

***THE NOR-MAC***

***PLANNING***

***DISTRICT***

***DEVELOPMENT PLAN***



***THE NOR-MAC  
PLANNING DISTRICT  
DEVELOPMENT PLAN***

***BEING SCHEDULE “A”***

***Attached to***

***BY-LAW NO.***

***of***

***THE NOR-MAC PLANNING  
DISTRICT***

Prepared for:  
THE NOR-MAC PLANNING DISTRICT

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In consultation with Community Planning Services  
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and

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## TABLE OF CONTENTS

<b>PART 1: INTRODUCTION.....</b>	<b>1</b>
1.1 Area Covered by Development Plan .....	1
1.2 Legal Authority .....	1
1.3 Planning History .....	2
1.4 Requirements of a Development Plan .....	2
1.5 Livestock Operation Policy .....	3
1.6 Interpretation of Requirements .....	3
1.7 Key Findings .....	4
1.7.1 Key Rural Findings.....	5
1.7.2 Key Urban Findings .....	8
<b>PART 2: GENERAL OBJECTIVES AND POLICIES.....</b>	<b>10</b>
2.1 Introduction .....	10
2.2 General Objectives .....	10
2.3 General Policies .....	13
2.3.1 Provincial Land Use Policies .....	13
2.3.2 Development Provisions .....	13
2.3.3 Utilities & Municipal Services .....	15
2.3.4 Hazardous Uses.....	16
2.3.5 Natural Areas & Environmental Conservation .....	17
2.3.6 Sensitive Lands, Flooding & Erosion .....	19
2.3.7 Water & Shoreland.....	22
2.3.8 Transportation.....	24
2.3.9 Mineral Resources .....	27
2.3.10 Heritage Resources .....	28
2.3.11 Outdoor Recreational Resources .....	29
<b>PART 3: RURAL POLICY AREAS .....</b>	<b>31</b>
3.1 Introduction .....	31
3.2 Objectives .....	31
3.3 Policies .....	33
3.3.1 General.....	33
3.3.2 Agriculture .....	34
3.3.3 Livestock Operations Policies .....	35
3.3.4 Rural Residential Development .....	38
3.3.5 Seasonal Recreation Area Development.....	42
3.3.6 Commercial & Industrial Development .....	43
3.3.7 Home-based Businesses .....	44

<b>PART 4: URBAN POLICY AREAS .....</b>	<b>45</b>
<b>4.1 Introduction .....</b>	<b>45</b>
<b>4.2 General Objectives .....</b>	<b>45</b>
<b>4.3 Policies .....</b>	<b>46</b>
4.3.1 General .....	46
4.3.2 Piped Water & Sewer Services .....	48
4.3.3 Vehicle Traffic .....	48
4.3.4 Home-based Businesses .....	49
<b>4.4 The Urban Communities .....</b>	<b>49</b>
4.4.1 Introduction .....	49
4.4.2 Residential Development .....	50
4.4.3 Commercial Development .....	51
4.4.4 Industrial Development.....	52
4.4.5 Institutional Development.....	54
4.4.6 Open Space/Recreation Development .....	54
4.4.7 Urban Transition Development.....	55
<b>4.5 The Unincorporated Villages .....</b>	<b>56</b>
4.5.1 Introduction .....	56
4.5.2 General Development Policy Area .....	56
<b>4.6 Livestock Operations Policy for Urban Areas .....</b>	<b>57</b>
<b>PART 5: IMPLEMENTATION .....</b>	<b>58</b>
<b>5.1 Basic Implementation Measures .....</b>	<b>58</b>
5.1.1 Adoption of this Development Plan .....	58
5.1.2 Adoption of Municipal Zoning By-laws .....	58
5.1.3 Conditional Use Approvals .....	59
5.1.4 Variation Orders .....	59
5.1.5 Development Permits.....	60
5.1.6 Development Officer .....	60
5.1.7 Subdivision Approvals .....	60
5.1.8 Development Agreements .....	61
5.1.9 Review & Amendment.....	61
<b>5.2 Additional Measures .....</b>	<b>61</b>
5.2.1 Acquisition & Disposal of Land .....	61
5.2.2 Adoption of Other By-laws .....	62
5.2.3 Special Studies .....	62
5.2.4 Public Works .....	62
5.2.5 Capital Expenditure Program .....	62
5.2.6 Strategic Plans for Economic Development.....	63
5.2.7 Integrated Watershed Management Plans .....	63
5.2.8 Municipal Co-operation .....	63
5.2.9 Other District Studies.....	63
<b>5.3 Interpretation .....</b>	<b>65</b>

## **APPENDIX “A” DEVELOPMENT PLAN MAPS**

MAP 1            DISTRICT SETTING

### **POLICY MAPS**

MAP 2            NOR-MAC

MAP 3            MACGREGOR & AREA

MAP 4            AUSTIN

MAP 5            SIDNEY

MAP 6            BAGOT

MAP 7            ROSSENDALE

## **APPENDIX “B” BACKGROUND STUDY REFERENCE MAPS**

MAP 1            POTABLE GROUNDWATER QUALITY SAND AND GRAVEL AQUIFERS

MAP 2            GROUNDWATER SENSITIVITY AREAS

MAP 3            AGGREGATE DEPOSITS AND QUARRY SITES

MAP 4            SOIL CAPABILITY FOR AGRICULTURE

## **PART 1: INTRODUCTION**

### **1.1 Area Covered by Development Plan**

This Development Plan applies to The Nor-Mac Planning District as illustrated in **Appendix “A” Development Plan Map 1** of this By-law. The Nor-Mac Planning District is comprised of the Rural Municipality of North Norfolk and the Town of MacGregor.

### **1.2 Legal Authority**

Section 14 of *The Planning Act* provides a planning district board with responsibility for adoption, administration and enforcement of the Development Plan By-law for the entire district.

Subsection 40 (1) of *The Planning Act* provides that a planning district board or council must prepare a Development Plan.

Section 45 of *The Planning Act* provides that a planning district board or council must by by-law adopt a Development Plan.

Section 47 of *The Planning Act* provides that, following second reading of the By-law to adopt a Development Plan, ministerial approval of the By-law is required prior to proceeding to third reading.

The Development Plan shall take effect on the date of third reading of the By-law.

### **1.3 Planning History**

The Nor-Mac Planning District was established by the Province of Manitoba Municipal Board in March 1980.

The intent of The Nor-Mac Planning District Development Plan is to update the existing Plan to meet current requirements and needs, improve the clarity of the Plan, repeal the present plan as amended and adopt a new Plan for the District.

### **1.4 Requirements of a Development Plan**

Subsection 42 (1) of *The Planning Act* states that a development plan must:

- (a) Set out the plans and policies of the planning district or municipality respecting its purposes and its physical, social, environmental and economic objectives;
- (b) Through maps and statements of objectives, direct sustainable land use and development in the planning district or municipality;
- (c) Set out measures for implementing the plan; and
- (d) Include such other matters as the minister or the board or council considers advisable.

## 1.5 Livestock Operation Policy

Subsection 42 (2) of *The Planning Act* states that the Development Plan must include a livestock operation policy that guides zoning by-laws dealing with livestock operations by

- (a) dividing the planning district or municipality into one or more areas designated as follows:
  - (i) areas where the expansion or development of livestock operations of any size may be allowed;
  - (ii) areas where the expansion or development of livestock operations involving a specified maximum number of animal units may be allowed;
  - (iii) areas where the expansion or development of livestock operations will not be allowed; and
- (b) setting out the general standards to be followed in the planning district or municipality respecting the siting and setback of livestock operations.

## 1.6 Interpretation of Requirements

- .1 The general land use designations indicated on the Development Plan Maps illustrate the long-term land use and land development strategy and define the ultimate extent of the various uses. The achievement of the land objectives will take place over a period of years as the land use patterns evolve. During this period, the Zoning By-laws that will be adopted by each member municipality will provide one of the principal means to effect the transition.

- .2 The boundaries of the various land use designations shown on the Development Plan Policy Maps and any lot size, distance and area requirements mentioned throughout this Development Plan are meant to serve as guidelines only. Certain situations will necessitate a degree of flexibility in the application of these standards providing it complies with the intent of the Development Plan. These standards will provide general guidelines for preparation of the more precise performance standards and requirements of each municipal zoning by-law.
- .3 Individual policies of this Development Plan should not be viewed or interpreted in isolation. Rather, they should be interpreted within the overall spirit and intent of all other objectives and policies of this Development Plan.

## **1.7 Key Findings**

This Development Plan is based on the findings, conclusions and recommendations derived from the background planning and engineering analysis together with input from The Nor-Mac Planning District Board, member municipal councils, governmental and other agencies and the public through the community consultation process. These background studies are the foundation upon which The Nor-Mac Planning District Development Plan rests. The next step in the process will be the formulation of a zoning by-law for each participating municipality. The Zoning By-law is the primary tool used to implement the Development Plan. Together, the four documents (background studies, development plan and two zoning by-laws) will provide the District with a comprehensive set of tools that can be used to efficiently and effectively accommodate a wide variety of development while minimizing potential land use conflicts.

Key characteristics of The Nor-Mac Planning District are profiled in the Background Study which provides a valuable database for ongoing future reference. Key characteristics are summarized herein for the rural and urban areas.

