

# THE LAKESHORE PLANNING DISTRICT

## DEVELOPMENT PLAN

**BY-LAW NO. 1-2001**

Being a by-law of the **Lakeshore Planning District** to adopt a development plan.

WHEREAS, **Subsection 24 (1)** of *The Planning Act* provides authority for the preparation of a development plan;

AND WHEREAS, **Subsection 27(1)** of the *Act* provides authority for the adoption of a development plan;

AND WHEREAS, pursuant to the provisions of **Section 30** of the *Act*, the Minister of Intergovernmental Affairs approved The Lakeshore Planning District Development Plan on April 11<sup>th</sup>, 2002;

NOW THEREFORE, the **Lakeshore Planning District Board**, in meeting duly assembled, enacts as follows:

1. The development plan, attached hereto and marked as Schedule "A", is hereby adopted and shall be known as The Lakeshore Planning District Development Plan;
2. By-law No. A-982 being a by-law of the Rural Municipality of Mossey River to adopt the Rural Municipality of Mossey River Basic Planning Statement is hereby repealed; and
3. The development plan shall take force and effect on the date of third reading of this by-law.

DONE AND PASSED this 5<sup>th</sup> day of June , 2002 A.D.

READ A FIRST TIME this 3rd day of October, 2001 A.D.

READ A SECOND TIME this 5th day of December, 2001 A.D.

READ A THIRD TIME this 5th day of June, 2002 A.D.

*Original Signed by*

Laurie MacMillan, Chairperson

*Original Signed by*

John Pascal, Secretary-Treasurer

**DEVELOPMENT PLAN**

BY-LAW NO. 1-2001

APPROVED BY: The Minister April 11, 2002

DATE OF THIRD READING: June 5, 2002

EFFECTIVE DATE: June 5, 2002

**THE LAKESHORE PLANNING  
DISTRICT  
DEVELOPMENT PLAN**

BEING *SCHEDULE "A"*

**Attached to**

By-law No. 1-2001

of

**THE LAKESHORE PLANNING  
DISTRICT**

**Prepared for:  
THE LAKESHORE PLANNING DISTRICT**

**by:  
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**and  
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**October 2001**

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## **Part 1: Introduction**

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

This development plan applies to the Lakeshore Planning District as illustrated on *Map 1*. The Lakeshore Planning District is comprised of the Rural Municipalities of Lawrence, Mossey River and Ochre River (not including lands within Riding Mountain National Park) and the Village of Winnipegosis.

### **1.2 Legal Authority**

On February 23<sup>rd</sup>, 2000, the Lakeshore Planning District was formed by Order in Council No. 55/2000.

Section 22 (1) of *The Planning Act* provides a planning district board with responsibility for preparation, adoption, administration and enforcement of a development plan and any amendments to the plan.

Section 24 (1) of *The Planning Act* provides a planning district board or council with authority to prepare and adopt a development plan.

Section 27(1) of *The Planning Act* provides that a planning district board or council shall by by-law adopt a development plan.

Section 30 of *The Planning Act* provides that, following second reading of the by-law to adopt a development plan, minister's approval of the by-law is required prior to proceeding to third reading and that on the date of third reading, the development plan shall take effect.

### **1.3 Planning History**

Between the years 1931 to 1961, the Rural Municipality of Ochre River adopted five Town Planning Schemes to provide zoning regulations for the cottage approval process along the south shores of Dauphin Lake.

In 1964, the Village of Winnipegosis adopted the *Village of Winnipegosis Town Planning Scheme 1964* which set up an advisory planning commission (committee) and a responsible authority (council) for planning. This was followed by the adoption of the Village of Winnipegosis Planning Scheme 1965 which established municipal zoning regulations. There have been numerous amendments since but no overall review and update of the by-law.



In 1983 and 1985 respectively, the Rural Municipality of Mossey River adopted a Basic Planning Statement and Zoning By-law for the urban fringe area surrounding the Village of Winnipegosis.

The intent of this by-law is to establish land use objectives and policies for the overall planning district and to rescind the existing basic planning statement and any amendments thereto prior to the adoption of this new development plan.

#### **1.4 Purpose of Development Plan**

Section 25 (1) of *The Planning Act* states the purposes of a development plan as follows:

- (a) *to serve as a framework whereby the planning district or the municipality and the community as a whole may be guided in formulating development policies and decisions;*
- (b) *to identify the factors relevant to the use and development of land;*
- (c) *to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;*
- (d) *to set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof;*
- (e) *to establish and specify the programs and actions necessary for the implementation of the development plan;*
- (f) *to outline the methods whereby the best use and development of land and other resources in adjacent municipalities, districts, or affected areas immediately abutting thereto, may be co-ordinated; and*
- (g) *to identify those matters of government concern which affect the use and development of land and other resources within the district or the municipality.*

## **1.5 Key Characteristics of the Planning District**

### **.1 Background Research**

Drafting of the Development Plan was preceded by background studies aimed at:

- a) Providing an information and data base for in-depth analysis by the Lakeshore Planning District to form a common point in formulating objectives, policies and proposals for the development plan;
- b) Identifying issues, concerns, problems or weaknesses that can be corrected by community action;
- c) Contacting key municipal officials and staff in the field and governmental agencies for mapping, land use, agricultural and resource data as well as obtaining their input as required;
- d) Reviewing demographic and other statistics provided by the Parkland Regional Health Authority, Parkland Community Futures Development Corporation Inc. and Manitoba Agriculture and Food;
- e) Reviewing provincial legislation, regulations and guidelines pertaining to such areas as environment, provincial land use policies, farm practices guidelines for livestock producers, statutory highway regulations and ensuring that development plan policies and zoning requirements be co-ordinated with and be consistent with conservation principles;
- f) Analyzing the geoenvironmental, natural resources, rural services, urban land use and infrastructure profiles of the district;
- g) Reviewing community round table vision statements and action plans and community development corporation initiatives and ensuring that they are included in the economic component and policies of the development plan; and
- h) Presenting the major findings of the background study at a community open house public meeting at Rorketon on February 15th, 2001.

The policies in this development plan have been developed on information from and problem areas identified in the background study. This study was for foundation upon which the development process rests. The next step in the process will be the formulation of a zoning by-law for each participating municipality. The zoning by-law is one of the tools used to implement the development plan. Together the three documents (background study, development plan, and zoning by-laws) will provide the planning district with a comprehensive, continuous rationalization of future development.

## .2 **Development History**

The Village of Winnipegosis and the Rural Municipalities of Mossey River and Ochre River have passed various planning by-laws and amendments over the past seventy years. Some of these by-laws have become outdated due to planning legislation changes and changes that affect the use and development of land. The *Village of Winnipegosis Planning Scheme 1965* was only intended as an interim measure pending preparation of a more comprehensive by-law. There has been no review and update of this by-law. The land use by-laws in the Rural Municipalities of Ochre River and Mossey River only cover a small portion of their municipalities.

