

BYLAW 05 / 2012

A BYLAW OF THE RURAL MUNICIPALITY OF MOOSE RANGE NO. 486 TO PROVIDE FOR THE RURAL MUNICIPALITY TO ENTER INTO THE TWIN LAKES PLANNING DISTRICT AGREEMENT

Council of the Rural Municipality of Moose Range No. 486, in the province of Saskatchewan enacts as follows:

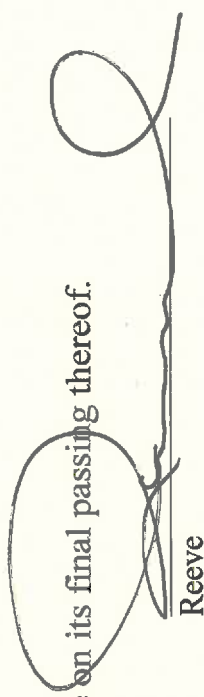
1. This bylaw shall be referred to as the Twin Lakes Planning District Agreement
2. In this bylaw:
 - a. "Administrator" shall mean the administrator of the municipality;
 - b. "Council" shall mean the council of the municipality;
 - c. "Head of Council" shall mean the mayor or reeve of the municipality, as the case may be;
 - d. "Municipality" shall mean the Rural Municipality of Moose Range No. 486
3. The Rural Municipality of Moose Range No. 486 is hereby authorized to enter into an agreement with:
 - The Town of Nipawin
 - The Town of Choiceland
 - The Town of Carrot River
 - The Village of White Fox
 - The Resort Village of Tobin Lake
 - The Village of Coddette
 - The Rural Municipality of Nipawin No. 487
 - The Rural Municipality of Torch River No. 488for the purpose(s) stated within the agreement.
4. The agreement is attached hereto and forms a part of this bylaw, and is identified as "Exhibit A"
5. The head of council and the administrator are hereby authorized to sign and execute the agreement described as Exhibit A.

This Bylaw shall come into force on its final passing thereof.



Read a third time and adopted
This 10th day of October, 2012

Administrator


Reeve

Administrator

Certified a true copy of Bylaw No. 05 / 2012 adopted
by resolution of Council on the 10th day of October, 2012 A.D.

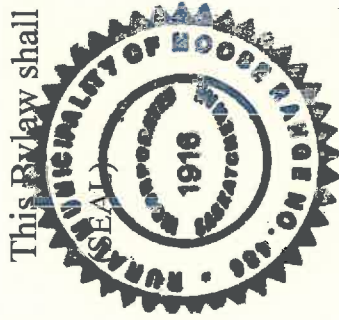
Administrator

BYLAW 01 / 2015

A BYLAW OF THE RURAL MUNICIPALITY OF MOOSE RANGE NO. 486 TO AMEND THE TWIN LAKES PLANNING DISTRICT AGREEMENT AS AUTHORIZED BY BYLAW NO. 05-2012

Council of the Rural Municipality of Moose Range No. 486, in the province of Saskatchewan enacts as follows:


1. The Twin Lakes Planning District Agreement, as authorized by Bylaw No. 05-2012 is amended as follows:
 - a. Section 8.1 a) by striking out “the affiliated Rural Municipalities agree to refer all discretionary use development permits and subdivision applications within the Twin Lakes Planning District to the Commission for comment,” and replacing with “the affiliated Municipalities agree to refer all applications for rezoning within the Twin Lakes Planning District to the Commission for comment”.
 - b. Section 8.1 b) by striking out “the affiliated Urban Municipalities agree to refer all discretionary use development permits and subdivision applications, within their jurisdiction, to the Commission for comment” and replacing with “The affiliated Municipalities agree to refer all applications for subdivision proposing more than four (4) residential lots or a new lot for Industrial, Commercial or Recreational use within the Twin Lakes Planning District to the Commission for comment.”
 - c. Section 8.1 e) by striking out “discretionary use development permits and subdivision applications” and replacing with “zoning bylaw amendments”.