### 1.7.1 Key Rural Findings

- .1 The majority of all rural lands within the Nor-Mac West Planning District are held in parcel sizes of 160 acres or greater. The low level of rural land fragmentation and large average farm size enhances the District's ability to maintain large blocks of agricultural land for a full range of agricultural activity.
- .2 63% of soils in the District are considered prime agricultural lands (Canada Land Inventory Classes 1-3) for field crop productions. This land is well-utilized as evidenced by the fact that 61% of the rural land base is utilized for crops. Less than 1% of all soils in the RM are classified as Class 7 land, being unsuitable for dry land agriculture. This land is found primarily in gullies, carved in the escarpment by drainage streams. Topography and excess moisture are the main limitations for agriculture in some parts of the District.
- .3 Groundwater availability varies considerably throughout the District. Most of the aquifers in the District are formed by sand aquifers. Shallow sand a aquifers are found on thin sandy surface deposits of less than 6 metres below the surface. Deeper sand aquifers are found at depths of up to 98 feet below surface level. Groundwater quality in the District ranges from very poor to excellent. The groundwater is salty in deep aquifers at more than 213 feet below surface level. Potable groundwater is not available or the supply is very limited in one third of the District. Extensive groundwater sensitivity areas exist in the District with the most sensitive areas in the shallow sand aquifers areas.
- .4 In 2005, the Manitoba Water Services Board (MWSB) began construction of a regional water system west of Portage la Prairie that would service communities in the Rural Municipalities of Portage la Prairie, North Norfolk and Westbourne referred to as the Yellowhead East Water System. To service the residents in the Nor-Mac Planning District, a 200mm (8 inch) pipeline was constructed between Bagot and MacGregor and connected into the existing reservoir and pumping station in MacGregor. A 150mm (6 inch) pipeline was constructed between MacGregor and Austin and connected into the existing reservoir and

pumping station in Austin. Several smaller diameter lines were connected to these mains to supply domestic water use to rural areas.

- .5 The Nor-Mac Planning District (NMPD) can be divided into three separate physiographic regions (Upper Assiniboine Delta, Lower Assiniboine Delta and the Red River Valley). The Upper Assiniboine Delta occupies the southwest corner of the RM where large areas of deltaic sands were deposited where the Assiniboine River entered the former glacial Lake Agassiz. The Upper Assiniboine Delta is characterized by level terrain and sandy textured fluvial outwash deposits and loamy textured deltaic and lacustrine sediments associated with Lake Agassiz.

The Upper and Lower Assiniboine Deltas are separated by the Escarpment which extends from the southeast corner to the northwest corner of the District. The escarpment steeply slopes to the northeast and is dissected by many gullies which often contain small creeks or streams. The lower Assiniboine delta immediately below the escarpment is characterized by level to gently undulating lacustrine sands overlying fine textured materials at depths of 3 to 4m (10-13 feet).

The Red River Valley occupies the extreme northeast corner of the RM. This area is comprised of nearly level deltaic lacustrine loams and lacustrine clays.

- .6 The topographic relief in the District ranges from 850 feet above sea-level in the extreme northeast corner to 1224-1250 feet in the southwestern corner. The escarpment transects the area approximately along the 1099 foot contour trending in a southeasterly to northwesterly direction. Surface water drainage is provided by the Squirrel, Pine and Willowbend creeks and their tributaries which are part of the Whitemud River system. The Whitemud River System drains into Lake Manitoba.
- .7 Agriculture is the main economic activity of the District. Agricultural crop production and livestock operations, together with supportive agricultural

industries, provide the main thrust of agricultural activity with the principal urban communities providing essential services to the overall population.

- .8 Agriculture and other resource-based industries employed just under half of all labour in the RM 48.2% and 36.4% in the overall District reflecting the importance of agriculture. Manufacturing and construction were second employing 16.5% of all labour in the District and Health, social services and education third employing 15.4% of all labour in the District.
- .9 There are approximately 158 livestock operations in operation in the RM. Of these, 115 are classified as small (10-100 Animal Units), 26 are classified as medium (101-200 Animal Units), 4 are classified as large (201-300 Animal Units) and 13 are classified as extra large (301+ Animal Units). The Background Study identified 13 large-scale livestock operations exceeding 300 Animal Units in the Planning District.
- .10 The Town of MacGregor and the RM of North Norfolk are members of the Whitemud Watershed Conservation District (WWCD).
- .11 Population decline in the RM of North Norfolk in the 15 year period from 1991 to 2006 was 7.6%. This may be attributed to a trend to fewer and larger farms following a trend across much of the Canadian prairies. The Post-Crow era has caused an extensive change in the agricultural economy of the prairies causing many farmers to turn to farm diversification or value-added production in order to maintain profitability in the industry. Overall, the District population has steadied falling just 4% during the last three census periods.
- .12 The RM has identified concerns with the lack of rural residential lots and trailer park and their concern is more critical in the light of their promotion and encouragement to bring in skilled immigrants to work in the rural area and establish their residence there. Immigration has already been experienced in the District.

- .13 The RM is concerned with the number of unlicensed drains, enforcement of building by-law challenges, pressure with the increased cost of providing services and the need to update their planning by-laws which are very old and need revising.

### **1.7.2 Key Urban Findings**

- .1 The two (2) principal urban communities in The Nor-Mac Planning District including MacGregor and Austin provide the highest concentration of intensive residential, commercial, industrial, institutional and urban recreational uses functioning as the service centres for the member municipalities. The three (3) small rural settlement centres including Bagot, Sidney and Rossendale provide lots for housing for those who wish to live in a small rural community but essential services are not available within these centres.
- .2 Although agriculture and other resource-based industries employed over one third of the District's labour force, manufacturing and construction and health and education were the second and third largest area of employment employing 16.5% and 15.4% respectively of all labour in the District. Other employment includes business services, finance, real estate, wholesale and retail trade, manufacturing, construction and other services. Many of these activities are concentrated in the two principal urban communities of MacGregor and Austin.
- .3 The population in the Town of MacGregor has shown an increase of 8.1% over the 15 year period from 1991-2006. Rural population at retirement age move to the urban centres where they have health care services, including ambulance, personal care and senior's housing and access to personal services and essential household needs. Populations in other rural communities and smaller urban centres of the Province are beginning to stabilize as the increase in farm size and reduction in number of farms slows down and migration to moderate and large sized urban centres decreases.
- .4 The member municipalities are active in promoting economic development in their District through various initiatives. The District has access to and assistance

available from the Heartland Community Futures Corporation (HCFDC). The main goals of HCFDC are to offer business planning assistance, repayable loans, support for community development initiatives and training support. Also the Central Plains Incorporated Regional Economic Development Agency provides assistance with business, industry, agriculture and tourism development in the region. MacGregor has an active Chamber of Commerce and is a member of the Manitoba and Canadian Chamber of Commerce. Businesses in the District who become a member, receive benefits including discounts on insurance, credit cards and telecom services.

- .5 Some of the aging infrastructure, including streets, sewer and water lines, water plants, lagoons and wastewater treatment facilities in the principal urban communities are in need of upgrading and/or development, but the declining population and shrinking tax base makes these improvements difficult and onerous on the local taxpayer. Substantial financial assistance is required from the senior governments to assist local government to upgrade their infrastructure.
- .6 The principal urban communities have sufficient lands in the developed areas to meet their future needs relative to the socio-economic trends that have been identified in the Background Study. If development begins to exceed supply of developed land, the urban communities have sufficient undeveloped reserve land that may be economically developed and serviced for urban expansion. However, the costs of providing services, the cost of developing land and aging infrastructure provide a significant challenge to the District Board and Municipal Councils. Moreover, local businesses are finding it more difficult to compete with large companies from Portage la Prairie and Brandon. Another concern is that economical housing is becoming difficult to secure.
- .7 There is a shortage of residential lots within the Town of MacGregor and together with the District's desire to bring in skilled immigrants, this need will require additional serviced lots preferably a five year supply at all times.

## **PART 2: GENERAL OBJECTIVES AND POLICIES**

### **2.1 Introduction**

This section of The Nor-Mac Planning District Development Plan outlines the general objectives and policies which will guide the overall use, planning and development of land in the area covered by the Development Plan. These objectives and policies apply generally throughout the Planning District and apply to both rural and urban areas unless otherwise provided herein.

### **2.2 General Objectives**

- .1 To encourage use and development of land and natural resources in a manner that is consistent with the principles and guidelines of sustainable development.
- .2 To recognize the importance of the rural land base and to adopt strategies and policies to conserve this base and to encourage development and growth of the agricultural industry.
- .3 To encourage the identification, development and appropriate use of recreational resources and to ensure that recreational areas are protected by designation from inappropriate development on or adjacent to them in the future.
- .4 To recognize existing settlement centres and to provide for their planned development in order for them to provide goods and services to the residents of the District, and for them to serve as the primary location of non-farm residential development.
- .5 To ensure that the use and development of land is consistent with the vision the community has regarding its future, with special consideration being given to current and planned economic development initiatives.

- .6 To encourage community economic development (CED) initiatives, and use and development of land in a manner that contributes positively to the physical, mental, social and economic health and well being of the District.
- .7 To provide well planned areas for living, working, shopping and recreation that are visually attractive, make efficient use of land and public services that minimize incompatible land uses both within areas and between areas.
- .8 To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigative measures are taken to reduce potential negative impacts and/or enhance the capability of the land to support the proposed development.
- .9 To encourage new developments to be compatible with existing land uses and that the development potential does not exceed the lands capability to support such activities and/or threaten the ecological integrity and/or sustainability of the land.
- .10 To protect natural areas and habitats from incompatible or potentially incompatible land use activity/development where rare or endangered flora and fauna have been identified under Federal or Provincial legislation.
- .11 To recognize, protect, and consider the sustainability of provincial parks, wildlife management areas, protected areas, riparian areas and other ecologically sensitive areas.
- .12 To recognize that development will increase demand and impact on water supply quality and solid and liquid waste generation, requiring that these issues be considered in the review of development proposals.
- .13 To ensure that new development is compatible with existing and anticipated land uses, utility and transportation networks, and minimizes the risks to quality of life, public health and safety.

- .14 To minimize risks to people and property that are associated with natural hazards or human-made features.
- .15 To protect the natural resources and the environment within the District for the continued well being of area residents.
- .16 To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils, water and living creatures.
- .17 To maintain the integrity of groundwater features and surface water features such as lakes, rivers and wetlands to ensure surface water and groundwater quality protection are primary considerations when development occurs adhering to any regulations under *The Water Protection Act*.
- .18 To protect the mineral, sand and gravel resources from conflicting land uses and to promote environmentally sound exploration, and extraction, and rehabilitation.
- .19 To preserve and enhance areas which have natural beauty, natural value/significance, scenic value, recreational potential, or historic/cultural significance.
- .20 To ensure continued public access to public water resources (e.g. streams, rivers and lakes).
- .21 To provide protection for past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- .22 To promote municipal co-operation with neighbouring jurisdictions in order to undertake joint land use planning, municipal servicing and sustainable development initiatives that will benefit the entire region.
- .23 To promote immigration from other provinces and countries into the District.