The District's early history is that of a rural community with very little pressure for non-farm development outside the urban communities except for cottage, recreation and fishing industries along Lakes Manitoba and Winnipegosis and Dauphin Lake. The end of the Crow rate subsidy has increased local interest in value-added diversification in the agricultural sector and large scale intensive livestock operations. Most of these operations will locate in the rural area on a single-lot basis because of the need for large sites and / or separation from the urban communities, rural residential areas, cottage and recreation areas. Moreover, these uses will have to be planned with minimum effect on the environment, ground water aquifers, rivers, streams and lakes of the district.

The District Municipalities have taken advantage of the Community Choices Program to establish three Community Round Tables bringing together people from all walks of life in a formal setting to take a realistic look at their community to develop a vision for the future and to implement action plans. The Board and Councils of the District will direct effort to ensure that activities of various operating bodies, committees or business organizations and groups are organized and co-ordinated towards the best possible development for the District. They will also work in co-operation with local and provincial agencies

and authorities in attracting development to the district and market it as a good place to work, live and play. The District offers quality and safety of life not only to retirees but also to persons seeking employment resulting from economic development initiatives.

### **.3 Demographics**

According to Canada Census data, from 1986 to 1996 all municipalities in the District experienced negative population growth. The decrease over the years can be attributed to increase in farm size and reduction in the number of farms and employers as well as a redistribution of population from rural to urban. This decline is not specifically identifiable with only localized conditions but is evident in other rural communities in the Parkland Region and the province as a whole. Population decline was less between 1991 and 1996. During this period the population in the District decreased by 4.9%, compared with a 9.9% decrease from 1986 to 1991. Population decreased by 3.0% in the Parkland Region between 1991 and 1996. The population will become more stable as the increase in farm size and reduction in number of farms slows down and migration to the urban centres decreases. The average age of the population in the District Municipalities ranges from a high of 44.2 years to a low of 39.0 years.

### **.4 Existing Development Patterns**

The majority of lands within the District are held in parcel sizes of 160 acres or greater reflecting the low level of rural land fragmentation and rural characteristics of the District. The average size of farm units range from a high of 1447 acres in the RM of Lawrence, 1214 acres in the RM of Mossey River and 701 acres in the RM of Ochre River compared to the Manitoba average of 784 acres.

The areas containing the highest concentration of population include the four urban communities of Fork River, Ochre River, Rorketon and Winnipegosis and the cottage/recreation areas of the District. The urban communities provide the District with the highest concentration of intensive residential, commercial, industrial, institutional and urban recreational uses in the District.

### **.5 Transportation Systems**

The District is located in the Parkland Region north of Riding Mountain National Park and south of Lake Winnipegosis ranging from 175 to 250

miles from the City of Winnipeg and ranging from 10 to 60 miles north, northeast and east of the City of Dauphin. The District is accessed by three arterial highways, Provincial Trunk Highways 5 and 20 and Provincial Road 276. As well a number of market roads and provincial roads provide linkages within the District as well as provide access to the urban communities. Greyhound Canada and Grey Goose Bus Lines provide daily scheduling to all destinations within Manitoba and all major centres across Canada. Trucking firms provide transport to and from the District. The Canadian National Railway (CNR) provides service through Ochre River.

## **.6 Bio-physical Conditions**

The District is located in an area that was once covered by a glacial lake – Lake Agassiz of which Dauphin Lake is the only remaining remnant in this area. It is located in the Westlake Till and Dauphin Lake Section of Manitoba Plain. The land surface of the Westlake Section is an extensive area of gently undulation of ground moraine consisting of medium to moderately fine textured, extremely calcareous till. The topography of the Dauphin Lake Section ranges from gently sloping in areas of lacustrine and alluvial deposition to undulating in the till areas. Most of this area is imperfectly drained.

The lands slope significantly northeast and east from the Riding Mountain National Park and the Duck Mountains creating flood and erosion problems during spring run-off and peak rainy periods. The major rivers include the Ochre River, Mossey River, Fork River and the Fishing River. There are other creeks and drains that are affected by major run-off.

From townships 22 to 25, till and associated sand and gravel overlies the bedrock in most of the area. Overlying the till are extensive lacustrine and alluvial deposits. Alluvial deposits of clay, silt, sand and gravel are found along or associated with all streams in the area. Lacustrine deposits vary in thickness from several millimetres to 8 metres. The lacustrine deposits are basically clay and silt, but become coarser textured when associated with beaches. From townships 25 to 35, the surface deposits are primarily composed of glacial ground moraine deposits (mostly till) ranging from a thin moderately fine textured water worked, to thick loamy water worked deposits in depressions and valleys.

Soils in the area are based on Canada Inventory Soils Capability for Agriculture. Mineral soils are divided into seven classes:

- 1-3 prime agricultural land
- 4 marginal for sustained cultivation
- 5 capable of perennial forages
- 6 capable of producing native forages and pastures
- 7 unsuitable for dry land agriculture.

The District has a high percentage of Class 2 and 3 soils (71%) yet only 19% are utilized for agricultural crop land due to stony conditions, low relief and poor drainage. Crop production may be increased with some stone clearing as part of the tillage operation and improvement and maintenance of water management infrastructure on a regional basis to reduce surface ponding while maintaining adequate soil moisture for crop growth.

Groundwater pollution hazard areas seem to correlate where alluvial and outwash deposits (sand and gravel) are located at or near the surface. Majority portions are present in the RMs of Mossey River and Ochre River.

## **.7 Economic Conditions and Trends**

The District's major economic activity is the agricultural and agrobusiness sector, resource related uses such as gravel and sand together with tourism and recreation activities taking advantage of the lakes and rivers of the District. Agricultural and related services employ 35% of all labour in the District followed second by health and social services at 12% of all labour. The Village of Winnipegosis employs the largest percentage of labour in the retail trade industries at 16%.

The District's future economic growth potential will be in value-added diversification in the agricultural sector and large scale livestock production operations utilizing local feed and supplying natural fertilizer to area farmers. The tourism / recreation development sector also has great potential for expansion due to the numerous lakes and streams of the District.

## **.8 Land Use Issues and Concerns**

The intent of this development plan is to address some of the issues facing the District with respect to land use within it. Some of these issues will be identified as requiring additional measures during and following adoption of this Plan. These issues and concerns include the following:

- a) The District has set in place community vision and action plans to reverse any trend to decline, stabilize the economy and move towards increased services and community growth. The key is for the District to ensure that the vision and action plans produced by the Round Tables are acted upon.
- b) The District through co-ordinated effort can reverse decline by providing better employment opportunities through economic development, community promotion, agricultural diversification and tourism development allowing their young people to return to their communities.
- c) Animal production operations, particularly large intensive operations, need to be properly sited in relation to urban communities, residential areas, cottage and recreation areas, pollution hazard lands with major aquifers and the lakes and streams within the District. Presently there are limited district and municipal planning controls governing their establishment.
- d) The lakes and streams of the District provide an excellent water and land resource for recreation and cottage development. These areas need to be planned to be compatible with the natural environment, resource related uses and other uses. Conceptual plans need to be prepared prior to development with proper servicing, disposal systems and enforcement of same. Development agreements and performance bonds, if deemed necessary, may be utilized to ensure proper development standards are adhered to and that work be performed within the required time frames before lots are sold.
- e) The District has concerns regarding water level of the Mossey River and the lack of water flow coming out of Dauphin Lake into the Mossey River.
- f) Specific land use issues pertaining to the Village of Winnipegosis include:
  - i) planning of the urban fringe area adjacent to the Village of Winnipegosis, particularly the urban expansion area in the northwest quadrant of the community,
  - ii) redevelopment of the abandoned railway right-of-way and box mill site in the Village of Winnipegosis, and
  - iii) shortage of central commercial, highway commercial and industrial lands.