This Bylaw shall come into force on its final passing thereof.



Administrator



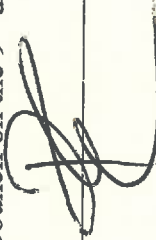
Administrator

Read a third time and adopted
This 9th day of March, 2015.

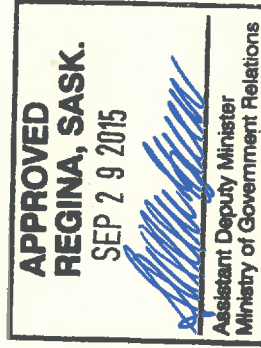


Administrator

Certified a true copy of Bylaw No. 01 / 2015 adopted
by resolution of Council on the 9th day of March, 2015 A.D.



Administrator



For:



AMENDED

**TWIN LAKES PLANNING DISTRICT
AGREEMENT**

**Pursuant to Sections 97 thru 107
of
*The Planning and Development Act, 2007***

The Amended Planning District Agreement

MADE IN DUPLICATE THIS _____ DAY OF _____, 2015.

BETWEEN:

The Urban Municipality of Nipawin
Saskatchewan, hereinafter called the
“Town of Nipawin”

OF THE FIRST PART;

-and-

The Urban Municipality of Choiceland
Saskatchewan, hereinafter called the
“Town of Choiceland”

OF THE SECOND PART;

-and-

The Urban Municipality of Carrot River
Saskatchewan, hereinafter called the
“Town of Carrot River”

OF THE THIRD PART;

-and-

The Urban Municipality of White Fox
Saskatchewan, hereinafter called
“Village of White Fox”

OF THE FOURTH PART;

-and-

The Urban Municipality of Codette
Saskatchewan, hereinafter called
“Village of Codette”

OF THE FIFTH PART;

-and-

The Urban Municipality of Tobin Lake
Saskatchewan, hereinafter called
“Resort Village of Tobin Lake”

OF THE SIXTH PART;

-and-

The Rural Municipality of Moose Range No. 486
Saskatchewan, hereinafter called
“RM of Moose Range”

OF THE SEVENTH PART;

-and-

The Rural Municipality of Nipawin No. 487
Saskatchewan, hereinafter called
“RM of Nipawin”

OF THE EIGHTH PART;

-and-

The Rural Municipality of Torch River No. 488
Saskatchewan, hereinafter called
“RM of Torch River”

OF THE NINTH PART;

The Parties named above are amending the agreement entered into pursuant to the provisions of *The Planning and Development Act, 2007 (PDA)* establishing The Twin Lakes Planning District, which was approved by Minister's Order effective May 9, 2013.

1 Definitions

- 1.1 “**Affiliated Municipality**”, as outlined in the PDA, refers to a municipality that is party to this agreement.
- 1.2 “**Planning District**” refers to the lands within the boundaries of the affiliated municipalities.
- 1.3 “**District Planning Commission**” or “**Commission**” refers to the recommending body created by the affiliated municipalities for the purpose of planning and development as outlined in the PDA.
- 1.4 “**Member**” refers to the representative appointed by the affiliated municipality to the District Planning Commission.
- 1.5 “**Discretionary Use**” refers to a use of land or buildings or form of development that is prescribed as discretionary in the zoning bylaw and required the approval of council pursuant to Section 56 of the PDA.
- 1.6 “**First Nations Member**” refers to the representative appointed by the affiliated first nation community to the District Planning Commission.

2 Planning District

The Parties individually and collectively agree that:

- 2.1 The adoption of this agreement, subject to Sections 97, 98, and 99 of the PDA, to establish a planning district; to be known as “**The Twin Lakes Planning District**”.
- 2.2 The area of the planning district shall encompass all those lands situated within the Town of Nipawin, Town of Choiceland, Town of Carrot River, Village of White Fox, Village of Codette, Resort Village of Tobin Lake, RM of Moose

Range, RM of Nipawin, and RM of Torch River outlined in blue on the map attached to this agreement as Schedule 'A'.