## **2.3 General Policies**

The policies outlined in this section address issues which may arise throughout The Nor-Mac Planning District.

### **2.3.1 Provincial Land Use Policies**

- .1 The *Provincial Land Use Policies* are a Regulation under *The Planning Act* and serve as a guide for the District in undertaking Development Plan amendments, statutory reviews of the existing District Development Plan and the preparation of the new District Development Plan.

### **2.3.2 Development Provisions**

- .1 All new development in the District shall be consistent with this Development Plan. The implementation of the Municipal Zoning By-laws, subdivision and development approval and public works shall be consistent with the provisions and intent of this document.
- .2 No subdivision of land shall be approved unless it conforms with the general intent and provisions of this Development Plan and *The Planning Act*.
- .3 Developments that create hazardous situations or are subject to environmental hazards, shall not be permitted unless the hazard has been removed or appropriate mitigative measures have been taken that will protect life and property. Where differing land uses abut each other and the potential for conflict exists, appropriate mitigative measures may be required as a means of minimizing the impact on adjacent lands.

- .4 Uses which may involve the storage and transfer of hazardous chemicals should be examined for appropriate setbacks and compliance with provincial regulations.
- .5 In approving new developments for residential, commercial or industrial purposes, consideration shall be given to the current and projected demand for that particular type of use. To avoid premature fragmentation of land, the supply of lots should bear a reasonable relationship to the demand or consumption of lots. The District may require that a supply and demand study be undertaken to obtain an overall picture with respect to the availability of suitable undeveloped lots of that particular use.
- .6 In viewing development applications the District Board and Member Councils will encourage the most appropriate use and development of land and other resources by:
  - (a) protecting and enhancing the agricultural industry and promoting best management practices for agricultural activities;
  - (b) maintaining a harmonious relationship between agriculture and recreation, the two main economic activities of the District;
  - (c) protecting and strengthening the viability of the existing settlement centres;
  - (d) discouraging scattered and haphazard farm and non-farm developments or urban forms of development in the agriculture/rural area;
  - (e) minimizing the natural hazards such as flooding, erosion or bank instability that may be associated with future development;
  - (f) protecting the environment through a sustainable development strategy which reflects applicable Provincial regulations and guidelines; and
  - (g) promoting sound management practices for all resource development.

- .7 No new or expanded development, including proposed subdivisions, shall be approved unless there are facilities and the capacity in place to adequately manage the waste (i.e., solid, liquid, septage. etc.) that will be generated.

### **2.3.3 Utilities & Municipal Services**

- .1 Essential activities of government and public and private utilities including alternate energy generating systems such as wind energy generating systems may be conditional in any land use designation subject to requirements in a municipal zoning by-law. Such uses should be located and developed in a manner which will minimize any incompatibility with neighbouring land uses. Special consideration should be given to reviewing siting requirements associated with such uses as communication towers and maintenance yards to ensure they will minimize adverse impacts on adjacent lands.
- .2 Co-operation will be encouraged with Manitoba Hydro, CentraGas, MTS Allstream and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.
- .3 Prior to the installation of major utility systems, such as hydro transmission lines, wind energy systems and fibre optic telephone cables, the utility companies are encouraged to consult with the Planning District Board and Municipal Councils on matters such as route selection and impact on local road systems.
- .4 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses which may threaten or adversely affect their operation.
- .5 Co-operative and inter-municipal servicing initiatives will be encouraged including possible revenue sharing agreements to equitably share costs and benefits of future development in the Planning District.

- .6 In order to minimize human exposure to the undesirable effects of such uses as sewage lagoons and waste disposal sites, development in the vicinity of these facilities should be limited to open space, agricultural and industrial (i.e. non-residential) uses which would not be adversely affected by these facilities.
- .7 The Municipalities of the District will provide facilities to dispose of solid waste and sewage waste in a sanitary, economic and orderly manner by planning in advance for the location and development of suitable landfill sites and sewage lagoon sites.
- .8 Future developments in the urban centres of the District will be connected to existing water distribution and wastewater collection systems where municipal services are provided. Seasonal resort recreation development including cottages may be located on unserviced lots which are large enough to accommodate on-site sewage disposal systems subject to approval under provincial regulations.
- .9 Where development will cause the District to carry out an alteration to a public sewerage and/or water system, the District will adhere to existing applicable provincial legislation, and ensure that all required engineering data supporting the proposal has been forwarded to the appropriate provincial agency for review and comment.

#### **2.3.4 Hazardous Uses**

- .1 Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials will be governed by the following:
  - (a) wherever possible, new facilities shall be separated from urban areas and buildings used for human occupation;
  - (b) hazardous facilities should not be located closer to dwellings than permitted or recommended by the Province of Manitoba;

- (c) where new development of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water, the nature of outside storage requirements; the compatibility of surrounding land uses; and plans for buffering and containment of such activities from adjacent uses; and
- (d) large propane or gasoline storage facilities should be established in areas of the Planning District where risks to the health and well-being of residents can be minimized.

### **2.3.5 Natural Areas & Environmental Conservation**

- .1 Natural areas and habitats on public and private lands should be protected from incompatible or potentially incompatible uses where:
  - (a) rare or endangered flora and fauna have received provincial designation and protection under either the Manitoba *Endangered Species Act* or the federal *Species At Risk Act*;
  - (b) lands have received provincial designation and protection under the Protected Area Initiative;
  - (c) lands have been identified as Wildlife Management Areas;
  - (d) private lands have been voluntarily protected by landowners under *Conservation Agreements or other Memorandum of Agreements*; or
  - (e) sensitive wildlife, aquatic habitat including quality wetland habitat and riparian areas and other ecologically significant areas have been identified.

- .2 The identification and protection of natural areas and wildlife and fisheries habitats will be encouraged within the Planning District. Protection of habitat on private lands should be encouraged wherever feasible as the maintenance of wildlife populations and bio-diversity rely not only on Crown lands but also on private land stewardship.
- .3 Public access to natural areas and wildlife and fisheries habitat will be encouraged to foster appreciation for and enjoyment of nature but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.
- .4 Both District Municipalities are members of the Whitemud Watershed Conservation District and coordination of development activities will be encouraged.
- .5 Developments and the use of land adjacent to provincial parks, wildlife management areas, or other protected areas will be reviewed by Manitoba Conservation to ensure that future development or changes in land use will not adversely affect the sustainability of the area or the resident flora and fauna.
- .6 The development plan and the zoning by-law maps should identify land designated by order-in-council and/or regulation by the province, e.g., provincial parks, wildlife management areas.
- .7 The remaining wooded lands be protected or preserved in their natural state as much as possible, particularly those that have high wildlife value and extreme topographic relief.
- .8 The Planning District Board may consult with the Province of Manitoba regarding management of wildlife resources which cause problems in the Planning District.
- .9 Proposed developments located near/adjacent to waterways/bodies that have the potential to alter, disrupt or destroy aquatic habitat; including the riparian

area, will be referred to Manitoba Conservation and Manitoba Water Stewardship for review.

- .10 Proposed developments within 1 mile of a wildlife management area or other protected area will be forwarded to Manitoba Conservation for review to ensure that future development or changes in land use will not adversely affect the sustainability of the area or the resident flora and fauna.
- .11 Where privately initiated habitat conservation land leases or land transfers are proposed, Manitoba Conservation will be encouraged to consult with the Planning District affected prior to approving the designation of a private habitat conservation area.
- .12 Inter-municipal co-operation is encouraged in the application and implementation measures to protect the District's natural environmental resources.

### **2.3.6 Sensitive Lands, Flooding & Erosion**

- .1 Development will generally be directed away from environmentally sensitive areas. Sensitive lands include the following:
  - (a) lands subject to flooding – all lands which would be flooded by the 100 year flood, or by a recorded flood exceeding the 100 year flood level. Lands subject to flooding are lands that would be flooded by a 100 year flood, a recorded flood exceeding the 100 year flood, or a flood specified by Manitoba Water Stewardship in areas protected by flood control works;
  - (b) lands subject to water erosion are all lands which would, within a 50 year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body;
  - (c) lands subject to other hazards such as landslides or subsidence – those lands where actual effects of such hazards have occurred or have been predicted and lands subject to bank instability, are lands on or above a

slope adjacent to a waterway or waterbody that is subject to subsidence due to down slope soil movement; and

- (d) Lands adjacent to surface water bodies which have the potential to be flood prone should not be subject to development unless detailed assessments indicate flood risk is minimal.

.2 Land subject to significant flooding, erosion or bank instability should be left in its natural state or only developed for low intensity uses such as cropping, grazing, forest or open space recreational activities which are generally acceptable within hazard areas. Lands adjacent to surface water bodies which have the potential to be flood prone should not be subject to development unless detailed assessments indicate flood risk is minimal. Best management practices for agricultural activities within riparian areas should be adopted. Annual cropping and unmanaged grazing activities can adversely affect riparian areas.

