

**Rural Municipality of Laird No. 404  
Council REGULAR Meeting Minutes  
DECEMBER 09, 2021**

The Minutes of the REGULAR Meeting of the Council of Municipality of  
Laird No. 404, held in the Council Chambers of the RM Office,  
3025 Central Avenue, Waldheim, SK on Thursday, December 09, 2021.

**PRESENT:**

Reeve:	Sheldon Willems
Division 1	Ron Boldt
Division 2	Arnold Neufeldt
Division 3	Lorne Grunau – via zoom
Division 4	Ken Fehr
Division 5	Trent Ebach
Division 6	Luise Willems
Administrator:	Bertha Buhler

**DELEGATES:** Northbound Planning – Jared Stephenson  
**ABSENT:** Foreman Penner – no written report received

Deputy Reeve Willems called the meeting to order at 9:00a.m.

**AGENDA:**

234.Dec.21 **BOLDT:** That the agenda be approved as presented. **CARRIED.**

**MINUTES**

235.Dec.21 **GRUNAU:** That the Minutes of the Regular Meeting of Council held on November 18, 2021 be approved as presented. **CARRIED.**

**MINUTES**

236.Dec.21 **L. WILLEMS:** That the Minutes of the Special Meeting of Council held on November 25, 2021 be approved as presented. **CARRIED.**

**COMMITTEE APPOINTMENTS 2022 AMENDMENT**

237.Dec.21 **BOLDT:** That we amend the following appointment to:  
Development Appeals Board – Western Municipal Accounting  
Pound Keeper for North – vacant until filled. **CARRIED.**

**STATEMENT OF FINANCIALS**

238.Dec.21 **FEHR:** That the Statement of Financials for the month of November 2021 be approved as presented and are hereto attached to these minutes. **CARRIED.**

**ACCOUNTS FOR APPROVAL**

239.Dec.21 **GRUNAU:** That payment of accounts paid with cheque numbers 13023 to 13048; 2021121-2021130 in the amount of \$137,443.04 and Payroll in the amount of \$25,138.01 for a total of \$162,581.05 has been reviewed and is approved as presented. **CARRIED.**

**RM SHOP INTERNET**

240.Dec.21 **GRUNAU:** That we purchase internet services for the RM Shop from X-plornet LTE 25 MBPS unlimited data at \$80.00 per month plus installation fee of \$49.00. **CARRIED.**

Delegate Jared Stephenson, Northbound Planning arrived at 10:30a.m.-11:12p.m.

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OCP BYLAW AMENDMENT BYLAW NO. 09-2021

241.Dec.21 EBACH: That Bylaw No. 09-2021, being an amendment to Bylaw No. 5-2008 Official Community Plan, be read for the First Reading.

**1. SUBSECTION 3.11: RURAL OBJECTIVES AND POLICIES, NATURAL HAZARD LANDS: FLOOD AND SLOPE INSTABILITY**, is amended by:

**a.** Deleting clause 3.11.2 and replacing it with the following:

“

3.11.2 New development in areas that contain natural hazards related to slope instability, erosion, subsidence, or other similar geotechnical risks, may be restricted or prohibited.

a) Where development permitting is required, the subject land and proposed development must be deemed suitable for development and assessed as necessary to the satisfaction of the Municipality.

b) Where permitting is not required, the developer and/or landowner will be responsible for assessing or mitigating geotechnical risks in accordance with this Bylaw, the Zoning bylaw, any provincial requirements, and may be subject to enforcement.

c) For areas adjacent to the North Saskatchewan River Valley, Reference Map #4 shall provide guidance as to when geotechnical considerations are a relevant factor related to the use of land. The level of assessment or investigation required will be based on evaluation of the site-specific circumstances and will be identified in the Zoning Bylaw.”

**b.** Deleting clauses 3.11.7 and 3.11.8, and replacing them with the following: “

3.11.7 Multi-parcel Residential development is not encouraged on Natural Hazard Lands regardless of determination of suitability through design, development standards, or mitigative measures. Where land use redesignation is required, Council will consider whether the development is in the best interests (social, economic, environmental, and administrative) of the Municipality.

3.11.8 Development which is agricultural, non-permanent, and which cause minimal disturbance are preferred in natural hazard land areas provided they are suitable for the subject land.”

CARRIED.

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ZONING BYLAW AMENDMENT BYLAW NO. 10-2021

242.Dec.21 L. WILLEMS: That Bylaw No. 10-2021, being an amendment to Bylaw No. 6-2008 Zoning Bylaw, be read for the First Reading.