## .9 **Community Round Tables**

Three Round Tables have been established in the District to bring together people from all walks of life in a formal setting to take a realistic look at their community, to develop a vision for the future and to implement action plans.

### a) ***Winnipegosis/Mossey River Round Table***

The vision is to be a community which is a tourism and recreation centre for the region. It will develop around the theme of fishing and heritage activities. The community will promote and encourage business development, provide excellent health care facilities and services, provide opportunities for increased education including distance education, increase and diversify the agricultural base of the region and increase the entrepreneurial spirit within the community.

A CDC has been formed to promote and assist business developments and a number of accomplishments have been achieved in business developments, community promotion and tourism attraction.

### b) ***Rorketon Round Table***

The vision is to be a safe, stable, thriving community that works together in advancement, provides good quality of life, provides all essential services and promotes one business at a time.

Three committees have been formed to enact a community action plan:

- Industry / business developments
- Tourism
- Community development considering water and sewer services.

### c) ***Ochre River Round Table***

The vision is to be a safe, healthy, clean and peaceful / relaxing community – a community that has room for growth, tourism, seniors' programs, is welcoming and inviting, that attracts families and fosters community respect.



The action plan:

- Promote the community
- Community and R.M. beautification
- Retain services
- Attract small business
- Recreation
- Restructure community groups.

## Part 2: General Objectives and Policies

### 2.1 Introduction

This section of the development plan outlines the general objectives and policies which will guide the overall use, planning and development of land in the area covered by the development plan. These objectives and policies apply generally throughout the planning district and apply to both rural and urban areas unless otherwise provided herein.

### 2.2 General Objectives

- .1 To encourage use and development of land in a manner that is consistent with the principles and guidelines of sustainable development, pursuant to *The Sustainable Development Act*.
- .2 To recognize the importance of the rural land base and to adopt strategies and policies to conserve this base and to encourage the maintenance and growth of the agricultural industry and the recreation resources.
- .3 To recognize existing settlement centres and to provide for their planned development in order for them to provide goods and services to the residents of the District.
- .4 To ensure that the use and development of land is consistent with the vision the community has regarding its future (and, in particular, formalized in processes such as community round tables).
- .5 To encourage community economic development (CED) initiatives and use and development of land in a manner that contributes positively to the physical, mental, social and economic health and well being of the community.
- .6 To provide well planned areas for living, working, shopping and recreation that are visually attractive, efficient of land and public services, with a minimum of incompatibility both within areas and between areas.
- .7 To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigative measures are taken to reduce any potential negative impacts and / or enhance the capability of the land to support the proposed development.

- .8 To ensure that new development is compatible with existing and anticipated land uses, utility and transportation networks, and minimizes the risks to quality of life, public health and safety.
- .9 To minimize risks to people and property that are associated with natural hazards or human-made features.
- .10 To protect the natural resources and the environment within the planning district for the continued well being of area residents.
- .11 To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils and water.
- .12 To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic / cultural significance.
- .13 To ensure continued public access to public resources (eg, streams, rivers).
- .14 To provide protection for past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- .15 To promote inter-municipal co-operation and consensus in order to undertake joint land use planning, municipal servicing and sustainable development initiatives that will benefit the community-at-large.

## **2.3 General Policies**

The policies outlined in this section address issues which may arise throughout the planning district.

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

- .1 The *Provincial Land Use Policies* are a *Regulation* under *The Planning Act* and serve as a guide for the District in undertaking and reviewing land use plans and amendments to an existing plan. Once a development plan has been adopted it replaces these Policies as the instrument guiding subdivision and other development in the District.

### 2.3.2 General Development

- a) Future development in the District shall be consistent with this Development Plan. The implementation of the Zoning By-laws, subdivision and development approval and public works shall be consistent with the provisions and intent of this document;
- b) No subdivision of land shall be permitted unless it conforms with the general intent and provisions of this Development Plan and *The Planning Act*;
- c) Developments that create hazardous situations, or are subject to environmental hazards, shall not be permitted unless the hazard has been removed or appropriate remedial measures have been taken that will protect life and property; and are within the guidelines of Provincial Environmental and Health authorities. Where differing land uses abut each other and the potential for conflict exists, separation distances may be required as a means of minimizing the impact on the affected land use;
- d) In approving new developments for residential, commercial or industrial purposes, consideration shall be given to the current and projected demand for that particular type of use. To avoid premature fragmentation of land, the supply of lots should bear a reasonable relationship to the demand or consumption of lots. The District and its Member Municipalities may require that a supply and demand study be undertaken to obtain an overall picture with respect to the availability of suitable undeveloped lots of that particular use; and
- e) In reviewing of development applications the District and Councils will encourage the most appropriate use and development of land and other resources by
  - i) protecting and maintaining the agricultural industry,
  - ii) protecting and strengthening the viability of the existing settlement centres,
  - iii) discouraging scattered and haphazard farm and non-farm developments or urban forms of development in the agriculture/rural area,
  - iv) minimizing the natural hazards such as flooding, erosion or bank instability on any future development,

- v) protecting the environment through a sustainable development strategy which reflects the regulations set out under the *Public Health Act*, *Environment Act* and the guidelines of the *Manitoba Surface Water Quality Objectives*, and
- vi) promoting sound management practices for all resource development.

### **2.3.3 Utilities**

- .1 Essential activities of government and public and private 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.
- .2 Co-operation will be encouraged with Manitoba Hydro, Manitoba TeleCom Services and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.
- .3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses which may threaten or adversely affect their operation.
- .4 Co-operative and inter-municipal servicing initiatives will be encouraged including possible revenue sharing agreements to equitably share costs and benefits of future development in the Planning District.

### **2.3.4 Hazardous Uses**

- .1 Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials will be governed by the following:
  - a) wherever possible, new facilities should be separated from urban areas and buildings used for human occupation;
  - b) hazardous facilities should not be located closer to dwellings than permitted or recommended by Manitoba Conservation;
  - c) where new development of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water, the nature of

outside storage requirements; the compatibility of surrounding land uses; and plans for buffering such activities from adjacent uses.