3 Members of the Planning Commission

- 3.1 A District Planning Commission, to be known as "The Twin Lakes Planning District Commission", is established pursuant to Section 97(b) of the PDA. The Commission will consist of nine, or more members, to be appointed in the following manner:
- a) One member shall be appointed by the Council of the Town of Nipawin;
 - b) One member shall be appointed by the Council of the Town of Choiceiland;
 - c) One member shall be appointed by the Council of the Town of Carrot River;
 - d) One member shall be appointed by the Council of the Village of White Fox;
 - e) One member shall be appointed by the Council of the Village of Codette;
 - f) One member shall be appointed by the Council of the Resort Village of Tobin Lake;
 - g) One member shall be appointed by the Council of the RM of Moose Range;
 - h) One member shall be appointed by the Council of the RM of Nipawin;
 - i) One member shall be appointed by the Council of the RM of Torch River.
 - j) At their discretion, the Commission will include and invite other organizations, municipalities, First Nations or Métis communities, or employees, as observers, to participate and provide input to their meetings and business.
 - k) At their discretion, the Commission will extend invitations or accept requests for additional municipalities, First Nations or Métis communities to join the Commission.
- 3.2 The tenure of office of the members of the Commission shall be as follows:
- a) the Urban and Rural Municipalities will appoint one member to the commission during the first regular council meeting following an election and those appointees will be renewed or replaced on an annual basis;
 - b) each affiliated Municipality shall also designate an interim Council member who shall attend meetings and vote in the absence of the appointed Council member;

- c) the interim council member may attend a meeting with the appointed council member, as an observer, but only the appointed council member will have the authority to vote;
- d) where vacancies arise, by reasons other than the expiry of the appointee's term of office to the Commission, the council concerned shall appoint someone to complete the unexpired term; and
- e) appointees to the Commission shall continue to hold office until a successor is appointed by their respective municipal or First Nations or Métis council.

4 Principals of Operation

- 4.1 A majority of the appointed voting members of the Commission constitutes a quorum for the transaction of business.
- 4.2 Members will operate on the principle of a respectful environment conducive to integrity, honesty, and trustworthiness.
- 4.3 Parties will agree to:
 - a) To work in spirit of cooperation and be open and transparent through action and communication while maintaining respect for others' opinions, actions and needs.
 - b) To develop a new District Official Community Plan for nine (9) affiliated municipalities, meeting the requirements of the PDA and the needs of each municipality in the Twin Lakes Planning District.
 - c) To update and create zoning bylaws of each affiliated municipality in the Twin Lakes Planning District to comply with the District Official Community Plan and meet the requirements of the PDA.
 - d) Carry out implementation of the District Official Community Plan.

5 Powers of the Commission

- 5.1 Pursuant to section 100 of the PDA the duties and powers of the Commission are to:

- a) make rules of procedure that are not contrary to law or inconsistent with the PDA or its regulations for the conduct of its business, the governing of its proceedings, the calling of meetings and the requirements for quorum;
- b) establish procedures for the affiliated municipalities to permit the holding of joint public hearings for the adoption, amendment or repeal of an official community plan, district plan or zoning bylaw;
- c) appoint any consultants or employees that may be necessary for the exercise of any of its powers or the performance of any of its duties and fix their remuneration;
- d) appoint advisory committees, consisting of one or more of the members of the district planning commission or any other person, and fix their remuneration; and
- e) with the consent of an affiliated municipality, utilize the services of any officer or employee of that municipality.

