



Mid-West Planning District

Development Plan [NOVEMBER 15, 2018 – 3RD Reading]

Mid-West Planning District Development Plan By-law No. 2-2018

1. THE MID WEST PLANNING DISTRICT BY-LAW 2-2018

BEING A BY-LAW of the Mid-West Planning District to adopt a Development Plan.

WHEREAS Section 40 (1) of The Planning Act provides authority for preparation of a Development Plan

AND WHEREAS Section 45 of the said *Planning Act* provides authority for the Planning Board to adopt a Development Plan by by-law.

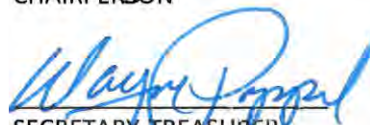
NOW THEREFORE The Mid-West Planning District Board in meeting assembled enacts as follows:

2. The development plan attached hereto and marked Schedule "A" of this By-law is hereby adopted and shall be known as the "*Mid-West Planning District Development Plan*";
3. This Development Plan shall take force and effect on the date of third reading of this by-law;
4. a) The "*Mid-West Planning District Development Plan*", **By-Law 3-2009** and all amendments therein, are hereby repealed;
- b) The "*Carlton Trail Planning District Development Plan*", **By-law 2-2008** and all amendments therein are hereby repealed;
- c) The "*Trans-Canada West Planning District Development Plan*", **By-law 41** and all amendments therein are hereby repealed;
- d) The "*Tanners Crossing Planning District Development Plan*", **By-law 6** and all amendments therein are hereby repealed;

ADOPTION OF BY-LAW NO. 2-2018.

DONE AND PASSED BY THE BOARD duly assembled this 15TH day of NOVEMBER A.D. 2018.


CHAIRPERSON

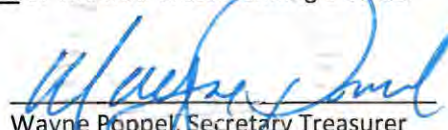

SECRETARY-TREASURER

READ A FIRST TIME 5TH DAY OF APRIL, 2018 A.D.

READ A SECOND TIME 14TH DAY OF JUNE, 2018 A.D.

READ A THIRD TIME 15TH DAY OF NOVEMBER, 2018 A.D.

I, Wayne Poppel, Secretary-Treasurer of the Mid-West Planning District, do hereby certify the above document to be a true and correct copy of By-law 2-2018 of The Mid-West Planning District.


Wayne Poppel, Secretary Treasurer

THE MID WEST PLANNING DISTRICT DEVELOPMENT PLAN

BEING SCHEDULE “A”

TO BY-LAW 2-2018 OF

THE MID-WEST PLANNING DISTRICT

R.M. OF ELLICE-ARCHIE  PRAIRIE VIEW MUNICIPALITY

R.M. OF HAMIOTA  R.M. OF OAKVIEW

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1 INTRODUCTION

1.1 Planning Context

1.1.1 Establishment of the Mid-West Planning District

On December 16, 1998 the Mid-West Planning District (MWPDP) was formed by Order in Council Number 621/1998, taking effect upon publication in the Manitoba Gazette on February 20, 1999. Located in western Manitoba, The Mid-West Planning District was comprised of the Town of Hamiota, RM of Hamiota, RM of Miniota, RM of Blanshard, RM of Saskatchewan and the RM of Woodworth until January 1st, 2015. As a result of the municipal amalgamations that took place on January 1st, 2015, as well as Planning District boundary adjustments, the Planning District is now made up of four municipalities: Ellice-Archie, Prairie View, Hamiota, and Oakview. Figures 1 and 2 illustrate the former and current Planning District boundaries and municipalities.



Figure 1 – MWPDP Pre-Amalgamation



Figure 2 – MWPDP Post-Amalgamation

1.1.2 Planning History

Prior to the establishment of the Mid-West Planning District the Town of Hamiota adopted a Planning Scheme as By-Law 428 on April 1, 1966. The R.M. of Miniota adopted a Basic Planning Statement as By-Law 1902 on May 24, 1988 and a municipal Zoning By-Law (By-Law 1903) on June 9, 1988. The Mid-West Planning District prepared a Background Study Document in support of its first District Development Plan in January 2000. The Background Study document was finalized in January 2001. On June 5, 2001, the Board of the Mid-West Planning District adopted its first District Development Plan By-law No. 4-2000 (now repealed). The existing “Mid-West Planning District Development Plan” By-law 3-2009 is the product of the Board’s first 5-year review which was initiated in March 2006. The current Mid-West Planning District Development Plan Review was initiated in 2016, and will result in a Development Plan for the Municipalities of Ellice-Archie, Prairie View, Hamiota, and Oakview. Until this new Mid-West Planning District Development Plan comes into force, these four municipalities are regulated by four different development plans, including:

- a) Mid-West Planning District Development Plan (covering the former rural municipalities of Miniota, Hamiota, Blanshard and Saskatchewan, as well as the Town of Hamiota)
- b) Carlton Trail Planning District Development Plan (covering the former rural municipalities of Ellice and Birtle, as well as the Town of Birtle and Village of St. Lazare)
- c) Tanner's Crossing Planning District Development Plan (Rapid City)
- d) Trans Canada West Planning District Development Plan (Archie)

1.1.3 Plan Basis and Purpose

Municipal land use planning has its basis in The Planning Act C.C.S.M. Chapter P.80, which makes provision for the preparation and adoption of development plans and zoning by-laws to guide and promote growth within municipalities and planning districts. In general, a Development Plan is a statement of objectives and policies which are written and designed to promote the orderly physical, social, economic and environmental condition of a municipality or planning district. It consists mainly of text accompanied by appropriate mapping of the Planning District and its settlement centres. A development plan is an expression of intent for future development and land use and is based on the best information available at the time it is adopted (including background studies, engineering reviews, and feedback from various stakeholders).

The Mid-West Planning District wishes to adopt a Development Plan in order to provide the public with a set of fundamental planning policies that will apply to the development of lands in the Planning District boundary. The general objectives seek to preserve and develop what is desirable in the Planning District. The policies are courses of action to be followed by the Planning District to attain the general objectives.

The Planning Act also outlines the multi-faceted purposes of a Development Plan, which are as follows:

- (1) To set out the plans and policies of the Planning District respecting its purposes and its physical, social, environmental and economic objectives.
- (2) To direct sustainable land use and development in the Planning District.
- (3) To set out measures for the implementation of a Development Plan.
- (4) To establish a livestock production operation policy that will serve to guide Zoning By-law regulations for the member municipalities dealing with livestock production operations.

1.1.4 Planning Period - Mid-West Development Plan By-Law

The planning period for the Mid-West Planning District Development Plan By-law 2-2018 shall be 10 years from the time of adoption. At this time, or earlier if deemed necessary, the Board of the Mid-West Planning District will undertake a review of this document.

1.2 Plan Format and Interpretation

The Mid-West Planning District Development Plan is comprised of two major elements, namely, the written text and conceptual land use policy maps. The development plan is organized as follows:

Part 1 is an introduction to the plan and provides some background information on key Planning District characteristics.

Part 2 is a statement of broad district objectives and policies pertaining to the natural environment as well as transportation and utility systems throughout the Planning District.

Part 3 contains objectives and policies for all lands identified as Rural Policy Areas within the planning district.

Part 4 contains objectives and policies for all lands identified as Urban and Rural Settlement Centre Policy Areas within the planning district.

Part 5 contains the objectives and policies that future proposed Rural Residential developments within the Planning District shall comply with.

Part 6 contains objectives and policies that future proposed Rural Residential developments within the Planning District shall comply with.

Part 7 contains information on the administration and implementation of the Development Plan.

Part 8 contains land use policy maps.

Appendix “A” contains the Background Study and its reference maps, while Appendix “B” contains the Engineering Study. These documents are intended as information only.

1.2.1 Interpretation of Requirements

- (1) The general land use designations indicated on the Development Plan Maps in Part 8 illustrate the long-term land use and development strategy for the Mid-West Planning District. The achievement of the land use objectives and policies will take place over a period of years. The Zoning By-laws for the member municipalities will provide one of the principal means to affect the transition.
- (2) The boundaries for the various land use designations shown on the Development Plan Maps in Part 8 and any lot size, distance and area requirements mentioned throughout this Development Plan are meant to serve as guidelines only. Situations may arise that will necessitate a degree of flexibility in the application of these standards, provided the intent of the Development Plan is not compromised. These standards will provide general guidelines for the preparation of the more specific performance standards and requirements of zoning by-laws of member municipalities.
- (3) Individual policies of the Development Plan should be interpreted within the overall spirit and intent of all other objectives and policies of the Development Plan.
- (4) Examples of general land use designations in the land use policy areas of the Development Plan are used for explanatory purposes and to guide the preparation of new zoning by-

laws for member municipalities. Specific Permitted and Conditional use regulations shall be established in the various Zoning By-laws.

- (5) Unless the context clearly indicates the contrary, where a policy in the Development Plan involves two or more items, conditions, provisions or events connected by the conjunctions *and*, *or*, or *either-or*, the conjunctions shall be interpreted as follows:
- (a) *and* indicates that all the connected items, conditions, provisions or events shall apply.
 - (b) *or* indicates that all connected items, conditions, provisions or events may apply singly or in combination.
 - (c) *either-or* indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

The land use policy maps are generalized instruments used to illustrate the long-term development strategy for the District and its various communities. Where there is development that does not currently comply with the long-range policies reflected on the land use policy maps, these areas may still be zoned in the zoning by-law according to their present use to avoid the creation of non-conforming uses, provided plan intent is not compromised. It should be noted that all settlement centres (both Urban and Rural), due to their relatively small size as well as the desire to maintain a flexible and responsive approach to development proposals, have been designated as Urban and Rural Settlement Centre Policy Areas. This approach minimizes the need for development plan amendments associated with minor changes to policy area maps based on residential, commercial and industrial land use designations. As such, the text policy references for each designation of land as contained in Parts 3, 4, 5 and 6 (and any other relevant section) of this document are critical for interpreting the appropriateness of various land development proposals. In cases where one parcel of land in either a Rural or Urban Settlement Centre is covered by more than one land use designation, a subdivision and rezoning are required prior to any urban-type development to reflect the different designations.

1.3 Key Characteristics of the Mid-West Planning District (Rural Areas)

The following key characteristics for the Mid-West Planning District have been derived from the Background Study Document as prepared in May 2017, and supplemented by information from Manitoba Municipal Relations, Manitoba Agriculture, and by Statistics Canada 2011 and 2016 Census data.

