

**RESORT VILLAGE  
OF  
CHITEK LAKE  
BASIC PLANNING STATEMENT  
BYLAW NO. 60 /2005**

Prepared November, 2004

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# 1 INTRODUCTION

## 1.1 Authority

In accordance with Sections 39 and 42 of The Planning and Development Act, 1983, (hereinafter called the Act), the Council of the Resort Village of Chitek Lake has prepared and adopted this Basic Planning Statement to provide the Resort Village with goals, objectives and policies relating to the future land use and development of the resort area and its environment.

## 1.2 Scope

The policies of this Basic Planning Statement (BPS) shall apply to the incorporated area of the Resort Village. Objectives and policies related to areas outside the current limits of the Resort Village shall guide Council in its actions regarding the land and negotiations with adjoining First Nations, neighbouring rural and urban municipalities and the Provincial Government (regarding adjoining Crown land). Policies that address the future development outside the village limits will take effect on annexation of those areas to the Resort Village. All development authorised by the Zoning Bylaw shall conform to the objectives and policies contained in this BPS. Definitions of terms used in the BPS are contained in the Zoning Bylaw. For definitions of most terms used in the BPS, consult the Zoning Bylaw.

## 1.3 Background

The Resort Village (the RV) is located on Chitek Lake, which lies approximately 55 km. north of the Town of Spiritwood in northwest Saskatchewan. The Rural Municipality of Big River No. 555 (the RM) adjoins the Resort Village to the north and east. The west boundary is Chitek Lake itself, and the Pelican Lake First Nation (Reserve No. 191) adjoins the southern boundary of the Resort Village.

The primary attractions of the area include the forest environment, superior fishing, and proximity to areas of big game hunting. Council wishes to conserve these attractions, and particularly to maintain the natural environment and residential character of the Resort Village. Chitek Lake was subdivided as a cottage and commercial resort subdivision in 1952, and became a Resort Village in 1978. The Resort Village is fortunate to own numerous Public/Municipal Reserves and subdivided Lots or Blocks within its boundaries. Saskatchewan Environment (SE) also owns large areas of Crown land within Chitek Lake.

In 2001, Chitek Lake contained 363 lots, and 36 parcels. According to the 2001 Census there is a permanent population of 174. This has dropped by about 19% from 1996, when there were 214 permanent residents. During the summer, the population increases to approximately 500-600. Also according to Statistics Canada, in 2001 there were only 80 dwellings occupied permanently in Chitek Lake. This compares to a total of 257 permanent and seasonal dwellings according to the records of the RV. The adjoining Pelican Lake First Nation had a 2001 population of 756, which is a 7% increase from the 1996 Census totals.

The following shows the comparative permanent populations of the Resort Village and the nearby Pelican Lake First Nation, according to Statistics Canada.

<b>Year</b>	<b>R.V. of Chitek Lake</b>	<b>Pelican Lake F. N.</b>
1981	170	391
1986	173	378
1991	195	419
1996	214	707
2001	174	756

Although more demographic analysis could be done to study different aspects of the above results (e.g. to learn why the Resort Village's population declined from 1996-2001 after increasing for the previous 15 years), there good indications that the population of both Chitek Lake and the adjoining First Nation will both continue to increase.

For example, a report done in April, 2001 by Sask. Health entitled *Health Services Utilization and Research Committee Summary Report No. 15* concluded that the Parkland Health District (including Chitek Lake) will have a 4% increase in total population by 2015. Until further population projections are available, Council will use this as a guide in planning for future community growth, responding to land use trends and improving or enlarging Village infrastructure.

## **2 COMMUNITY GOALS**

The Goals for the Resort Village of Chitek Lake are identified as follows:

**2.1** To protect and enhance the environmental quality of the Resort Village and its surrounding area for the primary purpose of developing a recreational and residential community for its citizens.

**2.2** To provide for the orderly and appropriate development of land, consistent with and complementary to the primary residential purpose of the community, by avoiding or minimizing land use conflict and regulating the size, quality and proper location of development.

**2.3** To provide for appropriate resort commercial development within the Resort Village that is compatible with the residential development.

