

The Statements of Provincial Interest Regulations

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[Chapter P-13.2 Reg 3](#) (effective March 29, 2012).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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The Planning and Development Act, 2007

Title

1 These regulations may be cited as *The Statements of Provincial Interest Regulations*.

Adoption of statements of provincial interest

2 The Statements of Provincial Interest set out in the Appendix to these regulations are adopted for the purposes of *The Planning and Development Act, 2007*.

5 Apr 2012 cP-13.2 Reg 3 s2.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

5 Apr 2012 cP-13.2 Reg 3 s3.

Appendix

1. INTRODUCTION

Land use planning facilitates the orderly development of land, resources, infrastructure and services, with a view to securing the economic, environmental, social and cultural well-being of urban and rural communities. The driving force in planning is often the need for change, the need for improved management or the need for a different pattern of land use, dictated by changing investment circumstances.

The Planning and Development Act, 2007 authorizes the Lieutenant Governor in Council to adopt Statements of Provincial Interest. These Statements of Provincial Interest link provincial and municipal objectives for land use planning and, as a result, directly affect the use of land and impact community development, economic growth and environmental stewardship. These Statements of Provincial Interest reflect the diversity of issues affecting Saskatchewan's communities and regions, recognizing that wise management of development involves facilitating, promoting and sustaining growth, based on cooperative planning principles.

Municipalities are authorized under the Act to set policies governing the development of their communities by preparing and adopting:

- official community plans and district plans containing policies to guide land use and community development;
- zoning bylaws establishing permitted, prohibited or discretionary land uses, development standards and permit requirements; and
- subdivision bylaws.

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These planning documents express community priorities and goals and allow developers, business owners and homeowners to make informed decisions about purchasing and developing property in the community. The Statements of Provincial Interest provide guidance to municipalities on a complex series of land use and development issues for municipalities, enabling them to facilitate the development of vibrant, safe, self-reliant and sustainable municipalities.

Provincial oversight to ensure consistency with the Statements of Provincial Interest occurs through the approval of new official community plans, district plans, zoning bylaws and subdivision bylaws. Subdivision approving authorities, including the province, are responsible for ensuring consistency with the Statements of Provincial Interest during the subdivision approval process.

2. PURPOSE

The purpose of the Statements of Provincial Interest is to:

- identify provincial interests to guide provincial and municipal planning decisions in the development of safe and secure communities;
- align provincial and municipal planning objectives to facilitate orderly development that is beneficial to communities; and
- guide the development of economically, environmentally, socially and culturally sustainable communities.

3. PLANNING PRINCIPLES

Both local decisions that meet the interests of the province and the planning process and principles that guide the decisions affecting land use and development are important in planning. The following principles provide a context for decision-making, are relevant to the design of official community plans, district plans, zoning bylaws and subdivision bylaws and are an integral part of interpreting and applying the Statements of Provincial Interest.

3.1 Comprehensive and Sustainable planning requires land use plans and development decisions to consider economic, social, cultural and environmental needs of communities and regions for present and future generations;

3.2 Responsive and Sensitive planning recognizes the importance of stakeholders and the contribution that they bring throughout the planning process;

3.3 Respectful and Balanced planning provides an atmosphere of mutual respect and encourages discussion that balances the interests of all stakeholders in the management of common provincial resources and the development of economic, social, cultural and environmental opportunities;

3.4 Efficient and Effective planning considers the orderly and beneficial development of land uses, infrastructure and community services to ensure public safety, to meet the needs of the community and to be consistent with strategic planning at the provincial level;

3.5 Informed and Innovative planning is based on relevant information and expected implications of making land use development decisions and considers innovative solutions to planning challenges;

3.6 Cooperative planning maximizes the use of human and material resources across regions, and involves individuals, municipalities, First Nations and Métis people and provincial agencies as they work together toward a common vision to manage the economic, physical, social, cultural and environmental aspects of their communities and regions.

4. INTERPRETATION

INFORMATION NOTE

A glossary of terms used in these Statements of Provincial Interest appears at the end of this document

4.1 The Statements of Provincial Interest should be read in their entirety to gain an appreciation of the complexity of development considerations that affect the achievement of economic, environmental, social and cultural objectives.

4.2 Each statement of interest is followed by issues or objectives municipalities are expected to address “insofar as is practical” in official community plans, zoning bylaws and subdivision bylaws.

4.3 No additional ability to appeal a provincial or municipal planning decision is created by the Statements of Provincial Interest.

4.4 Decisions of a municipal council, a district planning commission, a district planning authority, a development appeals board, the Saskatchewan Municipal Board or the minister with respect to any planning matter must be consistent with the Statements of Provincial Interest.