1. SECTION 3: GENERAL REGULATIONS, is amended by deleting clauses 3.29 – 3.33, including Figure 1, in their entirety and replacing them with the following: “

- 3.29 Development proposed on lands identified as being potentially hazardous with respect to stability, flooding, erosion, drainage, or other natural hazards shall be assessed as part of the application process for safety and suitability of development. Where, in the view of the Municipality, suitability cannot be determined independent of additional supporting information such as topographic information, assessment or investigation by a certified professional, the Municipality may require additional information to complete an application. Any costs related to a request for additional information will be those of the proponent.
- 3.30 Determination of development or site suitability and the level of supporting information, geotechnical assessment, or investigation required, shall be based on the following principals:
  - a. The nature of the proposed development (e.g., permanent, semi permanent, moveable, etc.);
  - b. the ability of the Municipality to ensure suitable development independent of supporting information;
  - c. Potential negative effects on adjacent lands;
  - d. Disturbance and loading effected on a slope (including excavation, placement of fill, landscaping, and road or access construction);
  - e. Natural and proposed alteration of drainage patterns;
  - f. Known concerns or constraints related to slope stability in the vicinity or on similar land formations, visual observation of instability, erosion, and slope saturation issues, warranting further investigation; and
  - g. Appropriate seasonal timing of visual observation.
- 3.31 The Development Officer may impose special conditions, such as but not limited to, engineered footings and foundations, flood-proofing, drainage, or suitable septic systems in an effort to protect against geotechnical instability, erosion, flooding, and environmental preservation. Standards and conditions may be registered to title in the land titles system using the appropriate legislative tool at the cost of the proponent.
- 3.32 Subject to any more stringent requirement imposed by a provincial development standard to minimize natural hazards to people and property, the removal of trees and vegetation on lands within 20 meters of any watercourse, waterbody, escarpment or of the crest of a slope greater than 15%, shall not be permit exempt, and shall require the approval of the Municipality and may be subject to determination of suitability.
- 3.33 No permanent development shall be sited on lands within the 1:500 flood design elevation plus a freeboard of 0.5 meters and must be flood-proofed in accordance with provincial regulation.

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**2. SECTION 5: ZONING DISTRICTS, SCHEDULE 1: EROSION AND SLOPE INSTABILITY OVERLAY (SI), is deleted in its entirety and replaced by the following:**

**SCHEDULE 1: EROSION AND SLOPE INSTABILITY OVERLAY (SI)**

***Purpose and Intent:***

The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of excessive soil erodibility and/or ground instability. The following regulations are intended to apply supplementary standards for development in areas designated as having potential for unstable soil conditions due to erosion or excessive slopes.

**1.0 Defining the Area:**

1. No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability without supporting geotechnical assessment or evaluation.
2. For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of the North Saskatchewan River Valley and its tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of 100 meters.
3. The Municipality may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points.

**1.1 Allowable uses:**

All uses listed by the underlying zoning district subject to any hazard lands policies and general regulation of the Municipality, or higher order of government.

**1.2 Supplementary Regulations, Requirements, and Evaluation:**

1. The Municipality shall first endeavor to assess specific development permit applications based on the specifics provided in the application and any additional materials voluntarily provided by the applicant.
2. Where the Municipality can independently determine the suitability of development based on the information supplied by the applicant and upon cursory and/or visual inspection, notwithstanding *GENERAL ADMINISTRATION 2.3*, the application shall be referred to Council for review and approval, to be evaluated solely on the grounds of geotechnical suitability.
3. Where the Municipality cannot independently determine the suitability of development based on the information supplied by the applicant and upon cursory and/or visual inspection, the following shall apply:
  - a. Any application for a development permit on any parcel of land that lies wholly or partially within an area designated in the Slope Instability Overlay Area (SI), must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.
  - b. The geotechnical engineer shall answer the following questions:
    - i. Will the proposed development be detrimentally affected by natural erosion or slope instability?

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- ii. Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- c. Unless the geotechnical engineer can answer "no" in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- d. A development permit shall not be issued unless the report on the site, presented and endorsed by the geotechnical engineer, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- e. If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.
- f. Any refusal, development standards or conditions of a permit, may be appealed in accordance with the provisions of the Act.

CARRIED.

MINISTRY OF HIGHWAYS SNOWPLOWING AGREEMENT

243.Dec.21 L. WILLEMS: That we enter into a custom snow plowing agreement with Ministry of Highways for 2021-2022 of up to \$10,000.00.

CARRIED.

CORRESPONDENCE

244.Dec.21 FEHR: Correspondence SARM (FYI)

- a. All other correspondence emailed to Council at time received in-office.

Correspondence General (FYI)

- a. NCPTC Sept2021 minutes
- b. SMHI 2021 hail claims listing
- c. Construction Codes effective 2022
- d. AM FCM Road Structures Phase1 report-complete-FYI
- e. Pubworks Time Sheets November

Dev/Bldg Permits Issued from last meeting date:

- a. Berkhout Irrigation proposal – no permit required – ag accessory

CARRIED.

245.Dec.21 FEHR: That the Council meeting be adjourned at 12:20p.m.

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Reeve/Deputy Reeve

(SEAL)

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Administrator