.3 It may not be practical or desirable for economic or social reasons to restrict certain development in sensitive areas upon all sensitive lands. New development should, however, be carefully controlled and planned to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. In these instances, the following criteria should be applied:

- (a) proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities;
- (b) there should be no added risk to life, health or personal safety;

- (c) the construction of new structures and/or buildings shall not be permitted within flood hazard areas unless the hazard can be protected against. Flood protection measures must protect to the design flood elevation plus appropriate freeboard in accordance with the standards established by Manitoba Water Stewardship. Structures and services should be protected against damage and should be fully functional during hazard conditions;
  - (d) activities or construction of new structures and/or buildings shall not be permitted in areas subject to erosion or bank instability unless adequate erosion control or bank stabilization measures are implemented. Only erosion control or bank stabilization measures designed by a qualified professional engineer licensed by the Association of Professional Engineers and Geoscientists of the Province of Manitoba (APEGM) will be accepted;
  - (e) activities which alter existing slopes and may accelerate or promote erosion or bank instability should be prohibited, unless appropriate mitigative measures are taken to minimize the potential of such erosion or bank instability; and
  - (f) existing tree and vegetative cover should be preserved where appropriate to reduce erosion and assist in maintaining bank stability.
- .4 Development proposals in flood plain hazard areas should be referred to Manitoba Water Stewardship for review and comment, prior to approval by the District.
- .5 Development proposals in hazard areas such as those with steep natural slopes may require completion of engineering studies, including recommendations regarding preventative and mitigative measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures which restore or rehabilitate damage which may occur. In order to provide adequate protection from flood or erosion damage, for lands adjacent to waterways or waterbodies

and in areas where the specific hazard has not been determined, structures shall be set back from those waterways and waterbodies a minimum distance of 10 times the height of the bank above the channel grade or shoreline, unless an engineering investigation indicates that this limit may be reduced.

### 2.3.7 Water & Shoreland

- .1 Development will be advocated in a manner which ensures that waterways, waterbodies, shoreland areas and groundwater resources are sustained, and that existing uses are not negatively impacted. **Appendix “B” Background Study Reference Map 1**, shows groundwater quality in the sand and gravel aquifers within the District. Development or activities that may cause pollution under normal operating conditions or by accident will be discouraged from locating in areas with plentiful and high quality groundwater supplies including potable water sources. Where developments are allowed to proceed in these areas, appropriate mitigation plans or measures to protect the groundwater resource may be required, when necessary.
- .2 The preservation and reintroduction of native vegetation through natural succession or assisted planting will be encouraged in riparian areas such as along all waterways to stabilize banks, filter run-off and maintain the quality of water in these waterways. Within this riparian area no more than 25% of that area should be altered for pathways, docks, boathouses, etc. Docks, boathouses and other shoreline developments should adhere to the Department of Fisheries and Oceans Canada operational statements or be reviewed by the Department of Fisheries and Oceans Canada. No alteration to near shore aquatic habitats will be allowed unless the activity adheres to a specific Department of Fisheries and Oceans Canada operational statement or is reviewed by the Department of Fisheries and Oceans Canada.
- .3 Waterways, waterbodies and shorelands in the District may require additional protection to limit impacts of development. This may be achieved through local land use planning programs and cooperation with provincial programs. The

extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the waterway, waterbody or shoreland; the need for public access; environmental characteristics; and economic potential will all have a bearing on the method of protection adopted. In order to provide protection, shoreland reserves may be created.

- .4 For project proposals requiring self-supplied water, the proponent is directed to contact Manitoba Water Stewardship's Water Use Licensing Section to determine if their water use needs requires licensing under *The Water Rights Act*. If a license is required, development approval may be withheld until such time as either a groundwater exploration permit or surface water development authorization is issued by Manitoba Water Stewardship.
- .5 Any undertaking of drainage work will require authorization from Manitoba Water Stewardship under the *Water Rights Act*.
- .6 Development or activities that may cause pollution under normal operating conditions or by accident will be directed away from groundwater sensitivity areas identified by the Province. These areas are presented in **Appendix "B" Background Study Reference Map 2**. Also shown on this map is the regional solid waste disposal ground (SE34-11-10W). Where this is not feasible or practical, development or activities which could cause pollution may be considered in groundwater sensitivity areas provided:
  - (a) it can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; and
  - (b) appropriate precautionary measures have been or will be taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes

### **2.3.8 Transportation**

- .1 Any existing and proposed aircraft landing fields and aerial approaches within the Planning District should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety. The Municipal Zoning By-laws may establish separation standards for future development adjacent to an airport.
- .2 All developments shall conform to the appropriate requirements of the Province of Manitoba as they affect the provincial highway system.
- .3 Compatible land uses (for example, agriculture and highway commercial operations) may be permitted adjacent to major provincial highways and other provincial highways and roads where interference with other resources is minimized and the safe and efficient operation of the highway is maintained.
- .4 Proposed developments and subdivisions adjacent to the provincial highway system should be guided by an overall concept plan that establishes an internal road network that ties in with and complements the existing and planned highway network of the area so as to minimize the number of access points on a highway. The development should be reviewed by the Province prior to approval to determine if and how the development should proceed.
- .5 Proposed development which contributes to the evolution of a row of lots each relying on direct access to the highway will not be permitted.
- .6 New development should have legal access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the member municipality to upgrade an existing road or develop new road access to a standard agreed upon by the District Board and member Municipal Council. The proponent may be responsible for part or all of the costs of this roadway construction.

- .7 Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should locate in planned locations in proximity to major roadways, including provincial roads and provincial highways. Direct access to the provincial highway system will be discouraged whereby access should be via the municipal road system to the provincial highway system.
- .8 New development which has the potential to generate significant vehicle traffic should be directed away from those land uses which generate levels of traffic which could endanger public safety.
- .9 When evaluating development proposals, the potential impact on the existing transportation system will be considered. Development requests that are incompatible with the existing transportation system may be rejected if an agreement cannot be reached between the traffic authority and the proponent to ensure compatibility or to provide road upgrading.
- .10 Commercial uses located on PTHs and PRs which primarily serve the traveling public should be located in planned or designated areas where there is access available from major roadways, including provincial roads and provincial trunk highways, where appropriate.
- .11 Development that is to occur within the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to approval by Manitoba Infrastructure and Transportation and/or The Highway Traffic Board prior to municipal approval.
- .12 Where a local authority has control over roadways, access to a new development adjacent to such roadways will be subject to approval by that traffic authority.
- .13 Local road networks should be planned and designed economically in order to service both existing and future development.

- .14 Development proposals within the vicinity of the provincial highway system should be circulated to Manitoba Infrastructure and Transportation for review. Development that may have a significant impact on the highway system regardless of location or jurisdiction should also be circulated accordingly.
- .15 The location and construction of an access to a provincial road will be subject to approval by Manitoba Infrastructure and Transportation, and to a provincial trunk highway subject to approval by The Highway Traffic Board.
- .16 Proposed developments which may be adversely affected by noise, dust and fumes from roadways and railways (eg, residential uses, hospitals) should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate mitigative measures to minimize adverse impacts.
- .17 Where an area of development is bordered on one side by a major transportation corridor or facility (such as a highway), new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- .18 Municipal road allowances should be retained for public access. Any clearing, cultivation or cropping of unimproved road allowances should be approved by the Rural Municipality. Consideration should also be given to leaving undeveloped road allowances in their natural state unless required for road development. These areas provide important wildlife habitat and travel corridors for wildlife.
- .19 Where there are existing or anticipated high volumes of truck traffic and the member municipality is the traffic control authority, Council may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within communities.

- .20 The local road or street network associated with any type of proposed development should be designed to conform with both the existing and planned road and street system of the neighbouring areas.
- .21 Development that may have a detrimental impact on the safe and efficient operation of the provincial highway system shall not be allowed unless mitigative measures suitable to the Province are incorporated into the development with the cost of any highway improvements required to accommodate development to be the responsibility of the developer.
- .22 Subdivisions/development will not be permitted in areas designated for highway widening or expansion unless provisions suitable to the Province are made to accommodate future widening or expansion.

### **2.3.9 Mineral Resources**

There are economically valuable sand and gravel and other mineral deposits located within the Planning District to provide essential raw materials required for present and future infrastructure requirements. They are identified in **Appendix “B” Background Study Reference Map 3**.

- .1 Areas designated by Manitoba Science, Technology, Energy and Mines as being of high aggregate, mineral, oil or gas potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.
- .2 In areas designated by Manitoba Science, Technology, Energy and Mines as being of medium aggregate, mineral, oil or gas potential, incompatible and potentially incompatible land uses may be permitted following review by Manitoba Science, Technology, Energy and Mines. The remaining mineral resources are of low potential and no development restrictions apply.

- .3 Existing aggregate, mineral, oil or gas operations should be protected from incompatible and potentially incompatible land uses.
- .4 In areas with known aggregate, mineral, oil or gas resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (eg, grazing, cropping, forestry), temporary uses or other uses that will permit access to the resource.
- .5 The exploration, development, production and termination of all aggregate, mineral, oil or gas resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining lands.
- .6 Rehabilitation of depleted aggregate pits and quarries shall be the responsibility of the owner/operator of the site utilizing funds established for this purpose by Mines Branch, Province of Manitoba.

### **2.3.10 Heritage Resources**

- .1 The identification of heritage resources should be encouraged within The Nor-Mac Planning District..
- .2 Heritage resources should be protected where:
  - (a) buildings or landscapes have received municipal and/or provincial heritage designation;
  - (b) buildings or landscapes are in the process of receiving or are being considered for municipal and/or provincial heritage designation; or,
  - (c) buildings or landscapes have been developed and operate as heritage sites.

- .3 Existing heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation.
- .4 The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed, to maximize interpretive and tourism potential.
- .5 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*, and/or municipal heritage conservation zones under *The Planning Act*.

### **2.3.11 Outdoor Recreational Resources**

- .1 Areas with high recreational capability, *Classes 1-3 Canada Land Inventory (CLI)* for recreation, interesting and/or rare natural features should be protected for outdoor recreation and related uses. Development in areas adjacent to recreational areas should not negatively impact the use of the recreational area.
- .2 Areas with lower recreational capability, *Classes 4-5 Canada Land Inventory (CLI)* should be protected where high recreation capability resources are not sufficient to satisfy local and regional needs. *Classes 6-7 Canada Land Inventory (CLI)* lands may only sustain low intensity activities or simply provide open space.

- .3 Designated recreational uses and areas around Jackson Lake should be protected from incompatible or potentially incompatible land uses which may threaten the integrity and/or operation of these significant recreational resources.
- .4 Proposed recreational development should not preclude access to and use of natural resources (eg. lakes and streams).
- .5 Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

## **PART 3: RURAL POLICY AREAS**

### **3.1 Introduction**

This section of the Development Plan outlines objectives and policies for the Rural Policy Areas within The Nor-Mac Planning District. Rural Policy Areas are differentiated from Urban Policy Areas by less dense development and larger land parcels, with agriculture and resource-related activities being the dominant land uses. Rural Policy Areas depend on urban settlements for a range of commercial and public services and facilities. In rural areas, public services such as a water supply and delivery system and/or a sewage collection and treatment system are less common.