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

- .1 Natural areas and habitats should be protected from incompatible or potentially incompatible uses where:
  - a) rare or endangered flora and fauna have received provincial designation and protection under *The Endangered Species Act*;
  - b) lands have received provincial designation and protection under the Protected Area Initiative;
  - c) lands have been identified as Wildlife Management Areas;
  - d) private lands have been voluntarily protected by landowners.
- .2 The identification and protection of natural areas and wildlife and fisheries habitats will be encouraged within the planning district.
- .3 All District Municipalities are members of one or more conservation districts and development activities will be co-ordinated with and consistent with conservation principles.
- .4 Public access to natural areas and wildlife and fisheries habitat will be encouraged to foster appreciation for and enjoyment of nature but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.

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

- .1 Development will generally be directed away from hazard areas. Hazard lands include the following:
  - a) lands subject to flooding – all lands which would be flooded by the 100 year flood, or by a recorded flood exceeding the 100 year flood;
  - b) lands subject to water erosion – all lands which would, within a 50 year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body;

- c) lands subject to other hazards such as landslides or subsidence – those lands where actual effects of such hazards have occurred or have been predicted.
- .2 Land subject to significant flooding, erosion or bank instability should be left in its natural state or only developed for low intensity uses such as cropping, grazing, forestry or open space recreational activities which are generally acceptable within hazard areas.
- .3 It may not be practical or desirable for economic or social reasons to restrict certain development in hazard areas. Developments should, however, be carefully controlled and planned to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. In these instances, the following criteria should be applied:
- a) proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities;
  - b) there should be no added risk to life, health or personal safety;
  - c) structures and services should be protected against damage and should be fully functional during hazard conditions;
  - d) 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;
  - e) existing tree and vegetation cover should be preserved where appropriate to reduce erosion and maintain bank stability.
- .4 Development proposals in flood plain hazard areas should be referred to Manitoba Conservation for review prior to approval by the Planning District.
- .5 Development proposals in hazard areas may require completion of engineering studies, including recommendations regarding preventative and mitigative measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures which restore or rehabilitate damage which may occur.

### 2.3.7 Water & Shoreland

- .1 Development will be encouraged in a manner which ensures that waterways, waterbodies, shoreland areas and groundwater resources are sustained.
- .2 The preservation and reintroduction of native vegetation will be encouraged in sensitive environmental areas, such as along the shorelines of lakes, rivers, creeks and streams in order to stabilize the banks, to filter run-off and to maintain the quality of water in these waterways.
- .3 Waterways, waterbodies and shorelands in the planning district may require protection to limit impacts of development. This may be achieved through local land use planning programs and cooperation with provincial programs. The extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the waterway, waterbody or shoreland; the need for public access; environmental characteristics; and economic potential will all have a bearing on the method of protection adopted. In order to provide protection, shoreland reserves may be created.
- .4 In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent may be required to investigate the need for a Water Rights Licence. Development approval may be withheld until such time as a licence is issued.
- .5 Development or activities that may cause pollution under normal operating conditions or by accident will be directed away from groundwater sensitivity areas. Where this is not feasible or practical, development or activities which could cause pollution may be considered in groundwater sensitivity areas provided:
  - a) it can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or,
  - b) appropriate precautionary measures have been or will be taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes.
- .6 The federal *Fisheries Act* provides for the protection of fish habitat. Any work in or near water that has the potential to harmfully alter, disrupt or destroy fish habitat requires authorization by the Department of Fisheries and Oceans (DFO). DFO should be contacted by a



development proponent to ensure their project is in compliance with the *Fisheries Act*.

### **2.3.8 Transportation**

- .1 Existing airport landing fields and aerial approaches within the planning district should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and / or endanger public safety.
- .2 Compatible land uses (for example, agriculture and highway commercial operations) may be permitted adjacent to major provincial highways and other provincial highways and roads where interference with other resources is minimized and the safe and efficient operation of the highway is maintained.
- .3 Proposed developments and subdivisions adjacent to the provincial highway system should be guided by an overall concept plan that establishes an internal road network that ties in with and complements the existing and planned highway network of the area so as to minimize the number of access points on a highway. The development should be reviewed by the province prior to approval to determine if and how the development should proceed.
- .4 Development which contributes to the evolution of a row of lots each relying on direct access to the highway should not be permitted unless development has already occurred to the extent that this policy cannot be fully applied.
- .5 New development should have access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the municipality to upgrade an existing road or develop new road access to a standard agreed upon by the district or member municipality. The proponent may be responsible for part or all of the costs of this roadway construction.
- .6 Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should locate in planned locations in proximity to major roadways, including provincial roads and provincial highways. Direct access to the provincial highway system will be discouraged whereby access should be via the municipal road system to the provincial highway system.

- .7 New development which has the potential to generate significant vehicle traffic should be directed away from those areas and land uses where such levels of traffic could endanger public safety.
- .8 Commercial uses which primarily serve the travelling public should be located in planned or designated areas approved by Manitoba Transportation and Government Services where there is access available from major roadways, including provincial roads and provincial highways where appropriate.
- .9 Any development that is to occur within the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to approval by Manitoba Transportation and Government Services and the Highway Traffic Board respectively prior to planning district or municipal approval.
- .10 Where a local traffic authority has control over roadways, new development adjacent to such roadways will be subject to approval by that traffic authority.
- .11 All development proposals within the vicinity of the provincial highway system should be circulated to Manitoba Transportation and Government Services for review. Any development that may have a significant impact on the highway system regardless of location or jurisdiction should also be circulated accordingly.
- .12 The location and construction of an access to a provincial road will be subject to approval by Manitoba Transportation and Government Services; and to a provincial trunk highway subject to approval by the Highway Traffic Board.
- .13 Where a local authority has control over a roadway, the location and construction of an access to such a roadway will be subject to the approval of that authority.
- .14 Proposed developments which may be adversely affected by noise, dust and fumes from roadways and railways (eg, residential uses, hospitals) should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers to mitigate the conflict.
- .15 Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where feasible and appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.

- .16 Municipal road allowances should be maintained for public access. Any clearing, cultivation or cropping of unimproved road allowances should be approved by the municipality.
- .17 Where there are existing or anticipated high volumes of truck traffic, the municipality may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within communities.
- .18 The local road or street network associated with any type of proposed development should be designed to conform with both the existing and planned road and street system of the neighbouring areas.
- .19 Development that may have a detrimental impact on the safe and efficient operation of the provincial highway system shall not be allowed unless mitigative measures suitable to the Province are incorporated into the development.
- .20 Subdivisions/development will not be permitted in areas designated for highway widening or expansion unless provisions suitable to the Province are made to accommodate future widening or expansion.

### **2.3.9 Mineral Resources**

There are economically valuable sand and gravel and other mineral deposits located within the planning district to provide essential raw materials required for present and future infrastructure requirements. They are identified in the *Aggregate Deposits and Quarry Sites on Development Plan Maps 2, 3, and 4*.

- .1 Areas designated by Manitoba Industry, Trade and Mines as being of high aggregate and mineral potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.
- .2 In areas designated by Manitoba Industry, Trade and Mines as being of medium aggregate and mineral potential, incompatible and potentially incompatible land uses may be permitted following review by Manitoba Industry, Trade and Mines.
- .3 Existing aggregate and mineral operations should be protected from incompatible and potentially incompatible land uses.
- .4 In areas with known aggregate and mineral resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (eg, grazing, cropping, forestry), temporary uses or other uses that will permit access to the resource.