1.3.1 Population

The population of the Mid-West Planning District has been slowly, but steadily declining over the past two decades. The average decline has been approximately -0.8% per year over that period, and has been consistent across municipalities. The rate of decline seems to have slowed, and is stabilizing (particularly in some of the urban settlement centres). The current population (as of the 2016 Census) is 5,825 residents.

1.3.2 Economy and Labour Force

The Mid-West Planning District features a rural economy, based primarily on agriculture and agriculture-related activities. Other components of the economy include health care, education, and retail trade. In 2015, 50% of the employment in the MWPD was in the Agriculture, while 9% was in Healthcare and Social Assistance and another 9% was in retail trade.

1.3.3 Land Use

Over 76 % of the District land base (866,625 acres) is utilized for agriculture, which is broken down as follows:

- Agriculture Forage Fields (14,554 acres or 2% of total agricultural lands);
- General Agriculture Field (585,959 acres or 68% of total agricultural lands); and,
- Range and Grassland (266,114 acres or 31% of total agricultural lands).

Over 99 % is rural by nature or associated land use.

1.3.4 Soil Capability for Agriculture

Approximately 80% of all soils in the Mid-West Planning District are classified as prime agricultural soils (the majority of which is made up of Class 2 and Class 3 Soil).

1.3.5 Land Division

Approximately 88 % of the land base is held in parcel sizes of 150 acres or greater.

1.3.6 Farm Units

The number of farms in the Mid-West Planning District has steadily declined over the past few decades. Between 1996 and 2011, the total number of farms in the MWPD decreased from 1032 to just 674 (a 34.7% drop in 15 years). This is consistent with trends across the prairies. The small, family farm is quickly disappearing, while the larger, corporate farms take their place.

1.3.7 Farm Size

As has been the trend across North America, farm sizes have steadily increased over the past few decades. The average farm sizes per municipality have increased as follows (between 1996 and 2011):

- | | |
|------------------|---|
| a) Oakview | (44.5% increase, to 1,288 acres per farm) |
| b) Hamiota | (35.1% increase, to 1,220 acres per farm) |
| c) Prairie View | (45.8% increase, to 1,500 acres per farm) |
| d) Ellice-Archie | (58.5% increase, to 2,202 acres per farm) |

1.3.8 Total Farm Acreage

The number of acres farmed in each of the MWPD member municipalities has decreased only slightly between 1996 and 2011 (from 1,069,490 to 1,018,529, or approximately 5%). The number of acres farmed in each municipality is as follows:

- | | |
|------------|---|
| a) Oakview | (244,778 acres, a decrease of 9.4% between 1996 and 2011) |
| b) Hamiota | (131,774 acres, a decrease of 6.5% between 1996 and 2011) |

- c) Prairie View (397,521 acres, an increase of 1.2% between 1996 and 2011)
- d) Ellice-Archie (244,456 acres, a decrease of 7.9% between 1996 and 2011)

1.3.9 Livestock Production

Livestock production is another important component of the Mid-West Planning District's agricultural economy. Cattle production is by far the largest form of livestock operation in the MWPD, with over 62,000 cattle (and calves) in 2011. Hog production is also very important to the economy, primarily concentrated in the eastern quadrant of the planning district, with over 24,000 pigs in the RM of Oakview. There are also hog production barns located in Prairie View and Hamiota as well, although precise numbers of animal units have not been shared due to confidentiality concerns.

1.3.10 Potable Water Quality

Groundwater quality ranges from fair to excellent in the western half of Hamiota and Prairie View, with poorer quality groundwater in the eastern half of Hamiota and Oakview.

1.3.11 Groundwater Sensitivity Areas

Groundwater sensitivity in the MWPD generally corresponds to the sand and gravel aquifers, with most sensitive areas located in the Assiniboine River valley.

1.3.12 Aggregate Resources

The majority of aggregate resources and extraction activities are located in the RMs of Ellice-Archie (northern portion), Prairie View (southern portion), and Oakview (eastern portion). As of 2017, there were 34 Private Quarry Permits, 3 Casual Quarry Permits, and 14 Quarry Leases in the MWPD.

1.3.13 Hazard Lands

Drainage is generally towards the Assiniboine River Valley (i.e. glacial spillway), with the largest tributaries being the Qu'Appelle River (which enters the Assiniboine at St-Lazare), Birdtail Creek, Arrow River, Oak River, and Little Saskatchewan River. Flooding is mostly confined to the Assiniboine River valley and other isolated low-lying river and creek valley areas of the MWPD. MWPD communities within those valleys are affected from time to time, including access during high water periods.

1.3.14 Subdivision Activity

The Mid-West Planning District has not seen a substantial amount of subdivisions over the past decade. Each municipality averaged approximately 5 subdivisions per year between 2006 and 2016 (with the exception of Archie-Ellice), with the majority of those subdivisions being rural rather than urban (see **Table 1**). These rural subdivisions are generally single-lot farm site splits, and are generally in the 2-acre to 10-acre range. Note that complete stats for Ellice-Archie are not available, and the totals for the municipality are as of 2010 only.

Year	Ellice-Archie			Prairie View			Hamiota			Oakview		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
2006					2	2		11	11		5	5
2007					2	2		1	1			0
2008				1		1	1	11	12		4	4
2009				1	4	5	2	4	6	1	5	6
2010				3	3	6	6		6	1	5	6
2011					3	3	4	2	6		3	3
2012					4	4			0		7	7
2013				5	1	6	2	2	4	1	5	6
2014					2	2	3	1	4		4	4
2015				2	6	8	1	2	3	2	3	5
2016				1	10	11	1	2	3	2	2	4
Total	3	12	15	13	37	50	20	36	56	7	43	50
Urban/Rural	20%	80%	100%	26%	74%	100%	36%	64%	100%	14%	86%	100%

Table 1: Subdivisions by Municipality, by Type (Urban and Rural), per year

1.4 Key Characteristics of the Mid-West Planning District (Urban Areas)¹

1.4.1 Hamiota

The Community of Hamiota (in Hamiota Municipality) is serviced through a municipal water system. This system, which provides fire fighting capability, has capacity for expansion. The lagoon, located to the south of the community, is in good condition and has adequate capacity for current and future growth. Potential areas for expansion include the northeast and the western quadrants of the Community.

1.4.2 Miniota

The Community of Miniota (Prairie View Municipality) is serviced through private wells, although in the future, a piped water system connected to the Wallace Regional Water System is feasible. Sewage is collected via a gravity system that discharges into a three-cell lagoon southwest of the Community – there is capacity for expansion. Potential areas for expansion include the southeast and southwest quadrants of the Community.

1.4.3 Birtle

The Community of Birtle (Prairie View Municipality) is serviced by a water treatment system that had been identified as in poor condition and in need of upgrade (there had also recently been a boil water advisory in the community). A new water treatment plant is to be constructed in 2018 to address these issues. The sewage lagoon is also experiencing capacity issues, and cannot currently support the expansion of wastewater services within the community. The Community has faced flooding issues in the past (most

¹ Where references are made to “expansion” in section 1.4.1 through to and including section 1.4.8, said expansions refer to new development within and/or immediately adjacent to built-up areas of existing urban and rural settlement centres, and where possible utilize the existing street system (or its expansion).

recently in 2014) from the adjacent Birdtail River. Areas best suited for development include the areas north of Gertrude Street, and areas south of Queen Street.

1.4.4 Oak River

Oak River (RM of Oakview) is serviced by a municipal water system that is adequate to support future development. The sewage lagoon, located to the southeast of the community, is in good condition and has capacity to support growth. The areas best suited for expansion are to the west and southwest of the existing community.

1.4.5 St. Lazare

The Community of St. Lazare's (RM of Ellice-Archie) water treatment system was upgraded approximately five years ago, and has adequate capacity for community expansion. However, the existing lagoon (an old oxbow of the Assiniboine River) does not meet current standards – a new lagoon is needed to accommodate growth. Considering potential flooding issues and the ease of infrastructure extension, economical development areas are located to the northwest of the community (within the existing ring dike) and to the east of the community (on top of the escarpment).

1.4.6 Foxwarren

The Community of Foxwarren (Prairie View Municipality) is serviced through private wells. There is adequate capacity for additional wells. Although fire protection is not provided through hydrants, it is provided by the local fire department. A low-pressure sewer system feeds the two-cell lagoon, which has capacity for future growth. Economical expansion areas are found to the northwest of the community.

1.4.7 McAuley

The Community of McAuley's (RM of Ellice-Archie) water system is in good condition, and has adequate capacity for community expansion. Although fire protection is not provided through hydrants, it is provided by the local fire department. The lagoon, located northeast of the community, has adequate treatment capacity for community expansion. Economical expansion areas are found to the north and northwest of the community.

1.4.8 Rapid City

The Community of Rapid City (RM of Oakview) is serviced by a municipal water system, which draws its water from the Odanah Regional Water System. The community's sewage is treated at a facultative lagoon located west of the community. A study for a lagoon expansion is currently underway. Areas for potential expansion include the east and south of the community.

2 GENERAL OBJECTIVES & POLICIES

2.1 Introduction

This section of the Mid-West Planning District Development Plan outlines the general objectives and policies which apply to Rural Policy Areas, Urban and Rural Settlement Centre Policy Areas, and Rural Residential Policy Areas within the Mid-West Planning District.

2.2 General Objectives

- 2.2.1 To encourage use and development of land in a manner that is consistent with the principles and guidelines of sustainable development.
- 2.2.2 To ensure that the use and development of land is consistent with the vision the community has regarding its future.
- 2.2.3 To encourage community economic development initiatives that utilize the land base in a manner that contributes positively to the physical, social, economic and environmental health and vitality of the Mid-West Planning District.
- 2.2.4 To ensure that land use and development conflicts are minimized to the fullest practical extent.
- 2.2.5 To ensure that development does not occur on unsuitable lands, unless appropriate mitigative measures are taken to reduce any potential negative impacts or enhance the capability of the land to support the proposed development.
- 2.2.6 To minimize risks to people and property that are associated with natural hazards such as flooding or erosion.
- 2.2.7 To promote wise use of renewable and economically viable non-renewable natural resources including aggregates, minerals, forests, soils, water and fisheries.
- 2.2.8 To preserve and enhance areas which have natural beauty, scenic value, recreational potential, historic and cultural significance.
- 2.2.9 To protect natural areas and habitats from incompatible or potentially incompatible land uses or development that may involve rare or endangered flora and/or fauna.
- 2.2.10 To minimize impacts of development on aquatic ecosystems, wetland environments and riparian areas.
- 2.2.11 To recognize, protect and ensure the sustainability of provincial Crown Lands that have been designated as a Wildlife Management Area or protected area.
- 2.2.12 To ensure that new developments are compatible with existing and anticipated land uses by minimizing the risks to quality of life, public health and safety and ensuring development potential does not exceed the land's capability to support such activities.
- 2.2.13 To provide a measure of protection for investments in public and private infrastructure, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.