5.2 As outlined in sections 103 and 104, of the PDA, the Commission may also:

- a) hold public meetings and publish information for the purpose of obtaining the participation and co-operation of the residents of the planning district, and any adjacent area, in determining the solution to problems or issues affecting the development of any part of the planning district;
- b) suggest to any council ways and means of financing public or capital works to be carried out by public authorities over a specified period;
- c) investigate and study proposed subdivisions or developments, within and adjacent to the planning district, and submit reports and recommendations to the appropriate council;
- d) identify social or economic implications of adopting the commission's recommendations; and
- e) prepare and submit to the affiliated municipalities an operating budget for the planning district for the upcoming fiscal year.

5.3 In addition, other topics of regional interest may be discussed by the Commission including:

- a) new and existing shared community services; and
- b) uniform standards that would support transportation and economic development and provide a foundation for service agreements.

5.4 The Commission may:

- a) Prepare any amendment to the District Plan;
- b) Submit any amendment to the District Plan to the affiliated municipalities for adoption;
- c) Where in the opinion of the commission any amendment only affects land within one affiliated municipality in which the lands are located, the affiliated municipalities agree that in accordance with Section 102(16) of the PDA;
 - (i) Submit the amendment to only the affected municipality for adoption, and
 - (ii) The district plan shall be deemed amended in accordance with that amendment with no further adoption being required by any other municipality.
- d) Assist the council of any affiliated municipality in the planning district in the preparation of a zoning bylaw or any other bylaw authorized by the PDA;
- e) Review any existing affiliated municipality's zoning bylaw or bylaw adopted or passed under the PDA and to submit, to the council, suitable amendments with a recommendation that they be adopted or passed;
- f) Delegate to the secretary the power to carry out any of its duties and powers pursuant to this section.

6 Administrative Responsibilities

- 6.1 The District Planning Commission shall appoint the chairperson for the Commission every two years, from among the appointed representatives, during the first meeting of the calendar year.
- 6.2 The Commission shall annually appoint a vice-chairperson from among the appointed representatives during the first meeting of the calendar year. The vice-chairperson will act as chairperson in the absence of the chairperson.
- 6.3 The Commission shall appoint a treasurer at their discretion to manage the financial business of the Planning District under the direction of the Commission.
- 6.4 The Treasurer will be responsible to:
 - a) Collect membership fees;
 - b) pay expenses;

- c) keep records of transactions; and
 - d) report on a quarterly basis on the financial status of the Planning District.
- 6.5 The Commission will hire a Secretary to administer and manage the business of the Planning District under the direction of the Commission. If consented, the Commission may utilize the secretarial services from an affiliated municipality in the absence of the Commission Secretary. If secretarial services from an affiliated municipality are used, the commission will set out, in writing, any remuneration, related increases, or benefits.

6.6 The Secretary will be:

- a) responsible for ensuring administration and communication of the planning district and managing meetings, hearings, agendas, keeping minutes, issuance of decisions, and other business;
- b) paid for from the finances of the planning district; and
- c) hired by the Commission which will set out, in writing any:
 - (i) remuneration and related increases;
 - (ii) benefits;
 - (iii) length or parameters of employment, if by contract; and
 - (iv) additional responsibilities of the position.

6.7 Any policy plans and zoning bylaws having effect within the planning district may be administered by a Development Officer or other professional appointed by the Commission for the district. Professional services would be administered by the municipality offering the services, not through the service provider, using a standard service contract and on a fee for service basis.

7 Funds and Remuneration

7.1 Funds required to meet the daily operational expenses of the Planning District and the Commission, including office space, facilities, and other expenses as approved by the councils of the affiliated municipalities, First Nations or Métis communities, shall be contributed by the affiliated municipalities, First Nations or Métis communities and will be collected through a yearly set equal membership fee. The membership fee will be reviewed annually at the first meeting of the year with the financial statements.