4.5 The minister has the final authority to determine whether an official community plan, subdivision bylaw, zoning bylaw or amendment to those bylaws is consistent with the Statements of Provincial Interest.

4.6 If there is a conflict in interpretation of the Statements of Provincial Interest, final authority for implementing, interpreting and determining the practicality of applying portions of the Statements of Provincial Interest lies with the minister.

4.7 Word or phrases used in the Statements of Provincial Interest have the same meaning as they have in the Act. Some words or phrases not defined in the Act are included in the glossary to these Statements of Provincial Interest.

4.8 There is no implied priority to the Statements of Provincial Interest based on the order in which they appear.

5. IMPLEMENTATION AND TRANSITIONAL

5.1 The Statements of Provincial Interest are effective on the date on which the regulations adopting them come into force. Municipal planning decisions made on or after the effective date must be consistent with the Statements of Provincial Interest.

5.2 The Statements of Provincial Interest are implemented through official community plans, zoning bylaws, subdivision bylaws and development permit decisions, conditions or standards.

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5.3 Official community plans, zoning bylaws or subdivision bylaws approved by the minister on or after the effective date are deemed to be consistent with the Statements of Provincial Interest.

5.4 Those portions of planning documents or decisions that are inconsistent with the Statements of Provincial Interest, without demonstrating a practical reason for being so, are considered inconsistent with the Act and are not valid.

5.5 The deemed consistency of an official community plan or zoning bylaw pursuant to paragraph 5.3 does not prevent the minister from seeking an amendment to the plan or bylaw pursuant to the Act.

5.6 Development permit decisions must be consistent with the Statements of Provincial Interest.

6. STATEMENTS OF PROVINCIAL INTEREST**6.1 Agriculture and Value-Added Agribusinesses****STATEMENT OF INTEREST**

The province has an interest in supporting and promoting a sustainable and dynamic agricultural sector that optimizes the use of agricultural land for growth opportunities and diversification in primary agricultural production and value-added agribusiness.

Planning Documents and Decisions

To assist in meeting the province's agricultural interests, planning documents and decisions shall, insofar as is practical:

1. Recognize the value of agricultural land for sustainable growth in agricultural activities;
2. Provide opportunities for growth, diversification and expansion of agricultural and value-added agribusiness development; and
3. Consider the compatibility of neighbouring land uses in the approval of agricultural activities and value-added agribusinesses.

6.2 Biodiversity and Natural Ecosystems**STATEMENT OF INTEREST**

The province has an interest in conserving Saskatchewan's biodiversity, unique landscapes and ecosystems for present and future generations.

Planning Documents and Decisions

To assist in meeting the province's interests in biodiversity and natural ecosystems, planning documents and decisions shall, insofar as is practical:

1. Consider the ecological value, integrity and management of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands;
2. Minimize, mitigate or avoid development impacts to safeguard the ecological integrity of wetlands, riparian areas, significant natural landscapes and regional features, and provincially designated lands;

3. Consider dedication of critical or threatened habitat and environmentally sensitive areas as environmental reserve;
4. Recognize Crown rights and responsibilities to regulate activities related to the utilization and protection of forest resources on Crown forest lands; and
5. Recognize and support provincial planning initiatives contributing to ecological integrity.

6.3 First Nations and Métis Engagement

STATEMENT OF INTEREST

The province has an interest in enhancing the participation of First Nations and Métis communities in land use planning and development processes.

Planning Documents and Decisions

To assist in meeting the province's First Nations and Métis engagement interests, planning documents and decisions shall, insofar as is practical:

1. Encourage engagement with First Nations and Métis communities on local and regional planning and development initiatives where there is a common interest;
2. Minimize, mitigate or avoid adverse impacts on hunting, fishing and trapping on unoccupied Crown lands from developments; and
3. Consider social and economic development opportunities that achieve shared goals of the municipality and First Nations and Métis communities.

6.4 Heritage and Culture

STATEMENT OF INTEREST

The province has an interest in ensuring that Saskatchewan's culture and heritage resources are protected, conserved and responsibly used.

Planning Documents and Decisions

To assist in meeting the province's culture and heritage interests, planning documents and decisions shall, insofar as is practical:

1. Provide for the protection and conservation of culture and heritage resources;
2. Encourage opportunities for the reuse, rehabilitation, preservation or restoration of historic buildings; and
3. Minimize, mitigate or avoid adverse development impacts to culture and heritage resources.