- 2.2.14 To support development which utilizes site design and construction techniques which reduce reliance on non-renewable resources. Examples of technology and techniques which promote energy conservation include site selection and design which maximizes passive solar gain, use of shelter belts as wind breaks, use of solar, wind or and/or hydronic systems.
- 2.2.15 To promote and support the development of commercial-scale renewable energy resources such as but not necessarily limited to bio-fuels, solar and wind power production contributing to the diversification of the rural economy in a manner which is complimentary to agricultural production throughout the Mid-West Planning District.
- 2.2.16 To support the development of affordable housing, in order to enable the retention of youth and 'aging in place' for seniors.

2.3 General Policies

Provincial Land Use Policies

- 2.3.1 The Provincial Land Use Policies, as set out in the regulations to The Planning Act, will be utilized as broad policy guidelines when undertaking amendments or statutory reviews of the Mid-West Planning District Development Plan.

Hazardous Uses

- 2.3.2 Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials.
- 2.3.3 Wherever possible, new hazardous use facilities should be separated from settlement centres and buildings used for human occupation.
- 2.3.4 Where development of a potentially hazardous use is proposed, information may be required by Council or the Board relating to the nature of any potential discharges; the nature of outside storage; the compatibility of surrounding land uses; and plans for buffering such activities from adjacent uses.

Natural Areas

- 2.3.5 Natural areas and habitats should be protected from incompatible or potentially incompatible land uses, activities or development where;
 - a) rare or endangered flora and fauna have received provincial designation and protection under the provincial Endangered Species and Ecosystems Act or the federal Species At Risk Act;
 - b) lands have received provincial designation and protection under the Protected Areas Initiative;
 - c) lands have been identified as Wildlife Management Areas;
 - d) other sensitive wildlife or aquatic habitat or other ecologically significant areas identified by the Province; or,

- e) private lands that have been voluntarily protected by landowners under The Conservation Agreements Act.
- 2.3.6 Where privately initiated habitat conservation land leases or land transfers are being proposed, the appropriate Provincial Government Department will be encouraged to consult with the Mid-West Planning District prior to approving the designation of a private habitat conservation area.
- 2.3.7 Inter-municipal co-operation and co-ordination with both the Little Saskatchewan River Watershed District and the Upper Assiniboine River Watershed District is encouraged in the application and implementation of measures to protect the Mid-West Planning District's natural environmental resources.
- 2.3.8 Access to natural areas and wildlife and fisheries habitat will be encouraged (e.g. eco-tourism) 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.

Flooding & Erosion

- 2.3.9 Development will generally be directed away from
 - lands which would be flooded by the 200-year flood, or by a recorded flood exceeding the 200-year flood, and
 - lands which would within a 100-year period be eroded or become unstable due to the action of water contained in an adjacent waterway or water body.
- 2.3.10 It may not be practical or desirable to restrict certain development in hazard areas. Developments should, however, be carefully planned to ensure that the hazard has been eliminated or mitigated to an acceptable level. In these instances, proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities; there should be no added risk to life, health or personal safety; structures and services should be protected against damage and should be fully functional during hazard conditions; 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 existing tree and vegetation cover should be preserved where appropriate to reduce erosion and maintain bank stability.
- 2.3.11 In areas where the specific hazard has not been determined, buildings (and all newly constructed habitable buildings and structures) shall be set back from all waterways a distance of at least 10 times the height of the bank above channel grade or 30 metres, whichever is greater, unless an engineering investigation shows that these limits may be reduced.

Water & Shoreland

- 2.3.12 A functioning riparian area of native vegetation helps stabilize banks, provides aquatic and wildlife habitat and protects water quality. The preservation and rehabilitation of native vegetation will be encouraged in sensitive environmental areas such as the shorelines of lakes, rivers, creeks and streams in order to stabilize banks, filter run-off and to promote surface water quality. In circumstances where vegetation is limited or absent, reestablishment of native vegetation is encouraged through natural succession or by planting of vegetation that is native to the area. Proposed developments located near waterways and water bodies that have the potential to harmfully alter, disrupt or destroy aquatic habitat; including the riparian area, should be referred to the appropriate Provincial Government Department and the Federal Department of Fisheries and Oceans Canada (or appropriate Federal Government Department) for review.
- 2.3.13 To promote the protection of riparian areas, the establishment and protection of undisturbed native vegetated areas located upslope from the ordinary high-water mark and adjacent to all waterbodies and waterways is encouraged by the following:
- a) A 15-metre undisturbed native vegetation area is encouraged for lands adjacent to first and/or second order drains;
 - b) A 30-metre undisturbed native vegetation area is encouraged for lands located adjacent to third and/or higher order drains and/or waterbodies;
 - c) Alterations within these undisturbed native vegetated areas should be limited to 25% of the shoreline length (for example: 25 metres per 100 metres of shoreline length) of each lot for improvements such as but not limited to a boat house, path, dock etc.; and,
 - d) It shall be the responsibility of all development proponents proposing alterations within these undisturbed native vegetated areas (including the removal of near shore or stream aquatic habitat) to ensure said alterations have been reviewed by and/or conform to the Federal Department of Fisheries and Oceans Operational Statement.
- 2.3.14 No development should occur within 30 metres (99 feet) of any surface water within the Mid-West Planning District. Permanent vegetation should be encouraged on lands within the 30 metre (99 foot) riparian area to prevent erosion, siltation, and reduce the amount of nutrients and other pollutants entering surface water.
- 2.3.15 Where drainage works are proposed, the proponent shall be responsible for determining the need to obtain approval and a “Licence for Construction of Drainage Works” from the appropriate Provincial Government Department. Drainage works on shared watersheds should be co-ordinated with neighbouring municipalities, conservation districts and/or watershed planning authorities as may be the case.
- 2.3.16 All proposed development located immediately adjacent to or within waterways and water bodies which has the potential to harmfully alter, disrupt or destroy aquatic habitat including the riparian area may require authorization by the Federal Department of Fisheries and Oceans. It shall be the responsibility of the development proponent to determine the need

to obtain any required approvals from the Federal Department of Fisheries and Oceans Canada prior to commencement of development.

- 2.3.17 In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent may be required to obtain a Water Rights Licence from the Province. Development approval at the local level may be withheld until such time as a licence is issued.
- 2.3.18 Where a development or activities are proposed that may cause pollution under normal operating conditions or by accident, the proponent may be required by the Board or Council to undertake an engineering or hydro-geological investigation of the groundwater conditions within the proposed development area. Where said investigation is required by the Board or Council, it will include a report assessing the risk of groundwater impacts occurring from the proposed development and, if the risks should prove significant, the operational and/or engineering measures that will be employed to minimize the risk or respond to a contamination incident should it occur.

Heritage Resources

- 2.3.19 Heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation where buildings or landscapes have received or are in the process of receiving municipal or provincial heritage designation.
- 2.3.20 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.
- 2.3.21 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under The Heritage Resources Act.

Outdoor Recreational Resources

- 2.3.22 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses which may threaten their integrity.
- 2.3.23 Proposed recreational development should not unduly restrict the access to and the use of natural resources such as rivers, lakes and streams.
- 2.3.24 Proposed recreational developments will be encouraged to balance the scale and intensity of an intended recreational use with the capability of the land base and environment to support the proposed use in a sustainable manner.

Mineral Resources

- 2.3.25 Areas designated by the Province of Manitoba as being of high aggregate, mineral, oil or gas potential or those mineral lands that are encumbered by a valid mineral disposition under

the Mines and Minerals Act should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.

- 2.3.26 In areas designated by the Province of Manitoba as being of medium aggregate, mineral, oil or gas potential, incompatible and potentially incompatible land uses may be allowed following Provincial review and approval.
- 2.3.27 In areas with known or potential aggregate, mineral, oil or gas resources, only land uses that will permit future access and development of the resources shall be allowed.
- 2.3.28 Lands disturbed by mineral extraction will be rehabilitated to a condition that is environmentally safe, stable and compatible with adjacent land uses.

Utilities and Municipal Services

- 2.3.29 Essential activities of government and public utilities should be permitted 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 will be given to reviewing siting requirements associated with such uses as communications towers and maintenance compounds to ensure they will not have adverse impacts on adjacent lands.
- 2.3.30 Co-operation will be encouraged with Manitoba Hydro, Bell MTS and any other utility to ensure the economical provision of services.
- 2.3.31 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses which may threaten or adversely affect their operation.
- 2.3.32 In order to minimize exposure to the undesirable effects of sewage lagoons and solid waste disposal sites, development in the vicinity of these facilities will be limited to agricultural and industrial uses that would not be adversely affected by these facilities. Siting and setback requirements from each of these types of facilities shall be set out in each municipal zoning by-law.
- 2.3.33 The development of private for-profit commercial-scale renewable energy resources may be allowed as conditional uses in Rural Policy Areas subject to municipally specific zoning by-law siting and setback requirements and regulations.
- 2.3.34 New or expanded development, including proposed subdivisions shall not be approved unless there are facilities and capacity in place to adequately manage the waste (i.e., solid, liquid, septage, etc.) that will be generated by the development.
- 2.3.35 New or expanded municipally operated solid or liquid waste disposal grounds should not be placed in groundwater sensitivity areas as identified on Background Study Reference Map 4 of Appendix “A” herein unless an engineering investigation acceptable to provincial

authorities having jurisdiction allow for the issuance of, or an amendment to, an existing License issued under the Environment Act.

- 2.3.36 Any development application within 200m of a major oil or gas pipeline should be referred to the pipeline operator so they can ensure that proper safety protocols are enacted on their end.