- .5 The exploration, development, production and termination of all aggregate and mineral resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining lands.
- .6 Rehabilitation of depleted pits and quarries shall be the responsibility of the owner/operator of the site utilizing funds established for this purpose by Mines Branch.

### **2.3.10 Heritage Resources**

- .1 The identification of heritage resources should be encouraged within the planning district.
- .2 Heritage resources should be protected where:
  - (a) buildings or landscapes have received municipal and / or provincial heritage designation;
  - (b) buildings or landscapes are in the process of receiving or are being considered for municipal and/or provincial heritage designation; and,
  - (c) buildings or landscapes have been developed and operate as heritage sites.
- .3 Existing heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation.
- .4 The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed, to maximize interpretive and tourism potential.
- .5 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Historic Resources Act*, and / or municipal heritage conservation zones under *The Planning Act*.

### 2.3.11 Outdoor Recreational Resources

- .1 Areas with high recreational capability, *Classes 1-3 Canada Land Inventory (CLI)* for recreation, interesting and/or rare natural features should be protected for outdoor recreation and related uses.
- .2 Areas with lower recreational capability, *Classes 4-5 Canada Land Inventory (CLI)* should be protected where high recreation capability resources are not sufficient to satisfy local and regional needs. *Classes 6-7 Canada Land Inventory (CLI)* lands may only sustain low annual use in dispersed activities or simply provide open space.
- .3 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses which may threaten their integrity and / or operation.
- .4 Proposed recreational development should not preclude access to and use of public resources (eg, lakes and streams).
- .5 Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

## Part 3: Rural Areas

### 3.1 Introduction

This section of the plan outlines objectives and policies for rural areas within the planning district. Rural areas are differentiated from urban areas by less dense development and larger land parcels, with agriculture and resource-related activities as dominant land uses. Rural areas depend on urban areas for a range of commercial and public services and facilities. In rural areas, public services such as a common water supply and delivery system and / or a common sewage collection and treatment system are less common.

#### a) Existing Situation

The Lakeshore Planning District is largely an agricultural area with over 95% of its land base held in large parcel size of 160 acres or greater with low levels of land fragmentation allowing for continuance of unrestricted agricultural activities. Between 1971 and 1996 the number of farms in the District have decreased by 36% from 699 units to 445 units and during this same period the average farm size has increased by 61% from 694 acres to 1120 acres. This trend can be attributed to the need for additional acreage to make the farm unit more economically viable, larger farm equipment that can cover more acreage with less staff and cost and migration of young people from the farming community to find work in the large urban centres. This trend is slowing down and farmers are diversifying their operations by using their own raw products for value-added agro-commercial enterprises.

From 1971 to 1976 cereal crop production has grown by less than 2%, oil seed production by 92% and forage crop production by 2.9%. Further growth is possible on agricultural lands subject to stone clearing during tillage operations and regional water management infrastructure to reduce surface ponding.

Although agriculture is in the dominant position when referring to rural land use, opportunities are extensive for recreation, cottage and tourism development due to the lakes and streams and proximity to the wooded areas of the Riding Mountain National Park. These opportunities should be fully utilized since they do not exist in all rural municipalities and districts within the Province. The District also has good sports angling and commercial fishing in Lake Dauphin, Lake Winnipegosis and Lake Manitoba that contribute to the District economy. There are also a number of sand and gravel quarries that provide aggregate for road and building construction. The District also has an extensive network of provincial highways and municipal roads that provide

vehicular access within the District as well as to and from the District to other parts of the Province.

b) Issues and Concerns

Except for two rural residential subdivisions in the urban fringe area of the Village of Winnipegosis and one rural residential subdivision adjacent to the Dauphin golf course and the numerous cottage subdivisions along the lakes of the District, the rural municipalities are largely unsubdivided. There has not been any significant loss of good agricultural land to non-agricultural related uses. This will allow for expansion of the agricultural sector of the District's economy in the development of value-added agro-commercial/industrial enterprises and livestock production operations. This will add to the income and provide employment for the citizens of the District.

There are certain lands within the District which, because of natural hazards such as slopes, ground water pollution hazard areas and areas subject to flooding, lakes, rivers and streams, jurisdiction and other constraints or because of special circumstances, require protection from encroachment by non-compatible land uses. These include municipal air fields, community water supply wells and areas, sewage lagoon sites, sanitary land fill sites and Riding Mountain National Park as well as provincial parks and recreation areas.

Also the establishment of unregulated large scale intensive animal production operations throughout the District raises potential environmental concerns in regards to waste management and disposal, odours and health concerns to nearby farms and non-farm residences, recreation areas and the urban settlement centres. These large operations require protection from encroachment by non-compatible land uses including residences and they should be separated and restricted when near recreation areas, residences and the urban settlement centres.

Urban fringe area development has not been an issue in the communities of Fork River, Ochre River and Rorketon. However, there is considerably more rural residential development pressure in the urban fringe area of the Village of Winnipegosis. Policies to address this issue and provide for an urban expansion area into the Mossey River Municipality are included in *Part 4 – Urban Areas*.

*Development Plan Maps 5, 6 and 7* provide policy areas best suited for agricultural and rural uses and seasonal recreation uses shown as **Agriculture/Rural Area** and **Seasonal Recreation Area**.

## **3.2 Objectives**

- .1 To protect the dominant role of agriculture and resource-related activities within the economy of the Planning District.
- .2 To encourage economic development, growth and diversification in rural areas in an orderly, efficient manner that will maintain and protect the dominant role of agriculture and resource-related activities in the rural area.
- .3 To encourage development and growth which is sustainable, and which efficiently uses land and existing road networks.
- .4 To promote development which is compatible with adjacent land uses, both existing and anticipated.
- .5 To maintain the character and quality of life presently enjoyed in rural areas.
- .6 To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for urban areas.

## **3.3 Policies**

### **3.3.1 General**

- .1 Land uses such as agriculture, extensive outdoor recreation, agro-commercial, agro-industrial and other commercial and industrial uses as outlined in Section 3.3.6 are appropriate in rural areas. In general, urban like uses such as commercial, industrial, indoor recreational, intensive outdoor recreational, institutional, public and small lot and multiple residential uses should be directed to existing centres.
- .2 New development in rural areas should be located so as to be compatible with other existing or proposed uses.
- .3 New non-farm development should be directed away from prime agricultural lands and viable lower class agricultural lands.
- .4 New development in rural areas should be located to be compatible with existing or potential resource extraction or harvesting.



- .5 New rural cluster development containing a grouping of three or more parcels of land placed side by side usually on a plan of subdivision for rural residential or agro-commercial/industrial development shall be appropriately designated in the development plan and zoned in the zoning by-laws.
- .6 The establishment of urban like uses in rural areas which would compete with urban areas or the potential to create land use conflicts should be discouraged.