6.5 Inter-municipal Cooperation

STATEMENT OF INTEREST

The province has an interest in promoting inter-municipal cooperation that facilitates strong partnerships, joint infrastructure and coordinated local development.

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To assist in meeting the province's inter-municipal cooperation interests, planning documents and decisions shall, insofar as is practical:

1. Establish inter-municipal processes for managing land in areas of common interest;
2. Recognize opportunities for strategic, flexible and innovative partnerships; and
3. Consider inter-municipal and regional opportunities to develop or upgrade public works, public facilities, transportation infrastructure, service delivery and housing.

6.6 Mineral Resource Exploration and Development**STATEMENT OF INTEREST**

The province has an interest in maintaining and encouraging the exploration for and development of mineral resources.

Planning Documents and Decisions

To assist in meeting the province's mineral resource interests, planning documents and decisions shall, insofar as is practical:

1. Include mineral resource exploration and development as a permitted land use in each rural municipality;
2. Allow access to mineral resources;
3. Consider the compatibility of new development with existing and planned mineral resource development;
4. Consider access, setbacks from development, servicing of facilities and rehabilitation in the municipal approval process; and
5. Ensure that municipal permit requirements do not duplicate or conflict with provincial regulatory requirements.

6.7 Public Safety**STATEMENT OF INTEREST**

The province has an interest in ensuring the safety and security of individuals, communities and property from natural and human-induced threats.

Planning Documents and Decisions

To assist in meeting the province's public safety interests, planning documents and decisions shall, insofar as is practical:

1. Identify potential hazard lands and address their management;
2. Limit development on hazard lands to minimize the risk to public or private infrastructure;
3. Prohibit the development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body;

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4. Require flood-proofing of new buildings and additions to buildings to an elevation 0.5 metres above the 1:500 year flood elevation of any watercourse or water in the flood fringe;
5. Locate subdivisions, transportation infrastructure and public works to minimize, mitigate or avoid threats to the community from wildfire or other emergencies; and
6. Consider community and regional fire protection measures adjacent to forests.

6.8 Public Works**STATEMENT OF INTEREST**

The province has an interest in safe, healthy, reliable and cost-effective public works to facilitate economic growth and community development.

Planning Documents and Decisions

To assist in meeting the province's public works interests, planning documents and decisions shall, insofar as is practical:

1. Ensure that necessary corridors, easements and land for public works are dedicated during the subdivision and development processes;
2. Locate new public works in areas of compatible land use and ensure new land use is compatible with existing and planned public works;
3. Address the management of local and regional public works assets;
4. Consider the cumulative effects of development on local and regional public works capacity; and
5. Consider opportunities for the incorporation of regional energy production and public works.

6.9 Recreation and Tourism**STATEMENT OF INTEREST**

The province has an interest in supporting a high quality of life for Saskatchewan's citizens and visitors by providing and actively promoting recreation and tourism opportunities.

Planning Documents and Decisions

To assist in meeting the province's recreation and tourism interests, planning documents and decisions shall, insofar as is practical:

1. Consider the development of regional open space, leisure and tourism opportunities;
2. Identify local and regional landscapes that are suitable for open space, leisure and tourism opportunities;
3. Support access to unoccupied Crown lands and provincial forests for recreation, tourism, hunting and fishing;
4. Identify the future open space and recreation needs of the community and a broad strategy to meet those needs; and
5. Consider development impacts on existing or planned recreational and tourism areas.

6.10 Residential Development

STATEMENT OF INTEREST

The province has an interest in citizens having access to a range of housing options to meet their needs and promote independence, security, health and dignity for individuals, enhancing the economic and social well being of communities.

Planning Documents and Decisions

To assist in meeting the province's residential development interests, planning documents and decisions shall, insofar as is practical:

1. Locate residential development to be compatible with other land uses;
2. Make the best use of existing municipal infrastructure when planning residential development;
3. Identify existing and future residential needs of the community along the entire housing continuum; and
4. Allow for a range of housing options appropriate for development in the community.

6.11 Sand and Gravel

STATEMENT OF INTEREST

The province has an interest in ensuring that sand and gravel resources are accessible for development.

Planning Documents and Decisions

To assist in meeting the province's sand and gravel interests, planning documents and decisions shall, insofar as is practical:

1. Ensure that sand and gravel development is compatible with existing and planned land uses;
2. Ensure that sand and gravel development is operated with minimal disturbance to the environment and aquifers;
3. Require that future reclamation of the sand and gravel development be addressed during the development permit approval stage; and
4. Include sand and gravel development as a permitted or discretionary land use in each rural municipality.

6.12 Shore Lands and Water Bodies

STATEMENT OF INTEREST

The province has an interest in environmental stewardship, responsible development and public access to provincial water bodies and shore lands.