Transportation

- 2.3.37 The Mid-West Planning District and its member municipal councils will consult with the appropriate Provincial Government Department on all land use issues affecting the provincial highway system to ensure that the safety and efficiency of these facilities in each municipality is not compromised.
- 2.3.38 All developments shall conform to the appropriate statutory requirements of the Province of Manitoba as they affect the provincial highway system.
- 2.3.39 Land uses which generate significant amounts of regional vehicle traffic and / or significant truck traffic (e.g. agro-commercial land uses) should be encouraged to locate in planned locations in proximity to major roadways, including provincial roads and provincial highways, if appropriate. Direct access to the provincial highway system will be discouraged, whereby access to the provincial highway system should be via the municipal road system.
- 2.3.40 Commercial uses which primarily serve the travelling public should be encouraged to locate where there is access available from major roadways, including provincial roads and provincial highways where appropriate.
- 2.3.41 Developments which have the potential to generate significant vehicle traffic should be directed away from those areas and land uses where there may be a safety, noise, dust, vibration or vehicle volume issues.
- 2.3.42 Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, any new development should be directed to the same side of a corridor to maintain maximum safety conditions by eliminating unnecessary cross-corridor movements.
- 2.3.43 Local road networks should be planned and designed economically in order to service both existing developments and future requirements.
- 2.3.44 Proposed developments which will contribute to a series of lots which require direct access to the provincial highway system will not be permitted.
- 2.3.45 Proposed developments which may have a detrimental impact on the safe and efficient operation of the provincial highway system shall not be permitted unless mitigative measures suitable to the Province of Manitoba are incorporated into the development.

- 2.3.46 The subdivision of land or development of existing land parcels in areas designated for highway widening or expansion shall incorporate provisions suitable to the Province of Manitoba to accommodate future widening or expansion projects.
- 2.3.47 Development proposed within the control areas of Provincial Roads (PRs) and Provincial Trunk Highways (PTHs) under provincial authority will be subject to approval by the appropriate Provincial Government Department and/or the Highway Traffic Board prior to the issuance of a development and/or building permit by the Mid-West Planning District. Development proposed within the control areas of Municipal Roads will be subject to approval by the appropriate Municipality prior to the issuance of a development and/or building permit by the Mid-West Planning District.
- 2.3.48 Where proposed development is located within 75 meters (250 feet) of a railway right-of-way, the proponent may be required to undertake noise and/or vibration studies to the satisfaction of Council and/or the Board, and as directed by Council and/or the Board, the proponent may be required to incorporate setbacks, berms, shelterbelts, fencing or some combination thereof to mitigate any identified adverse effects and buffer the proposed development from the rail right-of-way.
- 2.3.49 The Council and/or Board should consider the provisions of the Guidelines for New Development in Proximity to Railway Operations document (prepared for the Federation of Canadian Municipalities and Railway Association of Canada) when evaluating proposals within close proximity to railway rights-of-way.

Renewable Energy

- 2.3.50 Renewable energy projects (e.g. bio-fuel, solar, geothermal, wind, etc.) that can be sited in a manner which is complimentary to the adjacent land uses should be supported as a means to combat climate change and promote sustainable development.
- 2.3.51 Upon renewal of the MWPD member municipalities' zoning by-laws, regulations, use standards and bulk standards will be developed in order to guide the location and scale of renewable energy projects.

Affordable Housing

- 2.3.52 Affordable housing should be supported by enabling the development of alternative housing types (including, but not limited to secondary suites and manufactured homes). This should be accommodated through member municipalities' zoning by-laws, by amending use tables, minimum bulk standards, and regulations as they relate to alternative forms of housing.

3 Rural Policy Areas

3.1 Introduction

This section of the development plan outlines objectives and policies for all Rural Policy Areas within the Mid-West Planning District. Rural Policy Areas are differentiated from Urban and Rural Settlement Centre Policy Areas by larger land parcels and agricultural-related activities as dominant land uses. Section 1.3 of this development plan highlights some key characteristics for areas designated as a Rural Policy Area in the Mid-West Planning District. Policy Map 1 conceptually illustrates the Rural Policy Areas associated with the Mid-West Planning District.

3.2 Objectives

- 3.2.1 To maintain and enhance the dominant role of agricultural activities within the Rural Policy Areas of the Mid-West Planning District.
- 3.2.2 To minimize the unnecessary fragmentation of large land parcels in Rural Policy Areas as a means of preserving the agricultural viability and rural character of the Planning District.
- 3.2.3 To recognize the distinct differences and required management practices between livestock operations (LOs), mixed farms as well as specialized agricultural operations in Rural Policy Areas and to make provision for their continued viability within the Planning District.
- 3.2.4 To recognize that within Rural Policy Areas of the Mid-West Planning District a variety of legitimate rural uses associated with agricultural, residential, commercial, industrial and recreational activities must be accommodated in a manner which not only supports and enhances the continued vitality of the Planning District but also minimizes the potential for land use conflicts.
- 3.2.5 To ensure that farmers are able to supplement their income through diversification in agriculture, home based businesses, and industries, while maintaining agriculture as their primary business.
- 3.2.6 To provide policy direction to Planning District officials, Municipal Councils, livestock producers and the general public in dealing with existing and newly proposed livestock operations.
- 3.2.7 To limit the potential for land use conflicts between livestock producers and the general public in dealing with existing and proposed livestock operations.

3.3 Policies

General

- 3.3.1 Agricultural land uses, extensive outdoor recreation, resource-related development (including private, for-profit renewable energy developments), agro-commercial /industrial and residential uses may be appropriate in Rural Policy Areas. In addition, certain commercial and industrial uses, which because of their nature, may not be able to be accommodated in urban settlements, may be allowed in Rural Policy Areas subject to satisfying the criteria in PART 3, Section 3.3.5 herein.
- 3.3.2 Development in Rural Policy Areas which supports and strengthens agricultural activities will be encouraged to locate in a manner which is complementary to the agricultural sector and does not create potential land use conflicts with existing rural or urban developments.
- 3.3.3 Non-agricultural and non-resource-related developments in Rural Policy Areas should be directed away from or minimize the use of Prime Agricultural lands and should generally be directed away from viable lower class agricultural lands and existing or approved livestock operations (LO's) wherever possible.
- 3.3.4 Proposed developments in Rural Policy Areas which by virtue of their use, land requirements, and servicing arrangements would compete with urban areas should be discouraged.

Agriculture

- 3.3.5 Rural Policy Areas should, subject to the limitations governing livestock operations set out in PART 3, Sections 3.3.9 through 3.3.21 herein, be preserved for a full range of agricultural activities on prime agricultural land where there are no significant limitations on the ability of the land base to sustain such operations, or where there are no restrictions of the development of high quality aggregate resources.
- 3.3.6 To support the ongoing viability of agricultural operations, lands in the Rural Policy Area should generally be maintained in large parcel sizes (generally 80 acres or larger).
- 3.3.7 Small land holdings for commercial small-scale or specialized agricultural operations and livestock operations may be allowed in the Rural Policy Area provided that such proposals are compatible with other policies contained herein as well as existing agricultural operations, and that the size of the proposed parcel is warranted for the intended use.
- 3.3.8 Existing agricultural enterprises in Rural Policy Areas which operate within generally accepted farm management practices and in conformance with provincial regulations should be protected from any developments which might unduly interfere with their continued operation. Specifically, non-farm related residential development will be discouraged in the vicinity of livestock operations (LO's) in order to minimize the potential for adjacent land use conflicts and to maintain the ongoing viability of existing animal production operations.

Livestock Operation Policies

Livestock operations are an important component of the agricultural economy of the Mid-West Planning District. As such, the majority of lands in the rural areas of the District are designated as a Rural Policy Area on Policy Map 1 of PART 8 herein. 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 manure storage and handling, which are usually associated with these types of operations. All newly siting and expanding livestock operations need to be carefully planned and located so that Groundwater Sensitivity Areas shown on Appendix “A” Background Reference Map 4 herein are not polluted.

- 3.3.9 Proponents, owners and operators of existing, newly siting and/or expanding livestock operations will be encouraged 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.
- 3.3.10 All newly siting or expanding “livestock operations”, as defined in *The Planning Act*, being proposed for development anywhere in the Mid-West Planning District shall be characterized by the sum total of animal units (AU’s) produced by all types of animals comprising a given livestock operation.
- 3.3.11 All newly siting or expanding livestock operations being proposed anywhere in the Mid-West Planning District which are 300 animal units (AU) or larger in size shall, regardless of their location, be subject to the conditional use approval process as required under *The Planning Act* and detailed in each member municipality’s zoning by-law.
- 3.3.12 All newly siting or expanding livestock operations being proposed in the Mid-West Planning District which are less than 300 animal units (AU) in size shall be subject to the policies of this plan and an approval process as defined in the municipal zoning by-law for the municipality in which the livestock operation is being proposed. Member municipality zoning by-laws may specify livestock operations consisting of less than 300 animal units (AU) as being subject to the conditional use approval process.
- 3.3.13 Rural Policy Areas as shown on Policy Map 1 of PART 8 herein, shall, subject to the policies herein, generally be available to accommodate a full range of newly siting or expanding livestock operations providing they are sited and/or expanded in a manner which is generally consistent with all of the following: applicable minimum provincial regulatory requirements, the policies of this Plan, and the zoning requirements of the municipality in which the operation is to be located.
- 3.3.14 All newly siting or expanding livestock operations located in Rural Policy Areas of the Mid-West Planning District will only be allowed to locate in areas where they will be compatible with surrounding land uses and they will not pose a pollution risk to soils, groundwater or surface water.
- 3.3.15 All newly siting or expanding livestock operations located in Rural Policy Areas should be directed away from natural hazard areas subject to flooding, inadequate drainage, erosion or with a continuous or reoccurring high water table. The site shall be physically suitable for the proposed use.