**2.4** To support the aforementioned environmental, residential and commercial Goals by permitting only light industrial development in the Resort Village which would not result in land use conflict, harm the natural environment or negatively affect Chitek Lake's recreational and residential character.

## **3 RESIDENTIAL DEVELOPMENT**

### **3.1 Issues and Concerns**

The terrain around Chitek Lake has a relatively high degree of variation, particularly within sight of the lake. Parts of the shoreline contain areas of potential instability. A particular concern is that any new development and subdivision should avoid damaging steep slopes, using excessive or other inappropriate methods of cut, fill or construction. Removal of trees and vegetation on shoreline areas could also be potentially hazardous in some areas due to the potential for triggering bank stability and erosion.

The character of residential development in the resort village has been one of relatively recent construction, more recently of a size compatible with possible permanent residence. Council wants to maintain and enhance this character by ensuring that any future construction and development is high quality and will not result in land use conflict in the area.

Also of concern to Council and area residents is the possibility of extensive fire damage given limited fire protection available. Protection of the residential areas through enforcement of acceptable property standards (e.g. prohibiting the inappropriate storage of materials in the residential areas) is a priority for the municipality.

Mobile home development is scattered in various parts of the Resort Village. Council has concerns about the following current and potential problems, which have arisen with the dispersed development pattern of mobile homes and permanent dwellings:

- many mobile homes have lower-quality or older building standards than the single detached dwellings which surround them;
- owners of single-detached dwellings in Chitek Lake and Council have concerns about the financial impact of allowing more, lower-assessed mobile homes in the Village;
- some property owners are also concerned about the possible negative visual impact of allowing long, narrow mobile homes in areas now developed by single detached dwellings which usually extend across most of the width of their lot.

To resolve these concerns, Council intends to prohibit any additional mobile homes in Chitek Lake. All existing mobile homes will remain as Legal, Non-conforming Uses and must be dealt with under the provisions of Sections 113 to 118 of the Act. Council will continue to allow modular homes (as defined in the Zoning Bylaw) in the R-Residential District of the Zoning Bylaw.

### **3.2 Objectives**

- To maintain the quality and character of residential development in the Resort Village.
- To widen the types of residential options available in the Resort Village.
- To decrease the risk of fire in Chitek Lake.
- To avoid the intrusion of scattered commercial development in residential areas.
- To control development on hazard lands.
- To avoid the intrusion of private development on Resort Village or public land.
- To provide for possible future residential development in the Resort Village.
- To conserve the forest environment and the existing amenity within the Resort Village through the appropriate protection of healthy trees.

### **3.3 Policies**

To ensure that the Objectives for Residential Development may be achieved, Council shall consider but not be limited to, the following policies when making decisions regarding the land uses of this type which are specifically authorized by the Zoning Bylaw:

**3.3.1** The bylaws of the Resort Village shall require the development of dwellings of at least a size and standard of construction compatible with existing development;

**3.3.2** The Resort Village bylaws shall provide for adequate separation between dwellings and ensure that such separation areas are kept clear of fire hazards. The size and height of buildings shall also be regulated;

**3.3.3** Council shall also investigate ways of improving fire protection in the municipality and the surrounding area.

**3.3.4** The zoning bylaw will prohibit mobile homes as a form of residential development within residential areas.

**3.3.5** Council may permit different types and densities of future residential development where it would be in proximity to, but not conflict with existing development, and would not be located on hazard lands.

**3.3.6** The zoning bylaw will provide for other public facilities and recreational uses in a residential district that are consistent with and complementary to existing residential uses of that district.

**3.3.7** The zoning bylaw will contain provisions for the preservation of mature, healthy trees.

**3.3.8** No business development (i.e. commercial or industrial use) shall be allowed in residential districts except for limited, accessory home occupations, at Council's discretion. Council's discretion shall be exercised based on the following guidelines:

- The home occupation should not cause any apparent variation from the residential appearance of the dwelling;
- The home occupation will not require the construction of an additional building or other structure;
- Exterior storage of materials shall not be necessary in the operation of the home occupation;
- The participants in the home occupation at the dwelling will be restricted to the residents of the dwelling; and
- Any concerns of Council regarding non-residential traffic or parking are resolved through
- The application of appropriate conditions on the required Permit.

