of Pense Zoning Bylaw No. 2/2013 shall apply to this Official Community Plan. The objective of each of the Zoning Districts contained in the Zoning Bylaw is described below:

R	Residential District - to provide an area for residential development with compatible public work uses.
COM	Commercial District - to provide an area for retail commercial uses that meet the needs of the Town and travelling public.
IND	Industrial District - to provide an area for development of industrial and industrial service uses accommodated as permitted uses or as discretionary uses where separation from other districts may be required.
CS	Community Service District - to provide for and guide the development of institutional, recreational and other community service uses.
FUD	Future Urban Development District - to control development in areas that are not immediately required for development, but which have been slated for or may be required in the future. Subdivision will not be permitted except for those uses that may be allowed in the district as established by the Zoning Bylaw.

Subdivision, Concept Plans and Phasing of Development

The Town directs the subdivision of land through the Official Community Plan and Zoning Bylaw. Subdivision will be supported where it meets the requirements of the Official Community Plan and Zoning Bylaw. Council will apply these tools to guide subdivision and lot design, street layout, location of municipal reserve and other dedicated lands, as well as exercise control over utility easements and leases.

Concept plans will be used to:

- a) provide preliminary plans for proposed development;
- b) guide the phasing of development;
- c) identify street and lot layouts;
- d) identify land uses and density of development; and
- e) determine the location and design of parks and pathways.

Development will proceed at a rate which meets residential, commercial and industrial land requirements. This will involve phased development that:

- a) occurs in an efficient and cost-effective manner taking into consideration the Town's capital works program and financial capability;
- b) ensures a choice of location for building sites;
- c) is orderly and geographically continuous; and
- d) provides sufficient land so that market demands for land are met.

Whether there is a concept plan or not, Council may use a holding zone – Urban Holding (UH) – symbol to identify the zoning districts associated with future phases of development. Before removal of the UH symbol to allow the next phases of development, Council will consider:

- a) the degree of completion of the previous phase;
- b) the construction of necessary off-site infrastructure;
- c) the completion of specified items in a servicing agreement; and
- d) the current demand for the new development.

Comprehensive Development Reviews

A comprehensive development review shall be completed by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, commercial or industrial purposes. The purpose of this review is to appropriately identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, commercial and industrial developments. This review proposes to address the following topics:

- a) proposed land use(s) for various parts of the area;
- b) the effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;

- c) the location of and access to major transportation routes and utility corridors;
 - d) the provision of services respecting the planning for future infrastructure within the Municipality;
 - e) sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas; and
 - f) appropriate information specific to the particular land use (residential, commercial or industrial).
- Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required including traffic studies to determine impacts upon the Municipality's road and highway system, assessments of lands affected by flooding or slope hazards, endangered species, heritage resources, potential for ground and surface water pollution, and general risk to health and the environment.

Rezoning of Land

Council will consider the following factors when dealing with applications to rezone, subdivide and develop land:

- a) conformity to the Official Community Plan;
- b) suitability of the site for the proposed development;
- c) compatibility of existing adjacent land use;
- d) provision of dedicated lands as may be required for subdivision;
- e) the Town's financial capability to support the development;
- f) the adequate provision and timing of development of municipal services; and
- g) the completion of a servicing agreement for onsite and off-site services.

Contract Zoning, Direct Control Districts and Planned Unit Development

For purposes of accommodating a rezoning for unique development situations, Council may consider entering into rezoning agreements, pursuant to provisions of *The Planning and Development Act, 2007* for site specific development based on the following guidelines:

- a) The rezoning to permit the development will not unduly conflict with adjacent land uses that are legally permitted uses within the proposed or adjacent zoning district;
- b) The rezoning will be used to allow a specific use or range of uses contained within the zoning district to which the land is being rezoned;
- c) The development or redevelopment of the site for the specific use will be of benefit to the immediate area and the Municipality as a whole; and
- d) The use of these zoning tools does not undermine the



intent of the Plan or any affected legislation such as The Condominium Act or Environment or Health regulations.

Servicing Agreement

Where Council requires a Servicing Agreement, the Agreement becomes a condition of approval of a subdivision by the approving authority. The Agreement will ensure that municipal standards are met for capital works and ensure that such infrastructure development costs are borne by the developer and his/her customers. A Servicing Agreement will be required unless there are no services or off-site levies required for a subdivision. Council may consider a general municipal share in the cost of off-site infrastructure where the improvement is designed to serve more than the subject subdivision.

Where a subdivision of land requires the installation or improvement of municipal services such as water treatment, streets or sidewalks within the subdivision, the developer will be required to enter into a Servicing Agreement with the Town to cover the installation or improvements including, where necessary, charges to cover the costs of improvement or upgrading of off-site services. Council will, by resolution, establish the standards and requirements for such agreements and charges, including the posting of performance bonds or letters of credit.