- 3.3.16 All newly siting or expanding livestock operations being proposed in Rural Policy Areas in the Mid-West Planning District which consist of 300 animal units (AU) or more shall be subject to a provincial Technical Review Committee report. This report shall be provided to Council and shall be used in accordance with the requirements of *The Planning Act*.
- 3.3.17 All newly siting or expanding livestock operations being proposed in the Rural Policy Area of the Mid-West Planning District should not be located on soils determined by detailed soils survey, acceptable to the Province at a scale of 1:50,000 or better, to have an Agricultural Capability of Class 6, 7 or unimproved organic soils as described under the Canada Land Inventory. If detailed soil survey information is not available for an area where a newly siting or expanding livestock operation is being proposed, the applicant may be required to provide a detailed soil survey of the site acceptable to the Province at a scale of 1:50,000 or better. Where a proponent is required to provide this detailed soils information, it may be possible to demonstrate that the soils are not Class 6, 7 or unimproved organic soils and may be able to support a livestock operation.
- 3.3.18 All newly siting or expanding livestock operations being proposed in the Rural Policy Area of the Mid-West Planning District shall have access to (either by direct ownership or lease) and use of sufficient lands to accept the application of all of the livestock manure generated by the operation in a sustainable manner on an annual basis.
- 3.3.19 In order to provide a measure of protection for surface water quality, all buildings and structures associated with all newly siting or expanding livestock operations (including livestock confinement facilities and manure storage facilities) in the Rural Policy Area of the Mid-West Planning District shall be set back a minimum of three hundred and twenty-eight feet (328') from any surface watercourse, sinkhole, spring, well and all property boundaries of a livestock operation (or as specified in the applicable Provincial Regulations).
- 3.3.20 All newly siting or expanding livestock operations located in Rural Policy Areas of the Mid-West Planning District shall, based on the size of the livestock operation expressed in total animal units (AU) calculated cumulatively across species, be subject to siting and mutual separation requirements from single residences not associated with the livestock operation and designated areas. A general statement characterizing the relationship between the minimum siting and mutual separation requirements of the Provincial regulation and municipally specific siting and mutual separation requirements which are detailed in each member municipality's municipal zoning by-law is provided in PART 3, Section 3.3.21 (below). In developing these municipally specific siting and mutual separation requirements, each member municipal council considered the following factors as provided for under Provincial regulation:
- a) soils;
 - b) the size of a livestock operation, based on the number of animal units in the operation;
 - c) proximity to significant surface water bodies, such as lakes, rivers and wetlands;
 - d) flood risk areas identified by the Province;
 - e) groundwater vulnerability areas identified by the province;

- f) proximity to areas designated in the development plan as
 - (i) urban centres or settlement centres,
 - (ii) rural residential or seasonal residential areas, and
 - (iii) parks or recreational areas; and
- g) existing land uses in the area.

3.3.21 The siting and mutual separation requirements between all newly siting or expanding livestock operations in Rural Policy Areas and single residences not associated with the livestock operation and designated areas as specified in each member municipality's zoning by-law shall in all cases be equal to or greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation. Where said member municipal zoning by-laws set out minimum mutual siting and separation requirements greater than those required by Provincial regulation, said minimum siting and mutual separation requirements reflect the following:

- strong local acceptance of existing municipal zoning by-law mutual separation requirements (which were substantially greater than those now required by Regulation), and
- detailed local knowledge of the local land base and other local factors as described herein.

Livestock Operation Areas

The Planning District recognizes that livestock operations are a key component of the District's rural economy, and therefore has an interest in protecting their ongoing operations (as well as their expansion). However, the Planning District also recognizes that the by-products of livestock operations (e.g. noise, dust, odours) can be a nuisance for residential developments in close proximity to these operations. Therefore, based on a review and analysis of existing policies and regulations relating to livestock operations, a balanced approach has been taken to minimize conflicts between these two land uses that both have a place in a rural Planning District such as the MWPD.

A member Council may, on a case by case basis, pursuant to provisions of *The Planning Act*, vary the applicable mutual separation distance as provided for in that municipality's zoning by-law. The Planning District has been organized into four (4) Livestock Operation Areas, each with their own policy framework. The Areas' boundaries correspond with the member municipalities' boundaries.

Area 1 (Ellice-Archie)

For Livestock Operations – Area 1 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations (regardless of the type of manure storage facility employed) and single residences not associated with the livestock operation and designated areas shall be equal to the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.

Area 2 (Prairie View)

For Livestock Operations – Area 2 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations (regardless of the type of manure storage facility employed) and single residences not associated with the livestock operation and designated areas shall be equal to the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.

Area 3 (Hamiota)

a) Minimum Mutual Separation Requirements to Single Residences

- a. For Livestock Operations – Area 3 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (using earthen manure storage facilities) and single residences not associated with the livestock operation shall be 100% greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.
- b. For Livestock Operations – Area 3 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (using non-earthen manure storage facilities) and single residences not associated with the livestock operation shall be 100% greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.

b) Minimum Mutual Separation Requirements to Designated Areas

- a. For Livestock Operations – Area 3 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (using earthen manure storage facilities) and designated areas shall be equal to the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.
- b. For Livestock Operations – Area 3 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (using non-earthen manure storage facilities) and designated areas which range between 0% and 52% greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.

c) Areas With 200AU Conditional Use Threshold

- i. The Hamiota Municipality Council has a desire to review and approve newly siting or expanding livestock operations in certain areas of the municipality at a lower animal unit (AU) threshold than otherwise required by this Development Plan By-law. These areas are generally described as being located within 1 mile of the Community of Hamiota, within a 1 ½ mile corridor on either side of the Oak River, and anywhere in sections 4, 5 and 6 of Township 13, Range 24WPM (which contain portions of un-named lakes and are

traversed by an un-named creek). The RM of Hamiota Zoning By-law shall therefore identify two agricultural zones as a means of distinguishing between agricultural areas with distinct conditional use approval thresholds for newly siting or expanding livestock operations.

- i. In the “AG” – Agricultural General Zone, all newly siting or expanding livestock operations between 10 and 299 animal units shall be treated as a permitted use. In addition, all newly siting or expanding livestock operations 300 AU or greater in size shall be subject to the conditional approval process for livestock operations 300 AU or greater in size as specified in The Planning Act (i.e provincial technical review and conditional use approval required).
- ii. In the “AR” – Agriculture Restricted Zone, all newly siting or expanding livestock operations between 10 and 199 animal units shall be treated as a permitted use. In addition, all newly siting or expanding livestock operations between 200 and 299 AU shall be subject to the conditional use approval process for operations up to 299 AU in size as specified in The Planning Act. In addition, all newly siting or expanding livestock operations being proposed in the “AR” Agriculture Restricted Zone which are 300AU or more in size shall be subject to the conditional use approval process as specified in the *Planning Act* for livestock operations 300 AU or greater in size Act (i.e provincial technical review and conditional use approval required).

Area 4 (Oakview)

- a) For Livestock Operations – Area 4 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (regardless of the type of manure storage facility employed) and single residences not associated with the livestock operation shall be 100% greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.
- b) For Livestock Operations – Area 4 as shown on Map 19, siting and mutual separation distances between all newly siting or expanding livestock operations in Rural Policy Areas (regardless of the type of manure storage facility employed) and designated areas shall be 25% greater than the minimum mutual separation distances for siting livestock operations as set out in Provincial regulation.

In addition to the siting and mutual separation requirements set out above, for Livestock Operations – Area 4 as shown on Map 19, zoning regulations shall include a 1600 animal unit (AU) cap on all newly siting or expanding livestock operations (cumulative across species).

3.3.22 Where Council is considering approval of the establishment or expansion of a livestock operation in the Rural Policy Area, it may require the proponent to enter into a development agreement dealing with specific matters specified in *The Planning Act* including:

- a) the timing of construction of any proposed building.

- b) the control of traffic,
- c) the construction or maintenance – at the owner’s expense or partly at the owner’s expense – of roads, traffic control devices, fencing, landscaping, shelter belts or site drainage works required to service the livestock operation,
- d) the payment of a sum of money to the Municipal Council to be used to construct anything mentioned in Policy 3.3.22 c) herein, and
- e) requiring the covering of manure storage facilities and/or requiring shelterbelts to be established.

3.3.23 Where Council is considering approval of a newly siting or expanding livestock operation in the Rural Policy Area, the following factors shall be considered by Council in evaluating support for the proposed development:

- a) soils;
- b) the size of a livestock operation, based on the number of animal units in the operation;
- c) proximity to significant surface water bodies, such as lakes, rivers and wetlands;
- d) flood risk areas identified by the province;
- e) groundwater vulnerability areas identified by the province;
- f) proximity to areas designated in the development plan such as
 - i. urban centres or settlement centres,
 - ii. rural residential or seasonal residential areas, and
 - iii. parks or recreational areas; and
- g) existing land uses in the area.

3.3.24 Where a newly siting or expanding livestock operation is being proposed in the Rural Policy Area where there is known mineral or aggregate potential as shown on Appendix “A” Background Reference Map 10 herein, the appropriate Provincial Government Department will be consulted to determine the site specific quality and status of the mineral resource and the site’s suitability for development. In regards to the potential for a proposed site to support a new or expanding livestock operation, proponents are advised of the following:

- a) All newly siting or expanding livestock operations shall not be located on high quality mineral resource deposit potential areas as defined by the Province until such deposits have been removed and the site rehabilitated.
- b) All newly siting or expanding livestock operations may be located on medium quality mineral resource deposit potential areas as defined by the Province, if approved by the Province and Council.
- c) All newly siting or expanding livestock operations may be located on low quality mineral resource deposit potential areas as defined by the Province, if approved by Council.

3.3.25 The development of a newly siting or expanding livestock operation located in Rural Policy Areas throughout the Mid-West Planning District shall not take place until all approvals as required under *The Planning Act*, *The Environment Act* and/or any other Act or Regulation have been obtained prior to the commencement of construction.

- 3.3.26 The keeping of up to a maximum of nine (9) animal units (AU) cumulative across species may be allowed on small farm and non-farm residential parcels in Rural Policy Areas of the Mid-West Planning District provided that the total amount of animal waste produced does not exceed 0.75 Animal Units (AU) per two (2) acres of site area to a maximum of nine (9) Animal Units (cumulative across species) and conforms to all other applicable municipal zoning by-law requirements.