The Rural Policy Areas contain agriculture, single and multi-lot rural residential developments, seasonal recreation development and agro-related industrial/commercial developments.

### **3.2 Objectives**

- .1 To protect the dominant role of agriculture and resource-related activities within the rural areas of the Planning District.
- .2 To minimize the unnecessary fragmentation of large land parcels as a means of protecting the long term agricultural viability and rural character of the Nor-Mac Planning District.
- .3 To encourage economic development, growth and diversification in rural areas in an orderly, efficient manner that will maintain and protect the dominant role of agriculture and resource-related activities in the rural area.
- .4 To recognize the distinct differences and required land use management practices between large-scale livestock operations (LOs), small-scale LOs, mixed farms, and specialized agricultural operations, and to make provision for their continued presence within the rural areas of the District.

- .5 To recognize that within the Rural Policy Areas of the District, some legitimate rural uses associated with agriculture, residential, commercial, industrial and recreational activities and protected natural areas and conservation areas must be accommodated in such a manner that not only supports and enhances the continued viability of the District but also minimizes potential for land use conflicts and maintains a healthy natural environment.
- .6 To encourage development and growth which is sustainable, and which efficiently uses land and existing road networks and existing and future planned waste water and water supply efficiently.
- .7 To promote development which is compatible with adjacent land uses, both existing and anticipated.
- .8 To maintain the character and quality of life presently enjoyed by those living in the rural areas.
- .9 To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for urban areas.
- .10 To work co-operatively with the Province in maintaining and improving the water quality for all water resources in the rural areas of the District under the *Water Protection Act*.

### 3.3 Policies

#### 3.3.1 General

- .1 Rural Area Policy Designations (i.e. “Rural/Agriculture Area”, “Rural Residential Area” and “Seasonal Recreation Area”) are illustrated in **Appendix “A” Development Plan Map 2**. The **Rural/Agriculture Area** designation provides primarily for agricultural development and a limited amount of legitimate rural uses associated with agriculture and resource development, rural residential, commercial, industrial and recreational development. The **Rural Residential Area** designation provides for single-family and multi-lot residential development on large parcels where the keeping of non-commercial animals may be permitted subject to the requirements to be established in the Rural Municipal Zoning By-law. The **Seasonal Recreation Area** designation provides for new cottage, recreation facilities and residential development on Jackson Lake as well as other areas.
- .2 Some land uses such as outdoor recreation uses and facilities, protected natural areas and conservation areas, agro-commercial, agro-industrial and other commercial and industrial uses that require large tracts of land and need to be separated from urban land uses as outlined in **PART 3: 3.3.6** herein may be appropriate in the Rural/Agriculture Area Designation. The subdivision of land for these uses may be permitted in this Designation provided that conflict with the primary land use of agriculture is minimized. In general, urban like uses such as commercial, industrial, indoor recreational, institutional, public and small lot and multiple residential uses should be directed to existing principal urban communities.
- .3 New development in the Rural Policy Area Designations should be located so as to be compatible with other existing or proposed uses
- .4 New non-farm development should be directed away from prime agricultural lands and viable lower class agricultural lands.

- .5 New development in the Rural Policy Area Designations should be located to be compatible with existing or potential resource extraction or harvesting.
- .6 Proposed development in the Rural Policy Area Designations, which by virtue of their use, land requirements and/or servicing requirements would compete, with urban areas should be directed towards Urban Policy Areas.
- .7 In general, urban like uses such as commercial, industrial, indoor recreational, institutional, public and small lot residential uses should be directed to existing urban communities.

### 3.3.2 Agriculture

- .1 The designated **Rural/Agriculture Area** should be preserved for a full range of agricultural activities on prime agricultural lands and on viable lower class lands that are being used for agricultural production. Prime agricultural lands should not be developed for non-agricultural uses, unless there is no suitable alternate site or if the development meets an important public need.
- .2 To support the ongoing viability of large-scale agricultural operations, lands in the designated **Rural/Agriculture Area** should be maintained in large parcels generally eighty (80) acres or more in area.
- .3 Small land holdings for small-scale or specialized agricultural operations may be considered for approval, provided that such proposals are compatible with other existing agricultural operations, are considered commercially viable and that the size of the proposed parcel is appropriate for the intended use.
- .4 Existing agricultural enterprises which operate with generally accepted practices of farm management and in conformance with provincial regulations should be protected from new development which might unduly interfere with their continued operation. Specifically, non-farm residential development and recreational development will be discouraged in close proximity to existing

livestock operations in order to minimize potential land use conflicts and help to maintain the ongoing viability of existing livestock operations. The siting of new residential developments should comply with the mutual separation distances for livestock operations as set out in the municipal zoning by-law (see 3.3.3 Livestock Operations Policy No's .7 and .8 of this Plan).

**Appendix “B” Reference Map 4** identifies soil capability for agriculture based on the 7 class Canada Land Inventory system. Classes 1 – 3 represent the prime agricultural land for field crop production. The lower class lands (4 – 5) are marginal for cultivation and are capable of perennial forages, native forages and pasture, class 6 lands are capable of producing native forages and pastures but improvement is not feasible and class 7 and organic lands are considered unsuitable for dry land agriculture. Note that the scale of mapping is reconnaissance level (1:126,720) which makes it unsuitable on which to base site specific decisions but can be used for general land use planning policy decisions.

### **3.3.3 Livestock Operations Policies**

Livestock operations are an important component of the agricultural industry. In some situations, these types of operations may have potentially adverse effects on nearby developments and the local environment, primarily due to factors such as odour, noise, insects and management practices that require interaction with the environment, which are usually associated with these types of operations. They also need to be carefully planned and located so as to minimize the potential for pollution in groundwater sensitivity areas and in areas adjacent to waterbodies and rivers of the Planning District.

- .1 Livestock operations development within a one-mile buffer of the two (2) principal urban communities of MacGregor and Austin and the three (3) secondary urban communities of Bagot, Sidney and Rossendale shall generally be guided by the following policies:
  - (a) existing livestock operations will be allowed to expand up to a maximum size of 200 animal units;

- (b) new small-scale livestock operations may be allowed but restricted to a maximum size of 200 animal units or less, subject to conditional use approval of Council; and
  - (c) no new or expanded livestock operations above 200 animal units will be permitted.
- .2 Livestock operation development outside the buffer areas identified in .1 above with an animal capacity of 300 animal units or greater are conditional uses subject to the procedures and requirements specified in *The Planning Act* and the Municipal Zoning By-law.
- .3 Proponents, owners and operators of livestock operations will be required to develop facilities and conduct their operations in a manner which minimizes the production of offensive odours, potential pollution of soils, groundwater and surface water and mitigates other potential land use conflicts.
- .4 Livestock operations will be required to locate where they will be compatible with surrounding land use.
- .5 New or expanding livestock operations of ten (10) or more animal units, should generally not be permitted in soil classes 6-7 Canada Land Inventory (CLI) soils and unimproved organic soils identified by a detailed soil map or survey acceptable to the Province.
- .6 Notwithstanding the limitations regarding livestock operations contained herein, livestock facilities for fewer than 10 animal units owned for personal use accessory to the primary farm or rural residence may be permitted within the Rural Area Policy Designations, except the Seasonal Recreation Area Designation, subject to all requirements of the municipal zoning by-law, provided that such proposals are compatible with existing agricultural operations and that the size of the proposed parcel is appropriate for the intended use.

- .7 Mutual separation distances, the distance between livestock operations and other designated areas and vice versa, except for specific capacity restrictions in the buffer areas identified in .1 above will be the same as provincial regulations for livestock operations locating close to designated areas including designated urban communities, rural residential areas and recreation areas.
- .8 Mutual separation distances will be maintained between existing , expanding or proposed livestock operations and residences not associated with the livestock operation. This separation distance may be up to 50% larger in the Municipal Zoning By-law to provide greater separation for these residences.
- .9 Above policies .7 and .8 shall be considered with respect to neighbouring jurisdictions including adjacent planning districts and municipalities.
- .10 Proposed and residual lots resulting from subdivisions of parcels containing livestock operations shall be of such size and configuration so as to maintain minimum property boundary setbacks as required by The Manitoba Livestock Manure and Mortalities Management Regulation.
- .11 Livestock operation development on lands outside the buffer areas referred to in .1 above may be allowed subject to all other livestock operation policies herein and all provincial regulations.
- .12 Council and proponents of livestock operations will be encouraged to have regard to the advice of provincial technical advisors regarding the proposed siting and development of major livestock operations. New and expanding livestock operations will be evaluated on the basis of criteria such as but not necessarily limited to:
- (a) type of operation (e.g. cattle, hogs);
  - (b) size of operation (e.g. animal units);
  - (c) water supply (e.g. source and consumption levels);
  - (d) measures to reduce odours – covers and shelterbelts;
  - (e) measures to ensure conformity with the municipal zoning by-law;

- (f) adjacent land uses (e.g. agricultural, residential, recreational);
- (g) provincial regulations governing livestock operations;
- (h) reports from appropriate provincial reviewing agencies;
- (i) amount of truck traffic generated; and
- (j) nature of land base (e.g. soils, crop practice, proximity to surface water).