## **4 BUSINESS DEVELOPMENT**

### **4.1 Issues and Concerns**

The existing resort commercial development has been an integral and focal part of recreational use and development in the Resort Village, providing needed and desired services for residents and visitors alike. Council wants to have a viable commercial sector to provide these services, and to have the existing and future commercial buildings maintained in an attractive state.

Council also recognizes that there may be opportunities for some new commercial ventures within an appropriate area of the Resort Village. It wishes to provide for those commercial developments that are compatible with the resort nature of the community, and are sensitive to the forest environment that makes the Chitek Lake attractive.

As more of the cottages become year-round dwellings, home based business could become more common. Council will provide for these uses where it is satisfied that they will not be apparent and objectionable to the neighbouring residences or incompatible with the commercial/recreational focus of the Resort Village.

To implement the Community Goals outlined in Section 2.4, Council will not allow any industrial development in the Resort Village, which would result in land use conflict and contradict Chitek Lake's recreational and residential character.

## **4.2 Objectives**

- To provide for the existing commercial resort development in the Resort Village and for future improvements to these facilities.
- To prevent inappropriate commercial development from locating in residential areas of the Resort Village.
- To provide for limited business uses in residential areas in the form of home occupations and tourist cabins compatible with cottage development.
- To prevent any unacceptable industrial development in the Resort Village.

## **4.3 Policies**

To ensure that the Objectives for Business Development may be achieved, Council shall consider but not be limited to, the following policies when making decisions regarding the land uses of this type which are specifically authorized by the Zoning Bylaw:

**4.3.1** The zoning bylaw will provide for general commercial resort development within the areas designated for commercial use on Map 1 - Future Land Use. Council may consider adding additional land to this area by rezoning of residential or other land where such land is abutting existing commercial development.

**4.3.2** Council may provide for low density tourist accommodations (e.g. minor Bed and Breakfast dwellings within residential areas at Council's discretion. Council's discretion shall be exercised based on the following guidelines:

- The tourist accommodation shall only consist of rental residential units, and shall not include restaurants, confectioneries, commercial recreation facilities or other accessory uses of a commercial nature.
- The site should have good access to Chitek Drive and the main access road to the resort village, be located in proximity to the commercial areas, and in preference where several dwelling units are proposed, located on a corner lot.
- The existing lot shall be large enough to provide for all required parking to either be contained on the same lot as the proposed operation or on adjacent land which may be owned or leased by the applicant.

**4.3.3** The zoning bylaw will provide a separate zoning district for industrial development in the bylaw text and on the Legend of the zoning map. At the current time, no land will be either be designated as industrial on the Opportunities, Constraints and Future Land Use Map, which forms part of this BPS, or zoned as such on the Zoning Map. Subject to the Goals, Objectives and Policies of the BPS, Council may consider adding specific industrial land to the two maps in order to allow an acceptable industrial use within Chitek Lake.

## **5 RECREATIONAL, PARK AND OPEN SPACE DEVELOPMENT**

### **5.1 Issues and Concerns**

Council recognizes that the Resort Village provides one of very few public access points to Chitek Lake. A provincial demand exists for resort facilities (e.g. marinas, recreation centers) on Chitek Lake. Council wants to ensure that such facilities should be of an appropriate size and located so that conflict with residential use will be avoided or at least minimized.

The recreational facilities within the Resort Village are comprised of a mixture of developments on public and private lands. The residents of Chitek Lake are fortunate because their municipality owns a good amount of land within current Resort Village limits. Not all of this land is suitable for building development (some of it is now Public/Municipal Reserve

and some is low-lying and floodprone). Council may use funds derived over time from the prudent sale of this land to pay for special projects such as improved services or other public amenities.

Before selling any of these larger areas for appropriate uses as outlined elsewhere in the BPS, Council should ensure that the funds derived from the sale(s) will cover the both the initial development costs and the possible future maintenance/operational charges for the new service or amenity. This may be done by using a cost-benefit analysis for each new major project being considered by Council.