Land Division

- 3.3.27 The subdivision of land to create small land holdings for commercial small-scale or specialized agricultural operations and livestock operations may be allowed in the Rural Policy Area providing it does not conflict with other policies contained herein. Specialized agricultural operations such as tree nurseries, apiaries, market gardens and other bona fide general agricultural activities or livestock operations may be established on land parcels less than the minimum site area required as specified in each municipal zoning by-law if a reduced acreage is warranted.
- 3.3.28 The subdivision of land for farm residential purposes may be allowed in accordance with any one or more of the following options:
- a) Where a farm is incorporated and it is necessary to establish a separate residential site from the farm corporation.
 - b) Where a residence is required for an individual actively involved in the farming operation and derives significant income from it. “Actively involved” is defined as having significant and ongoing participation in the farming operation.
- 3.3.29 Subdivision of land for small-scale rural non-farm residential purposes may be allowed in accordance with any of the following options:
- a) A bona fide farmstead site has been rendered surplus. The continued existence of the rural non-farm residential site will not have a negative impact on adjacent agricultural lands and must contain a liveable dwelling or be located within a well-defined yard-site normally characterized by a well-established shelter-belt. All new non-farm sites should not be larger than required to meet the needs of a rural non-farm residential lot.
 - b) A retiring farmer who wishes to construct a new rural non-farm residence on a separate site. This option shall only be available if the retiring farmer has not already created a rural non-farm retirement lot under PART 3, Section 3.3.29 a) above.
 - c) A rural non-farm residence is sited as in-fill development in situations where existing subdivision activity has resulted in small remnant parcels that are impractical for farming and where unused road frontage exists between existing lots.
 - d) Where a site proposed for a rural non-farm residence has low potential for agriculture due to poor soil conditions and is directed away from and/or minimizes the use of Prime Agriculture Lands and where possible viable lower-class lands, has adverse topography, or other physical constraint or where existing fragmentation of farmland in the immediate area has occurred to the point it can no longer be used for agricultural purposes.

- e) A single lot subdivision is proposed for rural residential purposes as per Policy 3.1.5.d) of the Provincial Planning Regulation M.R. 81/2011 given that each member municipality of the planning district has experienced on-going population decline during the past 15 years.
- f) Re-subdivision of an existing subdivided farm or non-farm residential parcel.

3.3.30 For options a) through f) above, there is a maximum limit of two residential one-lot subdivisions per quarter-section.

3.3.31 When calculating the number of farm/non-farm subdivisions in a quarter section, to determine eligibility to subdivide for residential purposes, existing approved and registered subdivisions shall be counted in determining what subdivision opportunities remain.

3.3.32 The cumulative adverse effects of a large number of small-scale subdivisions, that include new and existing lots in close proximity to one another in rural areas, may be treated as a cluster and should be considered by the Board for possible re-designation as a Rural Residential Policy Area.

3.3.33

- a) Notwithstanding section 3.3.30 above, a single lot rural residential parcel may be allowed where a physically isolated parcel of land has been created through the development of a transportation, drainage or utility corridor and where said parcel can not be viably used for farming purposes.
- b) Notwithstanding section 3.3.30 above, subdivision for the realignment of farm boundaries around rivers, streams, highways, drains and other features may be allowed if deemed necessary for agricultural purposes, provided no new titles are created.
- c) Notwithstanding Section 3.3.30 above, subdivision of a single lot is proposed for an agro-commercial or agro-industrial use that is intended to provide services machinery, equipment, goods, or store or process products grown or produced by an agricultural operation.

3.3.34 Subdivision for new multiple-lot planned rural non-farm residential or seasonal recreation development may be allowed as an alternative to urban residential or small-scale rural non-farm residential development. Development of this type will require a Development Plan Amendment from a “Rural Policy Area” to a “Rural Residential Policy Area” or “Seasonal Residential Policy Area” development plan designation as well as a complimentary municipal Zoning By-law Amendment. Member municipalities may adopt a zoning strategy to provide for one or more rural residential and/or seasonal recreation zoning districts in order to provide for a variety of rural non-farm residential an/or seasonal cottage developments characterized by distinct lot sizes, and densities of development based on the type of onsite sewage disposal systems and other criteria as may be developed by Council and/or the Board.

- a) All new multiple lot planned rural non-farm residential developments as described herein will comply with all criteria set out in PART 3, Section 3.3.35 below.

3.3.35 The subdivision of land for both farm residential and non-farm residential purposes may be allowed subject to satisfying all of the following criteria:

- a) Where new residential development is considered appropriate, it should be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services.
- b) A subdivision concept plan for all lands contained within the parcel(s) to be subdivided has been prepared and has been reviewed and approved by the Board and Council.
- c) All new residential sites can be adequately serviced to an appropriate rural standard without undue expense to the municipality.
- d) All new residential sites can be adequately serviced to an appropriate rural standard with regard to provision of services such as (but not necessarily limited to) direct access to an all-weather road, hydro and telephone, potable water supply, drainage, sewage and wastewater disposal.
- e) All new residential sites can support an approved on-site sewage disposal system in accordance with all applicable provincial regulatory requirements.
- f) All new residential sites should not cause groundwater pollution or adversely affect the quality or quantity of water available to existing adjacent land owners.
- g) All new residential sites can be adequately protected from hazards associated with flooding, erosion or inadequate drainage.
- h) All new residential sites should not impede the orderly expansion of communities with piped water and sewer services.
- i) Subdivision of land for new residential uses shall not have the effect of potentially creating a new urban settlement centre.
- j) All new residential sites will normally not be less than two (2) acres or more than ten (10) acres in size and should not be wasteful of agricultural lands, however, the exact size of each lot shall take into consideration any existing buffers, shelterbelts that form part of the yard site, fence lines or other physical restrictions and natural topographical features as well as all requirements for on-site sewage disposal systems. In the case of seasonal cottage development lot sizes less than 2 acres may be considered for approval subject to provision of onsite sewage disposal systems acceptable to the appropriate Provincial Government Department.
- k) All new residential sites will be located in accordance with the applicable municipal zoning by-law separation requirements for conflicting or incompatible land uses such as but not necessarily limited to industrial areas, waste disposal grounds, sewage lagoons, landing areas for aircraft and high capacity areas for mineral extraction.
- l) All new residential sites will generally comply with the mutual separation requirements for new and existing or expanding livestock operations as set out Part 3 herein and in the Municipal Zoning by-law for the municipality in which the livestock operation is being proposed for development or expansion. Councils may however, on a case by case basis, vary their mutual separation requirements as provided for in their respective municipal zoning by-laws.
- m) All new residential sites shall be directed away from Prime Agricultural Lands and existing or approved livestock operations and should generally be directed away from viable lower class agricultural lands wherever possible in order to minimize the loss of productive

agricultural lands and minimize the impact on existing agricultural activities in the surrounding area.

- n) The keeping of up to a maximum of nine animal units (AU) cumulative across species may be allowed on small farm and non-farm parcels in Rural Policy of the Mid-West Planning District provided that the total amount of animal waste produced does not exceed 0.75 Animal Units (AU) per two (2) acres of site area to a maximum of nine (9) Animal Units (cumulative across species) and conforms to all other applicable municipal zoning by-law requirements.

Commercial & Industrial Development

3.3.36 Resource-related (including private, for-profit commercial-scale renewable energy developments), agro-commercial/industrial and certain commercial and industrial developments, which because of their nature, may not be able to be accommodated in urban settlements, may be allowed in Rural Policy Areas where:

- a) a proposed use requires a large area of land which is not available in an urban area (for example, a golf course);
- b) a proposed use is hazardous in nature or is a potential nuisance due to traffic associated with the proposed use (for example, a farm implement dealership);
- c) there is a need to separate a proposed development from a centre of population due to a potential danger to public safety or nuisance associated with materials associated with the proposed development (for example, an anhydrous ammonia fertilizer depot or waste disposal site);
- d) there is a need to provide essential services to highway users (for example, a service station);
- e) there is a need to provide services, machinery, equipment or goods for agricultural operations;
- f) there is a need to store or process products grown or raised by agricultural operations;
- g) there is the need to be nearby a specific resource or facility (for example, a gravel crushing operation at a quarry site or a fishing lodge near a major waterbody); or
- h) a family-based business is being operated from the home property or farm that may be beneficial to the community. Such businesses, however, should complement nearby urban centres and should not create nuisance, safety or environmental problems.

3.3.37 Commercial and industrial developments in Rural Policy Areas should locate at appropriate locations in a manner that is consistent with the transportation policies of this document.

3.3.38 Commercial and industrial developments in Rural Policy Areas will ideally be sited in clusters along one side of a provincial highway, provincial road or municipal road. Although sometimes necessary in the elimination of direct vehicular connections onto a highway and beneficial to some highway commercial development, the use of frontage roads in the overall planning of an area is not generally encouraged. The establishment of internal road systems to service new development is encouraged. When frontage roads are required, they should access the provincial highway system via the municipal road system. Any new

frontage road that may be permitted adjacent to a provincial highway, will be the responsibility of the municipality

- 3.3.39 Commercial and industrial developments in Rural Policy Areas should be located 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.
- 3.3.40 Non-resource related commercial and/or industrial land uses shall generally be directed away from prime agricultural land, viable lower-class land used for agriculture, and existing or approved livestock operations. However, where the use of prime agricultural land is deemed necessary, the amount used should be minimized.

Land Uses

- 3.3.41 Subject to meeting zoning regulations, the following land uses may be accommodated in the Rural Policy Areas:
- a) General agricultural uses such as farming, pasturage, agriculture, apiculture, floriculture, horticulture, and agricultural product storage facilities.
 - b) Livestock operations and feedlots subject to the Livestock Operations policies of this By-law.
 - c) Limited housing opportunities such as single-family dwellings and mobile home dwellings that comply with Land Division policies of this By-law.
 - d) Small agro-commercial or agro-industrial uses that serve the farming community.
 - e) Natural resource developments such as forestry activities, mineral exploration and extraction operations, outfitters and game farms as well as wildlife conservation reserves.
 - f) Limited extensive outdoor recreational uses (e.g. golf courses), institutional uses, and open space uses such as parks, nature trails, campgrounds, religious assemblies, and cemeteries that cannot be suitably accommodated in Urban or Rural Settlement Centres.
 - g) Hobby farms that are accessory to existing Non-Farm Rural dwellings.
 - h) Small scale industrial, business and commercial operations that are used to diversify active farming operations.
 - i) Historical and environmental features such as monuments, cairns and similar structures.

4 Part 4: Urban and Rural Settlement Centre Policy Areas

4.1 Introduction

This section of the development plan outlines objectives and policies for all urban and rural settlement centres within the Mid-West Planning District. The urban settlement centres in the Mid-West Planning District include St. Lazare, McAuley, Foxwarren, Birtle, Miniota, Hamiota, Oak River, and Rapid City, all of which are characterized by piped municipal services for water and/or wastewater systems.

The rural settlement centres are Arrow River, Basswood, Beulah, Cardale, Decker, Isabella, Manson, Oakner, and Crandall. With these communities, there are no municipal water or sanitary sewer services in place.

