

Mid-Sask Planning District Agreement

Pursuant to *The Planning and Development Act, 2007*

MADE THIS 21 DAY OF December, 2012 BETWEEN:

The Urban Municipality of Drake
Saskatchewan, hereinafter called the
"Village of Drake"

OF THE FIRST PART;

The Urban Municipality of Jansen
Saskatchewan, hereinafter called the
"Village of Jansen"

OF THE SECOND PART;

The Urban Municipality of Lanigan
Saskatchewan, hereinafter called the
"Town of Lanigan"

OF THE THIRD PART;

The Urban Municipality of LeRoy
Saskatchewan, hereinafter called the
"Town of LeRoy"

OF THE FOURTH PART;

The Urban Municipality of Manitou Beach
Saskatchewan, hereinafter called the
"Resort Village of Manitou Beach"

OF THE FIFTH PART;

The Urban Municipality of Nokomis
Saskatchewan, hereinafter called the
"Town of Nokomis"

OF THE SIXTH PART;

The Urban Municipality of Watrous
Saskatchewan, hereinafter called the
"Town of Watrous"

OF THE SEVENTH PART;

The Urban Municipality of Watson
Saskatchewan, hereinafter called the
"Town of Watson"

OF THE EIGHTH PART;

The Rural Municipality of LeRoy No. 339
Saskatchewan, hereinafter called the
"RM of LeRoy"

OF THE NINTH PART;

The Rural Municipality of Prairie Rose No. 309
Saskatchewan, hereinafter called the
"RM of Prairie Rose"

OF THE TENTH PART;

The Rural Municipality of Osborne No. 310
Saskatchewan, hereinafter called the
"RM of Osborne"

OF THE ELEVENTH PART;

and
The Rural Municipality of Morris No. 312
Saskatchewan, hereinafter called the
"RM of Morris"

OF THE TWELFTH PART.

The Parties named above are entering into an agreement, pursuant to the provisions of *The Planning and Development Act, 2007* (PDA) to establish a Planning District to advise the Parties and guide development in the areas shown on a map attached as Schedule 'A'.

The Parties individually and collectively agree that:

1. The adoption of this agreement, subject to Sections 97, 98 and 99 of the PDA, to establish "The Mid-Sask Planning District" (The Planning District).
2. The area of the Planning District shall encompass all those lands situated within the Village of Drake, Village of Jansen, Town of Lanigan, Town of LeRoy, Resort Village of Manitou Beach, Town of Nokomis, Town of Watrous, Town of Watson, RM of LeRoy, RM of Prairie Rose, RM of Osborne, and RM of Morris that that are outlined on Schedule "A".

The Commission

3. A District Planning Commission (Commission), to be known as "The Mid-Sask Planning District Commission", is established pursuant to Section 97(b) of the PDA. The Commission will consist of 12 members, one to be appointed by each Council from the Council of each affiliated municipality.
4. The tenure of office of the members of the Commission shall be as follows:
 - a. the affiliated municipalities will appoint one Council 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 designate an alternate Council member who shall attend meetings in the absence of the appointed Council member;

- c. 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 only; and
 - d. appointees to the Commission shall continue to hold office until a successor is appointed by their respective municipal Council.
5. The Parties agree:
- a. that a majority of the appointed members of the Commission constitutes a quorum of the transaction of business;
 - b. a simple majority of those attending constitutes a decision of the Commission;
 - c. at their discretion, the Commission may include and invite other organizations and employees, as non-voting members, to participate and provide input to their meetings and business.