### **3.3.4 Rural Residential Development**

#### **.1 General Provisions**

The following development criteria for all rural residential and farm related residential uses will be considered by the Rural Municipal Council in the evaluation of subdivision applications in the Rural Policy Areas of the District:

- (a) a proposed site or development should be directed away from prime agricultural land, viable lower class lands and existing agricultural operations wherever possible and appropriate. As a priority, such uses should be directed to areas where agriculture is less dominant due to a combination of diversity of landscape features, a predominance of lower class land, a high degree of land fragmentation, and the existence of a mixture of land uses;
- (b) except where permitted by the Council in the vicinity of Jackson Lake and urban centres of the District, the site area should not be less than two (2) acres and the site width less than two-hundred (200) feet and greater than three-hundred (300) feet and should not be excessive in the size and wasteful of the land resource;
- (c) subdivision for rural residential uses shall not have the effect of creating potential for a new settlement centre;
- (d) the proposed site or development shall be located a sufficient distance from conflicting or incompatible land uses such as existing or proposed livestock operations, industrial areas, waste disposal areas, landing areas for aircraft, railways, high capability areas for mineral extraction and prime wildlife habitat;

- (e) the subdivision must comply with the mutual separation distances for livestock operations as set out in the Municipal Zoning By-law;
- (f) the site or development shall not be located in natural hazard areas subject to flooding, inadequate drainage, erosion or with a continuous or reoccurring high water table;
- (g) the site shall be physically suitable for the proposed use;
- (h) a newly created rural residential site or development should not restrict the farming activity on adjacent agricultural land;
- (i) the site or development shall not cause groundwater pollution, and shall not adversely affect the water supply for existing users with respect to quality and quantity;
- (j) services such as, but not necessarily limited to, drainage, hydro and telephone and legal access to all weather roads can be provided at the municipal standard for the area with any costs to be borne by the developer;
- (k) the proposed site or development shall have access to potable water supply;
- (l) the proposed site or development shall be capable of providing an approved on-site sewage system in accordance with Provincial Regulations and an off-site approved sewage waste disposal facility (eg. Lagoon) must be available for use by the new residents;
- (m) where rural residential development is considered appropriate, it should be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services;
- (n) rural residential development should only be approved when the number and the location of the proposed lots is necessary to meet the needs of the District and are consistent with the policies and objectives of this Plan;

- (o) the cumulative effect of lot creation in an area will be considered;
- (p) council may require the developer to provide additional information and justification that demonstrates the suitability of a site for a rural residential use and its compatibility with existing and proposed uses in the vicinity;
- (q) council may provide for accessory livestock for personal and recreation use in the municipal zoning by-law subject to limited animal types, limited number of animal units and minimum site requirements specified in the municipal zoning by-law; and
- (r) new rural residential development on the periphery of the existing urban centres must be planned so as not to interfere with urban expansion.

## **.2 Small-Scale Rural Residential Subdivisions**

In the Rural/Agriculture designation, rural residential lots of up to two (2) lots per titled quarter section or one (1) lot per 80 acre minimum parcel size, for a total of two (2) lots per quarter section (except where land is subdivided out by the Crown, Crown Corporation, Municipality or public utility) may be approved without re-designation.

- (a) the subdivision of land for farm related residential purposes may be considered under the following conditions:
  - (i) where it is necessary to establish a farm residence lot title separate from the farm operation for purposes of incorporation, financing, etc.; and
  - (ii) where a residence is required for an individual who is actively involved in the farming operation;
- (b) the creation of small lots for rural non-farm residential uses may be allowed under the following circumstances:

- (i) the subdivision of an existing farmstead for a retiring farmer who wishes to retain his/her farm residence, or suitable parcel of land in which to establish a new residence, for retirement purposes;
- (ii) subdivision of an existing farmstead which may have a defined shelterbelt which is no longer required as part of the farm operation or has become surplus due to farm amalgamation;
- (iii) the subdivision may be permitted where a parcel of land is isolated by way of a creek, drain, road or natural land feature and is of size or shape that it is no longer feasible to farm;
- (iv) the subdivision of land may be permitted for in-fill situations where existing subdivision is such that unused road frontage exists between existing lots (maximum of 328 feet) in such a manner that it can no longer be feasibly farmed;
- (v) the subdivision of an abandoned farmstead site as of the date of the adoption of this development plan and as defined by the municipal zoning by-law provided it will not have a negative impact on adjacent land uses and meet mutual separation distances from livestock operations; and
- (vi) the subdivision of small parcels of land that are not suitable for agricultural production and/or are predominantly treed and characterized by other suitable natural features.

### **.3 New Rural Residential Parcels as Conditional Uses**

All newly created non-farm rural residential parcels as provided for herein, with the exception of residences which are part of and accessory to a permitted or conditionally approved agricultural operation, shall be a conditional use in the Rural Municipality's Zoning By-law and are subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the Municipality's zoning by-law.

#### **.4 Multiple-lot Rural Non-farm Residential Development**

Subdivision for multiple-lot planned rural non-farm residential development of three (3) or more lots may be permitted as an alternative to urban residential or small-scale (1-2 lots) rural non-farm residential development subject to the following requirements:

- (a) a subdivision concept plan for all lands contained within the parcel to be subdivided has been prepared by the applicant and approved by the Board and Council;
- (b) the proposed development meets the Rural Residential Development – General Provisions in **3.3.4.1** herein;
- (c) an approved development plan amendment, if required, re-designating the land to **Rural Residential Area**; and
- (d) an approved municipal zoning by-law amendment rezoning the land for rural residential use.

#### **.5 Specific “Rural Residential Area” Designations**

**Appendix “A” Development Plan Map 2** designates areas for new multi-lot single-family non-farm residential development as **Rural Residential Area**.

#### **3.3.5 Seasonal Recreation Area Development**

The only lake within the Planning District is Jackson Lake which can provide lots for seasonal recreation development. Specific areas are designated **Seasonal Recreation Area** in **Appendix “A” Development Plan Map 2**. This designation covers an area to a distance of 2000 feet from the shoreline of the lake. The Municipal Zoning By-law may provide for year round seasonal recreational development with varying degrees of municipal services generally not dependent on municipal piped utility services as well as other open space uses including campgrounds, marinas and related ancillary commercial activities which are

compatible with existing development and the natural environment. The existing and developing portion of this designation may be zoned for recreational use and the remaining lands zoned for low intensity agricultural uses while awaiting development for non-agricultural uses. New areas will require redesignation and rezoning prior to development.

- .1 Seasonal recreation development will follow the policies set forth in subsection **PART 3: 3.3.4** for rural residential development except for policies specifically targeted to non-recreation/residential development.
- .2 Seasonal recreation development should be directed away from prime agricultural lands and viable lower class lands, existing livestock operations, aggregate extraction areas, and sensitive environmental areas, and encouraged to maintain the natural character of the landscape.
- .3 In instances where proposed seasonal recreation developments incorporate shoreline, the proponent should ensure adequate and continuing public access to the waterbody.
- .4 Residential development in recreational areas such as single-family dwellings should be encouraged to locate in close proximity to community services, commercial developments, and recreational amenities such as golf courses.
- .5 Accessory uses and ancillary commercial services and recreational uses such as marinas, camping and tenting grounds, group camps, church camps, playgrounds and similar uses may be permitted.

### **3.3.6 Commercial & Industrial Development**

- .1 New commercial and industrial developments which are directly related to agriculture or are better suited to a rural environment due to potential hazards or nuisances; require large sites and may or may not require piped municipal services may be established in the Rural Policy Areas. The Municipal Zoning By-law may provide for these uses as permitted or conditional uses in the "Rural/Agriculture" Zone. Other commercial and industrial developments should

be directed to urban centres or designated in their immediate vicinity where urban services can be extended or acceptable and approved on-site water and sewage services can be provided.

- .2 Commercial and industrial developments in the Rural Policy Areas should locate at appropriate locations in a manner that is consistent with the transportation policies of this document and should be directed away from prime agricultural land and viable lower class land used for agriculture where possible.
- .3 Commercial and industrial developments should be located within or as close to an urban or settlement centre as is safe, nuisance-free and practical in order to strengthen existing communities. However, such developments should be planned in such a manner that they do not impede the orderly expansion of communities with piped water and sewer services.
- .4 The location of uses which may involve the storage and transfer of hazardous chemicals shall have regard for compliance with applicable provincial regulations as well as all siting and setback requirements contained in the Municipal Zoning By-law.

### **3.3.7 Home-based Businesses**

- .1 Home-based businesses may occur generally in the Rural Policy Area including any designated rural residential and recreation/residential areas. Home-based businesses are secondary to a primary residential use and are generally modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the requirements for home-based businesses in the Municipal Zoning By-law.

## **PART 4: URBAN POLICY AREAS**

### **4.1 Introduction**

This section of the Plan outlines objectives and policies for urban areas within the Planning District. Urban areas may include towns, villages, local urban districts and other settlements. Urban areas are differentiated from rural areas by more dense development and smaller lots. The higher population densities and smaller lots allow for a greater variety of shared services (e.g., piped water and sewer) to be provided more efficiently and economically. The two (2) principal urban communities in The Nor-Mac Planning District are MacGregor and Austin and the three secondary urban communities are Bagot, Sidney and Rossendale. These urban communities usually function as service centres for the surrounding municipality and offer a range of commercial and public services and facilities (e.g., retail stores, businesses, schools, government offices, and recreation facilities). Urban areas may offer a greater variety of housing types than rural areas including single-family, multi-family, seniors' and special needs.

**Appendix “A” Development Plan Maps 3-7** illustrate the **“Urban Policy Designations”** of the District; however, **Map 3** of MacGregor and Area extends into the Rural Municipality of North Norfolk.

### **4.2 General Objectives**

- .1 To sustain and strengthen existing urban areas by encouraging new development, revitalization and renewal while at the same time minimizing potential land use conflicts between the range of legitimate land uses found in the urban policy areas.
- .2 To encourage development and growth of urban areas which efficiently uses land, infrastructure and public services by promoting complementary in-fill and revitalization of existing developed areas within the Urban Policy Designations.

- .3 To provide a range of residential, commercial, industrial, recreation and public institutional facilities and services to the residents of the urban area and residents of the region.
- .4 To promote development which is compatible with adjacent land uses, both existing and anticipated.
- .5 To encourage growth and development of urban areas in a manner which is compatible with the objectives and policies for rural areas.