Key characteristics for urban settlement centres of the Mid-West Planning District are identified in Section 1.4 of this development plan. Policy Maps 2 (Hamiota), 3 (Miniota), 9 (Oak River), 12 (Birtle), 13 (St. Lazare), 14 (Foxwarren), 15 (McAuley) and 17 (Rapid City) identify the Urban Settlement Centre Policy Areas while Policy Maps 4 (Arrow River), 5 (Beulah), 6 (Isabella), 7 (Decker), 8 (Oakner), 10 (Cardale), 11 (Basswood), 16 (Manson), and 18 (Crandall) show the Rural Settlement Centre Policy Areas. For each settlement centre, the following objectives and policies apply.

4.2 General Objectives

- 4.2.1 To develop land use policies which mitigate to the fullest practical extent potential land use conflicts which may arise from incompatible uses.
- 4.2.2 To encourage the efficient and economical use of existing municipal infrastructure by promoting the infill and revitalization of existing development areas.
- 4.2.3 To identify suitable areas for future development in keeping with the anticipated demand for land and efficient servicing strategies.
- 4.2.4 To encourage a full range of commercial, industrial, public institutional and recreational uses to support the needs and requirements of each urban community.
- 4.2.5 To promote the redevelopment of rural settlement centres by providing flexibility in terms of lot sizes and by enabling municipalities to consider allowing a limited amount of livestock (up to a maximum of 9 AU cumulative across species)

4.3 Policies

General

- 4.3.1 Residential, commercial, industrial, indoor recreational and public institutional uses requiring piped municipal services should be directed to larger settlement centres with piped water and/or piped sewer systems.

- 4.3.2 Settlement centres should provide for an appropriate mix of residential, commercial, industrial, public institutional and recreational lands in quantities reasonably related to demand.
- 4.3.3 Infilling and revitalization of existing built-up areas should be encouraged as a means to accommodate new development in settlement centres.
- 4.3.4 Where suitable vacant land is not available, new development should be encouraged to locate adjacent to built-up areas where public services, including roads, water and sewer services, power lines and other services can be efficiently and economically expanded.
- 4.3.5 Where large undeveloped areas are being considered for future 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, piped services and building lots should be integrated with existing roadways and services, and should generally conform to recognized engineering and planning standards.
- 4.3.6 In settlement centres without municipal sewer or water, larger rural estate lots in the two to five-acre size may be allowed. In addition, a limited number of farm animals may be allowed in conjunction with the residence subject to meeting local zoning regulations.
- 4.3.7 All new developments shall be evaluated based on:
 - a) The cost and feasibility of providing Municipal and utility services.
 - b) Local and regional impacts regarding pedestrian safety, traffic volumes and movement.
 - c) Storm drainage patterns and groundwater conditions.
 - d) The availability and convenience of public open space and recreational facilities.
 - e) Buffers between incompatible land uses.
- 4.3.8 As a condition of approving a subdivision in a settlement centre where a central sewage disposal system does not exist, the building lots shall be of adequate size to permit the effective functioning of an on-site sewage disposal system in accordance with Provincial regulations.

Residential Development

- 4.3.9 A reasonable supply and variety of housing types in relation to anticipated demand (which Council may require the development proponent to demonstrate, e.g. through a study) should be developed in areas that minimize potential land use conflicts.
- 4.3.10 Infilling and revitalization of existing dwellings and neighbourhoods should be an ongoing process to compliment land requirements to meet residential demand.

- 4.3.11 The development of new residential areas may require the preparation of detailed conceptual plans. In general, new residential areas should be contiguous to compatible developments and promote the efficient extension of municipal infrastructure by locating on lands where servicing costs are minimized.

Commercial Development

- 4.3.12 The central commercial core area of larger settlement centres should be promoted as the principal location for specialized retail, professional offices, financial institutions, and government offices. Emphasis will be placed on infilling vacant land and revitalizing existing buildings prior to expanding or developing the central commercial core.
- 4.3.13 For urban settlement centres, commercial developments with extensive site and parking requirements will be encouraged to locate at appropriate locations outside of the central core in appropriately designated areas. For new commercial developments, overall concept plans may be required which address servicing issues, site access and other relevant planning considerations.
- 4.3.14 The development and servicing of new commercial areas on the periphery of urban settlement centres should only be undertaken if there are no serviced lands available to accommodate projected demands. The servicing of new commercial areas should be done so as to minimize the costs of extending municipal infrastructure and to ensure that the proposed development is compatible with adjacent land uses.
- 4.3.15 Home-based occupations and home-based industries 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 occupations and home-based industries are subject to the rules for home-based occupations and home-based industries in the Municipality's zoning by-law.

Industrial Development

- 4.3.16 Industrial uses which are incompatible or potentially incompatible with other settlement centre uses should be developed at suitable locations where they 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. Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be encouraged to provide special landscape buffering or other mitigative measures.
- 4.3.17 The rehabilitation and redevelopment of existing industrial sites should be promoted prior to developing new industrial areas.

- 4.3.18 New industrial developments should be based on identifying a land area large enough to concentrate the demand for such uses in a planned fashion while minimizing the servicing and infrastructure development costs associated with such developments. Concept plans for new industrial areas may be required to address road and rail access, lot configurations, servicing strategies and any associated land use issues.

Public Institutional and Recreational Development

- 4.3.19 Large scale public institutional or recreational development may be required to undertake site selection studies that consider such factors as complimenting existing similar developments, maximizing the use of existing infrastructure, vehicular and traffic impacts, infilling or revitalizing existing areas and the nature of the proposed development on adjacent lands.
- 4.3.20 Small scale public institutional and recreational developments should be encouraged to locate adjacent to similar uses or in the central commercial core of larger settlement centres.
- 4.3.21 All public institutional and recreational development shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.

Piped Water & Sewer Services

- 4.3.22 Where municipally operated water or sewer services are provided within any developed area, new developments should be required to connect to these services at the time of development.
- 4.3.23 Where piped water or sewer services are not available in urban settlement centres, development should be planned so as to be able to accommodate efficient and economical piped water and sewer services in the future.
- 4.3.24 The extension and/or improvement of piped water and sewer services should be implemented so as to efficiently and economically service proposed development areas.

Vehicle Traffic

- 4.3.25 Developments which have the potential to generate significant vehicle traffic should be encouraged to locate away from residential areas where the traffic would generate unacceptable levels of noise and vibration in addition to potential safety issues.
- 4.3.26 Developments which primarily serve the travelling public should be sited at planned locations with access to major roadways and provincial highways where appropriate. Direct access to the provincial highway system will be discouraged, whereby access to provincial highways should be via the municipal road system.
- 4.3.27 Developments that have potential to generate significant truck traffic should be sited at planned locations with access to major roadways and provincial highways where

appropriate. Direct access to the provincial highway system will be discouraged, whereby access to provincial highways should be via the municipal road system. Developments that generate significant truck traffic may not be appropriate for locations adjacent to the provincial highway system unless mitigative measures suitable to the Province of Manitoba are incorporated into the development.

Land Uses

4.3.28 Subject to meeting zoning regulations, the following land uses may be accommodated in the Urban and Rural Settlement Centre Policy Areas:

- a) A range of housing forms such as single-family dwellings, multi-family dwellings and mobile home dwellings.
- b) General and highway commercial developments that serve local and non-local residents such as restaurants, general retail stores, professional offices, household repair businesses, service stations, hotels and motels and various support services.
- c) General industrial uses, such as general contractor services, warehouse sales as well as equipment or implement sales or rentals that accommodate a mix of manufacturing, assembly, distribution and services with outdoor operational storage characteristics.
- d) Business park industrial uses that focus on business and commercial establishments that generally carry out their operations within enclosed buildings, such as automotive and equipment repair establishments and light manufacturing uses.
- e) Institutional facilities such as churches, public and private schools, libraries, art galleries and museums as well as police and fire stations.
- f) Recreation and open space uses ranging from parks and nature trails to various sports facilities, including arenas, golf courses, swimming pools and curling rinks.
- g) Limited agriculture activities such as crop and cereal production and horticultural operations in urban and rural settlement centres, while limited farm animals may also be allowed in the rural settlement centres subject to meeting zoning regulations.

5 Part 5: Rural Residential Policy Area

5.1 Introduction

This section of the Development Plan outlines objectives and policies for designated multi-lot, non-farm rural residential development in the Mid-West Planning District. The intent of the Rural Residential Policy Areas in the Development Plan is to outline policies that accommodate non-farm rural developments, and related uses, that are compatible in a rural setting. Development of this type will require a Development Plan Amendment (re-designation of a Rural Policy Area to a Rural Residential Policy Area) as well as a municipal Zoning By-law Amendment.

5.2 General Objectives

- 5.2.1 To plan rural residential development in such a manner so as to minimize the effects of such developments on agriculture as well as the Urban and Rural Settlement Centre Policy Areas, while offering an alternative to a more urban lifestyle.
- 5.2.2 To ensure that the development of rural residential areas occurs in a logical manner and on an economically sound basis.
- 5.2.3 To ensure that proposed developments could be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.
- 5.2.4 To preserve the rural character, open space and environment of the Rural Residential Policy Area.
- 5.2.5 To ensure that rural residential development takes place in an orderly and economical manner and allows for the eventual servicing of these areas in the future by municipal sewer and/or water when and if available.
- 5.2.6 To ensure that the public's health is protected by locating subdivisions on land with the appropriate soil for on-site waste management systems and groundwater conditions.
- 5.2.7 To minimize the impact that rural residential development may have on the physical and ecological resources of an area.

5.3 Policies

- 5.3.1 Rural residential development shall, wherever possible, be directed away from prime agricultural land and towards sites with low potential for agriculture due to adverse topography, fragmented land ownership, or other physical constraints and the proposed development will not unduly interfere with existing or proposed agricultural operations, including livestock operations.