Council will undertake studies necessary to define the benefiting areas and the unit costs associated with required capital upgrading of off-site services. The studies will be used to determine a fair level of off-site servicing charges.

Development Levy Bylaw *(Bylaw 01/2023)*

Council may adopt a Bylaw that specifies the circumstances when off-site levies will apply to development based on the additional capital costs for services created by that development. The bylaw will contain a schedule of the unit costs to be applied.

Before adopting the Bylaw, Council will undertake studies necessary to define the benefiting areas and the unit costs associated with required capital upgrading of off-site services. The studies will be used to determine a fair level of development levy charges in relation to the subdivision off-site charges.

Building Bylaw *(Bylaw 01/2023)*

In accordance with *The Construction Codes Act*, the Town will ensure that building construction is regulated so that new construction is physically acceptable to the community. The Building Bylaw will control the minimum standard of construction through the issuance of buildings permits.

Monitoring and Amendment

Monitoring



The Official Community Plan is a document intended to guide decision making over the long term and is not a static document that commits the Town to an inflexible development policy. As new issues and concerns arise or old ones change, the Plan shall be revised to meet these changes. The "Plan" shall be reviewed after five years and before ten years from the date of its adoption by Council to evaluate the stated goals, objectives and policies as to their relevancies.

The Official Community Plan must be kept up to date to ensure that the document will deal with the real development issues facing the Town and the greater community. New implementation initiatives will be needed, and priorities will require adjustment in response to the varied and changing conditions in the Municipality.

Amendments

On occasion, land uses or developments may be proposed that do not conform to the Official Community Plan. The Plan can be amended in accordance with *The Planning and Development Act, 2007*, to allow the new development to proceed, however, before any amendment is made, the impact of the proposed change on the rest of the Plan and the future development of the Town shall be examined. Any changes to the Plan or the Zoning Bylaw shall be in the interest of the future development of the community as a whole. Through periodical review and amendment, the Plan should serve as an effective guide for Council to make decisions on the future development of the Municipality.

Repeal and Effective Date of Bylaw

Ministerial Approval

This Bylaw is adopted pursuant to *The Planning and Development Act, 2007* and shall come into force on the date of final approval by the Minister of Government Relations.

Council Readings and Adoption

Read a first time this	_____	day of	_____	2013
Read a second time this	_____	day of	_____	2013
Read a third time this	_____	day of	_____	2013
Adoption of Bylaw this	_____	day of	_____	2013

MAYOR

ADMINISTRATOR

Tim Cheesman, MCIP, PAg.

Karen A. Sander, MCIP

Appendix “A” Future Land Use Map

Appendix “B” Reference Maps

Appendix “C” Town of Pense Infrastructure Capacities *(Bylaw 01/2023)*

2021 POPULATION	603
CONNECTIONS	220 Service Connections
WATER SUPPLY	Potable water is received from Buffalo Pound WTP to the Town’s 607 m3 reservoir. Pump capacity is 13.87 LPS at 376 kPa.
SURPLUS CAPACITY (PERCENTAGE / POPULATION)	Exceed the projected future requirement of 386.4 m3 on a population 560.
ANNUAL WATER TREATMENT	Receive Water from Buffalo Pound Water Treatment Plant
SEPTIC TREATMENT	3 cell lagoon
SURPLUS CAPACITY (PERCENTAGE / POPULATION)	720 population
SOLID WASTE MANAGEMENT (TRANSFER STATION / LANDFILL w life expectancy)	RM of Pense owns the landfill. Loraas Disposal provides weekly garbage pickup for residents.
CURRENT ENGINEERING STUDY (YES/NO; YEAR)	The Town of Pense had MPE Engineering complete the Infrastructure Management Plan March 2020.
PUBLIC WELLS OR WELL-HEADS	no
WATER LINES / UTILITIES	Map attached
LAGOONS	Map attached
CEMETERY	221 Ontario Street

Appendix “D” Town of Pense Survey Responses: June 2012

What are the Top 3 features/amenities in Pense (and area)?

No major crime
 Quiet
 School 45)
 Rink (3)
 Convenience Store
 Post Office
 Town Hall
 Potash Plan
 Nice tree lined area
 Pense is close to both Regina and Moose Jaw
 Has a decent church (that is seldom used, unfortunately)

What would you change or improve in your community?

Attraction of more businesses and develop a business core on Front St. and 3 back of Brunswick
 Overall perception: need clean and tidy properties that show pride of ownership and self-respect.
 Increased development an satisfactory infrastructure, drainage and road conditions
 Pavement is number one priority.
 Enforce bylaw to remove old vehicles from yards. Add
 to the water park, perhaps a play structure
 Getting rid of standing water in front of store. Proper drainage, weed control, cleaning yards up,
 taking pride in your yard. Public washroom, store says “out of order” ,peeling paint on Town office.
 More businesses
 Create a small RV campground along front street, across from the bar
 Make use of the rink during summer such as concerts, small rodeos or farm shows. Etc.
 The Hall could function as a theatre
 Better well-kept houses and yards
 More housing utilizing vacant lots that are not in subdivision

What is missing of needed in your community to attract younger families to your community?