Council has recently purchased Parcel D (the former Saskatchewan Environment (S.E.) tree nursery) to the north of the S.E. office/shop complex. Council plans to annex this property and possibly develop it as a 3 season (non-winter) park for Recreation Vehicles (Trailer Coaches as defined by the Zoning Bylaw). The sites in this RV park would be serviced and only allowed to be leased and occupied for the entire season, not on a short-term basis. This lease restriction would attract a different type of seasonal residential users to avoid competing with the nearby S.E. campground.

As outlined in the following list, the Resort Village and Saskatchewan Environment own almost all of the areas now developed as recreation and parkland, as well as other undeveloped Blocks. The areas listed below consist of large parcels only. Not listed are any of the 66 smaller, surveyed residential lots owned by the Resort Village, (consisting of 4 shoreline and 62 backshore lots).

<b><u>Landowner</u></b>	<b><u>Location or Legal Description</u></b>	<b><u>Present Use</u></b>
Resort Village	Public Reserves in NSR subdivision	vacant
Resort Village	Public Reserve south of Cuelenaere Cr.	vacant
SK Highways	Crown land south of Lakeshore Dr.	beach & playground
Resort Village	Public Reserves between Chitek Dr. & Pine St.	picnic site/vacant
Resort Village	Public Reserve west of Chitek Dr.	boathouses/vacant
Resort Village	Public Reserve north of Tyndall Pl.	playground/vacant
Resort Village	Lot 18 Block 9, Plan 82B01827, S. of Poplar Pl.	vacant
Resort Village	Parcel C Plan 77B04148, west of Pine St	vacant
Resort Village	Lot 1 Blk. 9, Plan 80B15412, E. of Industrial Dr.	Resort Village shop
Resort Village	Pcl. D (former Sask. Env. tree farm)	vacant
Resort Village	Parcel E Plan 77B04148, east of Pine St	ball diamonds/vacant
Resort Village	Parcel A2 Plan 89B00464, east of Pine St	vacant

Along both the lakeshore and the Highway in the Resort Village, the existing trees and vegetation both can both aid in stabilizing steep slopes and providing an important visual buffer for the resort and residential development area. Therefore, Council wishes to exclude such areas from any potential subdivision or development proposals except for dedication as Environmental or Municipal reserve.

Sufficient land exists in commercial areas and the seasonal campground to provide for public camping. Council wishes to prohibit camping in residential areas except in designated campgrounds.

## **5.2 Objectives**

- To maintain and protect the natural forest environment in and adjoining Chitek Lake for its visual, environmental, and recreational value to the community.
- To designate and develop a community centre within the Resort Village consistent with the recreational needs and desires of Resort Village residents.



- To use the authority available to municipalities to regulate “improvements or landscaping” on Municipal or Environmental Reserves under Section 197.2 of the Act, the BPS Policies and the Regulations of the Zoning Bylaw to protect the public open space along the lake, and allow only private uses at appropriate shoreline locations.
- To also use Section 197.2 (or the legal-conforming provisions) of the Act to recognise existing uses which may be inappropriate by reason of their specific use or current location in the Resort Village, and to control their expansion or facilitate their relocation to a more appropriate site.
- To provide for public access to, and stabilization of, the lakeshore, and to minimize physical and visual obstructions of shoreline public lands.
- To provide for Municipal or Environmental Reserves (previously called Public Reserves) which are suitable for public recreational use.
- To protect hazard lands from inappropriate development.
- To provide for such facilities as sports fields, a community hall, an RV park and other facilities as may be desired by the community in the future.

### **5.3 Policies**

To ensure that the Objectives for Recreational, Park and Open Space Development may be achieved, Council shall consider but not be limited to, the following policies when making decisions regarding the land uses of this type which are specifically authorized by the Zoning Bylaw:

**5.3.1** Within the area designated as potential open space, development shall avoid all hazard land with geotechnical, flooding or environmental problems. Council may require such lands to be left as open space or to be dedicated as environmental or municipal reserve, together with such additional land as Council considers necessary to protect the slope, when considering any subdivision or rezoning in area.