Commission Mandate

6. The initial objectives of the Commission are to:
- a. develop a new District Official Community Plan for twelve municipalities, meeting the requirements of the PDA and the needs of each municipality in the Mid-Sask Planning District (including specific policies that reflect the regional goals and interests to provide greater consistency in development and processes);
 - b. advise each municipality in the Mid-Sask Planning District in the preparation of their Official Community Plans to comply with the District Official Community Plan and meet the requirements of the PDA;
 - c. advise each municipality in the Mid-Sask Planning District in the preparation of zoning bylaws to comply with the District Official Community Plan and meet the requirements of the PDA; and
 - d. carry out implementation of the District Official Community Plan.
7. As outlined in Section 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. assist the Council of any municipality that is located, in whole or in part, in the Planning District in the preparation of a zoning bylaw or any other bylaw authorized by the PDA;
 - c. review any existing 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;

- d. suggest to any Council ways and means of financing public or capital works to be carried out by public authorities over a specified period;
 - e. Investigate and study proposed subdivisions or developments, within and adjacent to the Planning District, and submit reports and recommendations to the appropriate Council;
 - f. identify social or economic implications to a member municipality of adopting the Commission's recommendations; and
 - g. prepare and submit to the affiliated municipalities an operating budget for the Planning District for the upcoming fiscal year.
8. In addition to referrals regarding planning and zoning within the area of the Planning District:
- a. all Municipalities agree to refer all discretionary use and multiple residential development applications within the Mid-Sask Planning District to the Commission for comment;
 - b. The Municipalities must provide all permits and applications to the Commission no later than 14 days prior to the Commission's regular scheduled meetings;
 - c. the Commission will provide a written recommendation to the affected municipality within 14 days of the referral to the Commission; and
 - d. the Parties agree to withhold an approval decision on discretionary use and subdivision applications until comments from the Commission have been received for consideration.
9. The Commission may also discuss other topics of mutual interest that would advance the goals and objectives of the region including the optimum use of resources (human, financial, etc.), avoid the duplication of services; increase the efficiency and effectiveness of service delivery; allow for consistent regulations and policies, and create an overall better quality of life for residents of the region.

Procedures

10. The District Planning Commission shall annually appoint the chairperson and vice-chairperson for the Commission, from among the appointed representatives, during the first meeting of the calendar year.
11. Pursuant to Section 100 of the PDA the Commission may:
- 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 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 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.
12. The Commission will hire a Secretary to administer and manage the business of the Planning District under the direction of the Commission.
13. The Secretary will be:
- a. responsible for ensuring administration of the Planning District and managing meetings, hearings, agendas, financial reporting, accounting, advertising, keeping of minutes, plan amendments, issuance of decisions and other business;
 - b. responsible for the hiring and management of other Planning District personnel, under the direction of the Commission;
 - c. paid for from the finances of the Planning District; and
 - d. 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. any additional responsibilities of the position.

Remuneration

14. The Parties agree that:
- a. the Councils of affiliated municipalities shall have the power to remunerate their appointees to the Commission and that the amount of remuneration, if any, will be fixed and provided by the respective Councils;
 - b. any consultants or employees of the Commission will be paid by the Commission and remuneration will be fixed by the Commission.

Funding

15. Funds required to meet the expenses of the Planning District and the Commission, as approved by the Councils of the Urban and Rural Municipalities, shall be contributed by the Urban and Rural Municipalities on the basis of a flat fee for each municipality with the remainder based on a per capita assessment using the last published Canada Census for each municipality.

16. The amount of membership fees will be determined at the first meeting of the calendar year using the preliminary year- end financial statements.

Dispute Resolution

17. In the event that a dispute arises between two or more of the Parties, the Parties will attempt to resolve the issue by following a progressive dispute resolution process by:
- a. firstly, striking a negotiating committee, consisting of two elected officials and one staff member representing each affected municipal Council, to negotiate a resolution;
 - b. secondly, hiring a professional mediator to guide discussions to resolve the dispute working with the appointed committee;
 - c. thirdly, seek non-binding arbitration from the professional mediator or a legal professional;
 - d. lastly, voluntarily refer the dispute to the Saskatchewan Municipal Board, in accordance with Section 393 of *The Municipalities Act*, for a binding decision.