Planning Documents and Decisions

To assist in meeting the province's water bodies and shore lands interests, planning documents and decisions shall, insofar as is practical:

1. Consider the impacts of development on associated water bodies and shore lands, aquatic life and habitat;

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2. Minimize, mitigate or avoid potential development impacts to waterways, watersheds, water bodies, wetlands, shore lands, aquifers and groundwater;
3. Integrate provincial watershed management planning considerations into local and regional planning; and
4. Preserve and enhance public access to water bodies, shore lands and reservoirs for recreational use.

6.13 Source Water Protection**STATEMENT OF INTEREST**

The province has an interest in the protection of water sources that provide safe drinking water.

Planning Documents and Decisions

To assist in meeting the province's interests in source water protection, planning documents and decisions shall, insofar as is practical:

1. Ensure that water quality for human consumptive or hygienic use is not compromised by new development;
2. Consider the effects of development on water quantity; and
3. Confirm, before approval, that there is an established or proven supply of water capable of servicing the needs of a proposed development.

6.14 Transportation**STATEMENT OF INTEREST**

The province has an interest in safe, cost-effective, transportation systems that meet existing and future needs for economic growth, community development and diversification.

Planning Documents and Decisions

To assist in meeting the province's transportation interests, planning documents and decisions shall, insofar as is practical:

1. Consider both human and environmental interests when planning, constructing, maintaining, decommissioning and reclaiming road systems and other transportation corridors;
2. Ensure that development is compatible with existing and planned transportation infrastructure, including rail lines, rail yards, airports, barge docks, ferry landings and provincial highways;
3. Be consistent with provincial transportation plans; and
4. Encourage opportunities for efficient and cost-effective alternative transportation methods.

7. GLOSSARY OF TERMS

"Act" means *The Planning and Development Act, 2007*.

"compatible" means, with respect to land use, that land uses are able to exist near to each other without conflict or are consistent and capable of being used in combination with each other.

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“ecosystem” means an interdependent system containing all living organisms, the physical and chemical factors of their environment and the processes that link them.

“environmentally sensitive lands and areas” means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following:

- a ravine, coulee, swamp, natural drainage course or creek bed;
- wildlife habitat, environmentally sensitive or significant natural or heritage areas;
- flood-prone or potentially unstable land; or
- land abutting lakes streams or rivers for pollution prevention, bank preservation or development protection from flooding.

“flood plain” means the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

“flood proofed” means a measure, or combination of structural and non-structural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

“flood way” means the portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

“flood fringe” means the portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.

“hazard land” means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

“heritage resources” means:

- (a) archaeological and paleontological objects; and
- (b) any property or site that is of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value.

Heritage resources includes built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

“housing continuum” means the range of types of housing in a community and includes shelters, supportive or transitional housing, cooperative housing, rental properties and various other properties regardless of ownership or market characteristics.

“human-induced threats” means hazardous or toxic spills, utility failures, structural collapse, train derailments and other human-induced events harmful to public safety.

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“mineral exploration and development” means any development necessary to fulfil the rights of the lessee:

- (a) to search, dig, bore and drill for oil and gas, oil sands or oil shale, as the case may be, within the lands described in a lease;
- (b) to win, get, recover, extract, procure, carry away, dispose of and sell the oil and gas, oil sands or oil sands products or oil shale or oil shale products, as the case may be, found within those lands; and
- (c) to explore for, mine, work, recover, procure, carry away and dispose of any minerals within the lease lands.

“mineral resources” means mineral resources as defined in *The Mineral Resources Act, 1985*.

“planning document” means any official community plan, a plan prepared for a planning district pursuant to section 102 of the Act, a zoning bylaw, a subdivision bylaw and any appendices forming part of the plan or bylaw.

“planning decisions” means any decision of a municipal council, district planning commission, district planning authority, development appeals board or the Saskatchewan Municipal Board made pursuant to an authority under the Act.

“provincially designated lands” means lands designated or identified by the province or its agencies as parklands, ecological reserves or wildlife habitat lands, including critical habitat of species at risk.

“provincial forests” means Crown resource lands as defined in *The Forest Resources Management Act*.

“responsible development” means the management of human relationships with the natural environment so that economic, social and cultural needs are met and ecological processes and natural diversity are maintained.

“sand and gravel” means sand and gravel products, excluding ceramic clays, found on the surface of land and obtainable by either or both of the following methods:

- (a) stripping off the surface;
- (b) excavating.

“sustainable” means meeting present needs without compromising the ability of future generations to meet their needs.

