

Appendix L6-A

Provincial Land Use Policy

Policy #3

Lands may be designated for rural residential development provided that the siting and design of such development reflects its role as an alternative to the urban life-style and not as an evolutionary step towards an urban environment. In addition, the development shall be planned to minimize conflict with resource-related industries and activities and to minimize public sector costs.

A. Policy Objectives

This Policy recognizes rural residential development as a legitimate form of land use and ensures that rural residential development takes place in a planned framework:

- (a) Related to current and projected levels of demand;
- (b) Safeguarding the present and future use of the Province's natural resources;
- (c) Complementing the existing urban centres of the Province;
- (d) Avoiding unnecessary costs to the public or to the private sector due to premature or haphazard development.

B. Policy Application

The key to applying this Policy is the premise that rural residential development should only take place in a planned setting. There are two parts to the application of this Policy. The first part outlines the general criteria for designating areas for rural residential development. The second part deals with the more specific criteria involved in siting the rural residential development within the designated rural residential area. Several of the criteria listed below include quite detailed specifications. It is not intended that such criteria be interpreted as mandatory regulations. Rather, it is anticipated that local conditions may necessitate some latitude in applying the criteria so that they may be responsive to local circumstances.

1. General Criteria

The following criteria should be taken into account when designating areas for rural residential development:

- (a) Areas identified in accordance with Provincial Land Use Policies #1 or #2 as agricultural areas or designated under other Policies for protection of parks, wildlife, ecological sites, hazard land, aggregate minerals, or other resources should not be designated for rural residential development, unless it is clearly demonstrated that the proposed development will not conflict with the stated policy goals.
- (b) Areas should not be designated for rural residential development if those areas are in close proximity to the boundary of an incorporated urban centre or the built-up area of an unincorporated urban centre. Rural residential development should however, be located conveniently enough to draw on these centres for social, recreational and commercial services.

By their nature, rural residential developments are not suited to servicing by urban sewer and water systems. Such developments, when located on the periphery of an urban centre, may inhibit the community from developing in an orderly manner and increase the cost of municipal services.

Exceptions to these criteria may be made if it can be demonstrated that such development will not at any time in the foreseeable future have a detrimental influence on the urban centre.

- (c) Rural residential development must be planned in a manner that will not produce unacceptable social or economic costs or present a danger to public health or safety. Consideration must be given to the impact of such development on the economic provision of public services such as schools, hydro, telephone, pipelines, highways, airports, police, fire protection, health care and recreational facilities.

2. Siting Criteria

The considerations discussed in this section relate to the siting, location and extent of rural residential development.

This Policy notes that rural residential development is an alternative to the urban life-style. The criteria established in this Policy emphasize the distinction between the two land uses. Rural residential development should not be thought of, nor normally planned as an evolutionary step from a rural landscape to an urban development.

Nevertheless, in certain areas around Winnipeg, the intensity of rural residential development has created an environment that is more urban than rural in nature. Rural service standards have proven inadequate in such areas, yet their low density design has increased the cost of urban servicing. Residential infilling may be required in such areas to make service upgrading affordable.

The following criteria shall be applied to the design of rural residential subdivision:

- (a) Lots shall be of such dimensions as to accommodate the proper function of a septic field or other approved method of disposal of domestic effluent.
- (b) Notwithstanding criterion a), a minimum lot size of two acres shall be required in order to maintain the rural character of the land. Where it can be demonstrated that a two acre minimum is inadequate for this purpose, the minimum acreage may be increased at the discretion of the planning authority. At the same time care must be exercised to ensure that maximum lot sizes are reasonable and are not wasteful of land.
- (c) The subdivision must take into account the need for an adequate supply of potable water. This may involve the provision of wells or a water hauling system.
- (d) The subdivision must include an adequate surface drainage system.
- (e) It shall be the responsibility of the developer to demonstrate that there is sufficient demand for developed lots to justify further subdivision in order to minimize the fragmentation of land.
- (f) Where subdivisions are proposed in treed areas, the subdivision design should protect or enhance existing treed acreage.
- (g) It must be demonstrated that a rural residential development is not incompatible with existing land uses in the vicinity of the development.
- (h) In areas where substantial rural residential development is anticipated, the municipality shall devise a system of roads providing the major regional streets and establishing the points of inter-section with the provincial road network. The local streets proposed in any individual subdivision shall be adaptable to this regional collector system.

In applying the above criteria the level of detail required must be related to some degree to the size of the subdivision. In particular, small scale subdivisions (1-3 lots) will require some local discretion in isolated areas or in areas with little potential for land use conflict. The cumulative adverse effects of a large number of small subdivisions however, are such that the degree of discretion should be considered carefully.

There are two levels of examination required in considering the siting of rural residential development. It shall be the responsibility of the developer to provide information on the suitability of the site itself and on the impact the development will have on the immediate area. The planning authority on the other hand must be in a position to assess the regional implications of the development. For example, the developer shall be required to demonstrate that potable water can be provided in adequate quality and quantity for the scale of his development. The planning authority shall assess what impact, if any, the development might have on the regional water supply, water table, etc.

There are a number of municipalities without development plans currently receiving a large volume of subdivision applications. Other municipalities may face this problem in the future. Proper analysis of the total implications of these proposed developments becomes nearly impossible for the planning authorities. The consequences of this runaway development are such that the "planned setting" referred to earlier as a prerequisite is no longer present. Therefore, in those instances where the Minister is of the opinion that the consequences of such development cannot be adequately assessed, he may, after consultation with the Provincial Land Use Committee, direct that no further subdivision will be allowed in all or in any part of that municipality until a development plan or basic planning statement is adopted.

C. Definitions

For the purpose of this Policy:

- (a) "Rural Residential Development" means the establishment of rural non-farm residences. Cottages or resort type developments would normally be excluded.
- (b) "Urban Centre" means incorporated cities, towns and villages "unincorporated village districts" and those "local improvement districts" created for sewer and water purposes. The term may also include any recognized settlement of 25 or more residences.