Amendment, Withdrawal, or Dissolution

18. With regards to amending this agreement:
- a. the agreement will only be reviewed and amended upon:
 - i. application from the Council of one of the Parties to the agreement;
 - ii. adoption of a new Official Community Plan for the Planning District;
 - iii. inclusion of a new municipality into the Planning District, which is at the discretion of the Commission; or
 - iv. the termination of affiliation of a party to this agreement.
 - b. amendments will be prepared and submitted to each Council by the Commission for the Planning District;
 - c. amendments will not be submitted for Ministry of Government Relations approval until each affiliate Council has signed the new agreement; and
 - d. amendments will not take effect until an order has been issued by the Minister of Government Relations.
19. Any municipality wishing to withdraw from the Planning District must:
- a. follow the dispute resolution mechanisms provided for under Section 17 of this agreement.
 - b. provide 90 days written notice by the Council to the Commission, stating the reasons for withdrawal from the Planning District; and
 - c. seek the opinion of the Commission members to withdraw from the Planning District and inform the Minister of Government Relations of these opinions.

20. Should a municipality terminate its affiliation with the Planning District, all funds submitted to the Planning District will remain with the Planning District.

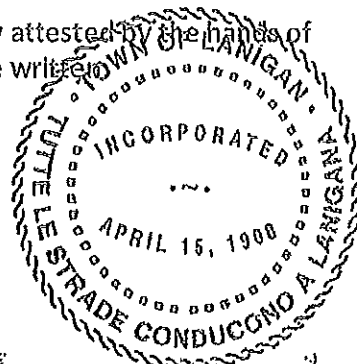
21. Should the Planning District be dissolved, all assets and liabilities of the Planning District will be distributed in proportion of population of each municipality of the whole using the last published Canada Census for each municipality.

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

THE TOWN OF LANIGAN

[Signature]
Mayor

[Signature]
Administrator



THE TOWN OF LEROY

[Signature]
Mayor

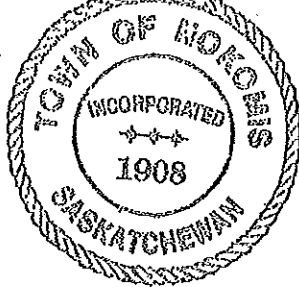
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Administrator



THE TOWN OF NOKOMIS

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Mayor

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Administrator



THE TOWN OF WATROUS

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Mayor

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Administrator



THE TOWN OF WATSON

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Mayor

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Administrator



THE RESORT VILLAGE OF MANITOU BEACH

Mayor

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Administrator



THE VILLAGE OF DRAKE

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Mayor

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Administrator



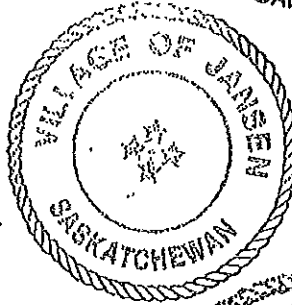
THE VILLAGE OF JANSEN

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Mayor

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Administrator



THE RM OF LeROY No. 339

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Reeve

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Administrator



THE RM OF PRAIRIE ROSE No. 309

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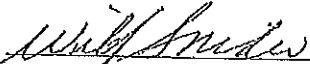
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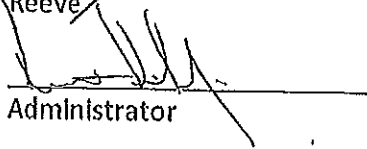
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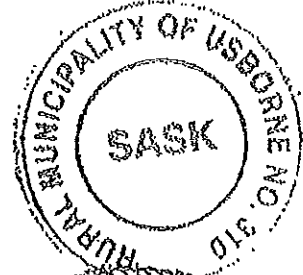
THE RM OF USBORNE No. 310



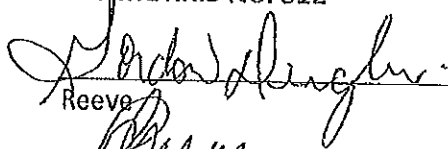
Reeve




Administrator



THE RM OF MORRIS No. 312



Reeve



RM Administrator



Approved by the Minister of Government Relations
of the Province of Saskatchewan

This _____ day of _____, 2012.

Minister of Government Relations