### **3.3.2 Agriculture**

- .1 Highly productive prime agricultural lands should not be developed for non-agricultural uses, unless there is no suitable alternate site or if the development meets an important public need.
- .2 Areas should be preserved for a full range of agricultural activities on prime agricultural land and where agriculture is the dominant activity on lower class land and where it is desirable and feasible to provide protection to such activities.
- .3 Prime and viable lower class agricultural lands should be protected from fragmentation into smaller parcels.
- .4 Small land holdings for small-scale or specialized agricultural operations may be considered for approval, provided that such proposals are compatible with other existing agricultural operations, and that the size of the proposed parcel is appropriate for the intended use.
- .5 Existing agricultural enterprises which operate with generally accepted practices of farm management and in conformance with provincial regulations should be protected from new development which might unduly interfere with their continued operation.

### **3.3.3 Intensive Livestock Production**

Livestock production operations are an important component of the agricultural economy. 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, which are usually unavoidable characteristics of this type of operation. They need to be carefully planned and located so that the aquifers identified in the Groundwater Pollution Hazard Areas on *Development Plan Maps 8, 9 and 10* are not polluted by manure storage or spreading of manure.

- .1 Proponents, owners and operators of livestock production operations will be encouraged to develop facilities and conduct their operations in a manner which reduces the production of offensive odours and reduces the potential for pollution of soils, groundwater and surface water.
- .2 Livestock production operations will be encouraged to locate where they will be compatible with surrounding land use and they will not pose a pollution risk to soils, groundwater or surface water.
- .3 On sites where there is a potential risk of pollution of soils, groundwater and/or surface water, operations should be required to incorporate mitigative measures that will reduce the risk to acceptable levels.
- .4 Livestock production operations exceeding criteria specified in the zoning by-law will be conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the Zoning By-laws.
- .5 A mutual separation distance will be maintained between major livestock production operations and residences not accessory to the operation. Council may, pursuant to provisions of *The Planning Act*, vary the separation distance as provided for in the Zoning By-law.
- .6 The Planning District Board, Councils and proponents of livestock production operation will be encouraged to have regard to the advice of provincial technical advisors respecting the proposed siting and development of major livestock operations.

### **3.3.4 Residential Development**

Rural residential (large lot) developments are appropriate land uses in rural areas provided they do not impede the orderly expansion of urban centres, do not require piped water and sewer services from them (unless provided by agreement), are complementary to the existing urban centres and do not lead to the evolution of new competing urban centres. A concern is that rural residential developments not be scattered in agricultural areas resulting in conflicts and incompatibility with agricultural use areas functionally, environmentally and economically resulting in loss of good agricultural land and costs to the District and Municipalities in terms of services provided.

- .1 Non-farm residential development should be directed towards sites with low potential for agriculture due to adverse topography or poor soil conditions or other physical constraint or where existing fragmentation of land encumbers farm operations and where the proposed development will not unduly interfere with nearby agricultural operations.
- .2 Where rural residential development is considered appropriate, it should be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services.
- .3 New rural residential development will be discouraged at the periphery of existing urban areas.
- .4 New dwellings and developments will be encouraged to locate where there is an adequate supply of potable water.
- .5 Where new residential development proposes on-site waste treatment, the location and size of building lots should reflect the capability of local soils to adequately support an approved on-site waste treatment.
- .6 The subdivision of land for residential purposes in the **Agricultural/Rural Area** may be considered where a bona fide farmstead site, that is, a farmstead site that has previously existed and was occupied by a farm residence but has been rendered surplus due to a consolidation or amalgamation of farm operations or similar circumstances. The continued existence of the surplus farmstead site will not have a negative impact on adjacent agricultural lands and operations. The farmstead site must have contained a livable farm residence at some point, is located within a well defined yard site and be located within a well defined shelterbelt.

The creation of small parcels or sites will be permitted for the following uses:

- a) A retiring farmer who wishes to retain his/her farm residence

- d) Rural residential development shall only be approved when, in Council's opinion, the number and the location of the proposed lots is necessary to meet the current needs of the municipality;
- e) The developer shall demonstrate that rural residential use will be compatible with existing and prospective uses in the vicinity;
- f) Consideration shall be given to the immediate and future costs to the taxpayers for schools, hydro, telephone, highways, police and fire protection, health care and recreational facilities;
- g) The subdivision of land may be permitted where a parcel of land is isolated by way of a creek, drain, road or natural land feature and is of size or shape that makes farming difficult. Subdivisions proposed under this policy shall comply with the following:
  - i) small lot subdivision must comply with the mutual separation distance for livestock operations. The new lot cannot reduce the options for the future establishment of a livestock operation by increasing or creating new mutual separation distances unless a variation to the mutual separation distance is approved by council;
  - ii) the proposed use will not restrict agricultural cropping practices such as working fields, spraying, harvesting of crop, etc.;
  - iii) the proposed subdivision will not require services (e.g. roads, drainage, or other infrastructure services) beyond the municipal standard for the area; and
  - iv) the proposed subdivision should not be wasteful of land but should include all of the land area isolated by the road, creek, or natural land feature. Re-subdivision of said land will not be allowed.

.7 Three existing cluster rural residential developments are located in the RMs of Mossey River and Ochre River:

- a) Two areas located in the RM of Mossey River in the urban fringe area adjacent to the Village of Winnipegosis. These areas will be included in **Part 4: Urban Areas** and are shown on *Development Plan Map 14 – Winnipegosis and Fringe Area*; and
- b) One area located in the RM of Ochre River adjacent to the Dauphin Golf Course and located in the Seasonal Recreation Area

designation of *Development Plan Map 7: R.M. of Ochre River*. This area will be zoned for rural residential use in the Municipal Zoning By-law.

### **3.3.5 Seasonal Recreation Development**

- .1 In general, seasonal residential development will follow the policies set forth in Section 3.3.4.
- .2 Seasonal residential development should be encouraged to locate in existing built-up seasonal residential areas where vacant land suitable for development is available.
- .3 Where suitable vacant land is not available in existing built-up cottage areas, seasonal residential development should be encouraged to, where possible, locate adjacent to existing built-up cottage areas where public services, including roads, power lines and other services can be efficiently and economically expanded.
- .4 Seasonal residential development should be directed away from major livestock production operations and sensitive environmental areas, and encouraged to maintain the natural character of the landscape.
- .5 In instances where proposed residential developments incorporate shoreline, the proponent should ensure adequate and continuing public access to the waterbody.
- .6 Multi-family residential development in seasonal recreational areas such as condominiums should be encouraged to locate in close proximity to community services, commercial developments, and recreational amenities, such as golf courses.
- .7 Non-residential recreational facilities and uses including ancillary commercial services to serve local needs shall be prescribed as permitted and conditional uses in the subsequent municipal zoning by-laws in order to maintain compatibility with development and the natural environment.

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

- .1 Commercial and industrial developments should locate in rural areas only when no suitable urban location exists or where their activities or nature is more suitable for a rural location such as agro-related enterprises and anhydrous fertilizer depots.