- 5.3.2 Rural residential development shall be planned in a manner that will not produce unacceptable social or economic costs. The approving authority will consider the impact of such development on the provision of such public services as schools, school busing, hydro, telephone, highways, police and fire protection, health care and recreational facilities, snow removal and refuse collection.
- 5.3.3 Rural residential lots shall be of such dimensions so as to maintain the rural character of the land and allow for onsite sewage disposal. Care shall be taken to ensure that subdivisions are not wasteful of land.
- 5.3.4 Rural residential development shall accommodate adequate drainage, the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, pursuant to *The Environment Act*.
- 5.3.5 Proposed rural residential developments shall protect or enhance existing treed acreage.
- 5.3.6 Infilling of existing built-up areas shall be encouraged as a means to accommodate new development in order that public services can be efficiently and economically expanded.
- 5.3.7 It shall be the responsibility of the development proponent to demonstrate to the Board and Council that:
 - a) There is sufficient demand for developed lots to justify the subdivision of land.
 - b) The proposed development is compatible with existing land uses and natural areas in proximity thereto.
- 5.3.8 Rural Residential Policy Areas shall not develop on the fringe or periphery of the Urban Settlement Centre Policy Areas unless concept or secondary plans have been prepared and adopted by the municipality in consultation with appropriate Provincial government agencies.
- 5.3.9 Mutual separation distances shall be maintained between designated rural residential developments and livestock operations to minimize potential adverse affects on such operations.
- 5.3.10 Concept or secondary plans that include servicing and phasing components shall be required for the creation of large multi-lot rural residential developments.
- 5.3.11 Subdivision designs for rural residential developments shall minimize the impact to ecologically sensitive lands.
- 5.3.12 New subdivisions shall be linked to the transportation network and facilities by a road in such a manner that it least interferes with through traffic on Provincial roads and highways. The integration of the road network with existing subdivisions shall be considered.
- 5.3.13 Subject to meeting zoning regulations, the following land uses may be accommodated in the Rural Residential Policy Areas:

- a) Rural residential housing including single-family dwellings and other dwelling types as provided for in the applicable Zoning By-law.
- b) Recreation and open space uses such as parks, playgrounds and nature trails.
- c) Limited institutional and commercial uses that are compatible with Rural Residential housing.
- d) Limited residential related uses such as home-based businesses as further regulated in the applicable Zoning By-law.

6 Part 6: Seasonal Residential Policy Area

6.1 Introduction

This section of the Development Plan outlines objectives and policies for designated multi-lot, seasonal and permanent residential development as well as limited commercial tourism related land uses in the Mid-West Planning District. The intent of the Seasonal Residential Policy Areas in the Development Plan is to outline policies that accommodate seasonal and permanent dwellings in recreational areas generally adjacent to waterbodies, and related uses that are compatible in a rural/recreational setting. Development of this type will require a Development Plan Amendment (re-designation of a Rural Policy Area to a Seasonal Residential Policy Area) as well as a municipal Zoning By-law Amendment.

6.2 General Objectives

- 6.2.1 To ensure that cottage, recreation, and recreation-related developments take place in a planned setting and are designed in a manner that is in keeping with good land use practice, and the recreational resource is not over used.
- 6.2.2 To ensure that the development of seasonal residential areas occurs in a logical manner and on an economically sound basis.
- 6.2.3 To ensure that proposed developments could be serviced to an appropriate standard and in a cost-effective manner with respect to road access, water supply, wastewater disposal, and hydro and telephone service.
- 6.2.4 To provide development and design criteria to ensure conflict with existing or future developments will not occur and adequate public access to the shorelands, is provided.
- 6.2.5 To ensure that the public's health is protected by locating subdivisions on land with the appropriate soil for on-site waste management systems and groundwater conditions.
- 6.2.6 To minimize the impact that seasonal residential development may have on the physical and ecological resources of an area.
- 6.2.7 To protect riparian areas adjacent to waterways as a way of maintaining and enhancing fish and aquatic habitat.

6.3 Policies

- 6.3.1 Development within seasonal residential areas shall be consistent with the natural environment and major alterations to the landscape shall not be permitted. In order to protect and preserve the natural environment, the attractiveness of the area, and reduce the hazard of erosion, the clearing of trees may be restricted, and the changing of slope or

drainage patterns shall be prohibited unless addressed through a detailed engineering analysis.

6.3.2 Development proposals within seasonal residential areas shall meet or exceed the following criteria:

- a) all proposals shall provide a suitable road system that is integrated with the existing and future expansion of the municipal and provincial road system;
- b) public access to the water body shall be provided;
- c) developments shall be compatible with adjacent land uses;
- d) the contour of the land, vegetation cover, soil and geological features and drainage characteristics shall be considered;
- e) there is sufficient demand for developed lots to justify the re-designation and subdivision of land;
- f) the proposed development is compatible with existing land uses and natural areas in proximity thereto; and
- g) the availability of such municipal facilities as liquid and solid waste disposal are available.

6.3.3 Developments may be required as part of the subdivision process to dedicate land to create an undisturbed native vegetation area from the ordinary high-water mark along waterbodies. This buffer may be created to protect wetland aquatic ecosystems and water quality as well as providing wildlife cover.

6.3.4 Seasonal residential development shall accommodate adequate drainage, the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, pursuant to *The Environment Act*. Septic fields are only permitted on lots that are two acres in size or greater. All other lots with a site of less than two acres shall be serviced via pump out holding tanks.

6.3.5 Proposed seasonal residential developments shall protect or enhance existing treed acreage which may be included as part of the land dedication requirements as per provision of *The Planning Act*.

6.3.6 Mutual separation distances shall be maintained between seasonal residential developments and livestock operations to minimize potential adverse affects on such operations.

6.3.7 Concept or secondary plans that include servicing and phasing components shall be required for the creation of large multi-lot seasonal residential developments.

6.3.8 Seasonal Residential development may be located in close proximity to golf courses and other low intensity open space and outdoor recreational amenities.

6.3.9 Subject to meeting zoning regulations, the following land uses may be accommodated in the Seasonal Residential Policy Areas:

- a) Seasonal and permanent residential housing including cottage dwellings, single-family dwellings, and mobile home dwellings.
- b) Recreation and open space uses such as parks, playgrounds and nature trails.
- c) Tourism related uses such as rental cabins, recreational vehicle parks, campgrounds, and motels/hotels.
- d) Limited open space, recreational and commercial uses that are compatible with Seasonal Residential housing.
- e) Limited residential related uses such as home-based businesses as further regulated in the applicable Zoning By-law.

7 Part 7: Implementation

7.1 Adoption, Review and Amendment

Adoption of this Development Plan by the Mid-West Planning District will give the plan the force of law. 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 set out in the Development Plan (Section 65, The Planning Act). Section 65 of the Act also states that adoption of a Development Plan does not require the board to undertake any proposal suggested or outlined in the Plan.

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the planning district. The Development Plan may be amended at any time when considered appropriate or necessary by the board. The Mid-West Planning District Development Plan shall be subject to a comprehensive review on or before 10 years from the date of adoption.

7.2 Zoning By-Laws

Following adoption of this Development Plan, each municipality comprising the Planning District is required to enact a zoning by-law which will set out specific regulations for land use and development. Zoning by-laws zone areas for certain types of development. Permitted and conditional uses and development standards are prescribed for each zone. A zoning by-law must generally conform to a development plan adopted for the area. 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.

7.3 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 municipal council / the municipal council and planning district board, utility companies and certain provincial government departments (Part 8 of The Planning Act). This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the development plan. 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 Section 135 of The Planning Act.

7.4 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 to the land in question. A development agreement on a zoning amendment may deal with such issues as the use of the land, the siting of buildings, the installation of services and the provision of open space.

7.5 Development Permits

New development generally requires a development permit issued by the planning district board. Before a permit is issued, proposals shall be reviewed to determine their conformance with the development plan and any applicable municipal zoning by-law(s).

7.6 Development Officer

The Council of each member municipality of the Mid-West Planning District authorizes its Development Officer, the development officer of the Mid-West 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.

7.7 Acquisition & Disposal of Land

The Board or the Council of a member municipality of the Mid-West Planning District may acquire an interest in land or sell, lease or otherwise dispose of land for the purpose of implementing the development plan.

7.8 Role of Mid-West Planning District In Relation to Other By-Laws

In accordance with Section 14 of The Planning Act, in addition to being responsible for the adoption, administration and enforcement of this Plan, the Board of the Mid-West Planning District is also responsible for the administration and enforcement of the zoning by-laws of its member municipalities, any secondary plan in force in the district, as well as any by-laws of its member municipalities dealing with minimum standards of maintenance and occupancy of buildings.

7.9 Special Studies and Concept Plans

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 or surface water pollution, and general risk to health and the environment. Additionally, depending on the nature of a proposed development, a traffic study may be required to identify any potential impacts on both the municipal road system and the provincial highway system. Detailed concept plans may also be required for urban lands to direct the location and timing of development as well as addressing servicing provisions and proposed lot structure.

7.10 Public Works

The capital works program and public improvements of each municipality comprising the Mid-West 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.

7.11 Capital Expenditure Program

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

7.12 Strategic Plans for Economic Development

As outlined in Section 258 of 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.

7.13 Municipal Cooperation

Implementation of the development plan may benefit from or require cooperation between one or more municipalities. Sections 259, 260 and 261 of The Municipal Act provide for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

7.14 Interpretation

Words and expressions used in this development plan have the meanings ascribed to them in Provincial Land Use Policies, as amended unless otherwise described herein.

7.15 Conditional Use Approvals

Within a Zoning By-law, there will be provisions for the approval of various types of development as a conditional use in each Zoning District. This will provide Municipal Councils with the flexibility to review specific development proposals, to receive public input from landowners and businesses, and to make decisions either approving or denying the proposals. In addition, this process provides Municipal Councils with the opportunity to establish conditions of approval, which could include requiring the applicant to enter into a development agreement with the Municipality. In utilizing the conditional use process, Municipal Councils will have an opportunity to influence the location of certain types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community.

7.16 Variation Orders

The Planning Act enables Municipal Councils to issue Variation Orders for the purpose of varying or altering the application of the Zoning By-law. Municipal Councils may attach conditions of approval to a Variation Order, which could include requiring the applicant to enter into a development agreement with the Municipality in order to maintain the intent and purpose of the Development Plan or Zoning By-law. Municipal Councils may authorize its Designated Officer to grant or refuse a minor Variation Order as set out in *The Planning Act*.

8 Land Use Policy Maps

Map 1 – Mid-West Planning District Context Map

Map 2 – Hamiota

Map 3 – Miniota

Map 4 – Arrow River

Map 5 – Beulah

Map 6 – Isabella

Map 7 – Decker

Map 8 – Oakner

Map 9 – Oak River

Map 10 – Cardale

Map 11 – Basswood

Map 12 – Birtle

Map 13 – St. Lazare

Map 14 – Foxwarren

Map 15 – McAuley

Map 16 – Manson

Map 17 – Rapid City

Map 18 – Crandall

Map 19 – Mid-West Planning District Livestock Policy Area Map