**5.3.2** Within the area designated as Future Urban Development on Map 1 “Opportunities, Constraints and Future Land Use” any expansion of the area devoted to farmland (field crops only, since pasturing of animals will not be allowed) seasonal campground or other productive use shall require a development permit. No clearing of land will be permitted without a development permit for an approved use.

**5.3.3** In general, public recreational and community facilities will be allowed, unless the land is found unsuitable for the particular use by Council.

**5.3.4** Major facilities shall only be developed after opportunity for public comment has been given to the electorate of the Resort Village.

**5.3.5** The bylaws of Council will control or prohibit the use of open space lands for camping and other similar private use. Camping will only be permitted on private lots in residential areas for guests of a resident on the lot, and in designated campgrounds with appropriate sanitary facilities.

**5.3.6** To preserve and enhance the lakeshore by using appropriate Provincial legislation (e.g. Section 197.2 of the Act) and local Bylaws (e.g. Objectives and Policies of this BPS such as this Section and Subsection 3.3.7), any lands within the Resort Village located between private lots and water’s edge of the lake may only be developed with landscaping, shoreland protection measures and limited numbers of boathouses, lifts etc. in clusters at appropriate locations.

## **6 SERVICES**

### **6.1 Issues and Concerns**

Council recognizes the need to maintain adequate lake levels for recreation, possible domestic water supply, fire protection etc. In this respect, the Resort Village will work with the Pelican Lake First Nation and the Provincial government (Sask Environment and the Saskatchewan Watershed Authority) to ensure that the Lake levels remain adequate for these purposes.

The servicing issues for the Resort Village include investigating piped sewer and water, and the possibility of paving or hard surfacing the interior roads. As part of this process, Council will ensure that all available grants or loans from senior governments are researched, and where appropriate, applied for.

The level of services required in the Resort Village is higher than that of many other resort areas.. All properties are required to use pump-out septic tanks to dispose of sewage. The Resort Village provides a pump-out service, which is paid for by property taxes. Chitek Lake also operates a municipal sewage lagoon and landfill to the southeast, outside the municipal boundary on land leased from Sask. Environment (in the west half of Section 10-55-12-3. The landfill requires upgrading to meet Provincial standards.

Water supply is the responsibility of the individual property owners. Some lot owners use filtered lake water as a domestic supply. Others use individual or communal private well systems. The Village has a bulk water supply source available on the east side of the Highway. Council is also considering possible discussions about shared water services with the Pelican L. First Nation.

The size and development of most roads is considered adequate at this time. Road maintenance and snow clearance services are provided by the Resort Village.

### **6.2 Objectives**

- To maintain services at existing levels.
- To ensure future development will not create an undue burden on the resources of the Resort Village.
- To ensure convenient access to each lot created in the Resort Village.
- To provide for higher levels of service where desired by council and financed by the residents of the municipality benefited by the service.
- To investigate, and where economically feasible, improve the environment of the Resort Village by supplying piped services and hard surfaced, dust-free roads.
- To cooperate with the Pelican Lake First Nation and the Provincial government in the timely, effective construction and operation of a weir on the Chitek River, and in other possible water conservation measures.

### **6.3 Policies**

**6.3.1** To ensure that the Objectives for Recreational, Park and Open Space Development may be achieved, Council shall consider but not be limited to, the following policies when making decisions regarding the land uses of this type, which are specifically authorized by the Zoning Bylaw.

**6.3.2** Any development of communal water systems shall only be considered on a strict user cost and user pay system. Any system providing for multiple or public users must be tested at regular intervals for quality of water. One method of improving the efficiency and capacity of the system may be to share water services with the Pelican Lake First Nation.

**6.3.3** As a general policy the municipality will provide new services to individual private properties on a user pay principle, and only after it is satisfied that sufficient demand exists for the service.

**6.3.4** Where a subdivision of land will require the installation or improvement of municipal services and streets, the developer will be required to enter into a servicing agreement with the Village, pursuant to *The Planning and Development Act, 1983*, 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, if deemed necessary by Council, the posting of performance bonds or letters of credit. The Resort Village will consider sharing in the costs of a service only where the proposed service is of wider benefit to the whole community.