- .2 Commercial and industrial developments in rural areas should be encouraged to locate at appropriate locations with access to major roadways and provincial highways. If permitted, direct access to the provincial highway system will be discouraged. Access should be via municipal roads to the provincial road network.
- .3 Commercial and industrial developments should be encouraged to provide enough land for potential expansion, while not wasting land.
- .4 The subdivision of land for specialized agriculture will be permitted in the **Agriculture/Rural Area** provided that conflict with other land uses is minimized.
- .5 The subdivision of land for agro-commercial purposes, which directly serve the agricultural industry, such as farm machinery sales and services or seed plants, or which are hazardous in a settlement centre, such as bulk fuel or crop protection warehouses, will be permitted in the **Agriculture/Rural Area** provided that conflict with other uses is minimized.
- .6 Home-based businesses may occur generally in rural areas. Home-based businesses are secondary to a primary residential use and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules for home-based businesses in the Municipal Zoning By-law.

## Part 4: Urban Areas

### 4.1 Introduction

This section of the plan outlines objectives and policies for urban areas within the planning district. Urban areas may include towns, villages, local urban districts and other settlements. Urban areas are differentiated from rural areas by more dense development and smaller lots. The higher population densities and smaller lots allow for a greater variety of shared services (eg, piped water and sewer) to be provided more efficiently and economically.

Urban areas usually function as service centres for the surrounding municipality and offer a range of commercial and public services and facilities (eg., retail stores, businesses, schools, government offices, recreation facilities). Urban areas may offer a greater variety of housing types than rural areas including single-family, multi-family, seniors' and special needs.

#### a) Existing Situation

There are four settlement centres in the District – Fork River, Ochre River, Rorketon and Winnipegosis ranging in size from a population of 35 to 730. The smaller settlement centres, to a varying degree, have fewer types of land uses and collective services than the Village of Winnipegosis which offers a wide range of commercial, industrial and public services serviced by piped water and sewer systems.

The urban areas of the District have sufficient lands in the developed areas to meet their future needs relative to the socio-economic trends that have been identified in the Background Study. They can also accommodate moderate economic growth with an active economic development program, community promotion and agricultural diversification of development. If development begins to exceed supply of land the urban communities have sufficient reserve land that may be developed for urban expansion. The Village of Winnipegosis may have to expand beyond its limits into the RM of Mossey River to provide additional lands for highway commercial, industrial and residential development when the need arises.

#### b) Issues and Concerns

Except for the Village of Winnipegosis, fringe area development has not been an issue or concern to the other urban settlements since they are each under one municipal jurisdiction, nor have there been conflicts with adjacent rural uses. All of the urban

centres are there to provide essential services to their respective municipalities and residents. There is need to attract new development and growth to these centres in an orderly, planned and economic fashion.

The urban fringe area adjoining the Village of Winnipegosis has been regulated by the existing planning by-laws of the RM of Mossey River. This area contains existing large lot residential development west and south of the Village and contains land in the northwest quadrant for future urban expansion of residential, commercial, industrial and recreational needs of the Village.

*Development Plan Maps 11-14* illustrate the urban areas of the District and are designated **General Development Area** in the settlement centres of Fork River, Ochre River, Rorketon and Winnipegosis. *Development Plan Map 14* also includes two designations located in the RM of Mossey River in the urban fringe area of the Village of Winnipegosis – **Rural Residential Area** which will follow the policies set forth in Section 3.3.4 and **Urban Expansion Area** which includes an existing rural residential development in the eastern portion of the designation which will follow the policies set forth in Section 4.3.8.

In the **General Development Area** there will be no distinct areas designated for residential, commercial, industrial, institutional or recreational uses; however, distinct zones may be established in the municipal zoning by-laws, particularly in the Village of Winnipegosis because of its size and wide range of distinct residential, commercial and industrial developments.

## 4.2 Objectives

- .1 To sustain and strengthen existing urban areas by encouraging new development, revitalization and renewal.
- .2 To encourage development and growth of urban areas which efficiently uses land, infrastructure and public services
- .3 To provide a range of commercial, industrial, recreation and community facilities and services to the residents of the urban area and residents of the region.
- .4 To promote development which is compatible with adjacent land uses, both existing and anticipated.



- .5 To encourage growth and development of urban areas in a manner which is compatible with the objectives and policies for rural areas.

### **4.3 Policies**

#### **4.3.1 General**

- .1 In general, 'urban-like' uses such as commercial, industrial, indoor recreational, intensive outdoor recreational, institutional, public and small lot residential uses should be directed to existing urban centres.
- .2 Urban areas should provide for an appropriate mix of residential, commercial, institutional, recreational, industrial and public uses in quantities reasonably related to demand.
- .3 Proposed development should take into account the health, safety and general welfare of the residents, and the viability and character of the urban centre.
- .4 Those uses or activities which are permitted in urban areas should be located so as to be compatible with other existing or proposed uses.
- .5 Infilling and revitalization of existing built-up areas should be encouraged as a means to accommodate new development in urban areas.
- .6 Expansion of urban centres should be directed away from prime agricultural land, livestock operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited.
- .7 Where suitable vacant land is not available, 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.
- .8 Lot sizes and densities should be governed by the limitations of existing sewer and water services within each community. Where no existing piped services are available within the community, lot sizes should be sufficiently large to minimize the risk of contamination of private wells, and to allow for the installation of suitable types of sustainable private sewage disposal systems in accordance with *Environment Act* regulations. Where piped services are available, lot sizes may be smaller to provide for a higher density of development, and thus more efficient operation of piped services. In the case of commercial and

industrial developments, lot sizes should be large enough to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas. However, lot sizes should not be so large that they are wasteful of land.

- .9 Where large undeveloped areas are being considered for future community development, an overall concept plan should be prepared for the area, in order to provide for an efficient, well-planned development. The concept plan should illustrate the general arrangement of future roadways, building lots, open spaces, piped services, area drainage, and other major features. The design of the roadways, piped services and building lots should be integrated with existing roadways and services, and should generally conform to recognized engineering and planning standards.
- .10 Where a developer is proposing new development, the council should specify the standards for new infrastructure (such as roadways or piped services), and may, in its discretion, require the proponent to contribute towards the cost of establishing new infrastructure that may be needed to adequately service the new development.

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

- .1 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.
- .2 Where new water or sewer systems are provided within existing developed areas, existing development should be required to connect to these systems within time frames established by council.
- .3 Where piped water or sewer services are not available in urban areas, development should be planned so as to be able to accommodate efficient and economical piped water and sewer services in the future.

#### **4.3.3 Vehicle Traffic**

- .1 Commercial and other development which has potential to generate significant vehicle traffic should locate in planned locations in proximity to major roadways, including provincial roads and provincial highways and away from areas where the traffic would create incompatibilities with surrounding land uses, or endanger public health or safety, or cause excessive wear and tear on road networks. Direct access to the

provincial highway system will be discouraged; access should be via the municipal road system to the provincial system.

