

**CITY OF YORKTON  
BYLAW NO. 27/97**

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**CITY OF YORKTON  
SASKATCHEWAN**

**BYLAW NO. 27/97**

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF  
SASKATCHEWAN TO AMEND THE YORKTON PLANNING DISTRICT  
DEVELOPMENT PLAN BYLAW NO. 13/94**

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**WHEREAS**, the Council of the City of Yorkton wishes to amend the Yorkton Planning District Development Plan Bylaw No. 13/94 and,

**AND WHEREAS**, the Council of the City of Yorkton is proceeding to amend the said bylaw in accordance with Section 207 of *The Planning and Development Act*;

**NOW THEREFORE**, the Council of the City of Yorkton in Council assembled, enacts as follows:

**THAT** the Yorkton Planning District Development Plan Bylaw No. 13/94, Schedule "A" be amended as follows:

**Section 6.0 - Residential Land Use Objectives and Policies**

- 1) That Section 6.3 - Residential Land Use Policies be amended as follows:
  - a) Add the following after the word 'parcels' in Subsection 4:  
"where possible, however, new development will be considered on suitable lands where no adverse environmental or infrastructure demands will occur."
  - b) Delete Subsection 6 in its entirety.
- 2) That Section 6.4 - Single Parcel Country Residential Subdivision be amended by adding the following after the word 'interests' in the background:  
"and based on physical circumstances as outlined in the Zoning Bylaw."
- 3) That Section 6.5 - Multi-Parcel Country Residential Subdivisions be amended by adding the following to the preamble after the word 'contamination':  
  
"Recent demand for lower-density, multi-parcel, residential subdivision has been demonstrated by numerous requests and a changing market. Other municipalities surrounding urban centres have experienced similar demands and have accommodated this form of development by placing the responsibility on the developer to address infrastructure and environmental concerns e.g. waste

disposal, water supply, access. In addition, density of development in other jurisdictions has not exceeded 15 lots per ¼ section, or ratio thereof. This permits a variety of lot sizes to be utilized and the physical layout of the land to be accommodated. Where possible, internal roads with limited access are encouraged to avoid traffic problems. New development may be accommodated provided that adequate separation from other land uses is provided, and all policies are addressed to the satisfaction of Council.”

4) That Section 6.5 - Multi-Parcel Country Residential Subdivisions, A. Policies, Subsection 3 be deleted in its entirety.

5) That Section 6.5 - Multi-Parcel Country Residential Subdivisions, A. Policies, Subsection 4 be amended by adding the following after “Districts (CR)”:  
“or Low-Density Multi-Parcel Country Residential District (CR1).”

6) That Section 6.5 - Multi-Parcel Country Residential Subdivisions, A. Policies, be amended by adding the following Subsections as 5, 6, 7, 8, 9, 10, & 11:

“5. The demand for and current availability of Country Residential lots will be taken into consideration in reviewing all Country Residential Subdivision proposals. Country Residential proposals shall not be allowed when a surplus of undeveloped lots exist in the district and adjacent areas within the Municipality. Such developments should be staged within this area to prevent the premature intrusion of small parcels into presently non-subdivided areas. Further policy applies:

- ◆ No Multi-Parcel Country Residential development shall be approved in the municipality if there is greater than a three year inventory of lots in the Municipality.

- ◆ Notwithstanding the above, Council may at its discretion, approve Multi-Parcel Country Residential developments where:

- i) the development proposed includes significant recreational amenities; and/or

- ii) the development proposed contains a high level of servicing which may include but not be limited to, a water treatment system, asphalt road surfacing, landscaping and signage.

This policy may be adjusted accordingly if it is determined that a significant number of vacant parcels are not being offered for sale to the general public.

Methodology - The inventory of lots shall be determined by comparing

historical construction rates (demand) with the number of vacant lots (supply). The formula to determine this is set out below:

$$\text{Inventory in Area X (In Years)} = \frac{\text{Number of Vacant Lots in Area X}}{\text{Total Number of Residences}} \times \frac{\text{Constructed in Area X in Period Y}}{\text{Number of Years in Period Y}}$$

The area defined in Map 1 as “Low-Density Acreage Area” shall be affected by this policy.

The time period (Y) used in the above shall be three years.

Review - The development rate levels shall be reviewed and analysed on or about January 1 and July 1 of each year.