### **4.3 Policies**

#### **4.3.1 General**

- .1 In general, 'urban-like' uses such as commercial, industrial, indoor recreational, institutional, public and small lot residential uses should be directed to existing urban centres.
- .2 Urban areas shall provide for an appropriate mix of residential, commercial, institutional, recreational, industrial and public uses in quantities reasonably related to demand.
- .3 Proposed development shall take into account the health, safety and general welfare of the residents, and the viability and character of the urban centre.
- .4 Those uses or activities which are allowed in urban areas shall be located so as to be compatible with other existing or proposed uses, or, if possible, made compatible through mitigative measures.
- .5 Infilling and revitalization of existing built-up areas should be encouraged as a means to accommodate new development in urban areas. Re-subdividing of over-sized lots should also be encouraged for compact development.

- .6 Expansion and/or development of underdeveloped areas of existing urban centres should be directed away from prime agricultural land, livestock operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited.
- .7 Where suitable vacant land is not available within an existing urban community, new development should be encouraged to locate adjacent to existing built-up areas where public services, including roads, water and sewer services, power lines and other services can be efficiently and economically expanded.
- .8 Lot sizes and densities should be governed by the limitations of existing sewer and water services within each community. Where no existing piped services are available within the community, lot sizes should be sufficiently large to minimize the risk of contamination of private wells, and to allow for the installation of suitable types of sustainable private onsite waste water management systems in accordance with *Environment Act* regulations. Where piped services are available, lot sizes may be smaller to provide for a higher density of development, and thus more efficient use of piped services. In the case of commercial and industrial developments, lot sizes should be large enough to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas and any onsite water and sewer service requirements. However, lot sizes should not be so large that they are wasteful of land.
- .9 Where large undeveloped areas are being considered for future community development, an overall concept plan should be prepared for the area, in order to provide for an efficient, well-planned development. The concept plan should illustrate the general arrangement of future roadways, building lots, open spaces, piped services, area drainage, and other major features. The design of the roadways, drainage, piped services and building lots should be integrated with existing roadways and services, and should generally conform to recognized engineering and planning standards.

- .10 Where a developer is proposing new development, Council should specify the standards for new infrastructure (such as roadways, drainage or piped services), and may, in its discretion, require the proponent to contribute towards the cost of establishing new infrastructure that may be needed to adequately service the new development.
- .11 Separation standards for incompatible uses such as sewage lagoons and waste disposal sites locating close to the urban communities will be established in the Municipal Zoning By-laws.

#### **4.3.2 Piped Water & Sewer Services**

- .1 Where municipally operated water or sewer services are provided within any developed area, new developments shall be encouraged to connect to these services at the time of development or as determined by the Board or respective Council.
- .2 Where new water or sewer systems are provided within existing developed areas, existing development shall connect to these systems within time frames established by Council.
- .3 Where piped water or sewer services are not available in urban areas, development should be planned so as to be able to accommodate the use of onsite water and sewer systems at present and efficient and economical piped water and sewer services in the future.

#### **4.3.3 Vehicle Traffic**

- .1 Development which has potential to generate significant vehicle traffic, including significant truck traffic, should locate in planned locations in proximity to major roadways, including provincial roads and provincial trunk highways as approved by the Province and away from residential areas where the traffic would create

incompatibilities with surrounding land uses, or endanger public health or safety, or cause excessive wear and tear on road networks.

- .2 Development which primarily serves the traveling public should locate at planned locations with access to major roadways including provincial roads and provincial trunk highways where appropriate and approved by the Province.
- .3 Direct access of new development to the provincial highway system will be discouraged; access should be via the municipal roads and service roads to the provincial road network.

#### **4.3.4 Home-based Businesses**

- .1 Home-based businesses may occur generally in urban communities. Home-based businesses are secondary to a primary residential use and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the requirements for home-based businesses in the municipal Zoning By-law.

### **4.4 The Urban Communities**

#### **4.4.1 Introduction**

The principal urban communities include the incorporated Town of MacGregor, and the unincorporated village of Austin. The secondary urban communities include the unincorporated villages of Bagot, Sidney and Rossendale. There are sufficient lands within the developed areas of the principal urban communities of the District to meet future needs relative to the socio-economic trends identified in the Background Study. If

demand exceeds supply of land, there are sufficient undeveloped lands within these communities for future development.

**Development Plan Map 3** is a conceptual illustration of the land use designations within the principal urban community of MacGregor and **Maps 4-7** illustrate the land use designations for the principal urban community of Austin and the secondary urban communities of Bagot, Sidney and Rossendale. The conceptual illustrations provide a means of representing and designating the complex form of the different development areas.

The following is a statement of policies pertaining to each of the land use designations represented in the Town of MacGregor and Area.

The general objectives and policies contained in sections 4.2 and 4.3 herein shall also apply to these urban communities.

#### **4.4.2 Residential Development**

- .1 New residential developments shall be directed to designated Residential Areas on **Development Plan Map 3** for this use in order to make maximum use of existing services.
- .2 Development of a variety of housing types should be encouraged in the Residential Policy Area (e.g., single-family, multi-family, mobile homes, seniors', special needs) in response to demand and where suitable services and infrastructure are available or can be provided efficiently and/or cost effectively.
- .3 Residential development should be located to avoid potential conflicts with other incompatible uses (e.g., industrial uses which generate noise, dust, odours, heavy traffic and other potential nuisance, sewage lagoons, highways, rail lines).
- .4 Residential development will be encouraged to locate in proximity to complementary public (e.g., recreation facilities, parks, libraries), institutional (e.g., schools) and commercial uses (e.g., neighbourhood commercial).

- .5 In planning and developing of residential areas, parks and playgrounds shall be considered as integral part of new residential areas and shall be identified on conceptual plans of subdivision and dedicated to the community as public reserve through the subdivision process. These parks and playgrounds should be centrally located in each neighbourhood maximising pedestrian and vehicular segregation. Such facilities should be provided in existing residential areas where, in the opinion of Council, there is an apparent need.
- .6 Multi-family housing projects or seniors' housing projects will be encouraged to locate in close proximity to important community services such as central commercial areas.
- .7 The incorporated urban centres should ensure that a suitable stock of serviced land be maintained to satisfy future demands. It is desirable to provide for a three to five year supply of serviced residential lots including available in-fill lots and lots in existing and new subdivisions.
- .8 In-filling and revitalization of existing dwellings and neighbourhoods should be an ongoing process that complements the creation of newly serviced lands which may also be developed to satisfy demand.

#### **4.4.3 Commercial Development**

- . 1 New commercial development shall be directed to the appropriate commercial areas designated "Commercial Area" in **Appendix "A" Development Plan Map 3**.
- . 2 The commercial core area of MacGregor should be promoted as the principal location for specialised retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreational amenities and may include multi-family dwellings with or without associated commercial uses preferably at the periphery of the commercial core. Emphasis will be placed on in-filling vacant land and revitalising existing buildings prior to expanding the commercial core.

- . 3 To strengthen the central core area's higher density development, revitalization of existing buildings, infrastructure upgrading and landscaping programs will be encouraged.
- . 4 Where lands of a suitable size are not available in the commercial core, commercial developments with extensive site requirements, such as outdoor storage, display, parking requirements (i.e., large trucks), shopping malls and shopping plazas, will be encouraged to locate at appropriate locations outside of the central core area and do so in a manner that complements rather than detracts from the viability of the incorporated urban centres' central commercial area. For new commercial developments, overall concept plans may be required that address servicing issues, site access and other planning considerations.
- . 5 The development and servicing of new commercial areas on the periphery of incorporated urban centres should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new commercial areas should be done so as to minimise the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.

#### **4.4.4 Industrial Development**

- . 1 New industrial developments should be directed to the appropriate industrial areas designated "Industrial Area" in **Appendix "A" Development Plan Map 3**.
- . 2 Industrial uses which are incompatible or potentially incompatible with other urban uses and/or which pose a significant risk to public health and safety, due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area where they will be compatible with other uses and will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the rural area may be considered.

- . 3 New development, which could be incompatible with industrial uses, should be directed away from areas where industrial uses occur or are anticipated to occur. For new industrial developments, overall concept plans may be required that address servicing issues, site access and other planning considerations.
- . 4 The development and servicing of new industrial areas on the periphery of Urban Policy Areas should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new industrial areas should be done so as to minimise the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.
- . 5 Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban areas. If such uses are proposed in these areas, special landscape buffering or other mitigative measures should be taken to screen these industrial uses from view.
- . 6 The rehabilitation and redevelopment of existing industrial sites should be promoted prior to the development of new industrial areas.
- . 7 Industries presently located in non-industrial areas should be encouraged to relocate to the appropriate industrial area. This particularly applies to those industries that have a negative impact on adjoining properties. Should relocation of existing industries be impractical, steps should be taken to minimise the negative impact on adjoining properties.
- . 8 Each municipal council within the Nor-Mac Planning District may enter into tax, service and cost sharing agreements for municipal infrastructure and industrial development particularly for resource and agro-related commercial/industrial developments that require inter-municipal co-operation and support to make the project viable.

#### 4.4.5 Institutional Development

1. In MacGregor there is no particular institutional designation in this development plan. Institutional uses are those which provide a public or semi-public service including such uses as governmental, educational, medical, religious, cultural functions as well as residential institutions serving as group homes, seniors and personal care type functions. Large institutional uses such as, schools and nursing homes may be zoned for institutional use in the municipal zoning by-law and/or allowed in the zone in which they are located.
- .2 Indoor recreational and public institutional uses requiring piped municipal services should be directed to the urban communities with piped water and piped sewer systems.
- .3 All public institutional development shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.

#### 4.4.6 Open Space/Recreation Development

- .1 Open space, parks and recreation uses should be directed to the appropriate areas designated **Open Space/Recreation Area in Appendix “A” Development Plan Map 3**. This includes the major recreation facilities including the MacGregor Golf Course, schools, rinks, sportsfields, fairgrounds, etc. Ancillary commercial facilities associated with an intensive recreational use may be permitted in this **Area**.
- .2 Parks and open space areas are to be maintained at an acceptable level to ensure clean, hazard-free recreational space.
- .3 Wherever possible, land should be acquired through the subdivision process for park, recreation and open space use according to the provisions of *The Planning Act*.