Lots priced so a young growing family can afford to purchase.
 Active engagement and participation in Town sustainability and again a positive perception and
 impression of vibrancy, fun, growth and opportunity. A working spray park. Clean safe environment,
 pride of residents, lower taxes, tax incentives for building. Create awareness of agreement with
 Luther college (only valid until 31 December 2012)
 Pavement
 Businesses, such as a proper grocery store, hardware store, a small arcade for the kids, the main
 reason Pense is not growing is the severe lack of much needed businesses.
 Swimming pool
 Low, affordable housing
 Bank
 Employment opportunities
 Full-service gas station
 Coffee shop and cafe

Something for middle-aged kids to do. Maybe a mobile library
 School needs more playground equipment

What are some specific suggestions you have for:

Infrastructure Improvements:

Figure out a way to pave the streets without it costing the homeowners more taxes. I.e., potluck supper, outdoor band festivals, street dances.

Improve Drainage, pavement, bike trails, and maintain walking path

Proper drainage

Pavement

Grade the roads with pea rock-CRUCHER DUST. We it down and it dries like concrete, cheaper than pavement and repairable

Put proper ditches along Brunswick St. for drainage. Stop

huge water trucks and 18 wheelers from using Brunswick to get to the water supply they put deep ruts in the road, fix the sewer and water lines.

Don't worry so much about paving, repair the roads and drainage problems instead

Better drainage

Which housing types should be included in new subdivisions or when re-developing some of the older lots?

Single family homes in older lots and multiple family in new developments with a combination of green spaces.

No Mobile Homes!!!

Single family dwelling with double attached garage

Affordable apartment rental complexes would be good, would attract more people.

Another seniors complex

Single family homes and provide lots for large single and double trailers (why spend \$200,000 on a house when a brand new trailer starts at \$85,000)

Condos(2)

RTMs

Town houses

Apartments

Duplexes(2)

Fourplexes

No Trailers unless in a specified area Trailers in one area.

Recreational/Park/Green Space:

Are there pathways between specific areas and uses which should be included/identified?

Continue current path from park to go around the Town. Extend the walking path

The pathways have to be sprayed to get rid of weeds. The park should be free of old branches, garbage

There should be a clearly marked bike/walking path that goes completely around Pense. Green spaces should have more trees and plants. A flower garden-park should be put in next to the Town

Office/ Post Office
<p>Are there specific areas (i.e., environmentally sensitive) that should be protected from development?</p> <p>The pond area north east end of the Town Aviary migration zones The area on and around the dug- out should be protected, we have deer and moose, many birds and small mammals that live there</p>
<p>The number of home-based businesses will continue to increase and these businesses are important to the economy but should not detract from the Town Centre nor impact residential areas. What is your opinion?</p> <p>In the future we need a hardware, variety store, drug store, a Town Security Office to help the RCMP Businesses should be set up in proper zoned areas. Where high volume traffic is generated or where there is substantial inventory held that is visible to public. Too many out of house businesses and no commercial business, such as grocery store, hardware store, carwash, arcade, etc. We could use a full-service garage too As long as it does not interfere with the outside of the home, ag-machinery, equipment, we are in favour We need these home-based businesses as Pense has very few businesses to offer.</p>
<p>Cultural and Heritage Landmarks:</p> <p>The Town needs a new cemetery Old Bank building Town Hall Any house or building 100 years or older should be declared a Historical landmark and maintained by the owner. The military epitaph could use a good revamp. The cemetery should be cleaned and repaired, The elevator should be protected.</p>
<p>Other (including what you do and do not want to see):</p> <p>Pense must grow to survive. Support Development, Promote development. Hold title holders accountable pro-actively to minimum standards that are already in place such as bylaws for unsightly properties, tax enforcement, etc. The back alleys need some care-get rid of broken branches, tress and garbage\Pense seems to be a haven for junk old vehicles. Enforce the law-every year a notice is sent out and every year they are still there. If you are not going to remove them, then fences should be put up to hide them Clean up the junked yards and vehicles- a bad first impression to people If we had pavement, maybe more people would take pride in their yards. Don't need all the street paved, just proper grading, would like to see more trees in the new sections of town (Nadia Bay etc.) Looks like a waste land over there. Would like to see the dugout, pond and area designated as a wildlife/wetland area Would like to see broken down old vehicles cleaned out of yards and roadways. Would like to see buildings and yards well maintained. More RCMP presence in Pense.</p>