7.2 The Parties agree that:

- a) the councils of the affiliated municipalities, First Nations or Metis communities shall have the power to remunerate their appointees to the Commission and that the amount of remuneration, if any, may be fixed and provided by the respective councils;
- b) any jointly appointed members, or observers of the Commission shall be paid by the planning district and remuneration, if any, may be fixed by the Commission during the first meeting of the calendar year;
- c) any members of an advisory committee established by the Commission, that are not municipal appointees to the Commission, shall be paid by the planning district and remuneration, if any, may be fixed by the Commission; and
- d) any consultants or employees of the planning district will be paid by the planning district and remuneration will be fixed by the Commission.

7.3 Funds required to meet additional expenses and projects of the Planning District, will be approved by the councils of the affiliated municipalities, through a cost sharing agreement recommended by the Commission.

8 Referrals

8.1 In addition to referrals regarding planning, zoning, bylaws and amendments within the area of the planning district:

- a) the affiliated Municipalities agree to refer all applications for rezoning within the Twin Lakes Planning District to the Commission for comment;
- b) the affiliated Municipalities agree to refer all applications for subdivision proposing more than four (4) residential lots or a new lot for Industrial, Commercial or Recreational use within the Twin Lakes Planning District to the Commission for comment;
- c) The affiliated municipalities must provide all permits and applications to the Commission no later than 10 business days prior to the Commission's regular scheduled meetings;
- d) the Commission will provide a written recommendation to the affected municipality within 10 business days after the Committees regular meetings if no further information and/or investigation is needed to make a thorough recommendation. If further information and/or investigation is required, a written notice will be provided to the affected municipality; and
- e) the affiliated municipalities agree to withhold an approval decision on zoning bylaw amendments until comments from the Commission have been received for consideration.

- f) The affiliated municipalities will provide a written copy of all approvals related to planning and development to the commission once a decision has been made.

9 Dispute Resolution

9.1 The members of the planning commission agree to keep each other informed of any disagreement or contentious issue related to the Twin Lakes Planning District activities or items addressed under this agreement. In the event a dispute over any issues related to or addressed under this agreement should occur the Chairperson will register the dispute with the Commission and the following will occur:

- a) In the event a dispute occurs between two or more members within the Twin Lakes Planning Commission:
- (i) a neutral member will be used to evaluate and mediate the dispute. The evaluator will have no vested interest and be non binding;
 - (ii) if the dispute cannot be resolved, the next step will be to seek mediation.
- b) In the event a dispute occurs between all members:
- (i) the commission will meet and attempt to resolve the dispute. All members will have equal say;
 - (ii) if the dispute cannot be resolved, the next step will be to seek the assistance of third party mediation.
- c) In the event a dispute cannot be resolved through the processes outlined in 9.1 (a). Or 9.1 (b). By the timeframe expressed in 9.1(e), parties may appoint an arbitrator whose decision shall be final and binding upon both parties. The Arbitration Act of Saskatchewan in force from time to time shall apply to arbitration proceedings commenced pursuant to this Agreement.
- d) Expenses incurred during dispute resolution will be paid equally among the conflicted members and will not be paid by the Twin Lakes Planning District Commission.
- e) Disputes must be resolved within thirty (30) days from being registered by the chairperson. An extension of time after thirty (30) days will be given upon written consent.

10 Amendments

10.1 The agreement will only be reviewed and amended upon:

- a) application from the council of one of the Parties to the agreement;
- b) adoption of a new official community plan for the planning district;
- c) inclusion of a new municipality into the planning district; or
- d) the termination of affiliation of a party to this agreement.

10.2 Amendments will be prepared and submitted to each affiliated municipality, First Nations or Métis communities by the sitting Commission for the planning district.