- .2 Commercial uses which primarily serve the travelling public should locate at planned locations with access to major roadways including provincial roads and provincial highways. Direct access to the provincial highway system will be discouraged; access should be via the municipal roads to the provincial road network.
- .3 Land uses and developments that have potential to generate significant truck traffic should locate in planned locations with access to major roadways including provincial roads and provincial highways, if appropriate. Direct access to the provincial highway system will be discouraged; access should be via the municipal road system to the provincial road system.

#### **4.3.4 Residential Development**

- .1 Development of a variety of housing types should be encouraged in urban areas (eg, single-family, multi-family, seniors, special needs) in response to demand and where suitable services and infrastructure are available or can be provided.
- .2 Residential development should be located to avoid potential conflicts with other incompatible uses (eg, industrial uses which generate noise, dust, odours, heavy traffic and other potential nuisance; sewage lagoons; highways; rail lines).
- .3 Residential development will be encouraged to locate in proximity to complimentary public (eg, recreation facilities, parks, libraries), institutional (eg, schools) and commercial uses (eg, neighbourhood commercial).
- .4 Multi-family housing projects or seniors housing projects will be encouraged to locate in close proximity to important community services such as central commercial areas.

#### **4.3.5 Commercial Development**

- .1 Commercial development will be encouraged to locate within existing urban areas.
- .2 The commercial core area of urban centres should be promoted as the principal location for specialized retail, professional offices, financial

institutions, as well as government offices, cultural and indoor recreational amenities.

- .3 To strengthen central core areas' higher density development, revitalization of existing buildings, infrastructure upgrading and landscaping programs will be encouraged.
- .4 Commercial developments with extensive site requirements, such as outdoor storage, display, parking requirements (ie, large trucks), will be encouraged to locate at appropriate locations outside of the central core area.
- .5 Home-based businesses are secondary to a primary residential use and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules for home-based businesses in the Municipality's zoning by-law.

#### **4.3.6 Industrial Development**

- .1 Industrial uses which are incompatible or potentially incompatible with other uses and / or which pose a significant risk to public health and safety, due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area where they will be compatible with other uses and will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the rural area may be considered.
- .2 New development which could be incompatible with industrial uses should be directed away from areas where industrial uses occur or are anticipated to occur.
- .3 Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban areas. If such uses are proposed in these areas, special landscape buffering or other mitigative measures should be taken to screen these industrial uses from view.

#### **4.3.7 Institutional, Open Space, Recreational & Cultural Development**

- .1 In order to strengthen and diversify existing urban areas, the development of institutional, recreational or cultural facilities, should be encouraged at appropriate locations within these communities. Locations should be selected which can be adequately serviced and which will be reasonably compatible with other nearby developments.
- .2 In the Village of Winnipegosis the redevelopment of the abandoned railway right-of-way (downtown boulevard) and box mill site into park and open space and related ancilliary services should be a priority and should build on the Village's historic fishing industry.

#### **4.3.8 Urban Expansion Area**

The northwest quarter of section 10 will be reserved for urban expansion until such time as it is needed for urban usage. The eastern portion of the quarter which is presently used for rural residential living shall remain such while the remainder of the quarter shall remain rural with more restrictions on livestock production operations specified in the Municipal Zoning By-law.

Any development of the urban expansion area for residential, commercial or industrial use should only be contemplated when required after the preparation of a conceptual design for the area, consideration of servicing and consultation between the affected municipalities and Manitoba Transportation and Government Services. Any new development will require a development plan amendment.

#### **4.3.9 Restricted Development Area**

- .1 In order to minimize human exposure to the undesirable effects of such uses as sewage lagoons and waste disposal sites, development in the vicinity of these facilities should be limited to developments which would not be adversely affected by these facilities.

## **Part 5: Implementation**

### **5.1 Basic Implementation Measures**

The policies outlined in this development plan will be implemented by the following measures and methods:

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

Adoption of this development plan by the Planning District Board by by-law will give the plan the force of law. *The Planning Act* states that once adopted no development or land use change may be carried out within the area affected by the development plan that is inconsistent or at variance with the proposals or policies set out in the development plan. *The Planning Act* also states that adoption of a development plan does not require a board or council to undertake any proposal suggested or outlined in the plan.

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

Following adoption of the development plan, each municipality comprising the planning district is required to enact a zoning by-law which will set out specific regulations for land use and development.

Zoning by-laws designate areas for certain types of development. While the Development Plan policies guide the Zoning By-laws, it may be necessary in some cases to zone a specific property for its existing use rather than for the use foreseen in the Development Plan. Permitted and conditional uses and development standards are prescribed for each zone.

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.

#### **5.1.3 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 zone. This will provide the council with the flexibility to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving

or denying the proposals. In addition, this process provides council with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the conditional use process, council will have an opportunity to influence the location of some types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community. The development plan policies and objectives provide guidance for the conditional approval process.

#### **5.1.4 Variation Orders**

*The Planning Act* enables council to issue variation orders for the purpose of varying or altering the application of its zoning by-law. The various ways that a zoning by-law may be varied are outlined in *The Planning Act*. Council may attach conditions to a variation order in order to maintain the intent and purpose of the development plan or the zoning by-law. Council may authorize the development officer of the planning district to grant or refuse a minor variation as set out in *The Planning Act*.

#### **5.1.5 Development Permits**

New development generally requires a development permit issued by the planning district board.

Before a permit is issued, proposals should be reviewed to determine their conformance with the development plan and municipal zoning by-law(s).

#### **5.1.6 Development Officer**

Council may authorize the development officer of the planning district to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of a zoning by-law.

#### **5.1.7 Subdivision Approvals**

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

This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the development plan.

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

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

### **5.1.8 Development Agreements**

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

### **5.1.9 Review & Amendment**

The 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 Planning Act* states that a district board shall review a development plan no later than five (5) years after the date on which the plan came into effect or after the date of the previous review.

## **5.2 Additional Measures**

In addition to the measures outlined above, the planning district may also utilize the following:

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

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

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

Each municipality comprising the planning district has the capability to adopt and administer other by-laws concerning the use, development and maintenance of land. This would include measures such as the adoption of a



building by-law, property maintenance by-laws, access approval by-laws, drainage by-laws and other types of by-laws affecting the use of land.

### **5.2.3 Special Studies**

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

### **5.2.4 Public Works**

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

### **5.2.5 Capital Expenditure Program**

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

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

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

### **5.2.7 Municipal Co-operation**

Implementation of the development plan may benefit from or require cooperation between one or more municipalities. *The Municipal Act* provides

for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

### **5.2.8 Other District Studies**

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

- a) Rural transportation network plan relating to existing and proposed uses;
- b) Rural infrastructure study for piped water to specific areas (e.g. to Dauphin Beach);
- c) Computerized land use mapping in a format that may readily be upgraded from time to time;
- d) Identification and protection of significant historic sites;
- e) Redevelopment of the abandoned railway right-of-ways in the RMs of Mossey River and Ochre River and the Village of Winnipegosis;
- f) Expansion and development of the tourism and recreation sectors of the economy of the district; and
- g) Development of a mobile home park in the R.M. of Ochre River in the Seasonal Recreation Area.

### **5.3 Interpretation**

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