**6.3.5** Council recognizes that changing environmental regulations may require a substantial change in the methods uses for solid waste disposal. To minimize the potential costs, Council will investigate the possibility of a regional waste disposal system within an agreement with neighbouring municipalities. The municipality will investigate the use of a garbage transfer station as an alternative to the existing resort village landfill.

## **7 IMPLEMENTATION**

### **7.1 Zoning**

**7.1.1** The principal means of implementing the Basic Planning Statement shall be the Zoning Bylaw to be adopted in conjunction with it.

**7.1.2** No development, which is inconsistent with this Basic Planning Statement shall be permitted.

**7.1.3** The purposes of the Zoning Bylaw shall be to implement the objectives and policies of the Basic Planning Statement to provide for the amenity of the area, and the health, safety and general welfare of the inhabitants of the Resort Village, through proper land use control.

**7.1.4** Amendments to the zoning bylaw shall only be considered where consistent with the Basic Planning Statement.

**7.1.5** The zoning bylaw will implement the land use policies contained in this Basic Planning Statement by prescribing and establishing zoning districts for residential uses, commercial and industrial uses, and agricultural and development reserve lands. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, and any other factors of particular concern within the district.

The purpose of these districts shall be:

**Residential District** - to provide for single unit dwellings and associated accessory use, and other uses which are complimentary to residential-recreational use.

**Commercial District** - to provide for resort commercial and commercial recreational development compatible with the resort development in the Resort Village.

**Industrial District** - to provide landowners and potential developers with a clear indication of the types of acceptable industries which may be allowed in the Resort Village by rezoning appropriate land on a case-by-case basis, in response to specific proposals or Council initiatives.

**Open Space Recreational District** - to provide for protection of public lands and other areas with physical or man-made limitations to development.

**Future Development District** - to provide for natural parks and forested recreation areas, municipal utility and service facilities, and existing non-intensive uses, while reserving some of the land for future development when such development may be warranted.

Council may consider the addition of additional districts if there arises a special need for specific controls in a particular area.

## **7.2 Other Implementation Tools**

**7.2.1** The bylaws and resolutions of Council shall not be inconsistent with this Basic Planning Statement.

**7.2.2** Council shall co-operate with the provincial authorities to enforce fire safety and environmental protection regulations within the limits of the Resort Village.

**7.2.3** Council will exercise suitable municipal control over the use and development of municipal reserves.

**7.2.4** Subdivisions of private land that require the provision of new streets or other public services shall only be approved in conjunction with a servicing agreement. A servicing agreement shall provide for the construction of services required for the subdivision either totally at the expense of the proponent, or partially at the expense of the proponent and of the municipality as may be negotiated with council. The Resort Village will only consider sharing of costs of a service that will be of wider and direct benefit to the community beyond the area of the proposed subdivision. The words "wider and direct benefit" mean a benefit that improves the Resort Village in other ways (socially, economically, culturally etc.) than simply expanding the tax base.

**7.2.5** Council will pursue annexation of land to the Resort Village as and when necessary to implement this Basic Planning Statement. Council may consider annexation of adjacent lands to facilitate the appropriate design, development, servicing, and integration of any new resort areas adjacent to the Resort Village. Council will seek annexation of any resort developments in abutting quarter sections.

**7.2.6** Council will support discussions with neighboring municipalities and the Pelican Lake First Nation to ensure that development on Chitek Lake enhances and protects the environment of the lake for all its users.

## 8 BASIC PLANNING STATEMENT MAP

8.1 The map entitled “Opportunities, Constraints and Future Land Use Map” which is attached to and forms part of the BPS, shall outline Council's land use policies and major land uses or areas which may pose development problems or opportunities. The map shall also be used by Council to identify potential land use conflicts when considering such issues as rezoning requests or discretionary use applications.

## 9 ADOPTION

This bylaw is adopted pursuant to The Planning and Development Act, 1983, and shall come into force on the date of final approval of the Minister of Government Relations.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2005

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2005

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2005

SEAL

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Certified a true copy of the bylaw  
adopted by resolution of the Council  
of the Resort Village of Chitek Lake  
on the \_\_\_\_ day of \_\_\_\_\_, 2005.