- .4 Indoor recreational uses requiring piped municipal services should be directed to MacGregor.
- .5 The use of landscaped buffers, sports fields and open spaces shall be considered as a means of protecting MacGregor's physical environment and of separating non-compatible types of land uses.
- .6 All recreational developments shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.
- .7 Any areas which may be susceptible to flooding and erosion and which cannot be readily serviced with sewer and water shall be given consideration whenever there is a need for outdoor recreational facilities.

#### **4.4.7 Urban Transition Development**

- . 1 Lands located in the undeveloped fringe areas of MacGregor are not immediately required for urban usage. These large tracts of land should be reserved in an unfragmented state for future urban development. These lands are designated "**Urban Transition Area**" in **Appendix "A" Development Plan Map 3**.
- . 2 Urban reserve lands may be used for general agricultural activities such as cereal and forage crops, resource extraction or open space type uses but no new livestock concentrations shall be allowed.
- . 3 Non-agricultural developments, except for open spaces uses, will generally not be allowed within these areas until such time as an overall plan has been prepared illustrating the layout of future roadways, building lots and servicing systems (sewer, water, hydro, telephone, gas) and until the area has been redesignated and rezoned for development.

## 4.5 The Unincorporated Villages

### 4.5.1 Introduction

The Unincorporated Villages of Austin, Bagot, Sidney and Rossendale are the smallest urban communities within the Nor-Mac Planning District.

### 4.5.2 General Development Policy Area

- . 1 The general objectives and policies contained in sections 4.2 and 4.3 herein shall apply to the unincorporated Villages.
- .2 The unincorporated villages, due to their relatively small size and development activity as well as the desire to maintain a flexible and responsive approach to development proposals have been designated as **General Development Area in Appendix “A” Development Plan Maps 4-7**. The Municipal Zoning By-law may divide these communities into various land use zones such as residential, commercial and industrial in accordance with the overall objectives and policies contained in this Development Plan.
- .3 Where there are a reasonable number of suitable vacant lots available and existing in the Villages, no further subdivision of land should be allowed adjacent to it.
- .4 All sewage and other waste disposal shall comply with the regulations under the *Public Health Act* and *Environment Act*, and surface water quality shall be protected by adherence to the guidelines of the *Manitoba Surface Water Quality Objectives*.
- .5 Undeveloped lands within the villages will be restricted to low intensity agricultural uses such as cereal and forage crops or open space uses but not for livestock facilities except as provided in **PART 4: 4.6**.

#### **4.6 Livestock Operations Policy for Urban Areas**

No new livestock operations will be allowed to be established in the principal and secondary urban communities of the Planning District. Existing livestock operations at the date of adoption of this development plan will be allowed to continue operation but not allowed to expand.

## **PART 5: IMPLEMENTATION**

### **5.1 Basic Implementation Measures**

The policies outlined in this Development Plan will be implemented by the following measures and methods:

#### **5.1.1 Adoption of this Development Plan**

Adoption of The Nor-Mac Planning District Development Plan by the Board by by-law will give the plan the force of law. *The Planning Act* states that once adopted no development or land use change may be carried out within the area affected by the development plan that is inconsistent or at variance with the proposals or policies, or designated land uses set out in the development plan. *The Planning Act* also states that adoption of a development plan does not require a board or council to undertake any proposal suggested or outlined in the plan.

#### **5.1.2 Adoption of Municipal Zoning By-laws**

Following adoption of the development plan, each municipality comprising The Nor-Mac Planning District is required to enact a zoning by-law which will set out specific regulations for land use and development.

Zoning by-laws provide zoned areas for certain types of development. Each municipal zoning by-law must generally conform to the policies and objectives outlined in the adopted Nor-Mac Planning District Development Plan. While the Development Plan policies guide the Zoning By-laws, it may be necessary in some cases to zone a specific property for its existing use rather than for the use foreseen in the Development Plan. Permitted and conditional uses and development standards are prescribed for each zone.

The objectives and policies in the Development Plan provide guidance to a council when preparing the Zoning By-law or considering an amendment to the Zoning By-law.

### **5.1.3 Conditional Use Approvals**

Within each municipal zoning by-law, there will be provisions for the approval of various types of development as a conditional use in each zone. This process provides each council with the flexibility to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals. In addition, this process provides council with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the conditional use process, council will have an opportunity to influence the location of some types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community. The policies and objectives contained in The Nor-Mac Planning District Development Plan provide guidance for the conditional approval process. Further guidance for determining viability of a location for a conditional use approval is found in *The Planning Act*.

### **5.1.4 Variation Orders**

*The Planning Act* enables each municipal council to issue variation orders for the purpose of varying or altering the application of its zoning by-law. The various ways that a zoning by-law may be varied are outlined in *The Planning Act*. Council may attach conditions to a variation order in order to maintain the intent and purpose of the Development Plan or the Zoning By-law. Council may authorize the Development Officer of The Nor-Mac Planning District to grant or refuse a minor variation as set out in *The Planning Act*.

### **5.1.5 Development Permits**

New development generally requires a development permit issued by the member councils.

Before a development permit is issued, proposals should be reviewed to determine their conformance with the Development Plan and relevant Municipal Zoning By-law.

### **5.1.6 Development Officer**

Council may authorize the Development Officer of The Nor-Mac Planning District to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of a zoning by-law.

### **5.1.7 Subdivision Approvals**

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving the relevant municipal council and Planning District Board, utility companies and certain provincial government departments as specified in *The Planning Act*.

This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the development plan. The proposal must be consistent with the Development Plan policies and land use designations.

A subdivision proposal cannot proceed without the approval of municipal council and the provincial approving authority.

Council and/or the provincial approving authority may attach conditions to a subdivision approval in accordance with provisions of *The Planning Act*.

### **5.1.8 Development Agreements**

Municipal approval of subdivisions and zoning amendments can be conditional on development agreements which will protect both the applicant and the municipality. The development agreement on subdivisions deals with the responsibilities of the applicant and the municipality in providing services and facilities to the land in question. A development agreement on a zoning amendment may deal with the use of the land, the siting of buildings, the installation of services, provision of open space, etc.

### **5.1.9 Review & Amendment**

The Nor-Mac Planning District Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the Planning District. The Board has set a ten year deadline for a detailed review of its Development Plan. The Development Plan may be amended at any time when considered appropriate or necessary by the Board.

## **5.2 Additional Measures**

In addition to the measures outlined above, the Planning District may also utilize the following additional measures:

### **5.2.1 Acquisition & Disposal of Land**

The municipality/planning district/community development corporation may acquire an interest in land or sell, lease or otherwise dispose of land for the purpose of implementing the Development Plan.

### **5.2.2 Adoption of Other By-laws**

Each Municipality comprising the Planning District has the capability to adopt and administer other by-laws concerning the use, development and maintenance of land. This would include measures such as the adoption of a building by-law, property maintenance by-laws, access or encroachment agreements and other types of by-laws affecting the use of land.

### **5.2.3 Special Studies**

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required for development proposed for lands affected by flooding hazards, endangered species, potential for groundwater/surface water pollution, and general risk to health and the environment. Other examples of such studies include professional evaluation of extension of municipal services and their efficiency or capacity to support additional development, conceptual layout designs for servicing subdivisions and traffic studies.

### **5.2.4 Public Works**

The capital works program and public improvements of each municipality comprising the planning district should conform to the policies set out in this development plan. This is an important implementation tool since a municipality may influence the rate and direction of growth through the provision of municipal services to land.

### **5.2.5 Capital Expenditure Program**

Council(s) should consult the development plan when revising the annual five (5) year capital expenditure program.

### **5.2.6 Strategic Plans for Economic Development**

As outlined in *The Municipal Act*, municipalities may adopt a strategic plan for economic development. Strategic plans should be consistent with the development plan. Communities should also take into account and build upon existing or proposed community vision statements and action plans prepared as part of the community round table process to ensure consistent objectives, policies and programs.

### **5.2.7 Integrated Watershed Management Plans**

*The Planning Act* requires the Planning District Board to consider the application of any watershed management plan or regulation approved under *The Water Protection Act* when preparing, amending or re-enacting a development plan by-law. The Whitemud Watershed Conservation District has started the process of preparing integrated watershed management plans for various parts of the District. The Board and Councils are aware such plans relate to land use within the Planning District. Currently subdivision applications for lands within The Nor-Mac Planning District are circulated on a regular basis to the Conservation District Board for their comments.

### **5.2.8 Municipal Co-operation**

Implementation of The Nor-Mac Planning District Development Plan may benefit from or require cooperation between one or more municipalities. *The Municipal Act* provides for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

### **5.2.9 Other District Studies**

There are some additional areas that warrant more detailed planning and study beyond the scope of this Development Plan. These may include:

- (a) a long term plan and implementation program for municipal infrastructure upgrading which may include roads, bridges, sewer and water lines, water plants, lagoon, etc;
- (b) with the assistance of an engineering consultant, prepare a District Wastewater Management Plan in conjunction with the land use and development policies of the Nor-Mac Planning District Development Plan;
- (c) continued development of computerized GIS land use mapping in a format that may readily be upgraded from time to time;
- (d) provision of housing in both the Town and RM by providing more lots for housing and more economical housing development in the form of mobile home parks, apartments, senior's housing etc;
- (e) development of action plans with development groups and organizations to:
  - (i) increase local involvement of youth in both business and volunteerism;
  - (ii) increase networking between community organizations and groups;
  - (iii) business retention through identification of skilled and unskilled labour as well as provide assistance and direction for skill development; and
  - (iv) increase technology capacity.

### **5.3 Interpretation**

Words and expressions used in this development plan have the meanings ascribed to them in *Provincial Land Use Policies and Planning Act*, unless the context requires otherwise.

# ***APPENDIX***

## ***“A”***

### ***DEVELOPMENT PLAN MAPS***

# ***APPENDIX***

## ***“B”***

### ***REFERENCE MAPS***

These Reference Maps are included as attachments to this Development Plan for information purposes only and shall not be treated as Development Plan policy maps and are not intended to identify the statutory limits of any particular designated area.