10.3 Amendments will not be submitted for approval until each affiliate municipal council has signed the new agreement.

10.4 Amendments will not take effect until an order has been issued by the Minister of Government Relations.

11 Addition to District Strategy

11.1 The addition of members from other adjacent municipalities, and First Nation and Métis communities will be at the discretion of the Commission. The addition process will be as follows:

- a) the Commission may allow non-affiliated municipalities to attend two (2) Twin Lakes Planning District Commission meetings as an observer;
- b) the Commission requires a formal written request be provided to the Commission for review at regular meetings and will make recommendations to the affiliated municipalities;
- c) once the Commission has recommended a new membership, Section 10 of this Agreement must be fulfilled before a new member has voting power; and
- d) the Commission will make recommendations to the affiliated municipalities, First Nations or Métis communities regarding the conditions, provisions and requirements for the addition of new affiliated municipalities, First Nations or Métis communities.

12 Exit Strategy

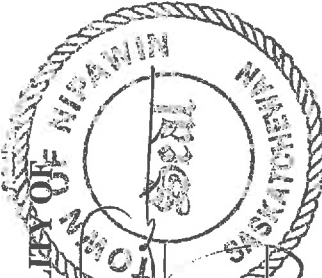
12.1 Any municipality wishing to withdraw from the planning district must:

- a) follow the dispute resolution mechanisms provided under Section 9 of this agreement;
- b) provide 60 days written notice to the Commission, stating the reasons for withdrawal from the planning district;
- c) meet with an ad-hoc committee made up of two representatives appointed by the Commission to discuss the reasons for the resignation; and
- d) seek unanimous approval of the Commission members to withdraw from the planning district.
- e) may apply to the minister requesting that its affiliation with the planning district be determined; the minister may amend the order establishing the planning district in any manner that the minister considers advisable for the purpose of accommodating the request; or refer the request to the Saskatchewan Municipal Board for resolution.

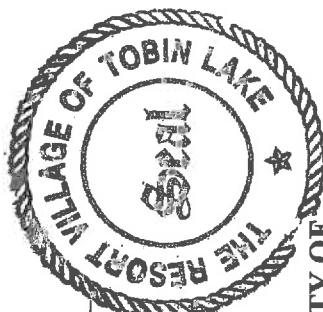
12.2 Should a municipality terminate its affiliation with the planning district all funds submitted to the planning district will remain with the planning district.


12.3 Should the planning district be dissolved all assets and liabilities of the planning district will be distributed in proportion based on the cost sharing agreements determined and approved by the existing affiliated municipalities, First Nations or Métis communities.

The Parties hereby affixed their corporate seals, duly attested by the hands of their respective officers, the day and year first above written.

THE URBAN MUNICIPALITY OF NIPAWIN

Mayor
Administrator


THE URBAN MUNICIPALITY OF TOBIN LAKE


Mayor
Administrator

THE URBAN MUNICIPALITY OF CHOICELAND

Mayor
Administrator


THE RURAL MUNICIPALITY OF MOOSE RANGE #486


Reeve
Administrator

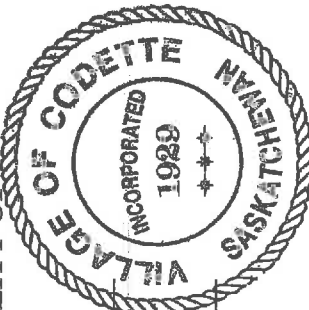
THE URBAN MUNICIPALITY OF CARROT RIVER

Mayor
Administrator

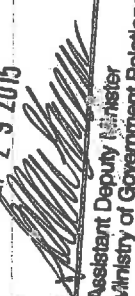
THE RURAL MUNICIPALITY OF NIPAWIN No. 487

Reeve
Administrator

THE URBAN MUNICIPALITY OF WHITE FOX

Mayor
Administrator

THE RURAL MUNICIPALITY OF TORCH RIVER No. 488

Reeve
Administrator

THE URBAN MUNICIPALITY OF CODETTE

Mayor
Administrator

APPROVED
REGINA, SASK.
SEP 29 2015

Assistant Deputy Minister
Ministry of Government Relations

Twin Lakes Planning District Agreement

Schedule A