6. No one development shall comprise more than one-third of the total inventory of lots as determined in Subsection 5 above.
  7. Density of subdivisions shall not exceed 12 per quarter section or an equivalent ratio thereof, and new subdivisions will reflect the physical characteristics of the lands being developed and environmental and infrastructure restraints. An increased density may be permitted on existing parcels fragmented or cut off by railway, roadway or utilities which would accommodate development of suitable sites which meet all other criteria.
  8. Specific site sizes will be outlined in the Zoning Bylaw for Multi-Parcel Country Residential Subdivisions and will reflect physical, environmental, and servicing concerns.
  9. Setback and Separation distances will be outlined in the Zoning Bylaw to ensure that any land use conflicts are minimized.
  10. Water and Waster Disposal concerns must be addressed prior to Council considering rezoning of any lands for Country - Residential Use.
  11. Proponents may be required to enter into Contact Zoning Agreements and/or Service Agreements to ensure orderly and timely developments."
- 7) That Section 10.0 - Rural-Urban Fringe Objectives and Policies be amended by

adding the following as Section 10.2 - Complementary Residential Development immediately after Section 10.1 - Annexation:

## **"10.2 COMPLEMENTARY RESIDENTIAL DEVELOPMENT**

### **A. Background**

1. Recent demand for low-density, multi-parcel, residential development has occurred within the Yorkton Planning District as in other municipalities surrounding urban centres. This type of development reflects the market change, housing needs and homeowner expectations. Many municipalities have found this form of development to be far more desirable than high-density rural developments, and the market has recognized that high-density development is more suited to the larger urban centre. Low-density 5-20 acre parcels in low-density clusters provide a balance between urban and rural lifestyles while affording more manageable lots and amenities. Provided that environmental, physical and infrastructure needs can be addressed, this form of development is appropriate to the rural-urban fringe.

### **B. Objectives**

1. To accommodate complementary low-density, multi-parcel, residential subdivisions in the rural-urban fringe area of the Yorkton Planning District as identified on May 1 as the "Low-Density Acreage Areas."
2. To encourage co-operative planning and servicing between participating member municipalities of the Planning District.

### **C. Policies**

1. The City of Yorkton will consult with the Yorkton Planning District prior to entertaining development proposals.
2. Servicing and infrastructure concerns will be addressed at the outset to avoid any potential conflicts.
3. Developers will have to satisfy municipal servicing or development agreements for the provision of services e.g. Sewage disposal or connections for water, waste, use of solid waste disposal and recreational facilities.

4. Areas for potential development will be outlined, and where possible, complementary policy should be included in the City of Yorkton Development Plan.
- 8) That Section 11.0 - Implementation Policies and Instruments be amended by adding the following as Sub-section 11.3 (A) - Contract Zoning immediately after 11.3 - Applications for Rezoning:

### **11.3 (A) CONTRACT ZONING**

The guidelines pursuant to Section 82 of *The Planning and Development Act, 1983* shall be:

1. Any request to rezone land to permit a specified proposal may be made the subject of an agreement pursuant to the provisions of Section 82 of *The Planning and Development Act, 1983*.
2. In reviewing the rezoning application, Council shall consider:
  - a) the use of land and buildings proposed for the site and shall ensure that the proposal conforms to all applicable provisions of the Development Plan;
  - b) the proposed development's density, bulk, height and site characteristics, and those of the surrounding area;
  - c) the effect the development of the site will have on:
    - i) the financial capability of the municipality to absorb any costs related to the development,
    - ii) the adequate proximity of schools, recreation and other community facilities,
    - iii) the adequacy of road networks in, adjacent to or leading to the development,
    - iv) the potential for the contamination of ground water,
    - v) the prevention of public access to shorelines or community facilities,
    - vi) the adequacy of fire and police protection;
  - d) the availability of existing land which is zoned to accommodate the type of land use proposed.
3. In evaluating a specific proposal which is the subject of rezoning, Council

shall consider:

- a) Land Use
- b) Site Frontage
- c) Site Area
- d) Front Yard
- e) Side Yard
- f) Rear Yard
- g) Lot Density
- h) Open Space
- i) Recreational Amenities
- j) Signs and Billboards
- k) Parking
- l) Landscaping
- m) Keeping of Livestock
- n) Timing and Phasing of Development

and in the agreement to rezone, may set standards for each of the above provisions equal to or greater than the standards presently existing in the requested zoning district.

- 4. The agreement may further include the following:
  - a) a description of the proposal;
  - b) reasonable terms and conditions with respect to:
    - i) the uses of the land and buildings or the forms of development, and
    - ii) the site layout and external design, including parking areas, landscaping and entry and exit ways but not including the colour, texture or type of materials and architectural detail;
  - c) time limits within which any part of the described proposal or terms and conditions imposed under Clause (b) shall be carried out.
- 5. Before entering into an agreement with the applicant, Council may require the applicant to deliver a performance bond acceptable to Council to assure implementation of the agreement.
- 6. On the rezoning of the land, none of the land or buildings shall be developed or used except in accordance with the proposal, terms and conditions, and time limits prescribed in the agreement."

- 9) This bylaw shall come into force and take effect after such time as the Minister of Municipal Government grants approval.

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MAYOR

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CITY CLERK

Introduced and read a first time this 23rd day of June, A.D., 1997.

Read a second time this 23rd day of June, A.D., 1997.

Read a third time and adopted this 11th day of August, A.D., 1997.



**MAP #1**  
**LOW DENSITY ACREAGE AREA**

